

LARIMER COUNTY FLOOD REVIEW BOARD

BYLAWS

ARTICLE I. PURPOSE

Section 01 Role

- A. To review and determine the exact location of a zoning district boundary of the FW, FF and FH districts as they relate to any specific piece of property; to make recommendations regarding floodplain special review applications; to grant variances from the terms and conditions of the floodplain sections of the Larimer County Land Use Code; review request for variances to expand a nonconforming use or nonconforming structure in a floodplain; review and make determinations of interpretations of the floodplain sections of the Land Use Code; to determine the suitability and advisability of alternate methods of construction in the FW, FF and FH overlay zoning districts and to protect the health, safety, convenience, order, prosperity, welfare and property of Larimer County residents by reducing flood danger through the enforcement of Federal Emergency Management Agency and Larimer County Floodplain Regulations.

Section 02 Powers

- A. To review and determine the exact location of a zoning district boundary in a FW, FF, and FH district as it relates to any specific piece of property.
- B. To review and make recommendations regarding floodplain special review applications.
- C. To grant variances from the terms and conditions of the floodplain sections of the Land Use Code.
- D. To grant variances to allow the expansion of structures and uses that are nonconforming with respect to the requirements of the floodplain sections of the Land Use Code.
- E. To review and make determinations of interpretations of the floodplain sections of the Land Use Code.
- F. To determine whether alternate methods of construction in the FW, FF and FH districts are suitable or advisable, provided that those alternate methods withstand flood damage and do not restrict the flow capacity of the main channel or any related drainage.

ARTICLE II. MEETINGS

Section 01 Open Meetings

- A. All meetings and actions shall comply with C.R.S. 24-6-402 regarding open meetings and any subsequent amendments to said statute.

Section 02 Regular Meetings

- A. All regular meetings shall be the fourth (4th) Thursday of each month.
- B. The meeting shall be held at the Larimer County Courthouse Offices Building in the Watson Lake Conference Room at 1:30 p.m., 200 West Oak Street Fort Collins; or at such other place and time as may be fixed by the Board, or the staff liaison, or called by the Chair of the Flood Review Board.
- C. At the first meeting of each calendar year, the Board will designate an official posting location for notice of Flood Board meetings.

Section 03 Special Meetings

- A. Special meetings may be called at any time by the Chair of the Flood Review Board, Larimer County Commissioners, County Engineer, Staff Liaison or by three members of the Flood Review Board.
- B. No business shall be transacted at any special meeting unless stated in the notice given to the members.

ARTICLE III. HEARING PROCEDURES

Section 01 Quorum

- A. Three (3) members shall constitute a quorum.

Section 02 Reviews

- A. To initiate review by the Flood Review Board, the applicant must file an application with the County Engineering Department on forms provided by the Department, pay any applicable fees and comply with instructions found within the application packet pertaining to hydrologic and hydraulic modeling report submittals.
- B. The application must indicate the nature of the review and determination being sought (i.e., zoning district boundary locations, floodplain special review, variance, expansion of a nonconforming use or nonconforming structure, interpretation of floodplain sections of the Land Use Code or alternate methods of construction).

- C. A hearing before the Flood Review Board must be scheduled within 60 days of the submittal of a complete application. The applicant will be notified in writing of the date, time and place of the hearing.
- D. Notice of the hearing must be published at least 14 days prior to the hearing in a newspaper of general circulation within the County. The notice must designate the date, time and place of the hearing, location of the property that is subject of the review, and the nature of the review and determination the applicant is applying for. Written notice may be mailed to any surrounding property owner the County Engineer deems appropriate in the interest of fairness. However, mailing of these notices is discretionary, and failure to receive a notice does not affect the validity of the hearing before the Flood Review Board.
- E. At the conclusion of the hearing, the Flood Review Board will make its recommendation or decision for approval, approval with conditions, or denial of the application. The Flood Review Board will make its recommendation or decision based on the evidence and information presented and based on the applicable criteria, standards and requirements of the floodplain provisions of the Land Use Code.
- F. The latest edition of Roberts Rules of Order may be used to guide the proceedings of the Larimer County Flood Review Board.

