MEMORANDUM

Agenda Item No. 4(A)

TO:	Honorable Chairman Anthony Rodriguez and Members, Board of County Commissioners	**DATE:**	November 17, 2026
FROM:	Geri Bonzon-Keenan County Attorney	**SUBJECT:**	Ordinance related to Floodplain Regulations; amending chapter 11C of the Code; revising provisions related to adoptions of Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) FEMA Flood Insurance Study (FIS); adopting Letters of Map Change (LOMC) issued by FEMA from time to time; making clarifying edits

The accompanying ordinance was prepared by the Department of Environmental Resources Management and placed on the agenda at the request of Prime Sponsor Commissioner Micky Steinberg.

for
Geri Bonzon-Keenan
County Attorney

GBK/gh

Memorandum

Date: November 17, 2026

To: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

From: Daniella Levine Cava
Mayor

Subject: Ordinance Amending Chapter 11C of the Code of Miami-Dade County, Florida, Revising Provisions Related to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS); Adopting Letters of Map Change (LOMC) Issued by FEMA from Time to Time

Executive Summary

This ordinance amends Chapter 11C of the County Code related to floodplain regulations to make certain revisions that have been requested by the Federal Emergency Management Agency (FEMA) and the Florida Department of Emergency Management (FDEM). Specifically, this ordinance revises the existing adoptions of FEMA's Flood Insurance Rate Map (FIRM) and FEMA's Flood Insurance Study (FIS) so that the Code reflects those documents as they may be amended from time to time by FEMA. In addition, this ordinance adopts Letters of Map Change (LOMC) issued by FEMA from time to time and approved in response to requests by particular property owners or interested parties. All of these documents are documents which are issued by FEMA.

As discussed in more detail in the Background section of this memorandum, these FEMA documents, as they may be amended from time to time by FEMA, would already be applicable pursuant to the Florida Building Code. These FEMA documents are used with the Florida Building Code, as the FEMA flood maps (FIRMs) set the flood risk boundaries and elevations that the Florida Building Code (FBC) uses to mandate flood-resistant construction standards, making them directly interlinked in Florida's permitting and building process.

The adoption of revised references to FEMA's documents will help reduce the potential financial burdens on property owners related to flood insurance. Specifically, these requested changes from FEMA and FDEM are being made, at least in part to have the County comply with federally imposed requirements and to provide for the County's continued eligibility in the National Flood Insurance Program (NFIP). This will lead to the continued savings (up to 35 percent discount to policyholders) on flood insurance premiums, available in unincorporated Miami-Dade County through the County's participation in the Federal Emergency Management Agency (FEMA) Community Rating System (CRS) Program, where the County has a Class 3 rating. Miami-Dade County and municipalities must make the changes requested by FEMA and FDEM to continue participating in the NFIP and for residents to be able to continue to purchase flood insurance at discounted premiums.

This ordinance revises floodplain regulations and implements proactive standards to reduce future flooding risks to our built environment. The regulatory standards in this ordinance generally apply to new construction and substantial improvements to existing developments. Updates to the FEMA FIRM and FIS include the results of the continued hydraulic and hydrologic modeling conducted by the Department of Regulatory and Economic Resources (RER) to study the interaction of groundwater, surface water, and the effects of sea level rise on the totality of the County's watershed area. The proposed changes will require low lying developing and redeveloping properties to meet updated elevation standards as part of their submittals seeking to approve new development or substantial redevelopment of property.

Recommendation
It is recommended that the Board of County Commissioners (Board) approve the attached ordinance.

Scope
The proposed ordinance applies in the unincorporated areas of Miami-Dade County, as well as in the portions of the incorporated areas where the County has regulatory jurisdiction.

Delegation of Authority
Chapter 11C currently delegates to the Director of the Department of Regulatory and Economic Resources the authority to administer and enforce this chapter.

Fiscal Impact/Funding Source
Approval of this item is not anticipated to create a fiscal impact to the County, as the proposed changes will not require additional staffing resources or generate additional operational expenses.

Track Record/Monitor
The RER Director or the Director's designee will be responsible for monitoring the implementation of this ordinance.

Social Equity
Adoption of this ordinance is expected to result in continued monetary savings in flood insurance premiums for policyholders in unincorporated Miami-Dade County, for the reasons explained in the Background section.

