

**SPECIAL RESOLUTION  
NATIONAL FLOOD INSURANCE PROGRAM (NFIP) REGULATION**

**UNINCORPORATED FRANKLIN COUNTY, OHIO  
Community Number 390167**

ADMINISTERED BY:

*FRANKLIN COUNTY ECONOMIC DEVELOPMENT AND PLANNING DEPARTMENT  
280 EAST BROAD STREET SUITE 202  
COLUMBUS, OHIO 43215  
OFFICE (614) 462-3094*

Website Address [www.franklincountyohio.gov/development](http://www.franklincountyohio.gov/development)

Adopted:	September 26, 1978	- Franklin County Commissioners
Revised:	June 15, 1983	- Franklin County Commissioners
Amended:	March 24, 1987	- Franklin County Commissioners
Revised:	March 6, 1996	- Franklin County Commissioners
Revised:	September 3, 1997	- Franklin County Commissioners
Revised:	April 7, 1999	- Franklin County Commissioners
Revised:	March 16, 2004	- Franklin County Commissioners
Revised:	September 19, 2007	- Franklin County Commissioners

## CONTENTS

<b>Section 1.0 <u>Statutory Authorization, Findings of Fact, Purpose, Objectives, Adoption</u></b>	4
1.1 Statutory Authorization	4
1.2 Findings of Fact	4
1.3 Statement of Purpose	4
1.4 Objectives of Resolution	5
1.5 Adoption of Special Resolution	5
<b>Section 2.0 <u>Applicable Lands, Designation, Compliance, Warning and Disclaimer, Violations, Appeal</u></b>	6
2.1 Lands to which this resolution applies	6
2.2 Designation of the Regulatory Floodplain	6
2.3 Compliance	6
2.4 Warning and Disclaimer of Liability	6
2.5 Violations and Penalties	7
2.6 Appeal to the Court	7
2.7 Administration	7
2.8 Fees	7
2.85 Abrogation	7
2.9 Severability	8
<b>Section 3.0 <u>Permits, Exemption, Designation, Duties, Variance</u></b>	9
3.1 NFIP Development Permits	9
3.2 Exemption from Filing a Permit	10
3.3 Community NFIP Administrator	10
3.4 Duties and Responsibilities	10
3.4-1 Permit Review	10
3.4-2 Non-Detailed Flood Hazard Areas	10
3.4-3 Information to be Obtained and Maintained	11
3.4-4 Flood or Erosion Control Measures or Watercourse Alterations or Relocation	11
3.4-5 Interpretation of Flood Boundaries	12
3.4-6 Alteration of Community Boundaries	12
3.5 Variance of Procedure	13
3.5-1 Variance Board	13
3.5-2 Conditions for Variance	13
<b>Section 4.0 <u>General Standards, Specific Standards, Floodways</u></b>	15
4.1 General Standards	15
4.1-1 Anchoring	15
4.1-2 Construction Materials and Methods	15

4.1-3 Public or Private Utilities or Facilities	15
4.1-4 Subdivision Proposals	16
4.1-5 Standards in Special Flood Hazard without Base Flood Elevation Data	16
4.1-6 Maintain Flow Characteristics	16
4.1-7 Minimize Flood Damage	16
4.1-8 Storage or Processing of Materials	16
4.1-9 Waste Processing, Disposal Facilities & Wastewater Treatment and Disposal System	16
4.2 Specific Standards	17
4.2-1 Buildings and Structures	17
4.21A Residential Construction	17
4.21B Nonresidential Construction	17
4.21C Accessory Structures	18
4.2-2 Manufactured Homes and Recreational Vehicles	19
4.2-3 Enclosures below the Lowest Floor	19
4.2-4 Subdivisions and Large Developments	19
4.3 Floodways	20
4.3-1 Areas with Floodways	20
4.3-2 Areas without Floodways	20
<b>Section 5.0 <u>Definitions</u></b>	<b>21</b>

