

City Council Committee Meeting Notice

CITY COUNCIL
City Hall, 215 SE 7th Street, Suite 255
Topeka, KS 66603-3914
Tel: (785) 368-3710
Fax: (785) 368-3958
www.topeka.org

Committee: Public Infrastructure
Meeting Date: March 30, 2023
Time: 11:00am
Location: 1st Floor Conference Room; Cyrus K. Holliday Bldg 620 SE
Madison; *Virtual attendance is also available*

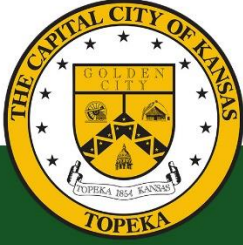
Agenda:

1. Call to Order
2. Approve Minutes from February 28, 2023 meeting
3. CIP 2023 – Topeka Blvd Phase II
4. CIP/CIB 2023 Amendment – NE Curtis
5. FIRM Project – Firing Range HVAC/Water Line
6. Floodplain Ordinance
7. Other Items
8. Adjourn

STAFF REQUESTED: City Manager Stephen Wade, Public Works Director Braxton Copley, Development Services Division Director Richard Faulkner, Public Works Deputy Director Jason Tryon, Utility Director Sylvia Davis

Members: Tony Emerson (Chair) – District 4
Neil Dobler – District 7
Michelle Hoferer – District 9

Contact: Liz Toyne, City Council Assistant
785-368-3710



CITY OF TOPEKA

Richard Faulkner
Division Director of Development Services
Holliday Building, 620 SE Madison St., Topeka, KS 66607

rfaulkner@topeka.org
Tel: 785-368-1606
www.topeka.org

MEMORANDUM

Date February 3, 2023

To: Public Infrastructure Committee
Tony Emerson (Chair) - District 4
Neil Dobler – District 7
Michelle Hoferer District - 9

From: Richard Faulkner, Division Director Development Services

Subject: Proposed amendment of Floodplain Ordinance

This proposed amended ordinance was brought before the committee to get input. Based on that input the proposed nature of the amendments are “neutral” or “less restrictive”. I have provided a breakdown of the proposed changes by identifying them as neutral or less restrictive. The request to amend the ordinance is so that the city may participate in the Community Rating Systems which will allow us to receive a reduction in flood insurance premiums.

At the current time we are receiving a 5% discount, if it is decided to amend the ordinance we will receive a 10% discount.

Explanation of Changes

Neutral Less restrictive

Line 37

“Base flood elevation” means the elevation of the surface of the water during a one percent annual chance flood event.

New definition (Neutral)

Line 89

“Flood elevation study” means an examination, evaluation and determination of flood hazards ~~and if appropriate, corresponding water surface elevations.~~

Revised definition (Neutral)

Line 156

“Manufactured home” means a structure, transportable in one or more sections, that is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term “manufactured home” includes mobile homes manufactured prior to 1976 but does not include a “recreational vehicle.”

Revised Definition (Neutral)

Line 168

“Mean sea level” means, for purposes of the National Flood Insurance Program (NFIP), the National ~~Geodetic~~American Vertical Datum (NGAVD) of ~~1929~~1988 or other datum, to which base flood elevations shown on a community’s flood insurance rate map (FIRM) are referenced.

Revised Definition (Neutral)

Line 186

“Numbered A Zone” means a special flood hazard area where the Flood Insurance Rate Map shows the base flood elevation.

New Definition (Neutral)

Line 188

One percent annual chance flood. See "Base flood."

New Definition (Neutral)

Line 220

“Start of construction” includes substantial improvements, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvements ~~was~~were within 180 days of the permit date. The “actual start” means either the first placement of permanent construction of a structure on a site, such as the pouring of slabs or footings, the installation of piles, the construction of columns, any work beyond the

Revised Definition (Neutral)

Explanation of Changes

Neutral Less restrictive

stage of excavation, or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling, the installation of streets and/or walkways, excavation for a basement, footings, piers, foundations, the erection of temporary forms, nor installation on the property of accessory structures, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the “actual start of construction” means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Line 239

“Structure” means, for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home. “Structure,” for insurance purposes, means a walled and roofed building, other than a gas or liquid storage tank that is principally above ground and affixed to a permanent site, as well as a manufactured home on a permanent foundation, ~~or a travel trailer without wheels on a permanent foundation~~. For the latter purpose, the term includes a building while in the course of construction, alteration or

Line 262

“Unnumbered A Zone” means a special flood hazard area shown on either a flood hazard boundary map or flood insurance rate map where the base flood elevation is not shown.

Line 265

“Variance” means a grant of relief by the ~~community~~ Board of Zoning Appeals from the terms of a floodplain management regulation. Flood insurance requirements remain in place for any varied use or structure and cannot be varied by the community.

Line 273

“Water surface elevation” means the height, in relation to the National ~~Geodetic~~ American Vertical Datum (NGVD) of 1929 ~~1988~~ (or other datum

Revised Definition (Neutral)

New Definition (Neutral)

Revised Definition (Neutral)

Revised Definition (Neutral)

Explanation of Changes

Neutral Less restrictive

where specified) of floods of various magnitudes and frequencies in the floodplains of riverine areas.

Line 279

Violations; Penalties for violation of chapter

Line 28

- (a) The Floodplain Administrator may make reasonable entry upon any lands and waters in Topeka for the purpose of making an investigation, inspection or survey to verify compliance with these regulations. The Floodplain Administrator shall provide notice of entry by mail, electronic mail, phone call, or personal delivery to the owner, owner's agent, lessee, or lessee's agent whose lands will be entered. If none of these persons can be found, the Floodplain Administrator shall affix a copy of the notice to one or more conspicuous places on the property a minimum of five (5) days prior to entry.
- (b) A structure or other development without a floodplain development permit or other evidence of compliance is presumed to be in violation until such documentation is provided.
- (c) The Floodplain Administrator shall provide written notice of a violation of this ordinance to the owner, the owner's agent, lessee, or lessee's agent by personal service or by certified mail, return receipt requested. The written notice shall include instructions and a deadline to request a hearing before the Board of Zoning Appeals, and if no hearing is requested, a deadline by which the violation must be corrected.

Line 308

Statutory authorization.

The legislature of the State of Kansas has in K.S.A. 12-741 et seq., and specifically in K.S.A. 12-766, delegated the responsibility to local governmental units to adopt floodplain management regulations designed to protect the health, safety, and general welfare of the public.

Title Change (Neutral)

Clarification on enforcement of regulation

I would say this is *neutral* because the previous version of the ordinance allowed us to pursue violations, it just did not spell out how we should pursue the violation. This section is describing how we presently pursue violations.

Clarification of statement (Neutral)

Explanation of Changes

Neutral Less restrictive

Line 361

(1) Selection of a base flood that is based upon engineering calculations which permit a consideration of such flood factors as its expected frequency of occurrence, the area inundated, and the depth of inundation. The base flood selected for this chapter is representative of large floods, which are characteristic of what can be expected to occur on the particular streams subject to this chapter. The base flood is the flood that is estimated to have a one percent chance of being equaled or exceeded in any one year as delineated on the current effective Federal Insurance Administrator's FIS, and illustrative materials documented in the interior drainage area maps of the Topeka levee certification package, and any future revisions thereto, and illustrative materials dated September 29, 2011, as amended and any future revisions thereto.

Statement added to include the current floodplain map. (Neutral)

Line 383

Lands to which this chapter applies.

~~(a)~~ This chapter shall apply to all lands within the jurisdiction of the City of Topeka, Kansas, identified as numbered and unnumbered A zones, AE, AO, and AH zones, on flood insurance rate map (FIRM) panels ~~released~~ referenced on the associated FIRM Index dated September 29, 2011, as amended, and any future revisions thereto; and the designated AH zones illustrated as interior drainage area floodplains (or levee ponding areas) in the interior drainage area maps of the Topeka levee certification package or any other work map areas designated by the City of Topeka that can be considered best available data. This chapter shall also apply to all locations with a Letter of Map Revision – Fill (LOMR-F). In all areas covered by this chapter, no development shall be permitted except through the issuance of a floodplain development permit, granted by the ~~City Manager~~ Floodplain Administrator or designee under such safeguards and restrictions as ~~are necessary~~ may reasonably be imposed for the promotion and maintenance of the general welfare, health of the inhabitants of the community, and as specifically noted in ~~Article III of this chapter~~ TMC 17.30.180.

Clarification of Statement (Neutral)

Explanation of Changes

Neutral Less restrictive

<p>(b) In addition, this chapter shall also apply to those lands which, based on the most accurate information available to the Development Services Director, fall within the ultimate 100-year floodplain.</p> <p>Line 403</p> <p>Interpretation.</p> <p>In the interpretation and application, the provisions of this chapter shall be held to be minimum requirements <u>to protect the health and safety of the public</u> and shall not be deemed a limitation or repeal of any other powers granted by Kansas statutes.</p> <p>Line 409</p> <p>Floodplain development permit.</p> <p>A floodplain development permit shall be required for all proposed construction or other development, including the placement of manufactured homes <u>or mobile homes</u>, in the areas described in TMC 17.30.070. No person, firm, corporation, or unit of government shall initiate any development or substantial improvement or cause the same to be done without first obtaining a separate floodplain development permit for each structure or other development.</p> <p>Line 448</p> <p>If such structure, use, or utility service <u>has been or</u> is discontinued for 12 consecutive months, any future use of the building shall conform to this chapter.</p> <p>Line 463</p> <p>AE, AO, and AH zones, unless the conditions of this article <u>section</u> are satisfied.</p>	<p>Clarification of statement (Neutral)</p> <p>Requiring that mobile homes get floodplain development permit(Neutral)</p> <p>Clarification of section (Neutral)</p> <p>Correct wording (Neutral)</p>
--	--

Explanation of Changes

Neutral Less restrictive

Line 465

inundation of the one percent annual chance or 100-year flood; however, the base flood

Providing additional information (Neutral)

Line 467

provisions of this chapter. If flood insurance study data is not available, the ~~f~~Floodplain Administrator shall obtain, review, and reasonably utilize any base flood elevation or

Correct wording (Neutral)

Line 499

(g) All new construction, subdivision proposals, substantial improvements, prefabricated structures, placement of manufactured or mobile homes, and other developments shall require:

Add mobile home to requirement (Neutral)

Line 511

(5) New or replacement water supply systems and/or sanitary sewage systems be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and on-site waste disposal systems be located so as to avoid impairment or contamination ~~from them during flooding~~; and

Correct wording (Neutral)

Line 526

(iv) All proposals for development, including proposals for manufactured home parks and subdivisions, of greater than five (5) acres or fifty (50) lots, whichever is lesser, include within such proposals base flood elevation data.

Clarifying statement (Neutral)

Line 530

1. ~~The storage or processing of materials within the special flood hazard area that are in time of flooding buoyant, flammable, explosive, or could be injurious to human, animal, or plant life is prohibited.~~ Storage of other material or equipment may be allowed if not subject to major damage by floods, if firmly anchored to

Clarifying what can be stored in flood zones (Less restrictive)

Explanation of Changes

Neutral Less restrictive

prevent flotation, or if readily removable from the area within the time available after a flood warning.

Line 535

- (i) Accessory Structures: Structures used solely for parking and limited storage purposes, not attached to any other structure on the site, of limited investment value, and not larger than 400 square feet, may be constructed at-grade and wet-floodproofed provided there is no human habitation or occupancy of the structure; the structure is of single-wall design; the accessory structure meets the following floodplain management requirements; and a floodplain development permit has been issued. Wet-floodproofing is only allowed for small low cost structures. Any permit granted for an accessory structure shall be decided individually based on a case by case analysis of the building's unique circumstances. Permits shall meet the following conditions. In order to minimize flood damages during the one percent annual chance flood event, also referred to as the 100-year flood and the threat to public health and safety, the following conditions shall be required for any permit issued for accessory structures that are constructed at-grade and wet-floodproofed:
1. Use of the accessory structures must be solely for parking and limited storage purposes in any special flood hazard area as identified on the community's Flood Insurance Rate Map (FIRM).
 2. For any new or substantially damaged accessory structures, the exterior and interior building components and elements (i.e., foundation, wall framing, exterior and interior finishes, flooring, etc.) below the base flood elevation, must be built with flood-resistant materials in accordance with TMC 17.30.180(g)(2).
 3. The accessory structures must be adequately anchored to prevent flotation, collapse, or lateral movement of the structure in accordance with TMC 17.30.180(g)(2). All of the building's structural components must be capable of

Establish requirements for accessory structures in flood zones

This is less restrictive, accessory structures previously had to comply with the same regulations as the principal structure.

