

**CITY OF CENTENNIAL,
COLORADO**

ORDINANCE NO. 2024-O-01

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
CENTENNIAL, COLORADO, AMENDING CHAPTER 12 OF THE
MUNICIPAL CODE (LAND DEVELOPMENT CODE) CONCERNING
FLOODPLAIN REGULATIONS AND ADOPTING BY REFERENCE THE
FLOOD INSURANCE RATE MAP (FIRM) AND THE FLOOD
INSURANCE STUDY (FIS) DATED APRIL 11, 2024**

WHEREAS, pursuant to Article 23, Title 31 of the Colorado Revised Statutes, the City of Centennial (“City”) has authority to regulate the development of land within the City for the purposes of promoting the public health, safety, convenience, and the general welfare of the community; and

WHEREAS, the City Council adopted the Land Development Code (“LDC”) by enactment of Ordinance No. 2010-O-13 and Ordinance No. 2011-O-14; and

WHEREAS, the LDC is codified as Chapter 12 of the Centennial Municipal Code; and

WHEREAS, the Federal Emergency Management Agency (“FEMA”) periodically revises the Arapahoe County, Colorado and Incorporated Areas Flood Insurance Rate Map (“FIRM”) and Flood Insurance Study (FIS) which identify special flood hazard areas; and

WHEREAS, the LDC currently references as most recent the FIRM and FIS dated September 4, 2020; and

WHEREAS, FEMA released a revised FIRM and FIS dated April 11, 2024 for certain special flood hazard areas; and

WHEREAS, the City is required to adopt the revised FIRM and FIS prior to the effective date which is April 11, 2024; and

WHEREAS, Section 7.7 of the Home Rule Charter and Section 31-16-202, C.R.S., as amended, permit the adoption by reference of regulations upon notice and hearing as provided in Section 31-16-203, C.R.S.; and

WHEREAS, the City seeks to adopt, by reference, the revised FIRM and FIS and amend the LDC to cite to the revised FIRM and FIS; and

WHEREAS, in addition to updating LDC references to the updated FIRM and FIS, the City additionally seeks to make minor amendments to LDC floodplain provisions at the recommendation of the City’s Floodplain Administrator, the Southeast Metro Stormwater Authority (SEMSWA); and

WHEREAS, following a public hearing, the City of Centennial Planning and Zoning Commission recommended City Council adoption of the proposed FIRM and FIS and approval of SEMSWA's proposed changes to the LDC floodplain provisions; and

WHEREAS, the City Council held a public hearing, with proper notice provided, to consider adoption of the regulations as required by law; and

WHEREAS, copies of the regulations (revised FIRM and FIS effective April 11, 2024) are available at the Centennial Civic Center, 13133 E. Arapahoe Rd., Centennial, Colorado, 80112, City Clerk's Office, for public review and inspection; and

WHEREAS, the City Council has determined, based on the evidence and testimony presented at the public hearing, that the regulations (including the revised FIRM and FIS effective April 11, 2024) will further the health, safety and welfare of the inhabitants of the City.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO, ORDAINS:

Section 1. The foregoing recitals are affirmed and incorporated herein by this reference as findings of the City Council.

Section 2. **Amendment of Section 12-7-303 (B)(1).** Section 12-7-303 (B)(1) shall be repealed in its entirety and replaced to read in full as follows:

1. The special flood hazard areas identified by the Federal Emergency Management Agency in its "Flood Insurance Rate Map (FIRM)" and "Flood Insurance Study (FIS)" for Arapahoe County, Colorado and Incorporated Areas dated December 17, 2010; February 17, 2017; September 4, 2020; and, April 11 2024, and any letters of map revision (LOMR) thereto, are adopted by reference and declared to be a part of this LDC. In the event of conflict between the December 17, 2010 FIRM and FIS, the February 17, 2017 FIRM and FIS, September 4, 2020 FIRM and FIS and the April 11, 2024 FIRM and FIS, the April 11, 2024 FIRM and FIS shall govern.

Section 3. **Updates to References.** All references within LDC Sections 12-7-303, 12-8-702, and 12-13-103 to the Urban Drainage and Flood Control District (UDFCD) shall be repealed and replaced to refer to the Mile High Flood District (MHFD).

Section 4. **Additional Definition.** Division 16-2, entitled *General Definitions*, shall be amended by adding the following new definition in appropriate alphabetical order:

Flood Insurance Study (FIS) means the official report provided by the Federal Emergency Management Agency (FEMA). The report contains the Flood Insurance Rate Map (FIRM) as well as flood profiles for studied flooding sources that can be used to determine Base Flood Elevations for some areas.

Section 5. **Severability.** Should any one or more sections or provisions of this Ordinance or of any of the provisions of the codes adopted by reference be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining

provisions of this Ordinance or the codes adopted by reference hereby, the intention being that the various sections and provisions are severable.

Section 6. Codification Amendments. The codifier of the City's Municipal Code is hereby authorized to make such numerical and formatting changes as may be necessary to incorporate the provisions of this Ordinance within the Centennial Municipal Code.

Section 7. Repeal. Any and all ordinances or codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such ordinance or code or part thereof shall not revive any other section or part of any ordinance or code heretofore repealed or superseded and this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this Ordinance.

Section 8. Public Hearing and Notice Thereof. Following the introduction of this Ordinance, a public hearing shall be scheduled and notice thereof published as required by Home Rule Charter Section 7.7 and Section 31-16-203, C.R.S.

Section 9. Effective Date. Except as otherwise expressly provided herein, the provisions of this Ordinance shall become effective thirty (30) days after publication following final passage.

INTRODUCED, READ, AND ORDERED PUBLISHED BY THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD ON THE ____ DAY OF _____, 2024.

CITY OF CENTENNIAL

By: _____
Stephanie Piko, Mayor

Approved as to Form:

For City Attorney's Office

I hereby certify that the above Ordinance was introduced to the City Council of the City of Centennial at its meeting of _____, 2024 and ordered published one time by title only in *The Centennial Citizen* newspaper on _____, 2024, and in full on the City web site in accordance with Section 2-1-110 of the Municipal Code.

ATTEST:

SEAL

By: _____
City Clerk or Deputy City Clerk

FINALLY ADOPTED, PASSED, APPROVED WITH AMENDMENTS, IF ANY, AND ORDERED PUBLISHED BY TITLE ONLY, IN *THE CENTENNIAL CITIZEN* NEWSPAPER AND IN FULL ON THE CITY WEB SITE IN ACCORDANCE WITH SECTION 2-1-110 OF THE MUNICIPAL CODE BY THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS MEETING HELD ON THE ____ DAY OF _____, 2024, BY A VOTE OF ____ IN FAVOR AND ____ AGAINST.

CITY OF CENTENNIAL

By: _____
Stephanie Piko, Mayor

I hereby certify that the above Ordinance was finally adopted by the City Council of the City of Centennial at its meeting of _____, 2024, and ordered published by title only, one time by *The Centennial Citizen* newspaper on _____, 2024 and in full on the City web site in accordance with Section 2-1-110 of the Municipal Code.

ATTEST:

SEAL

By: _____
City Clerk or Deputy City Clerk

Published in full on the City's website at: www.centennialco.gov on February 15, 2024 by Christina Lovelace, Deputy City Clerk.