## **SECTION 1.0**

### **STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE, OBJECTIVES, ADOPTION**

#### **1.1 STATUTORY AUTHORIZATION**

This resolution is adopted pursuant to authorization contained in Sections 307.37 and 307.85 of the Ohio Revised Code. This resolution adopts regulations for flood hazard areas that are necessary for participation in the National Flood Insurance Program. Therefore, the Board of Franklin County Commissioners do ordain as follows:

#### **1.2 FINDINGS OF FACT**

- (1) The flood hazard areas of Unincorporated Franklin County, Ohio are subject to periodic inundation which may result in loss of life and 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.
- (2) These flood losses are caused in part by the cumulative effect of obstructions in areas of special flood hazards which increase flood heights and velocities, and when inadequately anchored, damage uses in other areas. Uses that are inadequately floodproofed, elevated or otherwise protected from flood damage also contribute to the flood loss.

#### **1.3 STATEMENT OF PURPOSE**

It is the purpose of this resolution to promote the public health, safety and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- (1) Protect human life and health.
- (2) Minimize expenditures of public money for costly flood control projects.
- (3) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public.
- (4) Minimize prolonged business interruptions.
- (5) Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in the floodplain.
- (6) Help maintain a stable tax base by providing for the proper use and development of the floodplains so as to minimize future flood blight areas.

- (7) Ensure potential buyers are aware property is in an area of special flood hazard.
- (8) Ensure that those who occupy the designated floodplain areas assume responsibility for their actions.

#### **1.4 OBJECTIVES OF RESOLUTION**

In order to accomplish its purposes, this resolution includes methods and provisions for:

- (1) Restricting or prohibiting uses which are dangerous to health, safety, and property due to water hazards, or which result in damaging increases in flood heights or velocities;
- (2) Requiring uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- (3) Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;
- (4) Controlling filling, grading, dredging, and other development which may increase flood damage; and
- (5) Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas.

#### **1.5 ADOPTION OF SPECIAL RESOLUTION**

This resolution entitled "SPECIAL RESOLUTION: NATIONAL FLOOD INSURANCE PROGRAM (NFIP) REGULATIONS" shall update and upgrade the previous NFIP Resolution entitled "Resolution to Adopt Regulations to Permit the Continuation of Unincorporated Franklin County in the National Flood Insurance Program" adopted by the Franklin County Commissioners September 26, 1978 and which is hereby repealed, and replaced by Part 2 of this resolution as follows:

## SECTION 2.0

### APPLICABLE LANDS, DESIGNATION, COMPLIANCE WARNING AND DISCLAIMER, VIOLATIONS, APPEAL

#### 2.1 LANDS TO WHICH THIS RESOLUTION APPLIES

This resolution shall apply to all areas of special flood hazard within the jurisdiction of Unincorporated Franklin County, Ohio as identified in Section 2.2.

#### 2.2 DESIGNATION OF THE REGULATORY FLOODPLAIN

For the purpose of these regulations, the following studies and/or maps are adopted:

- A. *“Flood Insurance Study Franklin County, Ohio and Incorporated Areas”* and *“Flood Insurance Rate Map Franklin County, Ohio and Incorporated Areas”* both effective September 19, 2007.
- B. Other studies and/or maps, which may be relied upon for establishment of the flood protection elevation, delineation of the 100-year floodplain, floodways or delineation of other areas of special flood hazard.
- C. Any hydrologic and hydraulic engineering analysis authored by a registered Professional Engineer in the State of Ohio which has been approved by the County of Franklin as required by Section 4.3 Subdivisions and Large Scale Developments.

Any revisions to the aforementioned maps and/or studies are hereby adopted by reference and declared to be a part of these regulations. Such maps and/or studies are on file at the Franklin County Economic Development and Planning Department 280 East Broad Street Room 202 Columbus, Ohio.

