

ORDINANCE 498

**AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF BAYFIELD
AMENDING LAND USE CODE FOR ARTICLE 9 FLOOD DAMAGE
PREVENTION**

WHEREAS, the Town of Bayfield is a statutory town organized under and pursuant to the laws of the State of Colorado and has authority pursuant to the Colorado Revised Statutes to adopt floodplain regulations; and

WHEREAS, the Federal Emergency Management Agency (FEMA) has issued a final determination adopting an updated Flood Insurance Study (FIS) and Flood Insurance Rate Map (FIRM) for La Plata County and Incorporated Areas; and

WHEREAS, as part of the Town's participation in the National Flood Insurance Program (NFIP), the Town is mandated by FEMA and the Colorado Water Conservation Board (CWCB), together with federal and state laws, to adopt the updated FIS and FIRM by April 25, 2024 or risk being suspended from the NFIP: and

WHEREAS, the loss of NFIP participation will result in harm to citizens of Bayfield who need and obtain flood insurance to protect their property; and

WHEREAS, on February 13, 2024 the Planning Commission held a noticed public hearing on the proposed amendments and recommended approval through Resolution 2024-2; and

WHEREAS, on February 20, 2024 the Board of Trustees held a noticed public hearing on the proposed amendments; and

WHEREAS, after considering the recommendation by the Planning Commission and any public testimony received, the Board of Trustees finds the amendments to Article 9 of the Land Use Code of the Town of Bayfield to be in the best interest of the citizens of the Town of Bayfield.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BAYFIELD, COLORADO, THAT

THE BAYFIELD LAND USE CODE ARTICLE 9 SECTION 9-5 IS HEREBY AMENDED BY ADDING THE FOLLOWING DEFINITION:

Sec. 9-5. Definitions.

Base flood means a flood which has a one percent chance of being equaled or exceeded in any given year (also known as a 100-year flood). This term is used in the National Flood Insurance Program (NFIP) to indicate the minimum level of flooding to be used by a community in its floodplain management regulations.

THE BAYFIELD LAND USE CODE ARTICLE 9 SECTION 9-7 IS HEREBY AMENDED AS FOLLOWS:

Sec. 9-7. Basis for establishing the special flood hazard area.

The special flood hazard areas identified by the Federal Emergency Management Agency in a scientific and engineering report entitled, "The Flood Insurance Study for La Plata County, Colorado and Incorporated Areas," dated April 25, 2024, with accompanying flood insurance rate maps (FIRM) and any revisions thereto are hereby adopted by reference and declared to be a part of this article.

These special flood hazard areas identified by the FIS and attendant mapping are the minimum area of applicability of this article and may be supplemented by studies designated and approved by the Town of Bayfield. The floodplain administrator shall keep a copy of the flood insurance study (FIS), DFIRMs, and/or FIRMs on file and on the Town's website for public inspection.

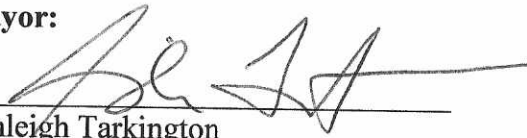
ADOPTED AND TITLE ORDERED PUBLISHED THIS 20TH DAY OF FEBRUARY, 2024.

Attest:



Dustin Hayden, Town Clerk

Mayor:



Ashleigh Tarkington