

To the Mayor and Members of the City Council**March 27, 2020**

Page 1 of 3

**SUBJECT: UPDATE ON LOCAL FLOODPLAIN POLICY INITIATIVE**

This Informal Report is submitted to update City Council on the initiative to develop a policy regarding the communication and regulation of development in highly flood prone parts of Fort Worth where the flood risk is not reflected on floodplain maps produced by the Federal Emergency Management Agency (FEMA). As described below, draft policy recommendations have been developed and endorsed by the stakeholder groups and staff expects to bring forward final recommendations to City Council this summer.

Background

On November 13, 2018, the City Council received a briefing about non-FEMA floodplains, the benefits and concerns of making non-FEMA mapping readily available to the public, stakeholder engagement, and draft policy recommendations. The policy initiative is due to increasing instances in the past 10 years of property owners outside of the FEMA floodplain being surprised by flood events impacting their properties. In many cases these impacts could have been minimized and/or prevented had communications and regulations regarding flood risks in these areas been consistent with the means of communication and regulation in FEMA floodplains. The significant, and often undefined and uncommunicated, risk of flooding outside of FEMA floodplains is a nationwide issue that has been the topic of several recent national reports.

Stakeholder Engagement

Stormwater Management staff recently completed an extensive stakeholder engagement effort to identify and work through questions and concerns associated with this initiative. This was the culmination of nearly five years of discussions with various community groups including the Floodplain Management Plan, Stormwater Master Plan, and Stormwater Program stakeholder groups in addition to two public meetings near the end of 2018. The goals of the stakeholder engagement effort were:

1. To ensure full understanding of the pros and cons of adopting such a policy;
2. To clarify regulatory standards and processes;
3. To determine the process that would be necessary to administer and communicate the policy; and
4. To gather stakeholder feedback to shape policy recommendations and minimize unintended consequences.

Over the course of 2019, eleven meetings and countless individual discussions were held with two groups of community professionals. The Real Estate Guidance Group (REGG) was comprised of local representatives from the professions involved in both residential and commercial real estate transactions. This included lenders, appraisers, title lawyers, insurance agents, surveyors, developers, and builders. Real estate professionals on this working group represented the following entities: the Real Estate Council of Greater Fort Worth, the Greater Fort Worth Association of Realtors, the Fort Worth Builders Association, the City's Development Advisory Committee, and the Tarrant Appraisal District. The second stakeholder group was comprised of engineers who work for developers to design their projects. City staff worked with the leadership of the local chapter of the American Council of Engineering Companies (ACEC) to establish this group.

To the Mayor and Members of the City Council

March 27, 2020

Page 2 of 3



SUBJECT: UPDATE ON LOCAL FLOODPLAIN POLICY INITIATIVE

The work with these two groups was completed in a joint meeting held on January 30, 2020. Surveys of both stakeholder groups showed that both groups believed that their input was heard and responded to by staff and that both groups were supportive of the policy recommendations.

Staff also received some very important community input relative to this initiative via a survey the Real Estate Council of Greater Fort Worth independently issued in March 2019. The survey was conducted among a statistically valid sample of registered Fort Worth voters and covered a variety of topics. Responses to two questions within the survey also indicated community support for communicating flood risk information:

- 75% of respondents favored publicly listing areas that have recently flooded
- 66% of respondents favored having their own property or neighborhood publicly listed as flood prone if flooding were to occur

Draft Recommendations

Communications and regulations regarding local floodplains will be broken into two categories:

- **City Flood Risk Areas (CFRAs)**
 - High level of engineering detail, drainage basin specific flood risk mapping for regulatory purposes
- **Potential High Water Areas (PHWAs)**
 - Low level of engineering detail, citywide flood risk mapping for advisory purposes

Communications:

Ongoing:

- Educate key stakeholder groups and community on the information below.

By the end of 2020:

- Update One Address flood risk information to include both CFRAs and PHWAs.
- Show existing CFRA mapping on the Zoning Website.

2021 and beyond:

- Inform developers of projects under 1 acre in PHWAs of the flood risk.
- Add new CFRA mapping to Zoning Website as adequate engineering is completed.
- Add PHWA mapping to Zoning Website as mapping level of accuracy is refined.

Regulation:

By the end of 2020:

- Update subdivision and floodplain ordinances to require Certificate of Compliance with existing standards for development projects under 1 acre in CFRAs (no engineering submission or review required), to be effective January 1, 2021.

NOTE: Developments over 1 acre must already comply with existing standards

To the Mayor and Members of the City Council**March 27, 2020**

Page 3 of 3

**SUBJECT: UPDATE ON LOCAL FLOODPLAIN POLICY INITIATIVE**

Future:

- Require engineering submission and review of drainage plans for developments under 1 acre in CFRAs, if staff capacity allows.

Timeline

- January 14, 2020: City Council Infrastructure and Transportation Committee briefing
- January 30, 2020: Joint briefing of two primary stakeholder groups (REGG and ACEC)
- March 4, 2020: Zoning Commission briefing
- April 8, 2020: City Plan Commission briefing
- April 2020: Follow up with key City departments on implementation plan
- April/May 2020: Development and distribution of Council District specific CFRA information to Council members
- June 2020: City Council considers final policy recommendations
- June – December 2020: Finalize a communication plan and implementation guidance regarding the regulatory process for site development projects under 1 acre in the CFRAs and PHWAs
- Winter 2020: Present ordinance changes per finalized policy recommendations to City Council for approval
- By the end of 2020: Update One Address and Zoning Website mapping
- Early 2021: Ordinance updates take effect. Require Certificate of Compliance for projects under 1 acre in CFRAs

Questions about this Informal Report can be directed to Jennifer Dyke, Stormwater Program Manager, TPW Stormwater Management at 817-392-2714.

David Cooke
City Manager