#### 2.3 COMPLIANCE

No structure or land shall hereafter be located, erected, constructed, repaired, extended, converted, enlarged or altered without full compliance with the terms of this resolution and all other applicable regulations which apply to uses within the jurisdiction of this resolution, unless specifically exempted from filing for a development permit as stated in Section 3.2, EXEMPTION FROM FILING A DEVELOPMENT PERMIT.

#### 2.4 WARNING AND DISCLAIMER OF LIABILITY

This resolution does not imply that areas outside the Regulatory Floodplain or uses allowed or otherwise permitted or approved within the Regulatory Floodplain in accordance with the provisions of this Resolution will be free from flooding or flood damages. This Resolution or its administration and/or enforcement shall not create liability on the part of the County, any officer or employee of the County or other staff or personnel involved in its administration and/or enforcement.

**2.5 VIOLATIONS AND PENALTIES**

Violations of the provisions of these regulations or failure to comply with any of its requirements shall be deemed to be an unclassified misdemeanor. Any person who violates this Resolution or fails to comply with any of its requirements (including violations of conditions or plans established and approved in connection with the issuance of an NFIP Development Permit) shall upon conviction thereof be fined not more than three hundred dollars (\$300) as prescribed in accordance with Section 307.99 of the ORC and in addition shall pay all costs and expenses involved in the case.

Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the Community NFIP Administrator from taking such other lawful action as is necessary to prevent or remedy any violation.

**2.6 APPEAL TO THE COURT**

Any person or persons adversely affected by this resolution or by any decision of the Franklin County Development Department may appeal to the Franklin County Court of Common Pleas.

**2.7 ADMINISTRATION**

The administration of this Resolution shall in no way lower any requirement or standard of the National Flood Insurance Program, 44 CFR Part 60. Variances to the standards and requirements of this Resolution may be granted by the Franklin County Development Department in accordance with 44 CFR Part 60.

- A. Provisions of this Resolution have been submitted to and reviewed by the National Flood Insurance Program (NFIP) State Coordinating Agency and the Federal Emergency Management Agency (FEMA). These agencies have determined these provisions meet or exceed the standards of Federal Law 44 CFR parts 59 and 60.

**2.8 FEES**

The following fees shall be paid by the applicant to the Community NFIP Administrator to help defray the administrative costs incurred by Development Permit, Variance and/or appeal, plan and application review, Staff preparation and presentation of reports and/or other administrative duties and discussion with the applicant, their representatives, and/or other personnel:

- A. A twenty-five dollar (\$25) submittal fee shall accompany the initial application.
- B. All fees shall be paid in full prior to the issuance of the NFIP Development Permit.

**2.85 ABROGATION**

These regulations are not intended to repeal any existing resolutions including subdivision regulations, zoning or building codes. In the event of a conflict between these regulations and any other resolution, the more restrictive shall be followed. These regulations shall not impair any deed restriction covenant or easement but the land subject to such interests shall also be governed by the regulations.

**2.9 SEVERABILITY**

Should any section or provision of this resolution be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the resolution as a whole, or any part thereof other than the part so declared to be unconstitutional or invalid.



## SECTION 3.0

### PERMITS, EXEMPTION, DESIGNATION, DUTIES, VARIANCE

#### 3.1 NFIP DEVELOPMENT PERMITS

Development activities within the Regulatory Floodplain which require a NFIP Development Permit, as determined by the Community NFIP Administrator, shall apply for, and receive said permit from the Community NFIP Administrator prior to the commencement of such activity. Applications shall be filed at the Franklin County Development Department, *280 East Broad Street, Suite 202, Columbus, Ohio 43215*.