Background
The Board of County Commissioners of Miami-Dade County, by Resolution No. R-671-69, adopted on May 28, 1969, expressed willingness to take action necessary to meet the objectives of the National Flood Insurance Act of 1968 within Miami-Dade County, Florida; and by Resolution No. R-912-70, adopted on July 24, 1970, reaffirmed its interest in securing flood insurance coverage under said act, and agreed to establish by December 31, 1971, measures required under the Federal Insurance Program. In August of 1970, the Federal Insurance Administration declared the entire area of Miami-Dade County eligible for federally assisted flood insurance, which insurance will mitigate the effects of damages from such natural disasters as hurricanes and severe storms and their attendant flooding.

Chapter 11C of the Code is adopted and amended from time to time to insure the continued availability of said flood insurance; to comply with federally imposed requirements; to be compatible with the provisions of the Florida Building Code relating to flood resistance; and to protect the public health, safety and general welfare by minimizing flood losses in the coastal areas of Miami-Dade County, requiring uses vulnerable to floods, including facilities which serve such uses, to be protected against flood damage at the time of initial construction controlling the alteration of natural floodplains, stream channels, and natural protective barriers that are involved in the accommodation of floodwaters, controlling filling, grading, dredging, and other development that may increase erosion or flood damage, ensuring that potential home buyers are notified that property is in a flood area.

This ordinance amends Chapter 11C of the County Code related to floodplain regulations to make certain revisions that have been requested by the Federal Emergency Management Agency (FEMA) and the Florida Department of Emergency Management (FDEM). Specifically, this ordinance revises the existing adoptions of FEMA's Flood Insurance Rate Map (FIRM) and FEMA's Flood Insurance Study

(FIS) so that the Code reflects those documents as they may be amended from time to time by FEMA. In addition, this ordinance adopts Letters of Map Change (LOMC) issued by FEMA from time to time and approved in response to requests by particular property owners or interested parties. All of these documents are documents which are issued by FEMA.

These FEMA documents, as they may be amended from time to time by FEMA, are already referenced in the Florida Building Code. FEMA flood maps (FIRMs) set the flood risk boundaries and elevations that the Florida Building Code (FBC) uses to mandate flood-resistant construction standards, making them directly interlinked in Florida's permitting and building process. The Florida Building Code already incorporates these FEMA flood maps (FIRMs) and FEMA's Flood Insurance Study (FIS), and for example, per the Florida Building Code, properties that are within a Special Flood Hazard area, as determined by FEMA, would be required to use FEMA's base flood elevation to determine the elevation of the lowest habitable floor. When FEMA updates its flood maps, such as to revise the properties that are included or excluded in a Special Flood Hazard area or revise the base flood elevation, those FEMA updates would already apply to properties within Miami-Dade County through provisions in the Florida Building Code.

Chapter 11C uses the FEMA flood zones (inside and outside of Special Flood Hazard Areas) as well as FEMA base flood elevation standards for properties within a Special Flood Hazard area, as determined by FEMA. And this ordinance would allow the references to FEMA's FIRMs and FISs to be as those are amended from time to time by FEMA. It is important to note that although the references to these FEMA documents are being updated in Chapter 11C, the substantive provisions in these FEMA documents, as amended, would already be applicable through the Florida Building Code and other existing regulatory processes. In addition, pursuant to the existing language in Chapter 11C, which is not being amended by this ordinance, properties that are not located within a FEMA-designated Special Flood Hazard area would continue to be subject to the standards that are separately laid out in Chapter 11C.

The adoption of revised references to FEMA's documents will help reduce the potential financial burden on property owners related to flood insurance. Specifically, these requested changes from FEMA and FDEM are being made, at least in part to have the County comply with federally imposed requirements and to provide for the County's continued eligibility in the National Flood Insurance Program (NFIP). This will lead to the continued savings (up to 35 percent discount to policyholders) on flood insurance premiums, available in unincorporated Miami-Dade County through the County's participation in the Federal Emergency Management Agency (FEMA) Community Rating System (CRS) Program, where the County has a Class 3 rating.

This ordinance also adds a clarifying provision, at the request of FEMA and FDEM, to specify that the Director has the authority to conduct inspections as part of the Director's authority to administer and enforce Chapter 11C. In correspondence with representatives from FEMA and FDEM, County staff have conveyed that the Director already has the authority to conduct inspections, in compliance with all applicable law, but FEMA and FDEM have requested that this inspection authority be clarified in this Chapter.

