



City of Del Mar Staff Report



TO: Honorable Mayor and City Council Members

FROM: Kathleen A. Garcia, Planning and Community Development Director
Via Scott W. Huth, City Manager
Prepared by Amanda Lee, Principal Planner

DATE: July 15, 2019

SUBJECT: Informational Report and Update Regarding FEMA's Recently Approved Flood Insurance Rate Map (FIRM)

REQUESTED ACTION/RECOMMENDATION:

Staff recommends that the City Council receive the informational report.

DISCUSSION/ANALYSIS:

After a multi-year process, a new Flood Insurance Rate Map (FIRM) was finalized by the Federal Emergency Management Agency (FEMA) on June 20, 2019 (see Attachment A). New changes on the map are applicable to the North Beach neighborhood (RM-West, R1-5B, and R1-10B zones) and Floodplain Overlay Zone.

The FIRM map applies to the City of Del Mar because the City participates in FEMA's National Flood Insurance Program. Participation allows the City to be eligible to receive disaster relief assistance and federal pre-disaster hazard mitigation grant funds; and allows residents to purchase national flood insurance and obtain federally insured mortgage loans. (Approximately 270 properties in Del Mar have national flood insurance.)

As part of the flood management program, FEMA designates flood hazard zones on the FIRM that apply to Del Mar's Floodway Zone and Floodplain Overlay Zone as follows:

- AE zone: A "coastal high hazard" Special Flood Hazard Area relating to the 1-percent annual chance flood and lesser wave hazards with a designated base flood elevation. Subject to mandatory flood insurance for federally backed loans.
- VE zone: A "coastal high hazard" Special Flood Hazard Area relating to the 1-percent annual chance flood and ocean flooding with additional wave-induced hazards with a designated base flood elevation. Subject to mandatory flood insurance for federally backed loans.
- Zone X: Flood hazard area inundated by 0.2 percent annual chance flood (or less than 1 foot for the 1-percent annual chance flood) and areas of minimal risk.

City Council Action:

FEMA's latest coastal flood hazard study (completed in 2017) accounted for total water levels, dune erosion, wave set up, wave run-up, seawall overtopping, and overland wave propagation. Based on the flood risk data collected, FEMA applied the VE zone to the beachfront properties in Del Mar from 17th Street north to the San Dieguito Lagoon river mouth. FEMA's new map accounts for flooding from waves that can overtop coastal barriers (i.e. seawalls, revetments, berms), which was not accounted for on the prior FIRM map that was mapped in the early 1980s.

Much of the public outreach for the new map occurred together with the City's vulnerability analysis and sea level rise planning including Sea Level Rise Technical Advisory Committee meetings (April and May 2016; and June and August 2017), presentations to the Planning Commission (August and September 2018), and presentations to the City Council (October 2018 relating to Del Mar's flood vulnerability and Ordinance amending the Floodway Zone and Floodplain Overlay Zone. Public notice of the preliminary FIRM map and opportunity to appeal was posted on City's web page; announced at public meetings of the STAC, Design Review Board, Planning Commission, and City Council; mailed to affected property owners; and published in San Diego Union Tribune, Coast News, Del Mar Times (on October 25 and November 1, 2017). However, no appeal was filed.

On May 15, 2019, FEMA held a local assistance meeting (live broadcast and recorded) in Del Mar to provide details relating to the updated FIRM including the mapped areas of potential flood risk, flood insurance information, and options for processing map changes if desired. FEMA encouraged owners to purchase insurance before the effective date of the new map and to maintain continuous coverage. FEMA also explained they have a process available to request a change to the FIRM map (referred to as a Letter of Map Amendment) for scenarios where 1) a structure or property is clearly outside of the special flood hazard area base flood elevation; 2) a structure is in the special flood hazard area, but is above the base flood elevation lowest adjacent grade; or 3) there is a technical basis for a revision. Staff understands that some owners in the community are interested in requesting a technical change and are in process of obtaining details from FEMA.