Explanation of Changes

Neutral Less restrictive

4. resisting specific flood-related forces including hydrostatic, buoyancy, and hydrodynamic and debris impact forces.
Any mechanical, electrical, or other utility equipment must be located above the base flood elevation or floodproofed so that they are contained within a watertight, floodproofed enclosure that is capable of resisting damage during flood conditions in accordance with TMC 17.30.180(g)(2).
5. The accessory structures must meet all NFIP opening requirements. The NFIP requires that enclosure or foundation walls, subject to the one percent annual chance flood event, also referred to as the 100-year flood, contain openings that will permit the automatic entry and exit of flood waters in accordance with TMC 17.30.190(a)(3).
6. The accessory structures must comply with the floodplain management floodway encroachment provisions of TMC 17.30.220(b) of this ordinance. No permits may be issued for accessory structures within any designated floodway, if any increase in flood levels would result during the 100-year flood.
7. Equipment, machinery, or other contents must be protected from any flood damage.
8. No disaster relief assistance under any program administered by any Federal agency shall be paid for any repair or restoration costs of the accessory structures.
9. Wet-floodproofing construction techniques must be reviewed and approved by the Floodplain Administrator or designee. The Floodplain Administrator or designee may request approval by a registered professional engineer or architect prior to the issuance of any floodplain development permit for construction. Cost for any required professional certification shall be paid by the developer.

Line 587

- K Hazardous Materials: All hazardous material storage and handling sites shall be located out of the special flood hazard area.

Prohibiting hazardous materials in flood zones (Neutral) This has been relocated from another area in the code, line 521)

Explanation of Changes

Neutral Less restrictive

Line 598

L Cumulative Improvement: A structure may be improved (remodeled or enlarged) without conforming to current requirements for elevation so long as the cumulative value of all work done does not exceed fifty (50) percent of the structure's current market value. If the cumulative value of the improvement exceeds fifty (50) percent of the structure's current market value, the structure must be brought into compliance with TMC 17.30.190 which requires elevation of residential structures to one (1) foot above the base flood elevation or the elevation/floodproofing of non-residential structures to one (1) foot above the base flood elevation.

Establish a time frame for cumulative improvement (Neutral)

Line 625

(a) In all areas identified as numbered and unnumbered A zones, AE zones,

Clarify statement (Neutral)

Line 628

(1) Residential Construction. New construction or substantial improvement of any residential structures, including manufactured or mobile homes, shall have the lowest floor, including basement, elevated a minimum of

Add mobile home to the requirement (Neutral)

Line 631

one (1) foot above base flood elevation. All mechanical and heating ventilation equipment to be elevated to same level of one (1) foot above the base flood elevation. The elevation of the lowest floor shall be certified by a licensed land surveyor or professional engineer.

Require utility equipment to be elevated Neutral, this has always been required just was not listed out in the code

Line 637

including manufactured or mobile homes, shall have the lowest floor, including

Add mobile home to the requirement so it is elevated (Neutral)

Line 640

Clarify what is meant by dry floodproofing is (Neutral)

Explanation of Changes

Neutral Less restrictive

together with attendant utility and sanitary facilities, be ~~dry~~ floodproofed ~~to a minimum of so that below one (1) foot above the base flood elevation~~ the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. All mechanical and heating ventilation equipment to be elevated or protected to one (1) foot above the base flood elevation. A registered professional engineer or architect shall ~~certify~~ verify that the standards of this subsection are satisfied. The elevation of

Line 650

set forth in TMC 17.30.140(i). Mechanical and HVAC equipment will be elevated or protected to same levels of freeboard above the base flood elevation.

Line 669

Manufactured or mobile homes.

- (a) All manufactured or mobile homes to be placed within all unnumbered and numbered A zones, AE zones, and AH zones on the community's FIRM shall be required to be installed using methods and practices that minimize flood damage. For the purposes of this requirement, manufactured or mobile homes must be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces.

Line 678

(b) ~~Require in~~ Manufactured or mobile homes that are placed or substantially improved within unnumbered or numbered A zones, AE zones, and AH zones, on the community's FIRM shall be placed only on the following sites:

- (1) Outside of a manufactured home park or subdivision;
- (2) In a new manufactured home park or subdivision;
- (3) In an expansion to an existing manufactured home park

Require that utilities be elevated Neutral, this has always been required just was not listed out in the code

Add mobile home to regulation and clarify wording (Neutral)

Add mobile home to regulation, clarify wording and require utilities to be elevated (Neutral)

Explanation of Changes

Neutral Less restrictive

or subdivision; or

(4) In an existing manufactured home park or subdivision on which a manufactured or mobile home has incurred substantial damage as the result of a flood, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated a minimum of one (1) foot above the base flood elevation and be securely attached to an adequately anchored foundation system to resist flotation, collapse, and lateral movement. All mechanical and heating ventilation equipment to be elevated to same level of one (1) foot above the base flood elevation. The elevation of the lowest floor shall be certified by a licensed land surveyor or professional engineer.

Line 694

(c) ~~Require that m~~Manufactured or mobile homes ~~to be~~ that are placed or substantially improved on sites in an existing manufactured home park or subdivision within all unnumbered and numbered A zones, AE zones and AH zones, on the community's FIRM, that are not subject to the provisions of subsection (b) of this section, shall be elevated so that either:

~~(1) The lowest floor of the manufactured or mobile home is a minimum of one (1) foot above the base flood level;~~ or

~~(2) The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely attached to an adequately anchored foundation system to resist flotation, collapse, and lateral movement. The elevation of the lowest floor shall be certified by a licensed land surveyor or professional engineer. Mechanical and HVAC equipment shall be elevated to the same level as the lowest floor.~~

Add mobile home to regulation, clarify wording, require utilities to be elevated, and remove conflicting information on elevation. You may not have to elevate the home 3 feet if 2 feet or on 1 foot will put it 1 foot above the base flood elevation.(Neutral)

Explanation of Changes

Neutral Less restrictive

Line 711

Areas of shallow flooding (AO and AH zones).

Located within the areas of special flood hazard as described in TMC 17.30.070 are areas designated as AO and AH zones. ~~These areas have special flood hazards associated with base flood depths of one to three feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate.~~ The following provisions apply:

- (a) AO Zones. These areas have special flood hazards associated with base flood depths of one (1) to three (3) feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate.

Line 720

- (1) All new construction and substantial improvements of residential structures, including manufactured or mobile homes, shall have the lowest floor, including basement, elevated above the highest adjacent grade at least as high as the depth number specified in feet on the City's community FIRM (at least two feet if no depth number is specified) plus one (1) foot of freeboard. Mechanical and HVAC equipment shall be protected to the same level as the lowest floor.

Line 726

- (2) All new construction and substantial improvements of any commercial, industrial, or other nonresidential structures, including manufactured or mobile homes, shall have the lowest floor, including basement, elevated above the highest adjacent grade at least as high as the depth number specified in feet on the City's community FIRM (at least two feet if no depth number is specified) plus one (1) foot of freeboard or together with attendant utilities and sanitary facilities shall be completely floodproofed to that level so that the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. Mechanical and HVAC shall be flood protected or elevated to the same freeboard level.

Clarify wording (Neutral)

Add mobile home to the regulation, clarify wording, and add elevate utilities (Neutral)

Add mobile home to the regulation, clarify wording, and add elevate utilities (Neutral)

Explanation of Changes

Neutral Less restrictive

Line 763

(b) The Floodplain Administrator or designee may permit encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations, provided that the Floodplain Administrator or designee first applies for a conditional FIRM and floodway revision, fulfills the requirements for such revisions as established under the provisions of 44 CFR 65.12, and receives the approval of FEMA.

Set out guideline for developing in the regulatory floodway that will increase the flood elevation, **Less restrictive, allowing development in the floodway that will increase flood elevation**

Line 842

(g) The Floodplain Administrator or designee shall maintain a record of all variance actions, including justification for their issuance.

Establishes record keeping requirements and when a variance can be issued (**Neutral**)

(h) Variances may be issued by the Board of Zoning Appeals for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that the criteria of items (a) through (e) of this section are met, and the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.

(i) A community shall maintain a record of all variance actions, including justification for their issuance.

~~(i) Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that the criteria of items a through e of this section are met, and the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.~~

Explanation of Changes

Neutral Less restrictive

1 (Published in the Topeka Metro News _____)
2

3 ORDINANCE NO. _____
4

5 AN ORDINANCE introduced by City Manager Stephen Wade concerning floodplain
6 management, amending §§ 17.30.010 through 17.30.040,
7 17.30.070, 17.30.090, 17.30.150, 17.30.170 through 17.30.220,
8 17.30.250 and 17.30.260 of the Topeka Municipal Code and
9 repealing original sections.
10

11 BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF TOPEKA, KANSAS:

12 Section 1. That section 17.30.010, Definitions, of The Code of the City of
13 Topeka, Kansas, is hereby amended to read as follows:

14 **Definitions.**

15 Unless specifically defined below, words or phrases used in this chapter shall be
16 interpreted so as to give them the same meaning they have in common usage and to
17 give this chapter its most reasonable application.

18 100-Year Flood. See “Base flood.”

19 “Accessory structure” means the same as “appurtenant structure.”

20 Actuarial Rates. See “Risk premium rates.”

21 “Administrator” means the Federal Insurance Administrator.

22 “Agency” means the Federal Emergency Management Agency (FEMA).

23 “Appeal” means a request for review of the Floodplain Administrator’s
24 interpretation of any provision of this chapter or a request for a variance.

25 “Appurtenant structure” means a structure that is on the same parcel of property
26 as the principal structure to be insured and the use of which is incidental to the use of
27 the principal structure.

28 “Area of shallow flooding” means a designated AO or AH zone on a community’s
29 flood insurance rate map (FIRM) with a one percent or greater annual chance of

30 flooding to an average depth of one to three feet where a clearly defined channel does
31 not exist, where the path of flooding is unpredictable and where velocity flow may be
32 evident. Such flooding is characterized by ponding or sheet flow.

33 “Area of special flood hazard” is the land in the floodplain within a community
34 subject to a one percent or greater chance of flooding in any given year.

35 “Base flood” means the flood having a one percent chance of being equaled or
36 exceeded in any given year.

37 “Base flood elevation” means the elevation of the surface of the water during a
38 one percent annual chance flood event.

39 “Basement” means any area of the structure having its floor subgrade (below
40 ground level) on all sides.

41 Building. See “Structure.”

42 “Chief Engineer” means the Chief Engineer of the Division of Water Resources,
43 Kansas Department of Agriculture.

44 “Chief executive officer” or “chief elected official” means the official of the
45 community who is charged with the authority to implement and administer laws,
46 ordinances, and regulations for that community.

47 “Community” means any state, or area or political subdivision thereof, which has
48 authority to adopt and enforce floodplain management regulations for the areas within
49 its jurisdiction.

50 “Development” means any manmade change to improved or unimproved real
51 estate, including but not limited to buildings or other structures, levees, levee systems,
52 mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of
53 equipment or materials.

54 “Elevated building” means, for insurance purposes, a nonbasement building
55 which has its lowest elevated floor raised above ground level by foundation walls, shear
56 walls, posts, piers, pilings, or columns.

57 “Eligible community” or “participating community” means a community for which
58 the Administrator has authorized the sale of flood insurance under the National Flood
59 Insurance Program (NFIP).

60 “Existing construction” means, for the purposes of determining rates, structures
61 for which the “start of construction” commenced before the effective date of the FIRM or
62 before January 1, 1975, for FIRMs effective before that date. “Existing construction”
63 may also be referred to as “existing structures.”

64 “Existing manufactured home park or subdivision” means a manufactured home
65 park or subdivision for which the construction of facilities for servicing the lots on which
66 the manufactured homes are to be affixed (including, at a minimum, the installation of
67 utilities, the construction of streets, and either final site grading or the pouring of
68 concrete pads) is completed before the effective date of the floodplain management
69 regulations adopted by a community.

70 “Expansion to an existing manufactured home park or subdivision” means the
71 preparation of additional sites by the construction of facilities for servicing the lots on
72 which the manufactured homes are to be affixed (including the installation of utilities, the
73 construction of streets, and either final site grading or the pouring of concrete pads).