The Federal Emergency Management Agency (FEMA)
The Department of Homeland Security's Federal Emergency Management Agency (FEMA) is responsible for all updates to the Flood Insurance Rate Maps (FIRM), updates to the Flood Insurance Study (FIS), and for the administration of the National Flood Insurance Program (NFIP) which have a

direct impact on the pricing of flood insurance policies for homeowners within Miami-Dade County. The last update of the FIRM and FIS for Miami-Dade County became effective on September 11, 2009, and over the past several years a regular update has been under development by FEMA. Miami-Dade County is a Cooperating Technical Partner in the process and, upon FEMA's request, has provided the latest County's Stormwater Master Plan hydraulic and hydrologic models and other inputs to aid the process.

FEMA's latest comprehensive update of the FIRM and FIS Report includes flood hazard information for unincorporated and incorporated areas of Miami-Dade County such as additions, deletions, and changes to the delineation of Special Flood Hazard Areas; delineation of areas outside of Special Flood Hazard Areas that would be inundated by a 1-percent-annual-chance flood event; updates to Base Flood Elevations (BFE); updates to the flood zone designations; delineation of the Coastal A Zone for Miami-Dade County; and changes to all Base Flood Elevations (BFEs) from the National Geodetic Vertical Datum of 1929 (NVGD29) to North American Vertical Datum of 1988 (NAVD88).

FEMA's FIS update and resulting FIRM is a multi-year process governed by FEMA with distinct milestones. The current cycle of FIS and FIRM updates started in June 2014 via a discovery meeting and has proceeded through multiple technical updates and discussions through 2026. The analysis performed by FEMA considers storm surge and other risks unique to Miami-Dade County and has been informed by County staff. In February 2021, FEMA presented a preliminary FIRM for review by stakeholders and in December 2021 initiated the official comment/appeal period. Upon the conclusion of the comment/appeal period, FEMA has worked to resolve appeals/comments and submit an appeal resolution letter to appellant communities or individuals.

In addition, FEMA has a process by which property owners or interested parties can request a Letter of Map Change (LOMC) action, by which FEMA would revise its documents with respect to a particular property based, for example, on the unique circumstances of that property. This Letter of Map Change process is controlled and administered by FEMA, and once FEMA has issued its decision or Letter of Map Change action, FEMA requires the County to act consistent with the FEMA determination.

FEMA's and FDEM's requested changes to Chapter 11C

As discussed above, FEMA and FDEM have requested that the County amend Chapter 11C of the Code to revise the existing adoptions of FEMA's Flood Insurance Rate Map (FIRM) and FEMA's Flood Insurance Study (FIS) so that the Code reflects those documents as they may be amended from time to time by FEMA, and to adopt Letters Of Map Change (LOMC) issued by FEMA from time to time, which includes changes that FEMA has approved in response to requests by particular property owners or interested parties. All of these documents are documents which are issued by FEMA.

As discussed in more detail in the Executive Summary section of this memorandum, these FEMA documents, as they may be amended from time to time by FEMA, would already be applicable pursuant to the Florida Building Code. These FEMA documents are used with the Florida Building Code, as the FEMA flood maps (FIRMs) set the flood risk boundaries and elevations that the Florida Building Code (FBC) uses to mandate flood-resistant construction standards for, making them directly interlinked in Florida's permitting and building process.

The adoption of revised references to FEMA's documents will help reduce the potential financial burdens on property owners related to flood insurance. Specifically, these requested changes from FEMA and FDEM are being made, at least in part to have the County comply with federally imposed

requirements and to provide for the County's continued eligibility in the National Flood Insurance Program (NFIP). This will lead to the continued savings (up to 35 percent discount to policyholders) on flood insurance premiums, available in unincorporated Miami-Dade County through the County's participation in the Federal Emergency Management Agency (FEMA) Community Rating System (CRS) Program, where the County has a Class 3 rating. Miami-Dade County and municipalities must make the changes requested by FEMA and FDEM to continue participating in the NFIP and for residents to be able to continue to purchase flood insurance at discounted premiums.

FEMA and FDEM have informed the County that most other counties within the state of Florida have an automatic adoption of updates to the FEMA FIRM, FIS, and LOMC, as such documents may be amended from time to time by FEMA, and both FEMA and FDEM have suggested that the County also adopt similar language.

FEMA has informed the County that the revised FIRM and FIS will become effective on February 19, 2027, and such action will be published by FEMA through the Federal Register.

These changes support various policies in the County's CDMP, including but not limited to:

- Policy LU-9B: "Miami-Dade County shall continue to maintain, and enhance as necessary, regulations consistent with the CDMP which govern the use and development of land and which, as a minimum, regulate: … IV. Areas subject to seasonal or periodic flooding; V. Stormwater management; …"
- Policy LU-13G: "Miami-Dade County shall develop standards for adapting the built environment to the impacts of climate change as an integral component of all planning processes, including but not limited to comprehensive planning, infrastructure planning, building and life safety codes, emergency management and development regulations, stormwater management, and water resources management."