On June 20, 2019, FEMA issued their letter of final determination of flood hazards on the new FIRM map. In accordance with local and federal regulations, the new FIRM map will automatically become effective in six months. This means that on December 20, 2019, the new map will become effective, thereby making all effected beachfront properties in Del Mar subject to the regulations of the Floodplain Overlay Zone on that date. Applicability of the FEMA map will occur regardless of what the State may decide on the Ordinance and associated Local Coastal Program Amendment currently in process with the California Coastal Commission.

Additional information on the FIRM map and the FEMA process for map amendment is available via the City's dedicated web page: <http://www.delmar.ca.us/618/FEMA---New-Flood-Map>

FISCAL IMPACT:

The new FEMA FIRM Map would not result in a fiscal impact.

ENVIRONMENTAL IMPACT:

This informational report is not subject to the California Environmental Quality Act.

NEXUS TO CITY COUNCIL GOALS AND PRIORITIES:

This matter relates to the Sea Level Rise Planning Implementation item on the list of City Council Goals and Priorities.

PRIOR CITY COUNCIL REVIEW

On October 29, 2018, the City Council adopted an Ordinance (introduced October 15, 2018), which amends existing Del Mar Municipal Code Chapter 30.29 (Floodway Zone) and Chapter 30.56 (Floodplain Overlay Zone). The Floodway Zone and Floodplain Zone are the applicable regulations that the City will rely on to implement the new FIRM map.

ATTACHMENTS:

Attachment A – FEMA Letter dated June 20, 2019



Federal Emergency Management Agency

Washington, D.C. 20472

RECEIVED

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

IN REPLY REFER TO:
115-I

JUN 24 2019
City of Del Mar
Administrative Services Dept.

June 20, 2019

The Honorable Dave Druker
Mayor, City of Del Mar
1050 Camino Del Mar
Del Mar, California 92014

Community: City of Del Mar,
San Diego County, California
Community No.: 060288
Map Panels Affected: See FIRM Index

Dear Mayor Druker:

On October 17, 2017, you were notified of proposed modified flood hazard determinations (FHDs) affecting the Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) report for the City of Del Mar, San Diego County, California. The statutory 90-day appeal period that was initiated on November 1, 2017, when the Department of Homeland Security's Federal Emergency Management Agency (FEMA) published a notice of proposed FHDs for your community in the *San Diego Union Tribune* and *The Del Mar Times*, has elapsed.

FEMA received no valid requests for changes in the FHDs. Therefore, the determination of the Agency as to the FHDs for your community is considered final. The final FHDs will be published in the *Federal Register* as soon as possible. The modified FHDs and revised map panels, as referenced above, will be effective as of December 20, 2019, and revise the FIRM that were in effect prior to that date. For insurance rating purposes, the community number and new suffix code for the panels being revised are indicated above and on the maps and must be used for all new policies and renewals.

The modifications are pursuant to Section 206 of the Flood Disaster Protection Act of 1973 (Public Law 93-234) and are in accordance with the National Flood Insurance Act of 1968, as amended (Title XIII of the Housing and Urban Development Act of 1968, Public Law 90-448), 42 U.S.C. 4001-4128, and 44 CFR Part 65. Because of the modifications to the FIRM and FIS report for your community made by this map revision, certain additional requirements must be met under Section 1361 of the 1968 Act, as amended, within 6 months from the date of this letter. Prior to December 20, 2019, your community is required, as a condition of continued eligibility in the National Flood Insurance Program (NFIP), to adopt or show evidence of adoption of floodplain management regulations that meet the standards of Paragraph 60.3(d and e) of the NFIP regulations. These standards are the minimum requirements and do not supersede any State or local requirements of a more stringent nature.

