

AGENDA
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – MARCH 20, 2024
WORKSHOP RE: FEMA FLOOD MAPS 5:30 P.M.
HYBRID MEETING

TO VIEW TOWN COUNCIL MEETING & OFFER PUBLIC COMMENT:

<https://scarboroughmaine.zoom.us/j/86027572577>

TO VIEW TOWN COUNCIL MEETING ONLY:

<https://www.youtube.com/channel/UCD5Y8CFy5HpXMftV3xX73aw>

- Item 1.** Call to Order.
- Item 2.** Those Present.
- Item 3.** Update on the FEMA Flood Maps
- Item 4.** Adjournment.



FEMA Flood Insurance Rate Maps (FIRMs) and Ordinance Updates



Town Council Workshop
March 20, 2024

Sue Baker, State NFIP Coordinator, DACF
Autumn Speer, Director, Planning & Codes
Brian Longstaff, Zoning Administrator



Creation of the NFIP

The National Flood Insurance Program (NFIP) was created by Congress in 1968 as a way to:

- reduce the risk to improved property and loss of life,
- reduce the amount of disaster assistance paid out for flooding events,
- make flood insurance available to those at risk, and
- require development standards for building/improving in areas prone to flooding in order to break the cycle of having repeat flood damages

NFIP Overview

- ▶ Flood Insurance Rate Maps
 - ▶ FEMA maps 1% annual chance
 - ▶ Zone A and V
 - ▶ Foundation for local permitting
- ▶ Regulations
 - ▶ Via local ordinance adoption (land use)
 - ▶ Minimum standards for floodplain development
- ▶ Flood Insurance
 - ▶ Federally backed
 - ▶ Can be purchased in participating communities
 - ▶ It can be found in private market...likely expensive!





History of Scarborough

- ▶ Participation in the NFIP:
7/8/75 (E) and 6/19/85 (R)
Approaching 50 years of participation!
- ▶ Insurance Info as of 2/9/24:
Number of policies in force: 252
Total Coverage: \$76,806,000
- ▶ Claims since 1978: 135
Total payout: \$648,286
(Claims do not include recent flooding events)

Background

- ▶ Flood zone determination in Scarborough is defined by the Federal Emergency Management Agency (FEMA)
- ▶ FEMA maintains and updates data through their flood maps and risk assessments
- ▶ Flood maps show a community's flood risk
- ▶ Purpose of flood maps:
 - ▶ make informed decisions about how to reduce or manage risk
 - ▶ help mortgage lenders determine insurance requirements
 - ▶ Regulatory enforcement by community