74 “Flood” or “flooding” means a general and temporary condition of partial or
75 complete inundation of normally dry land areas from: (1) the overflow of inland waters;
76 (2) the unusual and rapid accumulation or runoff of surface waters from any source; and
77 (3) the collapse or subsidence of land along the shore of a lake or other body of water

78 as a result of erosion or undermining caused by waves or currents of water exceeding
79 anticipated cyclical levels or suddenly caused by an unusually high water level in a
80 natural body of water, accompanied by a severe storm, or by an unanticipated force of
81 nature, such as flash flood, or by some similarly unusual and unforeseeable event which
82 results in flooding as defined in subsection (1) of this definition.

83 “Flood boundary and floodway map (FBFM)” means an official map of a
84 community on which the Administrator has delineated both special flood hazard areas
85 and the designated regulatory floodway.

86 “Flood elevation determination” means a determination by the Administrator of
87 the water surface elevations of the base flood, that is, the flood level that has a one
88 percent or greater chance of occurrence in any given year.

89 “Flood elevation study” means an examination, evaluation and determination of
90 flood hazards ~~and if appropriate, corresponding water surface elevations.~~

91 “Flood fringe” means the area outside the floodway encroachment lines, but still
92 subject to inundation by the regulatory flood.

93 “Flood hazard boundary map (FHBM)” means an official map of a community,
94 issued by the Administrator, where the boundaries of the flood areas having special
95 flood hazards have been designated as (unnumbered or numbered) A zones.

96 “Flood hazard map” means the document adopted by the Governing Body
97 showing the limits of: (1) the floodplain; (2) the floodway; (3) streets; (4) stream channel;
98 and (5) other geographic features.

99 “Flood insurance rate map (FIRM)” means an official map of a community, on
100 which the Administrator has delineated both the special flood hazard areas and the risk
101 premium zones applicable to the community.

102 “Flood insurance study (FIS)” means an examination, evaluation and
103 determination of flood hazards and, if appropriate, corresponding water surface
104 elevations.

105 “Floodplain” or “flood-prone area” means any land area susceptible to being
106 inundated by water from any source (see “Flooding”).

107 “Floodplain management” means the operation of an overall program of
108 corrective and preventive measures for reducing flood damage, including but not limited
109 to emergency preparedness plans, flood control works, and floodplain management
110 regulations.

111 “Floodplain management regulations” means zoning ordinances, subdivision
112 regulations, building codes, health regulations, special purpose ordinances (such as
113 floodplain and grading ordinances) and other applications of police power. The term
114 describes such State or local regulations, in any combination thereof, that provide
115 standards for the purpose of flood damage prevention and reduction.

116 “Floodproofing” means any combination of structural and nonstructural additions,
117 changes, or adjustments to structures that reduce or eliminate flood damage to real
118 estate or improved real property, water and sanitary facilities, or structures and their
119 contents.

120 “Floodway” or “regulatory floodway” means the channel of a river or other
121 watercourse and the adjacent land areas that must be reserved in order to discharge
122 the base flood without cumulatively increasing the water surface elevation more than
123 one foot.

124 “Floodway encroachment lines” means the lines marking the limits of floodways
125 on Federal, State and local floodplain maps.

126 “Freeboard” means a factor of safety usually expressed in feet above a flood
127 level for purposes of floodplain management. “Freeboard” tends to compensate for the
128 many unknown factors that could contribute to flood heights greater than the height
129 calculated for a selected size flood and floodway conditions, such as bridge openings
130 and the hydrological effect of urbanization of the watershed.

131 “Functionally dependent use” means a use that cannot perform its intended
132 purpose unless it is located or carried out in close proximity to water. This term includes
133 only docking facilities and facilities that are necessary for the loading and unloading of
134 cargo or passengers, but does not include long-term storage or related manufacturing
135 facilities.

136 “Highest adjacent grade” means the highest natural elevation of the ground
137 surface prior to construction next to the proposed walls of a structure.

138 “Historic structure” means any structure that is (a) listed individually in the
139 National Register of Historic Places (a listing maintained by the Department of the
140 Interior) or preliminarily determined by the Secretary of the Interior as meeting the
141 requirements for individual listing on the National Register; (b) certified or preliminarily
142 determined by the Secretary of the Interior as contributing to the historical significance
143 of a registered historic district or a district preliminarily determined by the Secretary to
144 qualify as a registered historic district; (c) individually listed on a state inventory of
145 historic places in states with historic preservation programs which have been approved
146 by the Secretary of the Interior; or (d) individually listed on a local inventory of historic
147 places in communities with historic preservation programs that have been certified
148 either (1) by an approved state program as determined by the Secretary of the Interior
149 or (2) directly by the Secretary of the Interior in states without approved programs.

150 “Lowest floor” means the lowest floor of the lowest enclosed area, including
151 basement. An unfinished or flood-resistant enclosure, usable solely for parking of
152 vehicles, building access, or storage, in an area other than a basement area, is not
153 considered a building’s lowest floor; provided, that such enclosure is not built so as to
154 render the structure in violation of the applicable floodproofing design requirements of
155 this chapter.

156 “Manufactured home” means a structure, transportable in one or more sections,
157 that is built on a permanent chassis and is designed for use with or without a permanent
158 foundation when attached to the required utilities. The term “manufactured home”
159 includes mobile homes manufactured prior to 1976 but does not include a “recreational
160 vehicle.”

161 “Manufactured home park or subdivision” means a parcel (or contiguous parcels)
162 of land divided into two or more manufactured home lots for rent or sale.

163 “Map” means the flood hazard boundary map (FHBM), flood insurance rate map
164 (FIRM), or the flood boundary and floodway map (FBFM) for a community issued by the
165 Federal Emergency Management Agency (FEMA).

166 “Market value” or “fair market value” means an estimate of what is fair, economic,
167 just and equitable value under normal local market conditions.

168 “Mean sea level” means, for purposes of the National Flood Insurance Program
169 (NFIP), the National ~~Geodetic~~American Vertical Datum (NGAVD) of ~~1929~~1988 or other
170 datum, to which base flood elevations shown on a community’s flood insurance rate
171 map (FIRM) are referenced.

172 “New construction” means, for the purposes of determining insurance rates,
173 structures for which the “start of construction” commenced on or after the effective date

174 of an initial FIRM or after December 31, 1974, whichever is later, and includes any
175 subsequent improvements to such structures. For floodplain management purposes,
176 “new construction” means structures for which the “start of construction” commenced on
177 or after the effective date of the floodplain management regulations adopted by a
178 community and includes any subsequent improvements to such structures.

179 “New manufactured home park or subdivision” means a manufactured home park
180 or subdivision for which the construction of facilities for servicing the lot on which the
181 manufactured homes are to be affixed (including at a minimum, the installation of
182 utilities, the construction of streets, and either final site grading or the pouring of
183 concrete pads) is completed on or after the effective date of floodplain management
184 regulations adopted by the community.

185 “NFIP” means the National Flood Insurance Program (NFIP).

186 “Numbered A Zone” means a special flood hazard area where the Flood
187 Insurance Rate Map shows the base flood elevation.

188 One percent annual chance flood. See "Base flood."

189 “Participating community” also known as an “eligible community,” means a
190 community in which the Administrator has authorized the sale of flood insurance.

191 “Permit” means a signed document from a designated community official
192 authorizing development in a floodplain, including all necessary supporting
193 documentation such as: (1) the site plan; (2) an elevation certificate; and (3) any other
194 necessary or applicable approvals or authorizations from local, State or Federal
195 authorities.

196 “Person” includes any individual or group of individuals, corporation, partnership,
197 association, or any other entity, including Federal, State, and local governments and

198 agencies.

199 “Principally above ground” means that at least 51 percent of the actual cash
200 value of the structure, less land value, is above ground.

201 “Reasonably safe from flooding” means base flood waters will not inundate the
202 land or damage structures to be removed from the SFHA and that any subsurface
203 waters related to the base flood will not damage existing or proposed buildings.

204 “Recreational vehicle” means a vehicle which is (a) built on a single chassis; (b)
205 400 square feet or less when measured at the largest horizontal projections; (c)
206 designed to be self-propelled or permanently able to be towed by a light-duty truck; and
207 (d) designed primarily not for use as a permanent dwelling but as temporary living
208 quarters for recreational, camping, travel, or seasonal use.

209 “Remedy a violation” means to bring the structure or other development into
210 compliance with Federal, State, or local floodplain management regulations; or, if this is
211 not possible, to reduce the impacts of its noncompliance.

212 “Risk premium rates” means those rates established by the Administrator
213 pursuant to individual community studies and investigations, which are undertaken to
214 provide flood insurance in accordance with Section 1307 of the National Flood Disaster
215 Protection Act of 1973 and the accepted actuarial principles. “Risk premium rates”
216 include provisions for operating costs and allowances.

217 Special Flood Hazard Area. See “Area of special flood hazard.”

218 “Special hazard area” means an area having special flood hazards and shown on
219 an FHBM, FIRM or FBFM as zones (unnumbered or numbered) A, AO, AE, or AH.

220 “Start of construction” includes substantial improvements, and means the date
221 the building permit was issued, provided the actual start of construction, repair,

222 reconstruction, rehabilitation, addition placement, or other improvements ~~was~~were
223 within 180 days of the permit date. The “actual start” means either the first placement of
224 permanent construction of a structure on a site, such as the pouring of slabs or footings,
225 the installation of piles, the construction of columns, any work beyond the stage of
226 excavation, or the placement of a manufactured home on a foundation. Permanent
227 construction does not include land preparation, such as clearing, grading and filling, the
228 installation of streets and/or walkways, excavation for a basement, footings, piers,
229 foundations, the erection of temporary forms, nor installation on the property of
230 accessory structures, such as garages or sheds not occupied as dwelling units or not
231 part of the main structure. For a substantial improvement, the “actual start of
232 construction” means the first alteration of any wall, ceiling, floor, or other structural part
233 of a building, whether or not that alteration affects the external dimensions of the
234 building.

235 “State coordinating agency” means the Division of Water Resources, Kansas
236 Department of Agriculture, or other office designated by the Governor of the State or by
237 State statute at the request of the Administrator to assist in the implementation of the
238 National Flood Insurance Program (NFIP) in the State.

239 “Structure” means, for floodplain management purposes, a walled and roofed
240 building, including a gas or liquid storage tank, that is principally above ground, as well
241 as a manufactured home. “Structure,” for insurance purposes, means a walled and
242 roofed building, other than a gas or liquid storage tank that is principally above ground
243 and affixed to a permanent site, as well as a manufactured home on a permanent
244 foundation, ~~or a travel trailer without wheels on a permanent foundation.~~ For the latter
245 purpose, the term includes a building while in the course of construction, alteration or

246 repair, but does not include building materials or supplies intended for use in such
247 construction, alteration or repair, unless such materials or supplies are within an
248 enclosed building on the premises.

249 “Substantial damage” means damage of any origin sustained by a structure
250 whereby the cost of restoring the structure to pre-damaged condition would equal or
251 exceed 50 percent of the market value of the structure before the damage occurred.

252 “Substantial improvement” means any reconstruction, rehabilitation, addition, or
253 other improvement of a structure, the cost of which equals or exceeds 50 percent of the
254 market value of the structure before “start of construction” of the improvement. This
255 term includes structures which have incurred “substantial damage,” regardless of the
256 actual repair work performed. The term does not, however, include either (1) any project
257 for improvement of a structure to correct existing violations of State or local health,
258 sanitary, or safety code specifications that have been identified by the local code
259 enforcement official and which are the minimum necessary to assure safe living
260 conditions, or (2) any alteration of a “historic structure”; provided, that the alteration will
261 not preclude the structure’s continued designation as a “historic structure.”

262 “Unnumbered A Zone” means a special flood hazard area shown on either a
263 flood hazard boundary map or flood insurance rate map where the base flood elevation
264 is not shown.

265 “Variance” means a grant of relief by the ~~community~~Board of Zoning Appeals
266 from the terms of a floodplain management regulation. Flood insurance requirements
267 remain in place for any varied use or structure and cannot be varied by the community.

268 “Violation” means the failure of a structure or other development to be fully
269 compliant with the community’s floodplain management regulations. A structure or other

270 development without the elevation certificate, other certifications, or other evidence of
271 compliance required by this chapter is presumed to be in violation until such time as that
272 documentation is provided.