It must be emphasized that all the standards specified in Paragraph 60.3(d and e) of the NFIP regulations must be enacted in a legally enforceable document. This includes the adoption of the effective FIRM and FIS report to which the regulations apply and the modifications made by this map revision. Some of the standards should already have been enacted by your community. Any additional requirements can be met by taking one of the following actions:

1. Amending existing regulations to incorporate any additional requirements of Paragraph 60.3(d and e);

2. Adopting all the standards of Paragraph 60.3(d and e) into one new, comprehensive set of regulations; or
3. Showing evidence that regulations have previously been adopted that meet or exceed the minimum requirements of Paragraph 60.3(d and e).

Communities that fail to enact the necessary floodplain management regulations will be suspended from participation in the NFIP and subject to the prohibitions contained in Section 202(a) of the 1973 Act as amended.

A Consultation Coordination Officer (CCO) has been designated to assist your community with any difficulties you may be encountering in enacting the floodplain management regulations. The CCO will be the primary liaison between your community and FEMA. For information about your CCO, please contact:

Mr. Edward Curtis
 Engineer, FEMA Region IX
 1111 Broadway, Suite 1200
 Oakland, California 94607
 (510) 627-7100

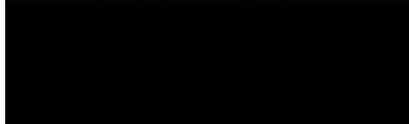
To assist your community in maintaining the FIRM, we have enclosed a Summary of Map Actions to document previous Letter of Map Change (LOMC) actions (i.e., Letters of Map Amendment (LOMAs), Letters of Map Revision (LOMRs)) that will be superseded when the revised FIRM panels referenced above become effective. Information on LOMCs is presented in the following four categories: (1) LOMCs for which results have been included on the revised FIRM panels; (2) LOMCs for which results could not be shown on the revised FIRM panels because of scale limitations or because the LOMC issued had determined that the lots or structures involved were outside the Special Flood Hazard Area as shown on the FIRM; (3) LOMCs for which results have not been included on the revised FIRM panels because the flood hazard information on which the original determinations were based is being superseded by new flood hazard information; and (4) LOMCs issued for multiple lots or structures where the determination for one or more of the lots or structures cannot be revalidated through an administrative process like the LOMCs in Category 2 above. LOMCs in Category 2 will be revalidated through a single letter that reaffirms the validity of a previously issued LOMC; the letter will be sent to your community shortly before the effective date of the revised FIRM and will become effective 1 day after the revised FIRM becomes effective. For the LOMCs listed in Category 4, we will review the data previously submitted for the LOMA or LOMR request and issue a new determination for the affected properties after the revised FIRM becomes effective.

The FIRM panels have been computer-generated. Once the FIRM and FIS report are printed and distributed, the digital files containing the flood hazard data for the entire county can be provided to your community for use in a computer mapping system. These files can be used in conjunction with other thematic data for floodplain management purposes, insurance purchase and rating requirements, and many other planning applications. Copies of the digital files or paper copies of the FIRM panels may be obtained by calling our FEMA Map Information eXchange (FMIX), toll free, at 1-877-FEMA-MAP (1-877-336-2627). In addition, your community may be eligible for additional credits under our Community Rating System if you implement your activities using digital mapping files.

If you have any questions regarding the necessary floodplain management measures for your community or the NFIP in general, we urge you to call the Director, Federal Insurance and Mitigation Division of FEMA in Oakland, California, at (510) 627-7100 for assistance. If you have any questions concerning mapping

issues in general or the enclosed Summary of Map Actions, please call our FMIX at the number shown above. Additional information and resources your community may find helpful regarding the NFIP and floodplain management, such as *The National Flood Insurance Program Code of Federal Regulations*, *Answers to Questions About the NFIP*, *Use of Flood Insurance Study (FIS) Data as Available Data*, *Frequently Asked Questions Regarding the Effect that Revised Flood Hazards have on Existing Structures*, and *National Flood Insurance Program Elevation Certificate and Instructions*, can be found on our website at <https://www.floodmaps.fema.gov/lfd>. Paper copies of these documents may also be obtained by calling our FMIX.