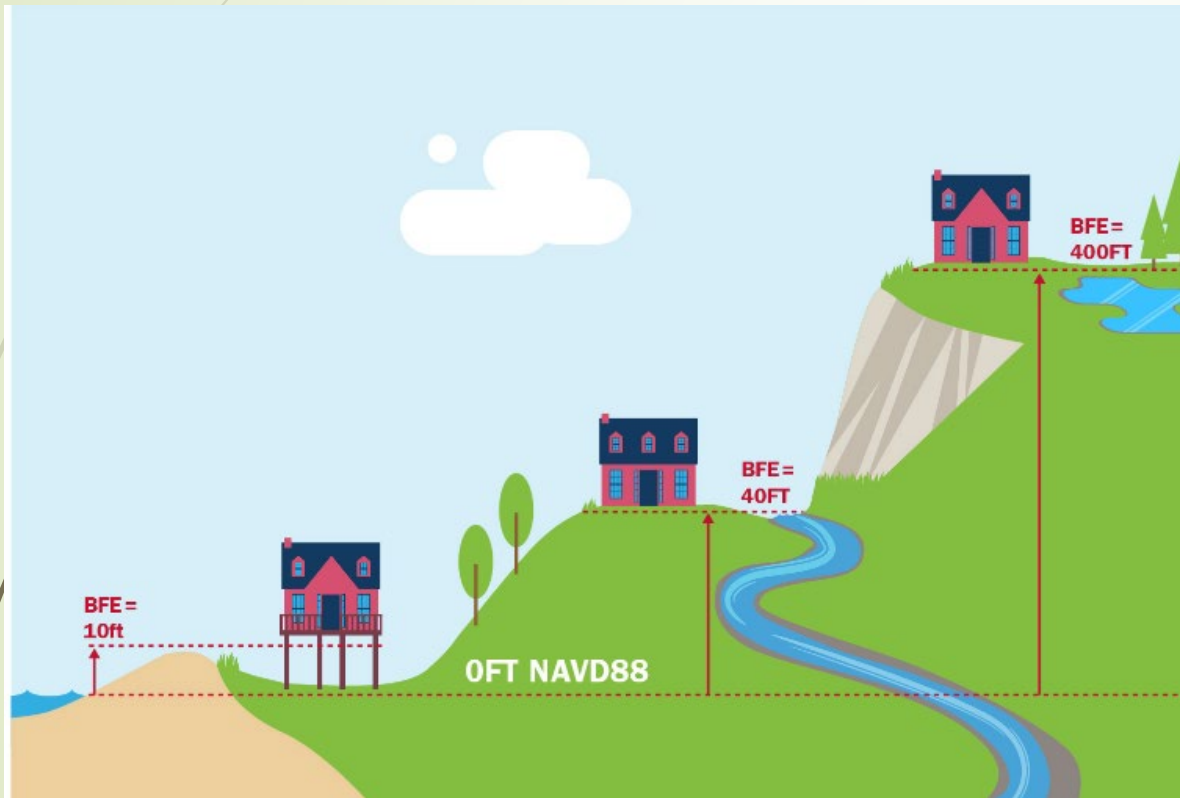
FEMA

Communities use the data in their maps to plan development and make infrastructure improvements. With flood risk data and maps available, communities can decide how to reduce their risk in ways that work best for all.

People within a community use flood maps to make informed decisions about where to live, what to build, and how to protect their family, homes, and businesses.



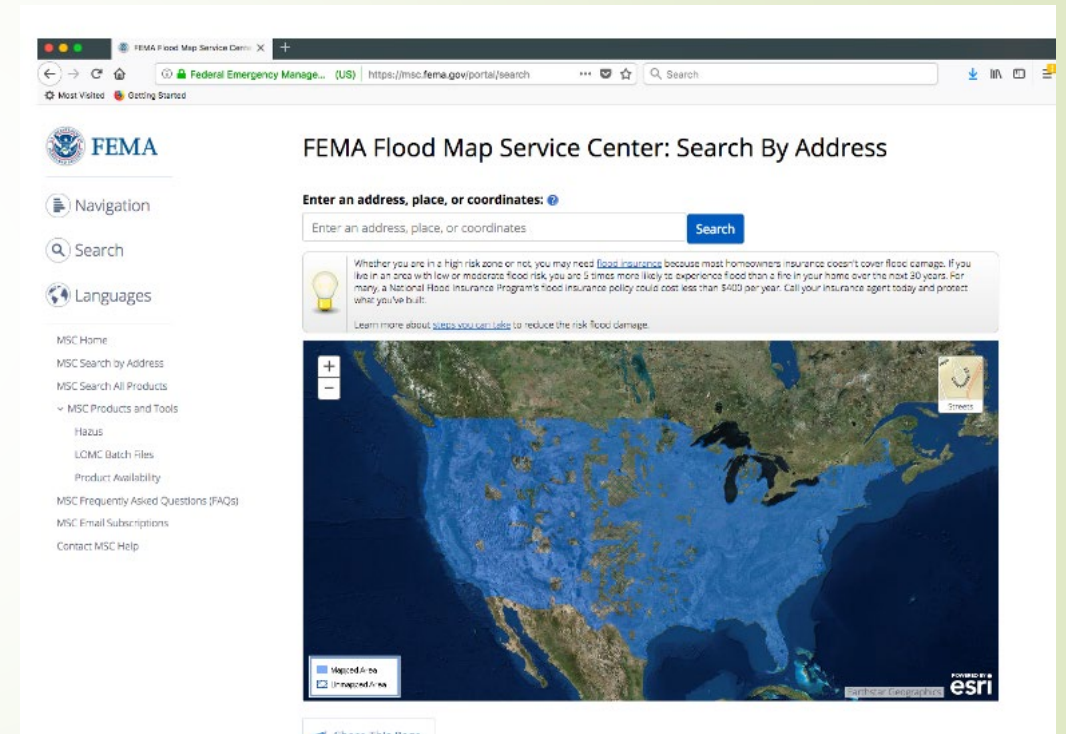
Base Flood Elevation (BFE)



