

RESOLUTION NO. 143-2016

Date Adopted: 10/05/2016

Date Published:

A RESOLUTION AMENDING CHAPTER 13, ARTICLE I OF THE SEDGWICK COUNTY CODE, ENTITLED "FLOODPLAIN MANAGEMENT," WITH CERTAIN PROVISIONS TO BE AMENDED; AND ADOPTING THE NEW FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE STUDY WITH ACCOMPANYING FLOOD INSURANCE RATE MAPS DATED DECEMBER 22, 2016, TO BE EFFECTIVE ON THAT SAME DATE WITHIN THE UNINCORPORATED AREAS OF SEDGWICK COUNTY, KANSAS.

WHEREAS, the National Flood Insurance Act of 1968, as amended, requires local communities to adopt control measures that regulate land use in areas of special flood hazard within their communities; and

WHEREAS, The Board of County Commissioners on January 3, 2007, passed Sedgwick County Resolution No. 14-2007, enacting the current Chapter 13 of the Sedgwick County Code, entitled "Floodplain Management" and rescinding Resolution No. 183-2004 and all previous floodplain resolutions; and

WHEREAS, the Board of County Commissioners finds it necessary to amend Resolution No. 14-2007, codified in Chapter 13 of the Sedgwick County Code, in order to comply with the updated regulations of the Federal Emergency Management Agency ("FEMA") and to adopt the new Flood Insurance Study and Flood Insurance Rate Maps, which were last updated in 2012 within Resolution No. 55-2012; and

WHEREAS, FEMA has identified the areas of special flood hazard in Sedgwick County, Kansas; and

WHEREAS, the legislature of the State of Kansas has in K.S.A. 19-212 delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare to its citizenry; and

WHEREAS, this Resolution is adopted pursuant to the authority of K.S.A. 12-766.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, THAT CHAPTER 13, ARTICLE 1 OF THE *SEDGWICK COUNTY CODE* ENTITLED "FLOODPLAIN MANAGEMENT," IS HEREBY AMENDED:

SECTION 1.

Section 13-1. Definitions.

Section 13-1, subpart (7) is hereby amended to read as follows:

- (7) *Base flood elevation (BFE)* means the computed elevation to which floodwater is anticipated to rise during the base flood.

SECTION 2.

Section 13-2. Findings of fact.

Section 13-2, subpart (c)(1) is hereby amended to read as follows:

(c) (1)

Selection of a base flood that is based upon engineering calculations, which permit a consideration of such flood factors as its expected frequency of occurrence, the area inundated, and the depth of inundation. The base flood selected for this chapter is representative of large floods, which are characteristic of what can be expected to occur on the particular streams subject to this chapter. It is in the general order of a flood that could be expected to have a one percent (1%) chance of occurrence in any one year as delineated on the Federal Insurance Administrator's Flood Insurance Study (FIS), and illustrative materials dated December 22, 2016, as amended, and any future revisions thereto.

SECTION 3.

Section 13-4. Applicability of chapter.

Section 13-4 is hereby amended to read as follows:

Sec. 13-4. Applicability of chapter.

The provisions of this chapter shall apply to all areas of special flood hazard within the unincorporated areas of Sedgwick County, Kansas. Areas of special flood hazard are identified by the Federal Emergency Management Agency through a scientific and engineering report entitled "The Flood Insurance Study, Sedgwick County, Kansas, Unincorporated Areas," dated December 22, 2016, with accompanying Flood Insurance Rate Maps, with any revisions thereto, which are hereby adopted and incorporated by reference. Such study results are on file at the office of the County Clerk, the Department of Code Enforcement of Sedgwick County, Kansas and the Division of Water Resources for the State of Kansas.

SECTION 4. Effective date and publication.

The Sedgwick County Clerk is directed to publish this Resolution once in the official County newspaper. This Resolution shall become effective on December 22, 2016.

APPROVED PURSUANT TO K.S.A. 12-766 (b) ON THIS _____ DAY OF _____, 2016.

KANSAS DEPARTMENT OF AGRICULTURE

BY: _____,
Chief Engineer,
DIVISION OF WATER RESOURCES

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Commissioners present and voting were:

DAVID M. UNRUH	<u>AYE</u>
TIM R. NORTON	<u>AYE</u>
KARL PETERJOHN	<u>AYE</u>
RICHARD RANZAU	<u>AYE</u>
JAMES M. HOWELL	<u>AYE</u>

Dated this 5th day of October, 2016.

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

ATTEST:

KELLY B. ARNOLD, County Clerk

JAMES M. HOWELL, Chairman
Commissioner, Fifth District

RICHARD RANZAU, Chair Pro Tem
Commissioner, Fourth District

APPROVED AS TO FORM:

JUSTIN M. WAGGONER
Assistant County Counselor

DAVID M. UNRUH
Commissioner, First District

TIM R. NORTON
Commissioner, Second District

KARL PETERJOHN
Commissioner, Third District