

ORDINANCE NO. _____

1 AN ORDINANCE amending Title 26, the Land Subdivision Ordinance, of the
2 Lincoln Municipal Code by adding a new section numbered 26.07.115 to add a definition of
3 “Flood Insurance Study”; by amending Section 26.07.120 to amend the definition of “flood
4 plain” to base the regulatory flood plain on FEMA's September 21, 2001 Flood Insurance Rate
5 Map; by amending Section 26.15.040, Development Within Flood Plain, to require the
6 subdivider to provide base flood elevation data for preliminary plats located within Zone A;
7 and repealing Sections 26.07.120 and 26.15.040 of the Lincoln Municipal Code as hitherto
8 existing.

9 BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

10 Section 1. That Chapter 26.07 of the Lincoln Municipal Code be amended by
11 adding a new section numbered 26.07.115 to read as follows:

12 **26.07.115 Flood Insurance Study.**

13 **Flood Insurance Study (FIS)** shall mean the Flood Insurance Study for Lancaster County,
14 Nebraska and Incorporated Areas published by FEMA in conjunction with the FIRM and
15 containing background data such as base flood discharges and water surface elevations used
16 to prepare the FIRM.

17 Section 2. That Section 26.07.120 of the Lincoln Municipal Code be amended
18 to read as follows:

1 **26.07.120 Flood Plain.**

2 Flood plain shall mean those lands within the zoning jurisdiction of the City of Lincoln
3 which are subject to a one percent or greater chance of flooding in any given year. The
4 regulatory flood plain for this title shall be based on the September 21, 2001 official Flood
5 ~~Insurance Rate Map (FIRM for Lancaster County, Nebraska and Incorporated Areas) and~~
6 ~~flood boundary and floodway map~~ issued by the ~~Federal Emergency Management Agency~~
7 and any revision thereto. Copies of the said maps shall be on file in the ~~office of the City~~
8 ~~Clerk~~ Department of Building and Safety.

9 Section 3. That Section 26.15.040 of the Lincoln Municipal Code be amended
10 to read as follows:

11 **26.15.040 Development Within Flood Plain.**

12 The following additional information shall be included with the preliminary plat if any
13 part of the subdivision is within the flood plain:

14 (a) All hydrological and grade information in NAVD 1988, including base flood
15 elevation data within Zone A (no base flood elevations determined), which is necessary to
16 determine the frequency and extent that the subdivision is subject to inundation by flood
17 water, except that this shall not apply where the use of the property is not being changed and
18 where there are no physical changes on the site which have the potential to increase the flood
19 hazard. When utilizing NGVD based flood elevations from FEMA floodplain maps, 0.50 feet
20 shall be added to NGVD 1929 to obtain NAVD 1988, unless a more accurate conversion
21 factor using an established conversion program is demonstrated to the satisfaction of the
22 Director of Public Works and Utilities. Notwithstanding the above, hydrological and grade

1 information included with a preliminary plat submitted before March 1, 2000 may be in either
2 city datum or NAVD 1988.

3 (b) The type and extent of the proposed use or development of the land which is
4 located within the flood plain, along with such information as is necessary to determine the
5 effect flood waters will have on such development and use and the effect such development
6 and use may have upon the flood waters. All such information shall show the location of the
7 proposed use, areas of habitation and employment, including the location, size, and floor
8 elevation of any structures, the location and elevation of all parking areas, and the use,
9 location, and elevations of all open land areas.

10 (c) All plans and other information required herein shall conform to the
11 development standards of this title.

12 (d) The limits of the 100-year flood plain.

13 (e) The amount of fill material brought into the flood plain from outside the flood
14 plain. If fill is from within the flood plain, give the location of the borrow area.

15 (f) Should proposed grading occur in the regulatory floodway, a certification by a
16 professional engineer or hydrologist demonstrating the grading will not result in any increase
17 in the flood level during the occurrence of the base flood discharge.

18 Section 4. That Sections 26.07.120 and 27.15.040 of the Lincoln Municipal
19 Code as hitherto existing be and the same are hereby repealed.

1 Section 5. That this ordinance shall take effect and be in force from and after
2 its passage and publication according to law.

Introduced by:

Approved as to Form & Legality:

City Attorney

Staff Review Completed:

Administrative Assistant

Approved this ___ day of _____, 2001:

Mayor