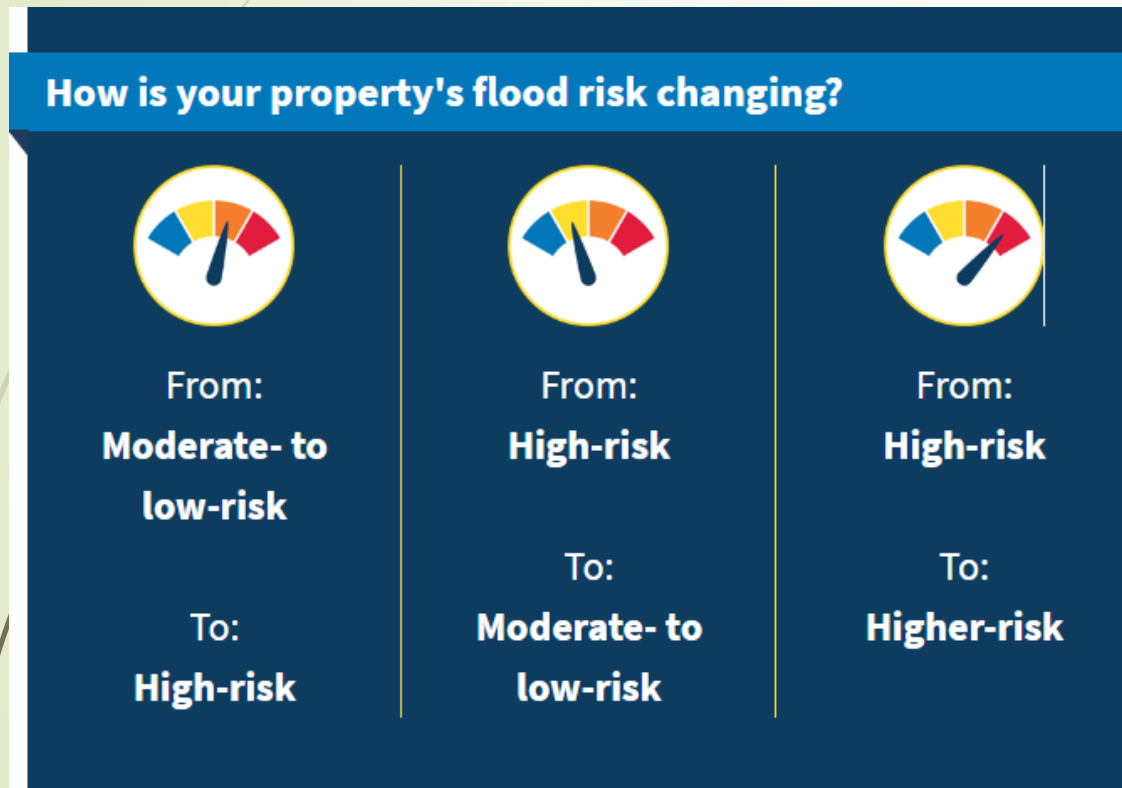
- ▶ Flood maps show the Special Flood Hazard Area (SFHA)— the area that would be affected by a 1-percent-annual-chance flood (or base flood).
- ▶ Properties within the SFHA are at a high risk of flooding, with at least a 26% chance of flooding over the course of a 30-year mortgage
- ▶ Flood maps also include information about flood risk zones and Base Flood Elevations (BFE)
- ▶ BFE is how high floodwater is likely to rise to during a 1-percent-annual-chance flood event

FIRM Panels

- Flood hazard information is shown on a variety of FEMA regulatory products, including preliminary and effective FIRMs
- You can download FIRM panels from the FEMA Flood Map Service Center (MSC) website as an image file

