



**RULE INTERPRETATION DETERMINATION**


**Determination #:** RID 2021-002

**Title:** Clarification of Requirements for Conditional Letter of Map Revision (CLOMR)

**Drafted by:** Public Works Department, Floodplain Management

**Rule in Question:** Appendix F, Section 35-F133(c)(2), Permit Evaluation

**Department Action:** The Director concurs with staff's position regarding the clarification of requirements for Conditional Letters of Map Revisions (CLOMR). This RID is for clarification purposes and the department concurs with staff's position as presented below.

  
 Razi Hosseini, PE  
 Public Works Director

4/12/2021  
 Date

  
 Michael Shannon, PE, CBO  
 Development Services Director

5/17/21  
 Date

**Effective Date of Determination:** May 1, 2021

*Please note RIDs often result in direct or related UDC amendments to codify the clarification addressed within the RID. RIDs can also be superseded by subsequent RIDs or UDC amendments. The Development Services Department will remove RIDs from the website when they are no longer valid.*

**Staff Analysis:**

The intent of this Rule Interpretation Determination (RID) is to provide clarification for customers and staff on the Public Works Department's (PWD) interpretation of the Unified Development Code (UDC) as it relates to the enforcement and business processes associated with Conditional Letters of Map Revision (CLOMR). This RID will not impose any new or additional requirements, but rather provides clarification on existing requirements to ensure uniformity.

Chapter 35, Appendix F (Floodplain Ordinance) of the UDC is intended to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas. It is also the purpose of this ordinance to promote land use controls necessary to qualify the city for flood insurance under requirements of the National Flood Insurance Program. The ordinance details prohibited and allowable construction, local permitting requirements, and requirements for Federal Emergency Management Agency (FEMA) Conditional Letters of Map Revision (CLOMR) and Letters of Map Revision (LOMR).

Section 35-F133(c)(2) states:

*No construction activity that will result in a change in the alignment, width, or elevation of a FEMA designated 1% A.C. current conditions floodplain is allowed prior to a conditional letter of map revision (CLOMR) being submitted to FEMA. Additionally, no subdivision plats with easements that are based on revisions to a 1% A.C. current conditions floodplain shall be approved prior to a CLOMR being approved by FEMA.*

Applicants proposing construction in and around the floodplain regularly ask for clarification regarding what is considered a change in elevation.

**Staff Position and Interpretation:**

Floodplains are generally delineated where watershed runoff is concentrated such that it achieves a depth greater than one foot during the 1% annual chance (100-year) storm.

Sec. 35-F106. - Special Floodplain Definitions.

*1% annual chance floodplain (formerly 100-year floodplain) is the land within a community subject to a one (1) percent or greater chance of flooding in any given year.*

In addition, City of San Antonio is a “no adverse impact” community as approved by our floodplain ordinance. This means that development of any kind must not create increases in the base floodplain elevations without performing the appropriate actions of remapping and property owner notifications or otherwise requesting a variance from code requirements. .

Often times an engineer or applicant provides a flood study and/or a Conditional Letter of Map Revision to reclaim property from the floodplain for the purposes of development or to gain developable area from the floodplain. Software models of the creek/channel are prepared to prove to PWD that by reclaiming the property from the floodplain there will not be an “adverse impact” to the floodplain elevations, adjacent properties, or infrastructure. Software models use multiple input parameters to determine water surface elevations and delineate floodplains. Variability in input parameters creates the potential for changes that result in minor increases or decreases in the modeled results when comparing the effective (approved FEMA) and/or corrected effective models to the proposed project model (reclamation scenario). City design standards include factors of safety to account for these minor increases or decreases (ultimate development conditions and freeboard). However, for

the purposes of FEMA effective Flood Insurance Rate Map (FIRM) revisions, clarification is required.

Therefore, PWD has interpreted the issue of “change in floodplain elevation” as follows:

**A modeled change in floodway or floodplain elevation of +/-0.04 foot (+/- ½”) is generally considered within the computational limits of the modeling software and is not considered a change in elevation for the purposes of floodplain mapping only.**

For floodplain reclamation scenarios, engineers should design for a change in elevation of 0.00’ to prove “no adverse impact” in both the 100-year FEMA model and the Ultimate Development (Conditions) model. However, when slight rises in the model shows a change in water surface of +/-0.04’ within the study limits when comparing the 100-year effective and/or corrected effective FEMA models to the 100-year proposed conditions FEMA model, this will be understood by PWD to be “no adverse impact” that would not require a variance for rises in water surface elevations.

The rises in water surface elevation of +/-0.04’ for the 100-year Ultimate Development (Conditions) model will still require a case by case review by PWD.

For more information, please contact Sabrina Santiago EIT, CFM; Interim Storm Water Engineering Manager, Public Works Department [Phone: (210) 207-0182, Email: [Sabrina.santiago@sanantonio.gov](mailto:Sabrina.santiago@sanantonio.gov)].

#### SUMMARY

- This RID applies specifically to FEMA CLOMR Requirements
- The +/- 0.04-foot computational tolerance DOES NOT APPLY to the determination of adverse impacts as required by PWD.
- Other LOMCs may be required post-project to appropriately document changes in floodplain associated with the development.

#### **Future UDC Amendments:**

The following language, or some similar version, will be added to Section 35-F133 during the next amendment of the floodplain ordinance.

#### *Changes in floodplain elevation:*

*a) A modeled change in floodway or floodplain elevation of +/- 0.04 foot (+/- ½”) is generally considered within the computational limits of the modeling software and is not considered a change in elevation for the purposes of floodplain mapping only.*

