

**AN ORDINANCE CORRECTING THAT CERTAIN ORDINANCE ENTITLED “AN ORDINANCE REGULATING DEVELOPMENT IN SPECIAL FLOOD HAZARD AREAS FOR THE VILLAGE OF ORLAND PARK,” ORDINANCE NO. 3466**

**WHEREAS**, the Federal Emergency Management Agency and the Illinois Department of Natural Resources, Office of Water Resources (IDNR/OWR), have requested that certain revisions be made to Ordinance No. 3466 in order that the requirements of the National Flood Insurance Program Regulations and 17 Illinois Administrative Code Part 3708 be met:

**NOW, THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Orland Park, Cook and Will Counties, Illinois, a home rule municipality, as follows:

**Section One:** Section 300.0 “Definitions” is hereby amended by deleting the definition for Part 300.13 “Designated Floodway”, Part 300.20 “FEMA”, and Part 300.25 “Floodplain” and inserting in lieu thereof, the following:

300.13 "Designated Floodway" The channel, including on-stream lakes, and that portion of the floodplain adjacent to a stream or watercourse as designated by IDNR/OWR, which is needed to store and convey the existing 100-year frequency flood discharge with no more than a 0.1 foot increase in stage due to the loss of flood conveyance or storage, and no more than a 10 percent increase in velocities.

(a) The floodways are designated for Long Run Creek, Marley Creek, Midlothian Creek, Mill Creek, Spring Creek and Tinley Creek on the most current Flood Insurance Rate Map prepared by the Federal Emergency Management Agency effective August 19, 2008 for the floodways within Cook County, Illinois and dated February 15, 2019 for the floodways within Will County, Illinois, as revised and amended. When two floodway maps exist for a waterway, the more restrictive floodway limit shall prevail.

(b) The floodways for those parts of unincorporated Cook and Will Counties that are within the extraterritorial jurisdiction of the Village that may be annexed into the Village are designated for Long Run Creek, Marley Creek, Midlothian Creek, Mill Creek, Spring Creek and Tinley Creek on the most current Flood Insurance Rate Map prepared by Federal Emergency Management Agency effective August 19, 2008 for the floodways within Cook County, Illinois and dated February 15, 2019 for the floodways within Will County, Illinois, as revised and amended.

(c) To locate the designated floodway boundary on any site, the designated floodway boundary should be scaled off the designated floodway map and located on a site plan, using reference marks common to both maps. Where interpretation is needed to determine the exact location of the designated floodway boundary, IDNR/OWR should be contacted for the interpretation.

300.20 "FEMA" Federal Emergency Management Agency and its regulations at 44 CFR 59-79 effective as of October 1, 2001. This incorporation does not include any later editions or amendments.

300.25 "Floodplain" That land typically adjacent to a body of water with ground surface elevations at or below the base flood or the 100-year frequency flood elevation. Floodplains may also include detached Special Flood Hazard Areas, ponding areas, etc. The floodplain is also known as the Special Flood Hazard Area (SFHA).

(a) The floodplains are those lands within the jurisdiction of the Village that are subject to inundation by the base flood or 100-year frequency flood. The SFHA's of the Village are generally identified as such on the most current Flood Insurance Rate Maps prepared by the Federal Emergency Management Agency effective August 19, 2008 for the floodplains within Cook County, Illinois and dated February 15, 2019 for the floodplains within Will County, Illinois, as revised and amended.

(b) The SFHA's of those parts of unincorporated Cook and Will Counties that are within the extraterritorial jurisdiction of the Village or that may be annexed into the Village are generally identified as such on the most current Flood Insurance Rate Maps prepared by the Federal Emergency Management Agency effective August 19, 2008 for the floodplains within Cook County, Illinois and dated February 15, 2019 for the floodplains within Will County,

Illinois, as revised and amended.

Section 600.0 “Base Flood Elevation” is hereby amended by deleting the text of Section 600.0

and inserting in lieu thereof, the following:

This Ordinance's protection standard is based on the Flood Insurance Study for the Village.

600.1 If a base flood elevation or 100-year frequency flood elevation is not available for a particular site, then the protection standard shall be according to the best existing data available in the Illinois State Water Survey's Floodplain Information Repository that has been approved by IDNR/OWR and FEMA.

600.2 When a party disagrees with the best available data, he/she may finance the detailed engineering study needed to replace existing data with better data and submit it to IDNR/OWR and FEMA.

600.3 If the Village has a study or information related to the determination of a base flood elevation or 100-year frequency flood elevation that is higher than the elevation identified on a FEMA FIRM or FIS, including all LOMAs and LOMRs, the elevation provided by the Village shall govern.

601.0 The base flood or 100-year frequency flood elevation for the SFHAs of Long Run Creek, Marley Creek, Midlothian Creek, Mill Creek, Spring Creek and Tinley Creek shall be the latest determination as delineated on the 100-year flood profiles in the Countywide Flood Insurance Study of Cook County effective August 19, 2008 and Will County dated February 15, 2019, prepared by FEMA, and such amendments to such study and maps as may be prepared from time to time.

602.0 The base flood or 100-year frequency flood elevation for the SFHAs of those parts of unincorporated Cook and Will Counties that are within the extraterritorial jurisdiction of the Village or that may be annexed into the Village shall be the latest determination as delineated on the 100-year flood profiles in the Countywide Flood Insurance Study of Cook County effective August 19, 2008 and Will County dated February 15, 2019 prepared by FEMA and such amendments or revisions to such study and maps as may be prepared from time to time.

603.0 The base flood or 100-year frequency flood elevation for each SFHA delineated as an "AH Zone" or "AO Zone" shall be that elevation (or depth) delineated on the Flood Insurance Rate Map of the Village.

604.0 The base flood or 100-year frequency flood elevation for each of the remaining SFHAs delineated as an "A Zone" on the Flood Insurance Rate Map of the Village shall be according to the best existing data available in the Illinois State Water Survey Floodplain Information Repository.

604.1 When no base flood or 100-year frequency flood elevation exists, the base flood or 100-year frequency flood elevation for a riverine SFHA shall be determined from a backwater model, such as HEC-2, WSP-2, HEC-RAS, or a dynamic model such as FEQ.

604.2 The flood flows used in the hydraulic models shall be obtained from a hydrologic model, such as HEC-1, TR-20, HEC-HMS, or FEQ, or by techniques presented in various publications prepared by the United States Geological Survey for estimating peak flood discharges.

604.3 Along any watercourses draining more than one (1) square mile, the above analyses shall be submitted to IDNR/OWR for approval. Once approved it must be submitted to the Illinois State Water Survey Floodplain Information Repository for filing.

604.4 For a non-riverine SFHA, the Base Flood Elevation shall be the historic Flood of Record plus three feet, unless calculated by a detailed engineering study and approved by IDNR/OWR for drainage areas greater than one square mile.

604.5 For an unmapped extended SFHA (with a drainage area less than one square mile) which has been identified by the Director of Code Enforcement pursuant to Section 501.3, the base flood elevation shall be determined by the applicant utilizing a method as approved in Section 604, with concurrence of the Director of Code Enforcement.

**Section Two:** This Ordinance shall be printed and published in pamphlet form by order of the Village Board of the Village of Orland Park, Illinois.

**Section Three:** This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

YEAS:

NAYS:

ABSENT:

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Village Clerk

Published this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Village Clerk