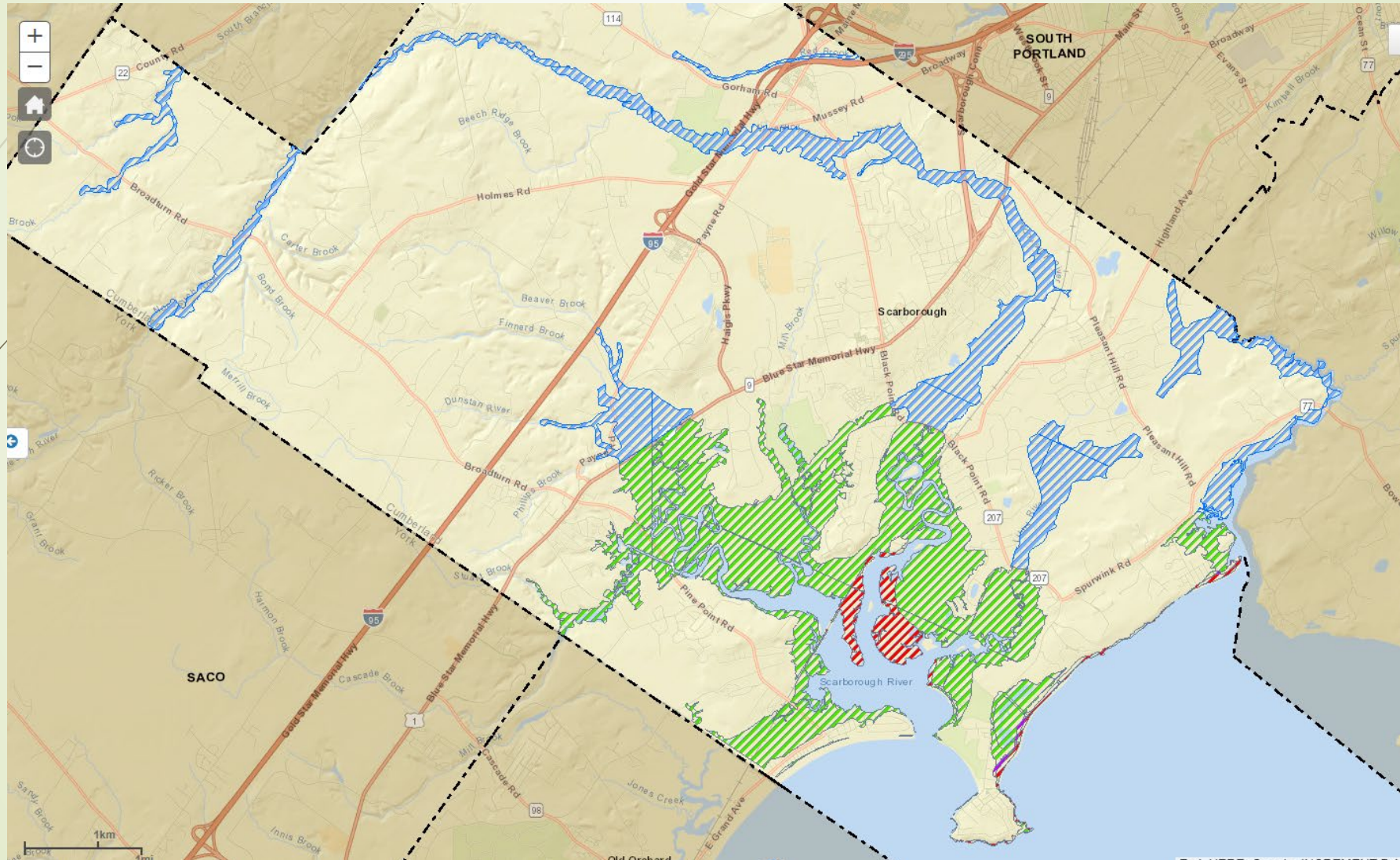


Why do Maps Change?