273 “Water surface elevation” means the height, in relation to the National
274 ~~Geodetic~~American Vertical Datum (NGAVD) of ~~1929~~1988 (or other datum where
275 specified) of floods of various magnitudes and frequencies in the floodplains of riverine
276 areas.

277 Section 2. That section 17.30.020, Penalties for violation of chapter, of The
278 Code of the City of Topeka, Kansas, is hereby amended to read as follows:

279 **Violations; Penalties for violation of chapter.**

280 (a) The Floodplain Administrator may make reasonable entry upon any lands
281 and waters in Topeka for the purpose of making an investigation, inspection or survey to
282 verify compliance with these regulations. The Floodplain Administrator shall provide
283 notice of entry by mail, electronic mail, phone call, or personal delivery to the owner,
284 owner’s agent, lessee, or lessee’s agent whose lands will be entered. If none of these
285 persons can be found, the Floodplain Administrator shall affix a copy of the notice to
286 one or more conspicuous places on the property a minimum of five (5) days prior to
287 entry.

288 (b) A structure or other development without a floodplain development permit
289 or other evidence of compliance is presumed to be in violation until such documentation
290 is provided.

291 (c) The Floodplain Administrator shall provide written notice of a violation of
292 this ordinance to the owner, the owner’s agent, lessee, or lessee’s agent by personal
293 service or by certified mail, return receipt requested. The written notice shall include

294 instructions and a deadline to request a hearing before the Board of Zoning Appeals,
295 and if no hearing is requested, a deadline by which the violation must be corrected.

296 (ad) Violation of the provisions of this chapter or failure to comply with any of
297 its requirements, including violations of conditions and safeguards established in
298 connection with grants of variances or special exceptions, shall constitute a
299 misdemeanor. Any person who violates this chapter or fails to comply with any of its
300 requirements shall, upon conviction thereof, be fined not to exceed \$499.00 and, in
301 addition, shall pay all costs and expenses involved in the case. Each day such violation
302 continues shall be considered a separate offense.

303 (b) Nothing contained in this section shall prevent the City or other
304 appropriate authority from taking such other lawful action as is necessary to prevent or
305 remedy any violation.

306 Section 3. That section 17.30.030, Statutory authorization, of The Code of the
307 City of Topeka, Kansas, is hereby amended to read as follows:

308 **Statutory authorization.**

309 The legislature of the State of Kansas has in K.S.A. 12-741 et seq., and
310 specifically in K.S.A. 12-766, delegated the responsibility to local governmental units to
311 adopt floodplain management regulations designed to protect the health, safety, and
312 general welfare of the public.

313 Section 4. That section 17.30.040, Findings of fact, of The Code of the City of
314 Topeka, Kansas, is hereby amended to read as follows:

315 **Findings of fact.**

316 (a) Flood Losses Resulting from Periodic Inundation. The special flood hazard
317 areas of the City are subject to inundation which results in loss of life and property,

318 health and safety hazards, disruption of commerce and governmental services,
319 extraordinary public expenditures for flood protection and relief, and impairment of the
320 tax base; all of which adversely affect the public health, safety and general welfare.

321 (b) General Causes of the Flood Losses. Flood losses are caused by the
322 cumulative effect of development in any delineated floodplain causing increases in flood
323 heights and velocities; and the occupancy of flood hazard areas by uses vulnerable to
324 floods, hazardous to others, inadequately elevated, or otherwise unprotected from flood
325 damages.

326 (c) Methods Used to Analyze Flood Hazards. The flood insurance study (FIS)
327 that is the basis of this chapter uses a standard engineering method of analyzing flood
328 hazards, which consists of a series of interrelated steps:

329 (1) Selection of a base flood that is based upon engineering calculations
330 which permit a consideration of such flood factors as its expected frequency of
331 occurrence, the area inundated, and the depth of inundation. The base flood
332 selected for this chapter is representative of large floods, which are characteristic
333 of what can be expected to occur on the particular streams subject to this
334 chapter. The base flood is the flood that is estimated to have a one percent
335 chance of being equaled or exceeded in any one year as delineated on the
336 current effective Federal Insurance Administrator's FIS, and illustrative materials
337 documented in the interior drainage area maps of the Topeka levee certification
338 package, and any future revisions thereto, and illustrative materials dated
339 September 29, 2011, as amended and any future revisions thereto.

340 (2) Calculation of water surface profiles that are based on a standard
341 hydraulic engineering analysis of the capacity of the stream channel and

342 overbank areas to convey the regulatory flood.

343 (3) Computation of a floodway required to convey this flood without
344 increasing flood heights more than one foot at any point.

345 (4) Delineation of floodway encroachment lines within which no
346 development is permitted that would cause any increase in flood height.

347 (5) Delineation of floodway fringe, i.e., that area outside the floodway
348 encroachment lines, but still subject to inundation by the base flood.

349 Section 5. That section 17.30.070, Lands to which this chapter applies, of The
350 Code of the City of Topeka, Kansas, is hereby amended to read as follows:

351 **Lands to which this chapter applies.**

352 (a) This chapter shall apply to all lands within the jurisdiction of the City of
353 Topeka, Kansas, identified as numbered and unnumbered A zones, AE, AO, and AH
354 zones, on flood insurance rate map (FIRM) panels ~~released~~referenced on the
355 associated FIRM Index dated September 29, 2011, as amended, and any future
356 revisions thereto; and the designated AH zones illustrated as interior drainage area
357 floodplains (or levee ponding areas) in the interior drainage area maps of the Topeka
358 levee certification package or any other work map areas designated by the City of
359 Topeka that can be considered best available data. This chapter shall also apply to all
360 locations with a Letter of Map Revision – Fill (LOMR-F).In all areas covered by this
361 chapter, no development shall be permitted except through the issuance of a floodplain
362 development permit, granted by the ~~City Manager~~Floodplain Administrator or designee
363 under such safeguards and restrictions as ~~are necessary~~may reasonably be imposed
364 for the promotion and maintenance of the general welfare, health of the inhabitants of
365 the community, and as specifically noted in ~~Article III of this chapter~~TMC 17.30.180.

366 ~~(b) In addition, this chapter shall also apply to those lands which, based on~~
367 ~~the most accurate information available to the Development Services Director, fall within~~
368 ~~the ultimate 100-year floodplain.~~

369 Section 6. That section 17.30.090, Interpretation, of The Code of the City of
370 Topeka, Kansas, is hereby amended to read as follows:

371 **Interpretation.**

372 In the interpretation and application, the provisions of this chapter shall be held to
373 be minimum requirements to protect the health and safety of the public and shall not be
374 deemed a limitation or repeal of any other powers granted by Kansas statutes.

375 Section 7. That section 17.30.150, Floodplain development permit, of The
376 Code of the City of Topeka, Kansas, is hereby amended to read as follows:

377 **Floodplain development permit.**

378 A floodplain development permit shall be required for all proposed construction or
379 other development, including the placement of manufactured homes or mobile homes,
380 in the areas described in TMC 17.30.070. No person, firm, corporation, or unit of
381 government shall initiate any development or substantial improvement or cause the
382 same to be done without first obtaining a separate floodplain development permit for
383 each structure or other development.

384 Section 8. That section 17.30.170, Nonconforming uses, of The Code of the
385 City of Topeka, Kansas, is hereby amended to read as follows:

386 **Nonconforming uses.**

387 A structure, or the use of a structure or premises that was lawful before the
388 passage or amendment of this chapter, but which is not in conformity with the provisions
389 of this chapter, may be continued subject to the following conditions:

390 (a) If such structure, use, or utility service has been or is discontinued for 12
391 consecutive months, any future use of the building shall conform to this chapter.

392 (b) If any nonconforming use or structure is destroyed by any means,
393 including flood, it shall not be reconstructed if the cost is more than 50 percent of the
394 pre-damaged market value of the structure. This limitation does not include the cost of
395 any alteration to comply with existing State or local health, sanitary, building, safety
396 codes, regulations or the cost of any alteration of a structure listed on the National
397 Register of Historic Places, the State Inventory of Historic Places, or local inventory of
398 historic places upon determination.

399 Section 9. That section 17.30.180, General standards, of The Code of the City
400 of Topeka, Kansas, is hereby amended to read as follows:

401 **General standards.**

402 (a) No permit for floodplain development shall be granted for new
403 construction, substantial improvements, and other improvements, including the
404 placement of manufactured or mobile homes, within any numbered or unnumbered A,
405 AE, AO, and AH zones, unless the conditions of this ~~article~~section are satisfied.

406 (b) All areas identified as unnumbered A zones on the FIRM are subject to
407 inundation of the one percent annual chance or 100-year flood; however, the base flood
408 elevation is not provided. Development within unnumbered A zones is subject to all
409 provisions of this chapter. If flood insurance study data is not available, the f[Floodplain
410 aAdministrator shall obtain, review, and reasonably utilize any base flood elevation or
411 floodway data currently available from Federal, State, or other sources.

412 (c) Until a floodway is designated, no new construction, substantial
413 improvements, or other development that exceeds 5,000 square feet of impervious

414 surface or is part of a larger common plan of development that exceeds 5,000 square
415 feet of impervious surface, including fill, shall be permitted within any unnumbered or
416 numbered A zones, ~~AH zones~~ or AE zones on the FIRM, unless it is demonstrated that
417 the cumulative effect of the proposed development, when combined with all other
418 existing and anticipated development, will not increase the water surface elevation of
419 the base flood more than one foot at any point within the community, will not exceed the
420 lowest adjacent grade of the lowest impacted habitable structure, and will not exceed
421 the current water surface elevation at the location of a habitable structure currently
422 impacted by the floodplain.

423 (d) No new construction, substantial improvements or other development,
424 including fill, shall be permitted within a designated zone AH floodplain or levee ponding
425 area designated by the City of Topeka unless it is demonstrated that all fill in the zone
426 AH/ponding area is offset by compensating cut to negate volume losses, with the
427 compensatory storage being frequency/stage based for the two-year, 10-year, 25-year,
428 50-year, and 100-year events.

429 (e) No new construction, substantial improvements or other development that
430 exceeds 5,000 square feet of impervious surface or is part of a larger common plan of
431 development that exceeds 5,000 square feet of impervious surface, including fill, shall
432 be permitted within a zone AE floodplain fringe zone on the FIRM, unless it is
433 demonstrated that the water surface elevation will not exceed the lowest adjacent grade
434 of the lowest impacted habitable structure, and will not exceed the current water surface
435 elevation at the location of a habitable structure currently impacted by the floodplain.

436 (f) No new construction, substantial improvements or other development,
437 including fill, resulting in alternations to a stream that has a drainage area greater than

438 640 acres (one square mile) shall be permitted without KDA-DWR approval for the
439 stream change, unless the change is specifically exempt from the KDA-DWR
440 regulations.

441 (g) All new construction, subdivision proposals, substantial improvements,
442 prefabricated structures, placement of manufactured or mobile homes, and other
443 developments shall require:

444 (1) Design or adequate anchorage to prevent flotation, collapse, or lateral
445 movement of the structure resulting from hydrodynamic and hydrostatic loads,
446 including the effects of buoyancy;

447 (2) Construction with materials resistant to flood damage;

448 (3) Utilization of methods and practices that minimize flood damages;

449 (4) All electrical, heating, ventilation, plumbing, air-conditioning
450 equipment, and other service facilities be designed and/or located so as to
451 prevent water from entering or accumulating within the components during
452 conditions of flooding;

453 (5) New or replacement water supply systems and/or sanitary sewage
454 systems be designed to minimize or eliminate infiltration of flood waters into the
455 systems and discharges from the systems into flood waters, and on-site waste
456 disposal systems be located so as to avoid impairment or contamination ~~from~~
457 ~~them during flooding~~; and

458 (6) Subdivision proposals and other proposed new development,
459 including manufactured home parks or subdivisions, located within special flood
460 hazard areas are required to assure that:

461 (i) All such proposals are consistent with the need to minimize

462 flood damage;

463 (ii) All public utilities and facilities, such as sewer, gas, electrical,
464 and water systems, are located and constructed to minimize or eliminate
465 flood damage;

466 (iii) Adequate drainage is provided so as to reduce exposure to
467 flood hazards; and

468 (iv) All proposals for development, including proposals for
469 manufactured home parks and subdivisions, of greater than five (5) acres
470 or fifty (50) lots, whichever is lesser, include within such proposals base
471 flood elevation data.