Public Notices, Meetings and Other Community Outreach

On February 25, 2021, FEMA published preliminary copies of the revised FIRM and FIS report for Miami-Dade County and made the documents publicly available at the following web address: https://hazards.fema.gov/femaportal/prelimdownload .

Since the publishing of the preliminary FIRM and FIS, there have been several stakeholder coordination meetings between FEMA, Miami-Dade County Departments, local municipalities, engineers, the building/development industry, and the public. Furthermore, Miami-Dade County published the preliminary flood maps on our website so that property owners may identify the impacts of the proposed maps upon their properties. Additionally, FEMA has published several notices to advise of the proposed flood hazard determinations and to inform the public of the initiation of the public comment/appeal period in December 2021.

On January 5 and 9, 2022, public notices were published in the Miami Herald. These notices informed property owners of the preliminary flood maps published by FEMA and provided access to supplemental information to assist property owners in understanding changes in their property risk, impacts of the updated flood map to their flood insurance, and other valuable information. County staff continued keeping the public informed through the adoption of the final flood insurance rate map.

When FEMA communicated to Miami-Dade County that the Letter of Final Determination (LFD) was going to be issued on August 19, 2026, the County facilitated a meeting with Local Mitigation Strategy (LMS) partners and other stakeholders including cities to discuss next steps. Municipalities throughout the County will need to also adopt the new FIS, FIRM and LOMC unless they have an auto-adoption language existing in their municipal codes.

A technical webinar to be recorded and made available to the general public, updates to the Miami-Dade County website, and newspaper notice are being planned to assist residents, business owners and the building industry between now and the effective date of the FIS and FIRM (February 19, 2027) to resolve technical questions on how to use the maps and any other assistance that may be needed.

Resources Available to Residents and Businesses

The following tools and information may provide additional assistance to Miami-Dade County residents and businesses with relation to the FEMA FIRM and FIS updates:

- Residents and businesses may call the Flood Zone Hot Line at (305) 372-6466 for information and assistance.

- FEMA has brochures available for download in English and Spanish (web addresses below) which provide property owners with directions on filing a map amendment should they believe that their properties have been incorrectly delineated in the FIRM and FIS. Property owners can hire a professional land surveyor to obtain elevation certificates. This can be done for entire parcels or for any/all buildings located within the property, showing that they are at a different flood risk delineation. Savings are substantial if buildings are elevated above the flood plain.

  English Brochure:
  https://www.fema.gov/sites/default/files/documents/fema_mt-1-process-graphic-english_2021.pdf

  Spanish Brochure:
  https://www.fema.gov/sites/default/files/documents/fema_mt-1-process-graphic-spanish_2021.pdf

- If a property is identified as being in a high-risk flood area (in a special flood hazard area), most lenders must require the owner to carry flood insurance.

- FEMA offers a flood mitigation discount tool which can be found at https://www.floodsmart.gov/get-insured/discounts

- FEMA also offers information for policyholders to pay less for flood insurance as considered under the NFIP pricing approach, which can be found at https://agents.floodsmart.gov/topics/writing-policies/reducing-insurance-costs

- Information from FEMA regarding Risk Rating 2.0 can be found at https://www.fema.gov/sites/default/files/documents/fema_rr-2.0_04-2025.pdf

Roy Coley
Deputy Mayor

MEMORANDUM

(Revised)

TO: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

DATE: November 17, 2026

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 4(A)

Please note any items checked.

_____ **"3-Day Rule" for committees applicable if raised**

_____ **6 weeks required between first reading and public hearing**

_____ **4 weeks notification to municipal officials required prior to public hearing**

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

_____ **Statement of social equity required**

_____ **Ordinance creating a new board requires detailed County Mayor's report for public hearing**

_____ **No committee review**

_____ **Requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, majority plus one ____, CDMP 7 votes (majority of membership) ____, CDMP 2/3 members present but not less than 7 votes (majority of membership) ____, CDMP 9 votes (2/3 membership) _____) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 4(A)
11-17-26

ORDINANCE NO. _____

ORDINANCE RELATED TO FLOODPLAIN REGULATIONS; AMENDING CHAPTER 11C OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; REVISING PROVISIONS RELATED TO ADOPTIONS OF FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) FEMA FLOOD INSURANCE STUDY (FIS); ADOPTING LETTERS OF MAP CHANGE (LOMC) ISSUED BY FEMA FROM TIME TO TIME; MAKING CLARIFYING EDITS; PROVIDING SEVERABILITY, INCLUSION IN AND EXCLUSION FROM THE CODE, AND AN EFFECTIVE DATE

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. Chapter 11C of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:[1]

Chapter 11C - FLOODPLAIN REGULATIONS

Sec. 11C-1. - Statement of legislative intent.