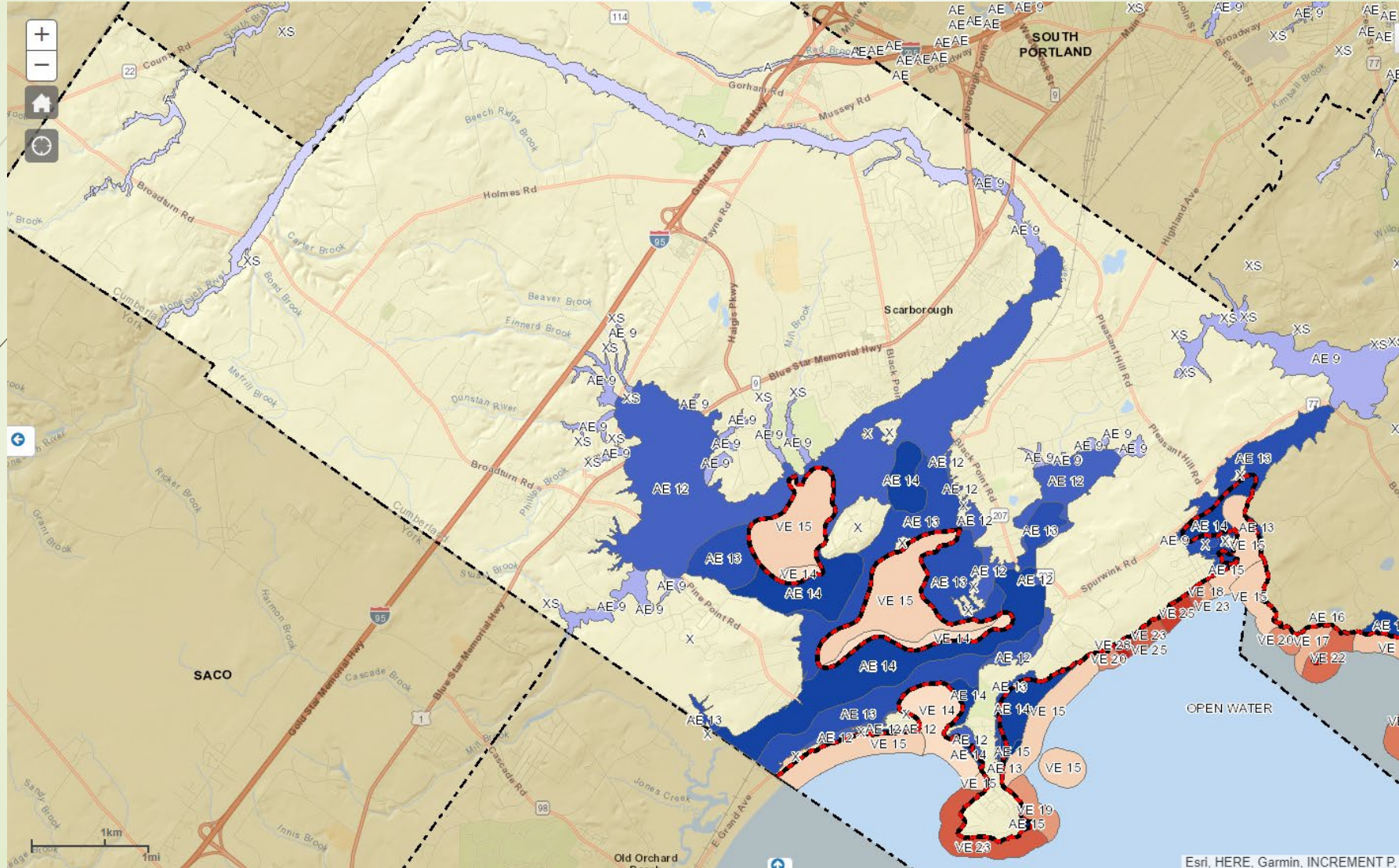


- Flood hazards change over time
- Updated flood maps provide a more accurate picture of a property's flood risk
- New construction
- Changing weather patterns or terrain changes
- National Flood Insurance Program (NFIP) and the Federal Emergency Management Agency (FEMA) use the latest technology and data to update flood maps nationwide

Scarborough Existing Maps - 1986



Scarborough New Maps – June 20, 2024





Required Actions

- ▶ Adopt new FEMA flood maps
- ▶ Adopt an updated Floodplain Management Ordinance which references the new map date on or before June 20,2024
- ▶ Send Maine Floodplain Management Program and electronic and paper copy of adopted ordinance