472 (h) ~~The storage or processing of materials within the special flood hazard~~
473 ~~area that are in time of flooding buoyant, flammable, explosive, or could be injurious to~~
474 ~~human, animal, or plant life is prohibited.~~ Storage of other material or equipment may be
475 allowed if not subject to major damage by floods, if firmly anchored to prevent flotation,
476 or if readily removable from the area within the time available after a flood warning.

477 (i) Accessory Structures: Structures used solely for parking and limited
478 storage purposes, not attached to any other structure on the site, of limited investment
479 value, and not larger than 400 square feet, may be constructed at-grade and wet-
480 floodproofed provided there is no human habitation or occupancy of the structure; the
481 structure is of single-wall design; the accessory structure meets the following floodplain
482 management requirements; and a floodplain development permit has been issued. Wet-
483 floodproofing is only allowed for small low cost structures.

484 Any permit granted for an accessory structure shall be decided individually based
485 on a case by case analysis of the building's unique circumstances. Permits shall meet

486 the following conditions.

487 In order to minimize flood damages during the one percent annual chance flood
488 event, also referred to as the 100-year flood and the threat to public health and safety,
489 the following conditions shall be required for any permit issued for accessory structures
490 that are constructed at-grade and wet-floodproofed:

491 (1) Use of the accessory structures must be solely for parking and
492 limited storage purposes in any special flood hazard area as identified on the
493 community's Flood Insurance Rate Map (FIRM).

494 (2) For any new or substantially damaged accessory structures, the
495 exterior and interior building components and elements (i.e., foundation, wall
496 framing, exterior and interior finishes, flooring, etc.) below the base flood
497 elevation, must be built with flood-resistant materials in accordance with TMC
498 17.30.180(g)(2).

499 (3) The accessory structures must be adequately anchored to prevent
500 flotation, collapse, or lateral movement of the structure in accordance with TMC
501 17.30.180(g)(2). All of the building's structural components must be capable of
502 resisting specific flood-related forces including hydrostatic, buoyancy, and
503 hydrodynamic and debris impact forces.

504 (4) Any mechanical, electrical, or other utility equipment must be
505 located above the base flood elevation or floodproofed so that they are contained
506 within a watertight, floodproofed enclosure that is capable of resisting damage
507 during flood conditions in accordance with TMC 17.30.180(g)(2).

508 (5) The accessory structures must meet all NFIP opening
509 requirements. The NFIP requires that enclosure or foundation walls, subject to

510 the one percent annual chance flood event, also referred to as the 100-year
511 flood, contain openings that will permit the automatic entry and exit of flood
512 waters in accordance with TMC 17.30.190(a)(3).

513 (6) The accessory structures must comply with the floodplain
514 management floodway encroachment provisions of TMC 17.30.220(b) of this
515 ordinance. No permits may be issued for accessory structures within any
516 designated floodway, if any increase in flood levels would result during the 100-
517 year flood.

518 (7) Equipment, machinery, or other contents must be protected from
519 any flood damage.

520 (8) No disaster relief assistance under any program administered by
521 any Federal agency shall be paid for any repair or restoration costs of the
522 accessory structures.

523 (9) Wet-floodproofing construction techniques must be reviewed and
524 approved by the Floodplain Administrator or designee. The Floodplain
525 Administrator or designee may request approval by a registered professional
526 engineer or architect prior to the issuance of any floodplain development permit
527 for construction. Cost for any required professional certification shall be paid by
528 the developer.

529 (j) Hazardous Materials: All hazardous material storage and handling sites
530 shall be located out of the special flood hazard area.

531 (k) Cumulative Improvement: A structure may be improved (remodeled or
532 enlarged) without conforming to current requirements for elevation so long as the
533 cumulative value of all work done does not exceed fifty (50) percent of the structure's

534 current market value. If the cumulative value of the improvement exceeds fifty (50)
535 percent of the structure's current market value, the structure must be brought into
536 compliance with TMC 17.30.190 which requires elevation of residential structures to one
537 (1) foot above the base flood elevation or the elevation/floodproofing of non-residential
538 structures to one (1) foot above the base flood elevation.

539 Section 10. That section 17.30.190, Specific standards, of The Code of the City
540 of Topeka, Kansas, is hereby amended to read as follows:

541 **Specific standards.**

542 (a) In all areas identified as numbered and unnumbered A zones, AE zones,
543 and AH zones, where base flood elevation data have been provided, as set forth in
544 TMC 17.30.170(b), the following provisions are required:

545 (1) Residential Construction. New construction or substantial
546 improvement of any residential structures, including manufactured or mobile
547 homes, shall have the lowest floor, including basement, elevated a minimum of
548 one (1) foot above base flood elevation. All mechanical and heating ventilation
549 equipment to be elevated to same level of one (1) foot above the base flood
550 elevation. The elevation of the lowest floor shall be certified by a licensed land
551 surveyor or professional engineer.

552 (2) Nonresidential Construction. New construction or substantial
553 improvement of any commercial, industrial, or other nonresidential structures,
554 including manufactured or mobile homes, shall have the lowest floor, including
555 basement, elevated a minimum of one (1) foot above the base flood elevation or,
556 together with attendant utility and sanitary facilities, be ~~dry~~-floodproofed to a
557 ~~minimum of so that below~~ one (1) foot above the base flood elevation the

558 structure is watertight with walls substantially impermeable to the passage of
559 water and with structural components having the capability of resisting
560 hydrostatic and hydrodynamic loads and effects of buoyancy. All mechanical and
561 heating ventilation equipment to be elevated or protected to one (1) foot above
562 the base flood elevation. A registered professional engineer or architect shall
563 ~~certify~~verify that the standards of this subsection are satisfied. The elevation of
564 the lowest floor shall be certified by a licensed land surveyor or professional
565 engineer. Such certification shall be provided to the Floodplain Administrator as
566 set forth in TMC 17.30.140(i). Mechanical and HVAC equipment will be elevated
567 or protected to same levels of freeboard above the base flood elevation.

568 (3) Enclosures Below Lowest Floor. Require for all new construction and
569 substantial improvements that fully enclosed areas below lowest floor used solely
570 for parking of vehicles, building access, or storage in an area other than a
571 basement and that are subject to flooding shall be designed to automatically
572 equalize hydrostatic flood forces on exterior walls by allowing for the entry and
573 exit of flood waters. Designs for meeting this requirement must either be certified
574 by a registered professional engineer or architect or meet or exceed the following
575 minimum criteria:

576 (i) A minimum of two (2) openings having a total net area of not
577 less than one (1) square inch for every square foot of enclosed area
578 subject to flooding shall be provided; and

579 (ii) The bottom of all openings shall be no higher than one (1) foot
580 above grade. Openings may be equipped with screens, louvers, valves, or
581 other coverings or devices; provided, that they permit the automatic entry

582 and exit of flood waters.

583 Section 11. That section 17.30.200, Manufactured homes, of The Code of the
584 City of Topeka, Kansas, is hereby amended to read as follows:

585 **Manufactured or mobile homes.**

586 (a) All manufactured or mobile homes to be placed within all unnumbered and
587 numbered A_zones, AE_zones, and AH zones on the community's FIRM shall be
588 required to be installed using methods and practices that minimize flood damage. For
589 the purposes of this requirement, manufactured or mobile homes must be elevated and
590 anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may
591 include, but are not limited to, use of over-the-top or frame ties to ground anchors. This
592 requirement is in addition to applicable State and local anchoring requirements for
593 resisting wind forces.

594 (b) ~~Require m~~Manufactured or mobile homes that are placed or substantially
595 improved within unnumbered or numbered A_zones, AE_zones, and AH zones, on the
596 community's FIRM shall be placed only on the following sites:

- 597 (1) Outside of a manufactured home park or subdivision;
- 598 (2) In a new manufactured home park or subdivision;
- 599 (3) In an expansion to an existing manufactured home park or
600 subdivision; or
- 601 (4) In an existing manufactured home park or subdivision on which a
602 manufactured or mobile home has incurred substantial damage as the result of a
603 flood, be elevated on a permanent foundation such that the lowest floor of the
604 manufactured home is elevated a minimum of one (1) foot above the base flood
605 elevation and be securely attached to an adequately anchored foundation system

606 to resist flotation, collapse, and lateral movement. All mechanical and heating
607 ventilation equipment to be elevated to same level of one (1) foot above the base
608 flood elevation. The elevation of the lowest floor shall be certified by a licensed
609 land surveyor or professional engineer.

610 (c) ~~Require that m~~Manufactured or mobile homes ~~to be~~that are placed or
611 substantially improved on sites in an existing manufactured home park or subdivision
612 within all unnumbered and numbered A zones, AE zones and AH zones, on the
613 community's FIRM, that are not subject to the provisions of subsection (b) of this
614 section, shall be elevated so that ~~either:~~

615 ~~(1) The lowest floor of the manufactured or mobile home is a minimum~~
616 ~~of one (1) foot above the base flood level;~~ ~~or~~

617 ~~(2) The manufactured home chassis is supported by reinforced piers or~~
618 ~~other foundation elements of at least equivalent strength that are no less than 36~~
619 ~~inches in height above grade and be securely attached to an adequately~~
620 ~~anchored foundation system to resist flotation, collapse, and lateral movement.~~

621 The elevation of the lowest floor shall be certified by a licensed land surveyor or
622 professional engineer. Mechanical and HVAC equipment shall be elevated to the
623 same level as the lowest floor.

624 Section 12. That section 17.30.210, Areas of shallow flooding (AO and AH
625 zones), of The Code of the City of Topeka, Kansas, is hereby amended to read as
626 follows:

627 **Areas of shallow flooding (AO and AH zones).**

628 Located within the areas of special flood hazard as described in TMC 17.30.070
629 are areas designated as AO and AH zones. ~~These areas have special flood hazards~~

630 ~~associated with base flood depths of one to three feet where a clearly defined channel~~
631 ~~does not exist and where the path of flooding is unpredictable and indeterminate.~~ The
632 following provisions apply:

633 (a) *AO Zones.* These areas have special flood hazards associated with base
634 flood depths of one (1) to three (3) feet where a clearly defined channel does not exist
635 and where the path of flooding is unpredictable and indeterminate.

636 (1) All new construction and substantial improvements of residential
637 structures, including manufactured or mobile homes, shall have the lowest floor,
638 including basement, elevated above the highest adjacent grade at least as high
639 as the depth number specified in feet on the City's community FIRM (at least two
640 feet if no depth number is specified) plus one (1) foot of freeboard. Mechanical
641 and HVAC equipment shall be protected to the same level as the lowest floor.

642 (2) All new construction and substantial improvements of any
643 commercial, industrial, or other nonresidential structures, including manufactured
644 or mobile homes, shall have the lowest floor, including basement, elevated above
645 the highest adjacent grade at least as high as the depth number specified in feet
646 on the City's community FIRM (at least two feet if no depth number is specified)
647 plus one (1) foot of freeboard or together with attendant utilities and sanitary
648 facilities shall be completely floodproofed to that ~~level~~ so that the structure is
649 watertight with walls substantially impermeable to the passage of water and with
650 structural components having the capability of resisting hydrostatic and
651 hydrodynamic loads and effects of buoyancy. Mechanical and HVAC shall be
652 flood protected or elevated to the same freeboard level.

653 (3) Adequate drainage paths shall be required around structures on
654 slopes, in order to guide floodwaters around and away from proposed structures.

655 (b) *AH Zones.*

656 (1) The specific standards for all areas of special flood hazard where
657 base flood elevation has been provided shall be required as set forth in TMC
658 17.30.180 and 17.30.190.

659 (2) Adequate drainage paths shall be required around structures on
660 slopes, in order to guide floodwaters around and away from proposed structures.

661 Section 13. That section 17.30.220, Floodway, of The Code of the City of
662 Topeka, Kansas, is hereby amended to read as follows:

663 **Floodway.**

664 Located within areas of special flood hazard established in TMC 17.30.070 are
665 areas designated as floodways. Since the floodway is an extremely hazardous area due
666 to the velocity of floodwaters that carry debris and potential projectiles, the following
667 provisions shall apply:

668 (a) The City shall select and adopt a regulatory floodway based on the
669 principle that the area chosen for the regulatory floodway must be designed to carry the
670 waters of the base flood without increasing the water surface elevation of that flood
671 more than one foot at any point.

