

Overview of Proposed Amendments to Zoning Ordinance Article XXI Flood Hazard Overlay District

Section 1. Title and Authority

No changes

Section 2. Purpose

No changes

Section 3. District Boundaries

- A. Very minor technical edits
- B. Added Section B to clarify elevations when base flood elevation data is not available

Section 4. Administrative Provisions

This is a new section based off the state's model ordinance.

Section 5. Floodplain Administrator Duties and Responsibilities

This is a new section that provides more detail on the role of the floodplain administrator than the current ordinance does. Language is based off the state's model ordinance.

Section 6. Permits

This content is under Section 4 of the current ordinance.

- A. No edit except to the Section number reference
- B. Very minor technical edits were made to the text
- C. Text moved from Section 11 of the current ordinance to this section.

Section 7. Substantial Improvement and Damage Determinations

This is a new section based on the state's model language that provides the Floodplain Administrator and other parties with information about how 'substantial improvement' is determined. This is important to define because it has implications for when an applicant must bring a property into compliance with the ordinance.

Section 8. Permitted Uses

This content is in Section 5 of the current ordinance. No changes made except a couple minor technical edits.

Section 9. Prohibited Uses

This content is in Section 6 of the current ordinance.

- "Critical Facilities" added as a prohibited use.
- Process for allowing a structure that is not a habitable building or a critical facility falls under conditional use permit.
- Water impoundments added as a prohibited use. (board may want to discuss this)

Section 10. Conditional Uses

- This section is based on Section 7 Limited and Regulated Uses of the current ordinance.
- The application procedures have been separated from the uses and have been relocated to Section 11 of the amended ordinance.
- Proposed change to allow structures other than new habitable buildings and critical facilities to be regulated as conditional uses (as opposed to by special exception).
- Language for detention basin added in.

Section 11. Procedures and Criteria for Conditional Use Permits

References the CUP procedures that apply and the standards.

Section 12. Construction Requirements

- This section is on Section 8 of the current ordinance.
- Specifies that electrical, heating, ventilation, plumbing, and air conditional equipment and other services facilities be elevated at or above base flood elevation. Specifies how to determine this elevation.
- Specifies that driveways and road access or streets also be constructed with the driving surface at or above base flood elevation. Specifies how to determine this elevation. Includes additional provisions for driveways and access streets to accommodate emergency vehicles and avoid impairments to water resources.

Section 13. Water Supply and Sewage Disposal Systems

This section is based on Section 9 of the current ordinance. Technical edits made to formatting.

Section 14. Certification of Floodproofing

No changes made.

Section 15. Watercourses

- This section is based on Section 12 of the current ordinance.
- Language added to C(1) on volume of water

Section 16. Design and Development Standards

- This section is based on Section 16 of the current ordinance.
- Changes include requiring that new construction, additions, or substantial improvement of residential structures be elevated 2 feet above the base flood elevation (if available) or the highest adjacent grade. The current standard is 1 foot above the base flood elevation.
- Similarly, critical facilities must be elevated 3 feet above the base flood elevation or highest adjacent grade.

Section 17. Variances

This section is based on Section 14 of the current ordinance. Suggest removing the dollar amounts as we don't know if that is current and it will likely change over time.

Section 18. Definitions

- This section is based on Section 15 of the current ordinance.

- Additions/updates include:
 - Critical facilities
 - Low impact development (note: could move this to Article II of the Zoning Ordinance)
 - Repetitive Loss
 - Special Flood Hazard Area
 - Substantial improvement (note: board may want to discuss whether to make this applicable to the same homeowner). Changed the threshold from 50% of the market value to 40% of the value.
 - Water Impoundment (note: board may want to discuss this more in conjunction with how water impoundments are regulated in the flood hazard overlay district)