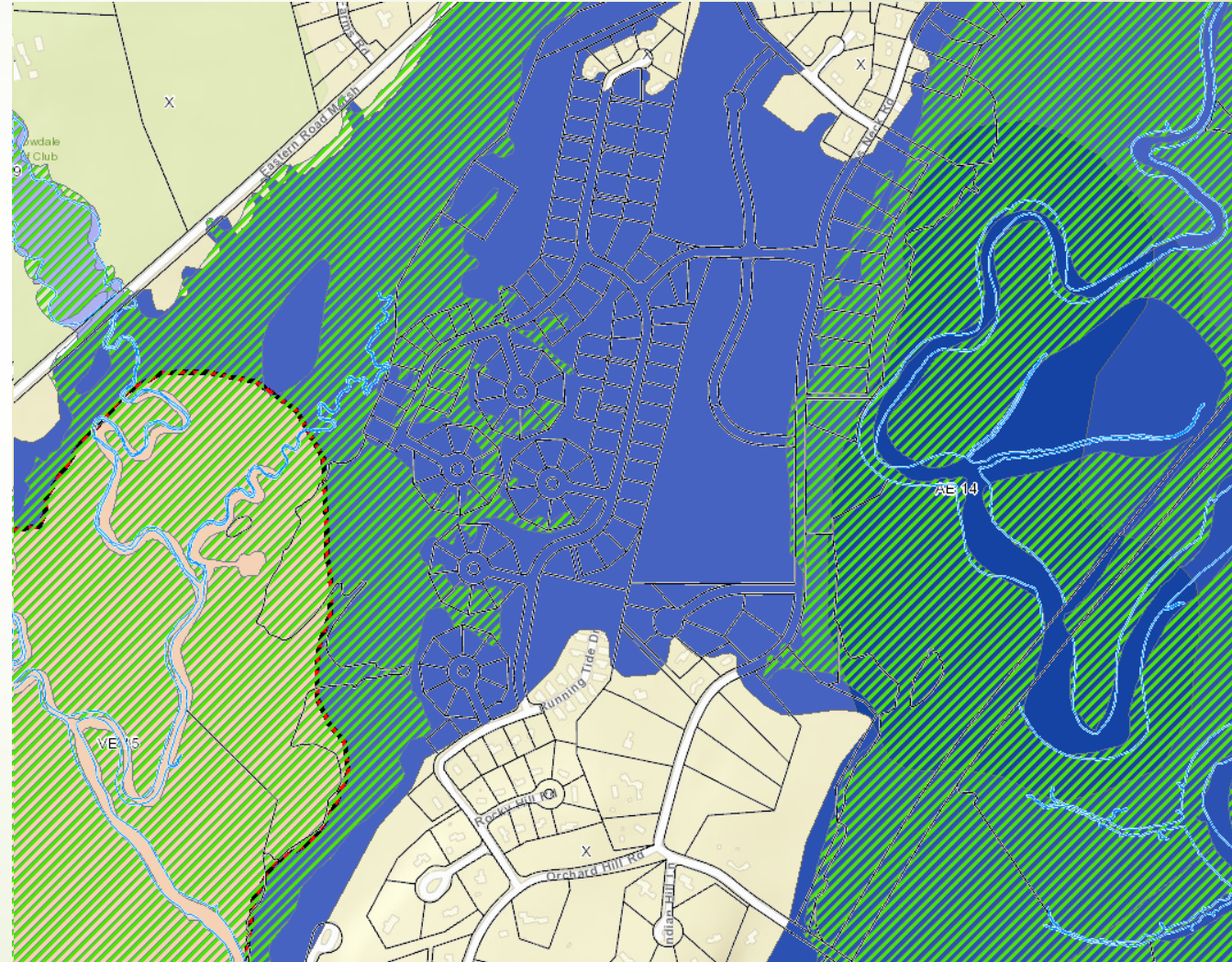


Affected Properties – 2,323

- Current Flood Zone – 1,749 parcels
- PLUS - Floodplain first time – 679 parcels
- LESS - No longer in the Floodplain – 105 parcels
- Pending Flood Zone – 2,323 parcels
- Floodplain – removal of LOMC designation – 76
- Floodplain – revalidation of LOMC – 34
- Floodplain – factors have changed

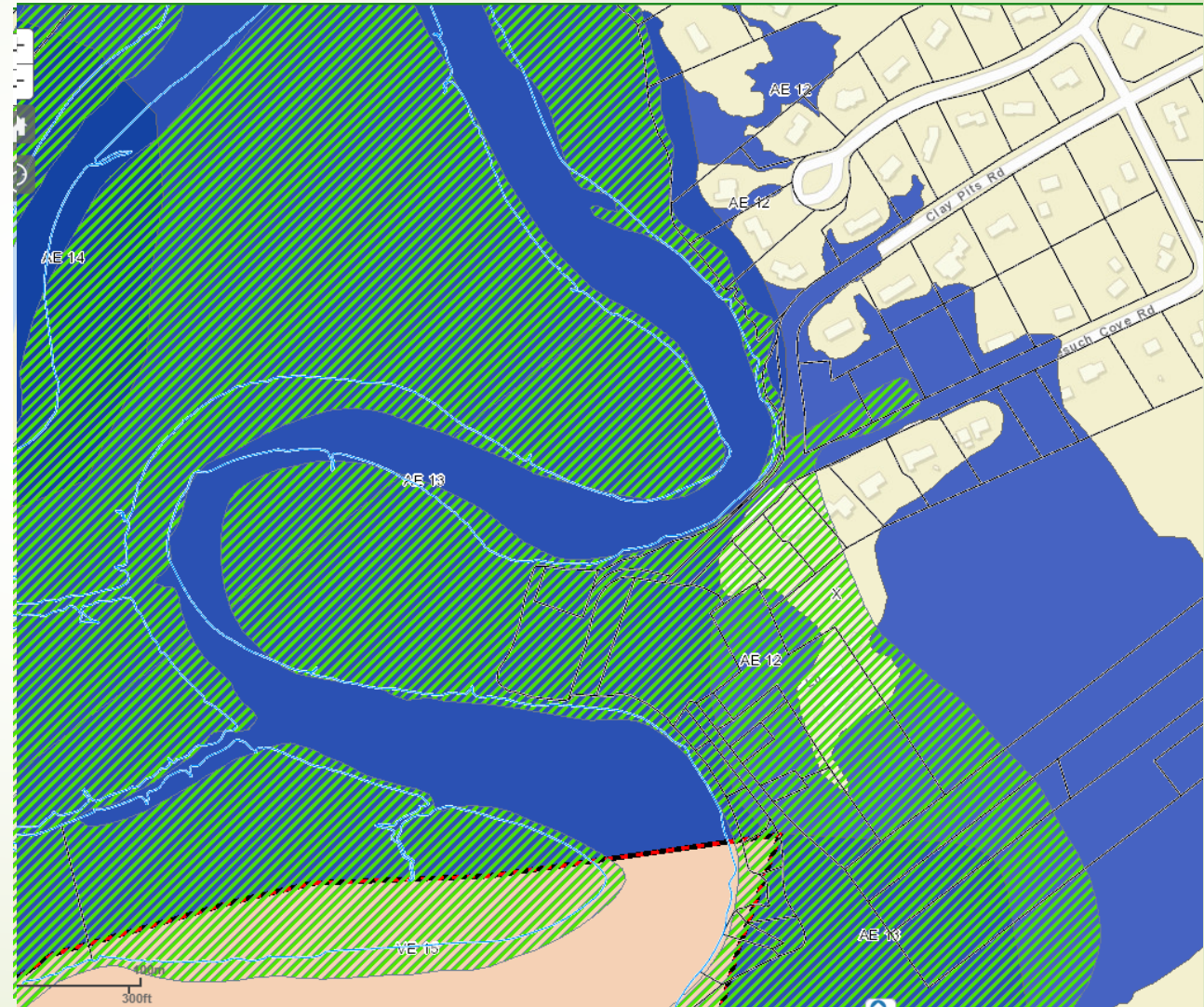
What it Means - Floodplain for First Time

