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CO-09-13

REC'D OCT 30 2009

October 30, 2009

TO: Ninoo Ashabi, Senior Planner
Khanh Nguyen, Acting Asst. Dev. Svs. Director
FR: Ed Fawcett, President/CEO
Costa Mesa Chamber of Commerce
CC: Jim Righeimer, Chairman
Costa Mesa Planning Commission
RE: Commission Agenda, November 9, 2009
Code Amendment CO-09-13
Related to Floodway and Floodplain Districts

Dear Ms. Ashabi & Mr. Nguyen:

I have the following questions with respect to the above Planning Commission Agenda item referenced above.

Page 2 of the staff report states, "there are three areas of commercial, open space and industrial land uses within the City limits that are subject to flood insurance because of "A" flood rating designation." And, "Although, adequate and timely information was submitted to FEMA, the updated FIRMs do not reflect the most recent LOMR in Home Ranch Development area north of the 405 Freeway and south of South Coast Drive. Staff will be working with FEMA to reinstate the LOMR for this area upon the effective dates of the maps."

Realizing the requirement on the City to make the code amendment to remain in compliance with the National Flood Insurance Program, are the property owners and tenants with in the areas of the FIRMs not yet updated still required to carry flood insurance that would otherwise not be required if the LOMR was correctly updated? If so, when can this be expected to be rectified? When it is rectified, will affected property owners be contacted and can these property owners be reimbursed retroactively for their unnecessary insurance costs back to the FIRM's effective date of December 3, 2009?

Thank you for the time taken with these questions.

Sincerely,

Ed Fawcett