Sincerely,



Luis Rodriguez, P.E., Director
Engineering and Modeling Division
Federal Insurance and Mitigation Administration

Enclosure:

Final Summary of Map Actions

cc: Community Map Repository

Kathleen Garcia, Director of Planning and Community Development, City of Del Mar

FINAL SUMMARY OF MAP ACTIONS

Community: DEL MAR, CITY OF

Community No: 060288

To assist your community in maintaining the Flood Insurance Rate Map (FIRM), we have summarized below the effects of the enclosed revised FIRM panels(s) on previously issued Letter of Map Change (LOMC) actions (i.e., Letters of Map Revision (LOMRs), Letter of Map Revision based on Fill (LOMR-Fs), and Letters of Map Amendment (LOMAs)) that will be affected when the revised FIRM becomes effective on December 20, 2019.

1. LOMCs Incorporated

The modifications effected by the LOMCs listed below will be reflected on the revised FIRM. In addition, these LOMCs will remain in effect until the revised FIRM becomes effective.

LOMC	Case No.	Date Issued	Project Identifier	Original Panel	Current Panel
			NO CASES RECORDED		

2. LOMCs Not Incorporated

The modifications effected by the LOMCs listed below will not be reflected on the revised FIRM panels or will not be reflected on the revised FIRM panels because of scale limitations or because the LOMC issued had determined that the lot(s) or structure(s) involved were outside the Special Flood Hazard Area, as shown on the FIRM. These LOMCs will remain in effect until the revised FIRM becomes effective. These LOMCs will be revalidated free of charge 1 day after the revised FIRM becomes effective through a single revalidation letter that reaffirms the validity of the previous LOMCs.

2A. LOMCs on Revised Panels

LOMC	Case No.	Date Issued	Project Identifier	Original Panel	Current Panel
LOMA	14-09-2689A	04/30/2014	Lot 1, 2, 9, 10, Block 4, Del Mar No. 4 Subdivision - 255 20th Street	06073C1309G	06073C1309H
LOMA	17-09-2593A	11/03/2017	SECTION 11, T14S, R4W, S.B.B.&M. -- 2828 OCEAN FRONT	06073C1307G	06073C1307H

2B. LOMCs on Unrevised Panels

LOMC	Case No.	Date Issued	Project Identifier	Original Panel	Current Panel
			NO CASES RECORDED		

FINAL SUMMARY OF MAP ACTIONS

Community: DEL MAR, CITY OF

Community No: 060288

3. LOMCs Superseded

The modifications effected by the LOMCs listed below have not been reflected on the Final revised FIRM panels because they are being superseded by new or revised flood hazard information or the information available was not sufficient to make a determination. The reason each is being superseded is noted below. These LOMCs will no longer be in effect when the revised FIRM becomes effective.

LOMC	Case No.	Date Issued	Project Identifier	Reason Determination Will be Superseded
LOMA	98-09-196A	12/18/1997	3010 SANDY LANE-- PORTION OF PARCELS 1 & 2	2
LOMA	14-09-0979A	02/04/2014	RESUBDIVISION NO. 2 OF DEL MAR, BLOCK 115, LOT 15 -- 2024 OCEAN FRONT AVENUE	4

1. Insufficient information available to make a determination.
2. Lowest Adjacent Grade and Lowest Finished Floor are below the proposed Base Flood Elevation.
3. Lowest Ground Elevation is below the proposed Base Flood Elevation.
4. Revised hydrologic and hydraulic analyses.
5. Revised topographic information.
6. Superseded by another LOMC.

4. LOMCs To Be Redetermined

The LOMCs in Category 2 above will be revalidated through a single revalidation letter that reaffirms the validity of the determination in the previously issued LOMC. For LOMCs issued for multiple lots or structures where the determination for one or more of the lots or structures is no longer valid, the LOMC cannot be revalidated through this administrative process. Therefore, we will review the data previously submitted for the LOMC requests listed below and if appropriate issue a new determination for the affected properties after the effective date of the revised FIRM.

LOMC	Case No.	Date Issued	Project Identifier	Original Panel	Current Panel
			NO CASES RECORDED		