672 (b) The City shall prohibit any encroachments, including fill, new construction,
673 substantial improvements, and other development, within the adopted regulatory
674 floodway unless it has been demonstrated through hydrologic and hydraulic analyses
675 performed in accordance with standard engineering practice that the proposed
676 encroachment would not result in any increase in flood levels within the community

677 during the occurrence of the base flood discharge. Documentation shall be provided to
678 the City of Topeka for any permits required by the KDA-DWR and/or FEMA.

679 (c) The Floodplain Administrator or designee may permit encroachments
680 within the adopted regulatory floodway that would result in an increase in base flood
681 elevations, provided that the Floodplain Administrator or designee first applies for a
682 conditional FIRM and floodway revision, fulfills the requirements for such revisions as
683 established under the provisions of 44 CFR 65.12, and receives the approval of FEMA.

684 (ed) If subsection (b) of this section is satisfied, all new construction and
685 substantial improvements shall comply with all applicable flood hazard reduction
686 provisions of ~~this article III~~.

687 (de) In unnumbered A zones, the City shall obtain, review, and reasonably
688 utilize any base flood elevation or floodway data currently available from Federal, State,
689 or other sources as set forth in TMC 17.30.180(b).

690 Section 14. That section 17.30.250, Floodplain management variance criteria,
691 of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

692 **Floodplain management variance criteria.**

693 In ~~reviewing~~passing upon such applications for variances, the Board shall
694 consider all technical data and evaluations, all relevant factors, standards specified in
695 other sections of this chapter, and the following criteria:

- 696 (a) Danger to life and property due to flood damage;
- 697 (b) Danger that materials may be swept onto other lands to the injury of others;
- 698 (c) Susceptibility of the proposed facility and its contents to flood damage and
699 the effect of such damage on the individual owner;

700 (d) Importance of the services provided by the proposed facility to the

- 701 community;
- 702 (e) Necessity to the facility of a waterfront location, where applicable;
- 703 (f) Availability of alternative locations, not subject to flood damage, for the
704 proposed use;
- 705 (g) Compatibility of the proposed use with existing and anticipated development;
- 706 (h) Relationship of the proposed use to the comprehensive plan and floodplain
707 management program for that area;
- 708 (i) Safety of access to the property in times of flood for ordinary and emergency
709 vehicles;
- 710 (j) Expected heights, velocity, duration, rate of rise and sediment transport of
711 the flood waters, if applicable, expected at the site; and
- 712 (k) Costs of providing governmental services during and after flood conditions,
713 including maintenance and repair of public utilities and facilities such as sewer, gas,
714 electrical, and water systems; streets; and bridges.

715 Section 15. That section 17.30.260, Conditions for approving variances, of The
716 Code of the City of Topeka, Kansas, is hereby amended to read as follows:

717 **Conditions for approving variances.**

718 (a) Generally, variances may be issued for new construction and substantial
719 improvements to be erected on a lot of one-half acre or less in size contiguous to and
720 surrounded by lots with existing structures constructed below the base flood elevation,
721 providing subsections (b) through (f) of this section have been fully considered. As the
722 lot size increases beyond the one-half acre, the technical justification required for
723 issuing the variance increases.

724 (b) Variances may be issued for the reconstruction, repair, ~~rehabilitation,~~ or

725 restoration of structures listed on the National Register of Historic Places, the State
726 Inventory of Historic Places, or local inventory of historic places upon determination,
727 provided the proposed activity will not preclude the structure's continued historic
728 designation and the variance is the minimum necessary to preserve the historic
729 character and design of the structure.

730 (c) Variances shall not be issued within any designated floodway if any
731 significant increase in flood discharge or base flood elevation would result.

732 (d) Variances shall only be issued upon a determination that the variance is the
733 minimum necessary, considering the flood hazard, to afford relief.

734 (e) Variances shall only be issued upon: (1) showing of good and sufficient
735 cause, (2) determination that failure to grant the variance would result in exceptional
736 hardship to the applicant, and (3) determination that the granting of a variance will not
737 result in increased flood heights, additional threats to public safety, extraordinary public
738 expense, create nuisances, cause fraud on or victimization of the public, or conflict with
739 existing local laws or ordinances.

740 (f) ~~The Development Services Director~~ Floodplain Administrator or designee shall
741 notify the applicant that: (1) the issuance of a variance to construct a structure below
742 base flood level will result in increased premium rates for flood insurance up to amounts
743 as high as \$25.00 for \$100.00 of insurance coverage and (2) such construction below
744 the base flood level increases risks to life and property. Such notification shall be
745 maintained with the record of all variance actions as required by this chapter.

746 (g) The Floodplain Administrator or designee shall maintain a record of all
747 variance actions, including justification for their issuance.

748 (h) Variances may be issued by the Board of Zoning Appeals for new

749 construction and substantial improvements and for other development necessary for the
750 conduct of a functionally dependent use provided that the criteria of items (a) through
751 (e) of this section are met, and the structure or other development is protected by
752 methods that minimize flood damages during the base flood and create no additional
753 threats to public safety.

754 (i) A community shall maintain a record of all variance actions, including
755 justification for their issuance.

756 Section 16. That original §§ 17.30.010 through 17.30.040, 17.30.070,
757 17.30.090, 17.30.150, 17.30.170 through 17.30.220, 17.30.250 and 17.30.260 of The
758 Code of the City of Topeka, Kansas, are hereby specifically repealed.

759 Section 17. This ordinance shall take effect and be in force from and after its
760 passage, approval and publication in the official City newspaper.

761 Section 18. This ordinance shall supersede all ordinances, resolutions or rules,
762 or portions thereof, which are in conflict with the provisions of this ordinance.

763 Section 19. Should any section, clause or phrase of this ordinance be declared
764 invalid by a court of competent jurisdiction, the same shall not affect the validity of this
765 ordinance as a whole, or any part thereof, other than the part so declared to be invalid.

766 PASSED AND APPROVED by the Governing Body on _____.

767
768 CITY OF TOPEKA, KANSAS

769
770
771
772
773 _____
774 Michael A. Padilla, Mayor

775
776
777
778
779 _____
Brenda Younger, City Clerk



INSURANCE SERVICES OFFICE, INC.

1000 Bishops Gate Blvd, Suite 300, P.O. Box 5404, Mt. Laurel, New Jersey 08054
Phone: (856) 787-0412 or (800) 444-4554 FAX 1-800-777-3929

EUGENE KOHLS, CFM
PHONE 305-202-1780

10264 SWEET ROCK COURT, PARKER, COLORADO 80134
EMAIL: EKOHLS@ISO.COM

January 26, 2023

Richard Faulkner
Division Director
620 SE Madison
Topeka KS, 66607

Dear Mr. Faulkner:

Enclosed are the preliminary results regarding credits for your Community Rating System (CRS) Application.

At the present time, I have verified 1052 credit points for the City of Topeka, Kansas. This would result in a CRS Class 8. However, a class 8 prerequisite has not been met. Attached are a draft verification report and a draft credit calculations worksheet AW-720 which contains an overall point summary. **The information provided is subject to acceptance by DHS/FEMA.**

Thank you for your cooperation during my visit. If you have any questions or when I can be of future assistance, please do not hesitate to contact me.

Sincerely,

Eugene Kohls, CFM
ISO/CRS Specialist

cc: Mr. William Cochran, Interim City Manager
Ms. Tara Lanzrath, CFM, State NFIP Coordinator
Ms. Cheyenne Sun Eagle, CFM, State NFIP Specialist
Mr. Todd Tucker, CRS Coordinator, FEMA Region VII



COMMUNITY
RATING
SYSTEM

DRAFT
VERIFICATION
REPORT

City of Topeka, KS

Verified Class 9

NFIP Number: 205187

New Application-Phone Verification

Date of Verification Visit: October 27, 2022

This Verification Report is provided to explain the recommendations of Insurance Services Office, Inc. (ISO) to DHS/FEMA concerning credits under the Community Rating System (CRS) for the above named community.

A total of 1052 credit points are verified which results in a recommendation that the community improve from a CRS Class 10 to a CRS Class 8. However, the community has not met all Class 8 prerequisites, therefore it is recommended that the community become a CRS Class 9. The following is a summary of our findings with the total CRS credit points for each activity listed in parenthesis:

Activity 310 – Construction Certificate Management: Credit is provided for having written construction certificate management procedures for all new and substantially improved/substantially damaged buildings. (38 points)

Activity 320 – Map Information Service: Credit is provided for furnishing inquirers with basic flood zone information from the community's latest Flood Insurance Rate Map (FIRM). Credit is also provided for the community offering additional FIRM information. The service is publicized annually and records are maintained. (50 points)

Activity 330 – Outreach Projects: Credit is provided for a targeted outreach project. This project is disseminated annually. (30 points)

Activity 420 – Open Space Preservation: Credit is provided for preserving approximately 25 percent of the Special Flood Hazard Area (SFHA) as open space. (370 points)

Activity 430 – Higher Regulatory Standards: Credit is provided for enforcing regulations that require development limitations, and freeboard for new construction and substantial improvement. (72 points)

Activity 440 – Flood Data Maintenance: Credit is provided for maintaining and using additional map data in the day to day management of the floodplain. (88 points)

Activity 450 – Stormwater Management: The community enforces regulations for stormwater management, soil and erosion control, and water quality. (166 points)

Section 502 – Repetitive Loss Category: Based on the updates made to the NFIP Report of Repetitive Losses as of August 7, 2022, the City of Topeka, KS has 2 repetitive loss properties and is a Category B community for CRS purposes. All requirements for a Category B community have been met.
(No credit points are applicable to this section)

Activity 510 – Floodplain Management Planning: Credit is provided for the Kansas Homeland Security Region J Hazard Mitigation Plan, adopted on September 14, 2021. A progress report must be submitted on an annual basis. (193 points)

Activity 630 – Dams: Credit is provided for a State Dam Safety Program. (45 points)

Activity 710 – County Growth Adjustment: All credit in the 400 series is multiplied by the growth rate of the county to account for growth pressures. The growth rate for Shawnee County, KS is 1.02.

Attached is the Community Calculations Worksheet that lists the verified credit points for the Community Rating System.

CEO Name / Address:

William Cochran
Interim City Manager
215 SE 7th Street
Topeka, Kansas 66603

CRS Coordinator Name / Address:

Richard Faulkner
Division Director Development Services
620 SE Madison Street, 3rd Floor
Topeka , Kansas 66607
(785) 368-1606

Date Report Prepared: January 26, 2023

Community : City of Topeka, KS

NFIP Number : 205187

720 COMMUNITY CREDIT CALCULATIONS (New Application-Phone Verification):

CALCULATION SECTION :

Verified Activity Calculations:	Credit
c310 38	38
c320 50	50
c330 30	30
c340	
c350	
c360	
c370	
c410	
c420 363 x CGA 1.02 =	370
c430 71 x CGA 1.02 =	72
c440 86 x CGA 1.02 =	88
c450 163 x CGA 1.02 =	166
c510 193	193
c520	
c530	
c540	
c610	
c620	
c630 45	45

Community Classification Calculation:

cT = total of above	cT = 1052
Community Classification (from Table 110-1):	Class = 9*

* CRS Class 9 applies in lieu of Class 8 due to an outstanding Class 8 prerequisite.

CEO Name/Address:

William Cochran
Interim City Manager
215 SE 7th Street
Topeka, Kansas 66603

CRS Coordinator Name/Address:

Richard Faulkner
Division Director Development Services
620 SE Madison Street, 3rd Floor
Topeka , Kansas 66607
(785) 368-1606

Date Report Prepared: January 26, 2023

113 Credit Points and Credited Activities

To be recognized in the insurance rating system, local floodplain management activities must be described, measured, and evaluated by the CRS. The basic document detailing the program is the *CRS Coordinator's Manual*. It sets forth the procedures, creditable activities, and the credit points assigned to each activity, and gives examples of activities and how their credit is calculated.

113.a. Credit Points and Classification

A community receives a CRS classification based upon the total credit for its activities. There are 10 CRS classes. Class 1 requires the most credit points and gives the greatest premium reduction or discount. A community that does not apply for the CRS, or does not obtain the minimum number of credit points, is a Class 10 community and receives no discount on premiums. The qualifying community total points, CRS classes, and flood insurance premium discounts are shown in Table 110-1.