- 679 New Parcels - Review new floodplain maps
- Flood insurance may be required if the property owner has federally backed lending
- Mortgage holders can reach out to lender in advance, however, they will contact their clients to let them know if insurance is required
- Additional building standards (base flood elevation) may be required



What it Means – No Longer in Floodplain

- 105 Parcels - Review new floodplain maps
- Additional building standards no longer required
- If the property owner has flood insurance as a condition of financing, the lender may no longer require it
- Generally, the policy holder is eligible for a pro-rated refund of premium for the current year



Summary of Map Actions (SOMA)

- ▶ Listing of what is expected to happen to existing Letters of Map Amendment (LOMAs) and Letters of Map Revision (LOMRs)

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		

Summary of Map Actions (SOMA)

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.

- ▶ LOMCs on revised panels – Will be revalidated free of charge after the revised FIRM becomes effective – 32 Property Owners
- ▶ No significant change in existing conditions – Still effective
- ▶ Future development (new structures or additions) may need to be evaluated for flood determination

Summary of Map Actions (SOMA)

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	195100098D&D	05/20/1988	65 FOGG ROAD	2

- Category #3 – Superseded, no longer in effect
- 76 Affected parcels
- Flood insurance may now be required if there is federally backed lending
- Additional building standards (base flood elevation) may be required



Summary of Map Actions (SOMA)

Reason determination will be superseded:

-
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.

Summary of Map Actions (SOMA)

4. LOMCs To Be Redetermined

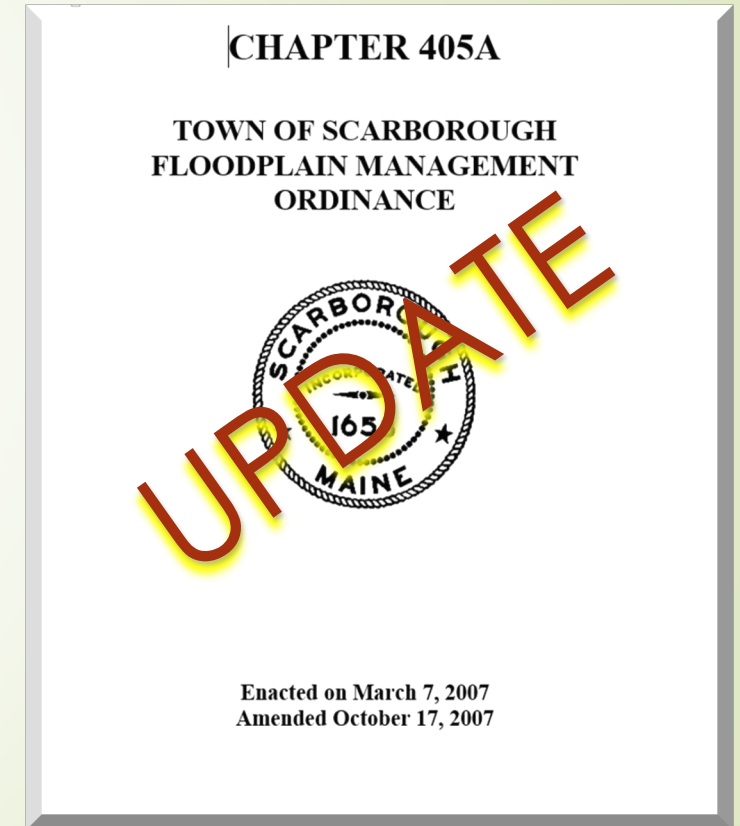
The LOMCs in Category 2 above will be revalidated through a single revalidation letter that reaffirms the validity of the determination in the previously issued LOMC. For LOMCs issued for multiple lots or structures where the determination for one or more of the lots or structures is no longer valid, 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		

Ordinance Changes

State Model Ordinance Changes:

- Added definitions:
North American Vertical Datum (new maps are in NAVD)
Agricultural Structure, Containment Wall, Existing Mfg Home Park or Subdivision
- Removal of FEMA form dates, EC, Floodproofing Certificate, etc.
- Zone VE, removal of language to only allow breakaway enclosures <300 SF
- Changes to Accessory Structures based on FEMA policy guidance issued in 2020





Ordinance Changes Cont'd.

- ▶ Designation of the “Floodplain Administrator”
- ▶ Changes to Development Standards, added sections for Utilities and Physical Changes to the Natural Landscape (rip rap, seawalls, etc.)
- ▶ Zone A, no BFE, default to lowest floor at 2' above the highest adjacent grade to the building. Saves applicant from calculating the base flood elevation and makes clear that there should be no below grade crawlspaces or basements.