(a) The coastal areas of Miami-Dade County, Florida, are subject to flooding resulting in danger to life, loss of property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.

[1] Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

(b) The Board of County Commissioners of Miami-Dade County, by Resolution No. R-671-69, adopted on May 28, 1969, expressed willingness to take action necessary to meet the objectives of the National Flood Insurance Act of 1968 within Miami-Dade County, Florida; and by Resolution No. R-912-70, adopted on July 24, 1970, reaffirmed its interest in securing flood insurance coverage under said act, and agreed to establish by December 31, 1971, measures required under the Federal Insurance Program. In August of 1970, the Federal Insurance Administration declared the entire area of Miami-Dade County eligible for federally assisted flood insurance, which insurance will mitigate the effects of damages from such natural disasters as hurricanes and severe storms and their attendant flooding.

(c) This chapter is adopted and amended: to insure the continued availability of said flood insurance; to comply with federally imposed requirements; to be compatible with the provisions of the Florida Building Code relating to flood resistance; and to protect the public health, safety and general welfare by minimizing flood losses in the coastal areas of Miami-Dade County, requiring uses vulnerable to floods, including facilities which serve such uses, to be protected against flood damage at the time of initial construction controlling the alteration of natural floodplains, stream channels, and natural protective barriers that are involved in the accommodation of floodwaters, controlling filling, grading, dredging, and other development that may increase erosion or flood damage, and ensuring that potential home buyers are notified that property is in a flood area.

(d) This chapter is intended to be administered and enforced in conjunction with the Florida Building Code.

(e) This chapter shall not be construed to imply that land outside of mapped special flood or coastal high hazard areas, or that uses permitted within such hazard areas, will be free from flooding or flood damage.

(f) The flood hazard areas and base flood elevations contained in the Flood Insurance Study and shown on Flood Insurance Rate Maps and associated federal regulatory requirements may be revised by the Federal Emergency Management

Agency or successor agency and may accordingly require this chapter to be revised to maintain the County's eligibility to participate in the National Flood Insurance Program.

* * *

Sec. 11C-7. – Application of chapter.

(a) This chapter shall apply to and be enforced in the unincorporated areas of Miami-Dade County, as well as in the portions of the incorporated areas where the County exercises exclusive jurisdiction over development orders and development permits.

(b) The Flood Insurance Study (FIS) together with the Flood Insurance Rate Map (FIRM) for Miami-Dade County, as amended effective September 11, 2009, >>and as may be amended from time to time by FEMA as evidenced through a final rule published in the Federal Register, together with Letters of Map Change (LOMC) issued by FEMA from time to time<< [[~~therein~~]], are hereby adopted and incorporated herein by reference hereto. The FIRM and FIS shall be kept on file, available to the public for public inspection and copying, in the offices of the Department.

(c) >>Courtesy notices.<< [[~~If FEMA revises the FIS or one or more FIRM panels, such revision shall require approval by ordinance of the Board of County Commissioners before being relied upon to implement this chapter.~~]]

(1) The County shall publish a courtesy notice in a newspaper of general circulation of any change in the FIRM or to the FIS, as amended from time to time, and may also mail a courtesy notice of such change to all property owners in the unincorporated area of Miami-Dade County affected by such change.

(2) Failure to mail or receive said courtesy notices shall not affect the validity of any >>action or any provision of << [[~~such change or~~]] this chapter.

(ci) All references in this chapter to the Florida Building Code shall be deemed to refer to the most current version.

* * *

Sec. 11C-8. — Enforcement >>and Inspections<<.

The Director shall administer and enforce the provisions of this chapter. >>This authority by the Director to administer and enforce the provisions of this chapter includes, but is not limited to, the authority to make inspections to enforce the provisions of this chapter, including, but not limited to, inspections of buildings, structures and facilities that may be exempt from the Florida Building Code but subject to local flood plain regulations.<<

* * *

Section 2. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 3. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 4. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as to form and legal sufficiency:

Prepared by:

Abbie Schwaderer-Raurell