Table 110-1. CRS classes, credit points, and premium discounts.			
CRS Class	Credit Points (cT)	Premium Reduction	
		In SFHA	Outside SFHA
1	4,500+	45%	10%
2	4,000–4,499	40%	10%
3	3,500–3,999	35%	10%
4	3,000–3,499	30%	10%
5	2,500–2,999	25%	10%
6	2,000–2,499	20%	10%
7	1,500–1,999	15%	5%
8	1,000–1,499	10%	5%
9	500–999	5%	5%
10	0–499	0	0

SFHA: Zones A, AE, A1–A30, V, V1–V30, AO, and AH

Outside the SFHA: Zones X, B, C, A99, AR, and D

Preferred Risk Policies are not eligible for CRS premium discounts because they already have premiums lower than other policies. Preferred Risk Policies are available only in B, C, and X Zones for properties that are shown to have a minimal risk of flood damage.

Some minus-rated policies may not be eligible for CRS premium discounts.

Premium discounts are subject to change.

CRS What-If

[Application](#) [CRS Coord](#) [2ndPO C](#) [Activity Points](#) [Chronology](#) [Comments](#) [What If](#) [GT A](#)

Community:	TOPEKA, CITY OF	State:	KANSAS
County:	SHAWNEE COUN <input type="text"/>	CID:	205187

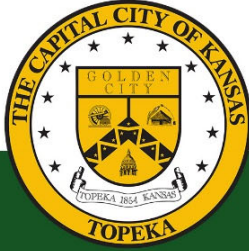
Current CRS Class = 10 [\[Printable Version\]](#)

		TOTAL	SFHA *	X-STD/AR/A99 **	PRP ***
	PIF	616	98	494	24
	PREMIUM	\$548,043	\$163,791	\$368,338	\$15,914
	AVERAGE PREMIUM	\$890	\$1,671	\$746	\$663
CRS Class					
09	Per Policy	\$43	\$84	\$37	\$0
	Per Community	\$26,606	\$8,190	\$18,417	\$0
08	Per Policy	\$56	\$167	\$37	\$0
	Per Community	\$34,796	\$16,379	\$18,417	\$0
07	Per Policy	\$70	\$251	\$37	\$0
	Per Community	\$42,986	\$24,569	\$18,417	\$0
06	Per Policy	\$113	\$334	\$75	\$0
	Per Community	\$69,592	\$32,758	\$36,834	\$0
05	Per Policy	\$126	\$418	\$75	\$0
	Per Community	\$77,781	\$40,948	\$36,834	\$0
04	Per Policy	\$140	\$501	\$75	\$0
	Per Community	\$85,971	\$49,137	\$36,834	\$0
03	Per Policy	\$153	\$585	\$75	\$0
	Per Community	\$94,161	\$57,327	\$36,834	\$0
02	Per Policy	\$166	\$669	\$75	\$0
	Per Community	\$102,350	\$65,517	\$36,834	\$0
01	Per Policy	\$179	\$752	\$75	\$0
	Per Community	\$110,540	\$73,706	\$36,834	\$0

* SHFA (Zones A, AE, A1-A30, V, V1-V30, AO, and AH): Discount varies depending on class.

** SFHA (Zones A99, AR, AR/A, AR/AE, AR/A1-A30, AR/AH, and AR/AO): 10% discount for Classes 1-6; 5% discount for Classes 7-9.

*** Preferred Risk Policies are not eligible for CRS Premium Discounts.



CITY OF TOPEKA

Braxton Copley, Public Works Director
 Cyrus K. Holliday Building, 620 SE Madison St,
 Topeka, KS 66607

bcopley@topeka.org
 Tel: 785-368-2527
www.topeka.org

To: Honorable Mayor Michael Padilla
 Members of the Topeka City Council
 Stephen Wade, City Manager

From: Braxton Copley, Public Work Director

Date: March 22, 2023

Subject: 2023 CIP Resolutions: 701049 – Topeka Blvd. 15th – 21st Phase II

Currently, Topeka Blvd. 15th – 21st Phase II is scheduled to take place from 2026 – 2029; however, we are now proposing that it be moved up to take place from 2023 – 2026. The original project budget estimate was \$4,900,000, which was a part of the 2016 Countywide Half-Cent Sales Tax Inter-local Agreement. The cost increase to the street portion is due solely to inflationary adjustments as there is no change in scope.

Below is a table showing the funding level changes from the approved 2023 CIP and the proposed amendment:

Years	2024	2025	2026	2027	2028	2029	2030	Total
2023 Approved CIP	\$0	\$0	\$400,000	\$300,000	\$4,000,000	\$0	\$0	\$4,700,000

Years	2022	2023	2024	2025	2026	2027	2028	Total
2023 Amended CIP	\$0	\$1,584,200	\$463,000	\$3,600,000	\$3,600,000	\$0	\$0	\$9,247,200

Bold indicates construction dollars

Below is a schedule of projects on Topeka Boulevard for the next five years:

List of Projects	2023	2024	2025	2026	2027	2028
701031 - SW Topeka Blvd. - 21st to 29th St.	\$0	\$1,700,000	\$0	\$0	\$0	\$0
701038 - SW Topeka Blvd. - 29th St. - 38th	\$0	\$0	\$280,000	\$2,675,000	\$0	\$0
701045 - SW Topeka Blvd. - 15th - 21st St. Phase I	\$ 100,000	\$2,700,000	\$0	\$0	\$0	\$0
701049 - SW Topeka Blvd. - 15th - 21st St. Phase II	\$ 2,020,000	\$500,000	\$3,600,000	\$3,600,000	\$0	\$0
841084 - SW Topeka Blvd. - 38th to 49th St.	\$0	\$0	\$0	\$725,000	\$250,000	\$3,389,397

Capital Improvement Project Summary

Project Name:	SW Topeka Blvd. -15th - 21st St. Phase II	Council Priority:	Investing in Infrastructure
Project Number:	701049.00	Project Year(s):	2023 - 2026
Department:	Public Works	Estimated Useful Life:	30 Year(s)
Division:	Street	Contact:	Mark Schreiner
Council District(s):	3	New to CIP?	No
Type:	Repair/Replace	If Not New, First Year in CIP:	
Primary Funding Source:	Countywide JEDO Sales Tax	Previously Approved in CIB:	\$ 1,300,000
Previous CIP Funding:	\$ -	New money in CIB:	\$ 4,347,200
Estimated Operating Cost		Total Current CIB:	\$ 5,647,200
CIP Years 4-10:	\$ 3,600,000	Total Project Cost:	\$ 9,247,200

Project Description:

This project consists of pavement reconstruction on SW Topeka Blvd. from 15th St. to 21st St as well as reconstruction of the 17th and Topeka Boulevard Intersection. This project will consist of pavement full reconstruction, sidewalks, curb replacement, ADA ramps, and minor utility replacement.

Project Justification:

There are ongoing subgrade failures throughout this stretch of S. Topeka Blvd from 15th - 21st Street. The average PCI is 33 with 5 of 7 segments below 40 which meets the standard of reconstruction for a major arterial. This roadway is approaching approximately 30 years since last time it was reconstructed and is beyond its useful life.

History:

The JEDO interlocal agreement was entered into on April 19th, 2016 between the City of Topeka and Shawnee County. The agreement includes a half-cent sales tax that is used for economic development and infrastructure projects.

Measures	Time/Location	Infrastructure	Council Priority	Impact on Budget	Equity	External Funding	Total Score (0-100)
Score							0

Project Estimates	2023	2024	2025	2026	2027	2028 - 2033	Total CIP
Design/Admin Fees	\$ 1,584,200	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,584,200
Right of Way	\$ -	\$ 463,000	\$ -	\$ -	\$ -	\$ -	\$ 463,000
Construction/Service Fees	\$ -	\$ -	\$ 3,185,000	\$ 3,185,000	\$ -	\$ -	\$ 6,370,000
Contingency	\$ -	\$ -	\$ 415,000	\$ 415,000	\$ -	\$ -	\$ 830,000
Technology	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Financing Costs (Temp Notes)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Cost of Issuance (Rev/GO Bonds)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Debt Reserve Fund (Rev Bond)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Capitalized Interest	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Totals	\$ 1,584,200	\$ 463,000	\$ 3,600,000	\$ 3,600,000	\$ -	\$ -	\$ 9,247,200

Financing Sources	2023	2024	2025	2026	2027	2028 - 2033	Total CIP
G.O. Bonds	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Revenue Bonds	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
ARPA	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Fix Our Streets Sales Tax	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Countywide Sales Tax	\$ 1,584,200	\$ 463,000	\$ 3,600,000	\$ 3,600,000	\$ -	\$ -	\$ 9,247,200
Operating Fund General	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Operating Fund Facilities	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Operating Fund Fleet	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Operating Fund IT	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Operating Fund Parking	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Operating Fund Stormwater	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Operating Fund Wastewater	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Operating Fund Water	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Federal Funds	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
CDBG	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
G.O. Bonds - Special	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Totals	\$ 1,584,200	\$ 463,000	\$ 3,600,000	\$ 3,600,000	\$ -	\$ -	\$ 9,247,200

1 RESOLUTION NO. _____
2

3 A RESOLUTION introduced by the Public Infrastructure Committee comprised of
4 Councilmembers Tony Emerson, Neil Dobler and Michelle Hoferer
5 amending the 2023-2032 CIP and the 2023-2025 CIB to increase the
6 project budget and move up implementation for Project No. 701049
7 (SW Topeka Boulevard – 15th to 21st Phase II).
8

9 WHEREAS, the Governing Body adopted Resolution No. 9318 approving the 2023-
10 2032 Capital Improvement Program (CIP) and the 2023-2025 Capital Improvement Budget
11 (CIB); and

12 WHEREAS, the budget for Project No. 701045 (SW Topeka Boulevard – 15th to 21st
13 “Phase I”) included a budget of \$4,700,000 in years 2026-2028 for “Phase II” of the project;
14 now being referenced as Project No. 701049 (SW Topeka Boulevard – 15th to 21st Phase
15 II); and

16 WHEREAS, the cost of the Project No. 701049 has increased due solely to
17 inflationary adjustments since the initial budget was developed in 2016 for the Countywide
18 Half-Cent Sales Tax Interlocal Agreement; and

19 WHEREAS, at its meeting on March 30, 2023, the Public Infrastructure Committee
20 favorably considered staff’s request to amend the CIP/CIB by increasing the Project budget
21 from \$4,700,000 to \$9,247,200 and moving the Project from 2026-2029 to 2023-2026.

22 NOW, THEREFORE, BE IT RESOLVED, BY THE GOVERNING BODY OF THE
23 CITY OF TOPEKA, KANSAS, that the 2023-2032 CIP and 2023-2025 CIB, as approved by
24 Resolution No. 9318, be amended to increase the project budget to \$9,247,200.00 and
25 move implementation of the Project to 2023-2026 as set forth on Exhibit A which is
26 attached herein and incorporated by reference.
27