Section 03 Appeals

- A. Decisions of the Flood Review Board may be appealed as provided in Section 22 of the Land Use Code.

ARTICLE IV. MEMBERSHIP

Section 01 Members

- A. The Flood Review Board will consist of five to seven (5-7) appointed members.
- B. The Larimer County Commissioners will appoint these members.
- C. All appointed members will have voting privileges.
- D. Qualifications
 - 1. Members must be technically qualified in civil engineering with an emphasis in river hydraulics and hydrology. Members must have knowledge of local and federal flood plain regulations and a background in hydrologic and hydraulic modeling.
 - 2. One member may be a qualified registered professional engineer from the Larimer County Engineering Department.

Section 02 Terms

- A. Appointments are for a full three-year term, except in the event of a mid-term vacancy.
- B. Upon completion of the first full term, a member may seek reappointment to a second full three-year term pending approval of the Larimer County Commissioners.
- C. Term limits shall be consistent with Larimer County Administrative Policy and Procedure 100.1.
- D. Regular terms begin July 1 and end June 30 of the third year.

Section 03 Expulsion or Termination of Members

- A. Any member of the Flood Review Board is subject to removal by the Larimer County Commissioners.
- B. Grounds for removal may include but are not limited to:
 - 1. Three (3) consecutive unexcused absences at a regular meetings or four (4) excused absences annually
 - 2. Non-participation in activities or committees
 - 3. Other reasons deemed by the Board of County Commissioners as inappropriate action or conduct

Section 04 Vacancies

- A. Vacancies shall be filled by the Larimer County Commissioners upon request by the Flood Review Board. The Flood Review Board shall review all applications and in conjunction with the Board of County Commissioners recommend appointments.

ARTICLE V. Officers

Section 01 Designated Officers

- A. The Board shall elect from among their members a Chair at the first monthly meeting each year.

Section 02 Duties of Officers

- A. Chair: The Chair shall preside over all meetings of the Board and shall be the official spokesperson for the board.

- B. Secretary: The staff liaison will act as secretary, take the minutes of the meetings and be an advisor to the Board on policies and procedures. The secretary will process the applications for review to the Board and be responsible for administrating application procedures.
- C. The Board of County Commissioners shall be notified when a new chair is elected.

Section 03 Terms of Officers

- A. Officers shall assume office upon election and serve for one year or until their successors are elected.
- B. Officers may succeed themselves without limitation so long as they remain members of the Board.

Section 04 Vacancies of Officers

- A. The Board forthwith at any regular or special meeting shall fill vacancies of the officers.
- B. Notice of election should appear on the agenda for such meeting and in the notice thereof.

ARTICLE VI. GENERAL PROVISIONS

Section 01 Amendment to Bylaws

- A. Recommendations for amendments and/or changes may be made at any regular meeting of the Larimer County Flood Review Board by a majority vote.
- B. Notice of a change shall be in writing and distributed to the members fourteen (14) days prior to vote on the proposed change.
- C. Before becoming final, the changes shall be approved by the Larimer County Commissioners.

Section 02 Code of Ethics

- A. Members shall recuse themselves from discussion and voting if a potential conflict of interest exists.
- B. A conflict may result where a member has a personal or private interest in a matter proposed or pending before the Board; where a member stands to gain or lose financially as a result of a position taken by the Board; or where a member believes he/she cannot fairly and impartially discharge his/her duties.

Section 03 Larimer County Administrative Policy 100.1

- A. Board members shall conduct their business in a manner consistent with the conditions adopted by the Board of County Commissioners, included in Larimer County Administrative Policy and Procedure 100.1 as amended

Amendments:

Article IV, Section 01 Members

- A. The Flood Review Board will consist of five to seven (5-7) appointed members.
Amended on July 1, 2008 by the Board of County Commissioners.

Approved by the Flood Review Board this 24TH day of JULY, 2008.

The Larimer County Flood Review Board

By: 
Chair

Approved by the Board of County Commissioners this 1st day of JULY, 2008.

Board of Commissioners of
Larimer County, Colorado

By: 
Chair