Limit of Moderate Wave Action (LiMWA)

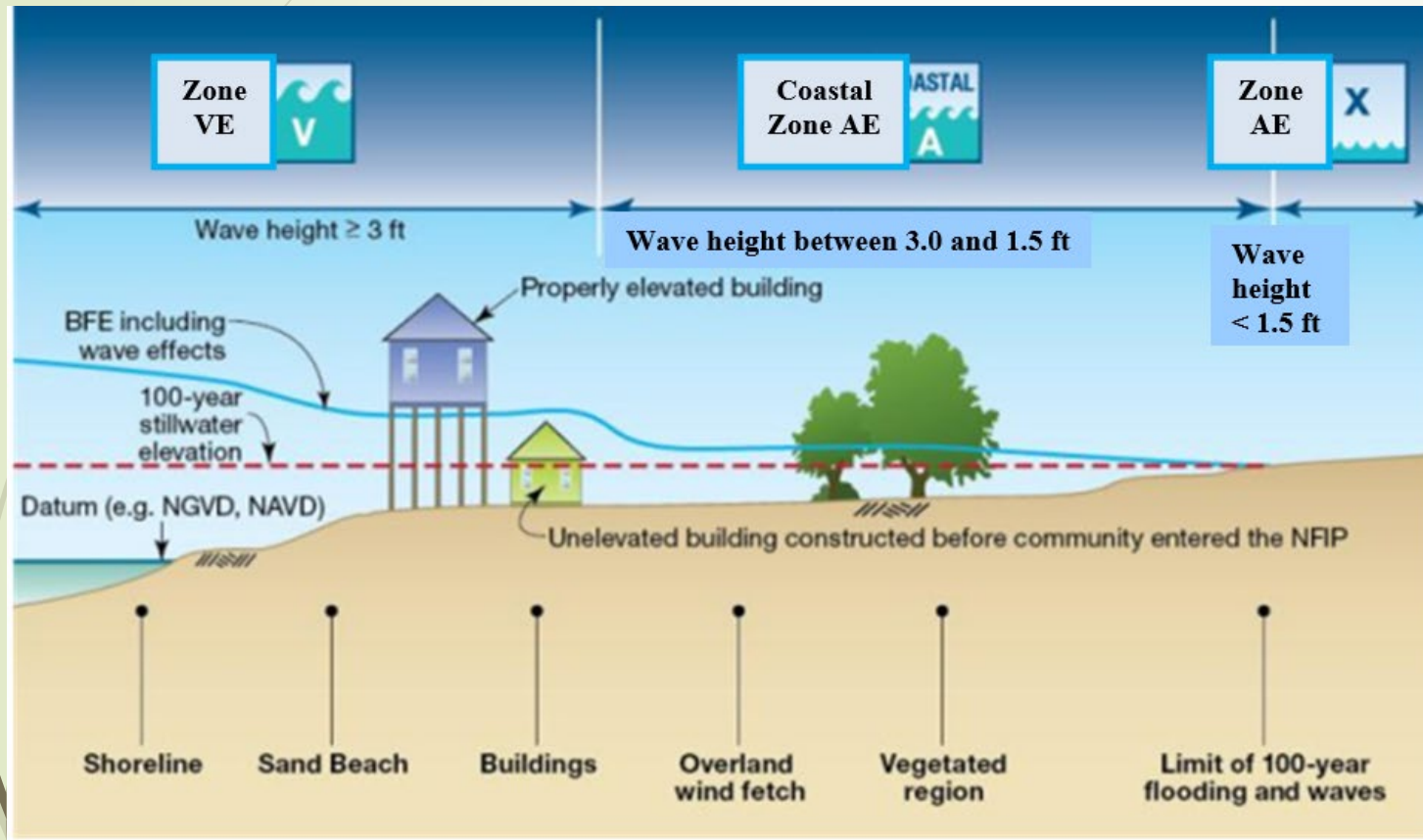


Figure 1: Depiction of VE Zone, Coastal AE Zone, and AE Zone with wave heights.

- Designated Coastal AE Zones are now required to be elevated using the same standards as VE Zone construction (State Building Code)



Timeline Moving Forward

- ▶ Town Council Workshop – March 20, 2024
- ▶ Town Council First Reading of Ordinance – April 3, 2024
- ▶ Planning Board Public Hearing – April 16, 2024
- ▶ Town Council Public Hearing #1 – May 1, 2024
- ▶ Town Council Second Reading and Adoption of Ordinance – May 15, 2024
- ▶ Ordinance & Maps Effective Date – June 20, 2024



Resources

- ▶ [Flood Hazard Determination Letter, FEMA, 12/20/2023](#) (PDF)
- ▶ [FEMA Maps and Requirement for Adoption Letter, State of Maine, 1/8/2024](#) (PDF)
- ▶ [FEMA Flood Maps](#) (Website)
- ▶ [Maine Flood Hazard Map \(arcgis.com\)](#) (Website)
- ▶ [| Flood Insurance Providers | FloodSmart](#)



Questions and Discussion