28 ADOPTED and APPROVED by the Governing Body on _____.

29 CITY OF TOPEKA, KANSAS

30

31

32

33

34

Michael A. Padilla, Mayor

35 ATTEST:

36

37

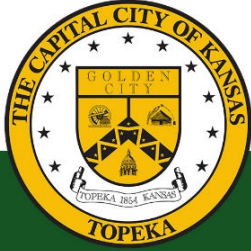
38

39

40 _____
Brenda Younger, City Clerk

EXHIBIT A

Capital Improvement Project Summary							
Project Name:	SW Topeka Blvd. -15th - 21st St. Phase II	Council Priority:	Investing in Infrastructure				
Project Number:	701049.00	Project Year(s):	2023 - 2026				
Department:	Public Works	Estimated Useful Life:	30 Year(s)				
Division:	Street	Contact:	Mark Schreiner				
Council District(s):	3	New to CIP?	No				
Type:	Repair/Replace	If Not New, First Year in CIP:					
Primary Funding Source:	Countywide JEDO Sales Tax	Previously Approved in CIB:	\$ 1,300,000				
Previous CIP Funding:	\$ -	New money in CIB:	\$ 4,347,200				
Estimated Operating Cost		Total Current CIB:	\$ 5,647,200				
CIP Years 4-10:	\$ 3,600,000	Total Project Cost:	\$ 9,247,200				
Project Description:							
This project consists of pavement reconstruction on SW Topeka Blvd. from 15th St. to 21st St as well as reconstruction of the 17th and Topeka Boulevard Intersection. This project will consist of pavement full reconstruction, sidewalks, curb replacement, ADA ramps, and minor utility replacement.							
Project Justification:							
There are ongoing subgrade failures throughout this stretch of S. Topeka Blvd from 15th - 21st Street. The average PCI is 33 with 5 of 7 segments below 40 which meets the standard of reconstruction for a major arterial. This roadway is approaching approximately 30 years since last time it was reconstructed and is beyond its useful life.							
History:							
The JEDO interlocal agreement was entered into on April 19th, 2016 between the City of Topeka and Shawnee County. The agreement includes a half-cent sales tax that is used for economic development and infrastructure projects.							
Measures							
Score	Time/Location	Infrastructure	Council Priority	Impact on Budget	Equity	External Funding	Total Score (0-100)
							0
Project Estimates							
	2023	2024	2025	2026	2027	2028 - 2033	Total CIP
Design/Admin Fees	\$ 1,584,200	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,584,200
Right of Way	\$ -	\$ 463,000	\$ -	\$ -	\$ -	\$ -	\$ 463,000
Construction/Service Fees	\$ -	\$ -	\$ 3,185,000	\$ 3,185,000	\$ -	\$ -	\$ 6,370,000
Contingency	\$ -	\$ -	\$ 415,000	\$ 415,000	\$ -	\$ -	\$ 830,000
Technology	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Financing Costs (Temp Notes)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Cost of Issuance (Rev/GO Bonds)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Debt Reserve Fund (Rev Bond)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Capitalized Interest	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Totals	\$ 1,584,200	\$ 463,000	\$ 3,600,000	\$ 3,600,000	\$ -	\$ -	\$ 9,247,200
Financing Sources							
	2023	2024	2025	2026	2027	2028 - 2033	Total CIP
G.O. Bonds	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Revenue Bonds	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
ARPA	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Fix Our Streets Sales Tax	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Countywide Sales Tax	\$ 1,584,200	\$ 463,000	\$ 3,600,000	\$ 3,600,000	\$ -	\$ -	\$ 9,247,200
Operating Fund General	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Operating Fund Facilities	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Operating Fund Fleet	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Operating Fund IT	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Operating Fund Parking	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Operating Fund Stormwater	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Operating Fund Wastewater	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Operating Fund Water	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Federal Funds	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
CDBG	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
G.O. Bonds - Special	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Totals	\$ 1,584,200	\$ 463,000	\$ 3,600,000	\$ 3,600,000	\$ -	\$ -	\$ 9,247,200



CITY OF TOPEKA

Braxton Copley, Public Works Director
Cyrus K. Holliday Building, 620 SE Madison St,
Topeka, KS 66607

bcopley@topeka.org
Tel: 785-368-2527
www.topeka.org

To: Honorable Mayor Michael Padilla
Members of the Topeka City Council
Stephen Wade, City Manager
From: Braxton Copley, Public Work Director
Date: March 22, 2023
Subject: 2023 CIP Resolutions: 701063 – NE Curtis Street: Kansas Ave. to NE Monroe St.

The following project, 701063 – NE Curtis Street: Kansas Ave. to NE Monroe Street, is an addition to the 2023 Capital Improvement Plan. The project includes the following elements:

- Reconstruction of NE Curtis St. from Kansas Ave. east to NE Monroe St. (includes removal/disposal of existing rails in the pavement)
- Reconstruction of NE Quincy St. (west side of the grain elevator) and NE Monroe St. (east side of the grain elevator)
- Mill & Overlay for NW Curtis St. (from the Curtis Fly-Off to Kansas Ave.) and the Curtis Fly-Off

The GO bond portion will pay for new sidewalk being put in along NE Curtis Street, and for the new portions of street near the grain elevator. The total for all sections is \$2.3 million which includes design, construction, inspection, contingency, and administrative costs.

Capital Improvement Project Summary

Project Name:	NE Curtis Steet: Kansas Ave. to NE Monroe St.	Council Priority:	Investing in Infrastructure
Project Number:	701063.00	Project Year(s):	2023 -2024
Department:	Public Works	Estimated Useful Life:	30 Year(s)
Division:	Street	Contact:	Mark Schreiner
Council District(s):	2	New to CIP?	YES
Type:	Repair/Replace	If Not New, First Year in CIP:	
Primary Funding Source:	Multiple	Previously Approved in CIB:	
Previous CIP Funding:		New money in CIB:	\$ 2,300,000
Estimated Operating Cost		Total Current CIB:	\$ 2,300,000
CIP Years 4-10:	\$ -	Total Project Cost:	\$ 2,300,000

Project Description:

This project will include the following 1). a reconstruction of NE Curtis St. from Kansas Ave. east to NE Monroe St. 2). reconstruction of NE Quincy St. (west side of the grain elevator) and NE Monroe St. (east side of the grain elevator); 3). A mill & overlay for NW Curtis St. (from the Curtis Flyoff to Kansas Ave.) and the Curtis Flyoff.

The GO portion will pay for new sidewalk being put in along NE Curtis Street and for the new portions of street near the grain elevator.

Project Justification:

NA

History:

NA

Measures	Time/Location	Infrastructure	Council Priority	Impact on Budget	Equity	External Funding	Total Score (0-100)
Score							0

Project Estimates	2023	2024	2025	2026	2027	2028 - 2033	Total CIP
Design/Admin Fees	\$ 160,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 160,000
Right of Way	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Construction/Service Fees	\$ -	\$ 2,130,280	\$ -	\$ -	\$ -	\$ -	\$ 2,130,280
Contingency	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Technology	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Financing Costs (Temp Notes)	\$ 132	\$ 1,188	\$ -	\$ -	\$ -	\$ -	\$ 1,320
Cost of Issuance (Rev/GO Bonds)	\$ 1,200	\$ 7,200	\$ -	\$ -	\$ -	\$ -	\$ 8,400
Debt Reserve Fund (Rev Bond)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Capitalized Interest	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Totals	\$ 161,332	\$ 2,138,668	\$ -	\$ -	\$ -	\$ -	\$ 2,300,000

Financing Sources	2023	2024	2025	2026	2027	2028 - 2033	Total CIP
G.O. Bonds	\$ 41,332	\$ 368,388	\$ -	\$ -	\$ -	\$ -	\$ 409,720
Revenue Bonds	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
ARPA	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Fix Our Streets Sales Tax	\$ 120,000	\$ 1,770,280	\$ -	\$ -	\$ -	\$ -	\$ 1,890,280
Countywide Sales Tax	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Operating Fund General	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Operating Fund Facilities	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Operating Fund Fleet	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Operating Fund IT	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Operating Fund Parking	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Operating Fund Stormwater	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Operating Fund Wastewater	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Operating Fund Water	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Federal Funds	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
CDBG	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
G.O. Bonds - Special	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Totals	\$ 161,332	\$ 2,138,668	\$ -	\$ -	\$ -	\$ -	\$ 2,300,000

1 RESOLUTION NO. _____
2

3 A RESOLUTION introduced by the Public Infrastructure Committee comprised of
4 Councilmembers Tony Emerson, Neil Dobler and Michelle Hoferer
5 amending the 2023-2032 CIP and the 2023-2025 CIB to include
6 Project No. 701063 (NE Curtis Street – Kansas Avenue to NE Monroe
7 Street).
8

9 WHEREAS, the Governing Body adopted Resolution No. 9318 approving the 2023-
10 2032 Capital Improvement Program (CIP) and the 2023-2025 Capital Improvement Budget
11 (CIB); and

12 WHEREAS, at its meeting on March 30, 2023, the Public Infrastructure Committee
13 favorably considered staff's request to amend the CIP/CIB to include Project No. 701063 in
14 the amount of \$2.3 million.

15 NOW, THEREFORE, BE IT RESOLVED, BY THE GOVERNING BODY OF THE
16 CITY OF TOPEKA, KANSAS, that the 2023-2032 CIP and 2023-2025 CIB, as approved by
17 Resolution No. 9318, is amended to include Project No. 701063 for the street
18 improvements on NE Curtis Street from Kansas Avenue to NE Monroe Street, set forth on
19 Exhibit A which is attached herein and incorporated by reference.

20 ADOPTED and APPROVED by the Governing Body on _____.

21 CITY OF TOPEKA, KANSAS
22
23
24

25 _____
26 Michael A. Padilla, Mayor

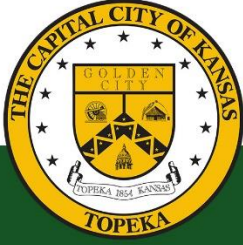
27 ATTEST:
28
29
30

31 _____
32 Brenda Younger, City Clerk

EXHIBIT A

Measures							
Time/Location	Infrastructure	Council Priority	Impact on Budget	Equity	External Funding	Total Score (0-100)	
Score							0
Project Estimates							
	2023	2024	2025	2026	2027	2028 - 2033	Total CIP
Design/Admin Fees	\$ 160,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 160,000
Right of Way	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Construction/Service Fees	\$ -	\$ 2,130,280	\$ -	\$ -	\$ -	\$ -	\$ 2,130,280
Contingency	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Technology	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Financing Costs (Temp Notes)	\$ 132	\$ 1,188	\$ -	\$ -	\$ -	\$ -	\$ 1,320
Cost of Issuance (Rev/GO Bonds)	\$ 1,200	\$ 7,200	\$ -	\$ -	\$ -	\$ -	\$ 8,400
Debt Reserve Fund (Rev Bond)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Capitalized Interest	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Totals	\$ 161,332	\$ 2,138,668	\$ -	\$ -	\$ -	\$ -	\$ 2,300,000
Financing Sources							
	2023	2024	2025	2026	2027	2028 - 2033	Total CIP
G.O. Bonds	\$ 41,332	\$ 368,388	\$ -	\$ -	\$ -	\$ -	\$ 409,720
Revenue Bonds	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
ARPA	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Fix Our Streets Sales Tax	\$ 120,000	\$ 1,770,280	\$ -	\$ -	\$ -	\$ -	\$ 1,890,280
Countywide Sales Tax	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Operating Fund General	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Operating Fund Facilities	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Operating Fund Fleet	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Operating Fund IT	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Operating Fund Parking	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Operating Fund Stormwater	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Operating Fund Wastewater	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Operating Fund Water	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Federal Funds	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
CDBG	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
G.O. Bonds - Special	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Totals	\$ 161,332	\$ 2,138,668	\$ -	\$ -	\$ -	\$ -	\$ 2,300,000

Capital Improvement Project Summary			
Project Name:	NE Curtis Steet: Kansas Ave. to NE Monroe St.	Council Priority:	Investing in Infrastructure
Project Number:	701063.00	Project Year(s):	2023 -2024
Department:	Public Works	Estimated Useful Life:	30 Year(s)
Division:	Street	Contact:	Mark Schreiner
Council District(s):	2	New to CIP?	YES
Type:	Repair/Replace	If Not New, First Year in CIP:	
Primary Funding Source:	Multiple	Previously Approved in CIB:	
Previous CIP Funding:		New money in CIB:	\$ 2,300,000
Estimated Operating Cost		Total Current CIB:	\$ 2,300,000
CIP Years 4-10:	\$ -	Total Project Cost:	\$ 2,300,000
Project Description:			
This project will include the following 1). a reconstruction of NE Curtis St. from Kansas Ave. east to NE Monroe St. 2). reconstruction of NE Quiney St. (west side of the grain elevator) and NE Monroe St. (east side of the grain elevator); 3). A mill & overlay for NW Curtis St. (from the Curtis Flyoff to Kansas Ave.) and the Curtis Flyoff.			
The GO portion will pay for new sidewalk being put in along NE Curtis Street and for the new portions of street near the grain elevator.			
Project Justification:			
NA			
History:			
NA			



CITY OF TOPEKA

Department of Public Works
620 SE Madison Street
Topeka, KS 66607

Date: March 28, 2023

To: Stephen Wade, City Manager
From: Jason Tryon, Deputy Director of Public Works

Re: Facilities Improvements, Repair and Maintenance Program Unexpected Repairs Update and Budget Requests

Previous Public Infrastructure committee meetings discussed the need for HVAC replacement and providing potable water at the Police Shooting Range. Facilities is requesting funding authorization to pursue the following tasks:

Replace Two (2) heating and cooling systems: \$16,400

Install Rural Water Service: \$28,930

Current heating and cooling systems are beyond their useful life and replacement is recommended. The range is currently supplied with well water that is non-potable. The above estimates are for replacement and disposal of existing systems, as well as disabling the existing well, boring to rural water main, installing tap and connecting to building water supply.