Along with the formal application, the applicant shall furnish sufficient information to permit the Community NFIP Administrator to determine the Regulatory Floodplain and Floodway Boundaries and Base Flood Elevations, and to otherwise facilitate the administration and enforcement of this Resolution. Such information shall include but not be limited to the following:

- A. Plans drawn to scale showing the nature, location, dimensions, and details of the property, development activities, and land use, both existing and proposed;
- B. Elevation in relation to mean sea level of the lowest floor, including basement, of all proposed structures located in special flood hazard areas where base flood elevation data are utilized;
- C. Existing and proposed topographical information;
- D. Elevation in relation to mean sea level to which any proposed structure will be floodproofed where base flood elevation data are utilized including certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria required by this resolution;
- E. Description of the extent to which any watercourse will be altered or relocated as a result of the proposed development and certification by a registered professional engineer that the flood carrying capacity of the watercourse will not be diminished.
- F. Certification by a registered professional engineer, architect, or surveyor of the structure's as-built lowest floor or floodproofed elevation
- G. Other information as may be reasonably deemed necessary by the Community NFIP Administrator.
- H. The applicant shall submit certification of finished elevations, and/or other proofs or assurances of compliance with approved plans to the satisfaction of the Community NFIP Administrator.
- I. Permits issued on the basis of applications, plans, specifications, and other information approved by the Community NFIP Administrator shall authorize only the use, arrangement, and construction set forth therein.

**3.2 EXEMPTION FROM FILING A DEVELOPMENT PERMIT**

An application for a Development Permit shall not be required for maintenance work such as roofing, painting, and basement sealing, or for small nonstructural development activities (except for filling and grading) valued at less than \$1,000.00. Any proposed action exempt from filing for a Development Permit is also exempt from the standards of this resolution.

**3.3 COMMUNITY NFIP ADMINISTRATOR**

The Community NFIP Administrator shall review all zoning applications which are referred to him by the local zoning jurisdiction involving Conditional Uses, Zoning Compliances, Rezoning, and Variances involving the Regulatory Floodplain. The Administrator shall prepare a report and recommendation on applications received to be submitted to the appropriate zoning official(s) provided at least seven (7) working days are allowed for the NFIP Administrator's review.

**3.4 DUTIES AND RESPONSIBILITIES**

The duties and responsibilities of the Community NFIP Administrator shall include but are not limited to:

**3.4-1 PERMIT REVIEW**

- (1) Review all development permits to determine that the permit requirements of this resolution have been satisfied.
- (2) Review all development permits to assure that all necessary permits have been received from those federal, state or local governmental agencies from which prior approval is required.
- (3) Review all development permits to determine if the proposed development is located within a designated floodway.
- (4) Inspect all development projects before, during, and after construction to ensure proper elevation of the structure and to ensure compliance with all provisions of this resolution.

**3.4-2 NON-DETAILED FLOOD HAZARD AREAS**

In designated flood hazard areas for which FEMA has not determined detailed flood elevations and Floodway boundaries, the applicant shall be required to furnish such information, prepared by qualified personnel, to enable the administration of this Resolution consistent with its intent. Flood maps and data published by State or Federal sources such as the USDA Soil Conservation Service, U.S. Army Corps of Engineers, U.S. Geological Survey, or Ohio Department of Natural Resources shall be utilized when available. In case of differing information from two or more of these sources, the more comprehensive and technical data shall be used.

When detailed flood elevations and floodway boundaries are not available for the Base Flood through FEMA or other state or federal sources, the applicant shall provide them. Such information and data shall be prepared by a qualified Professional Engineer in accordance with currently accepted hydrological and hydraulic engineering techniques and methodology. Studies, analyses,

computations, etc. shall be submitted in sufficient detail to allow a thorough technical review by the Community NFIP Administrator.

### **3.4-3 INFORMATION TO BE OBTAINED AND MAINTAINED**

Where base flood elevation data are utilized within areas of special flood hazard on a community's Flood Insurance Rate Map, regardless of the source of such data, the following provisions apply:

- (1) Obtain and record the actual elevation (in relation to mean sea level) of the lowest floor, including basement, of all new or substantially improved structures, and record whether or not such structures contain an enclosure below the lowest floor;
- (2) Verify and record the actual elevation (in relation to mean sea level) to which the structure was floodproofed and maintain the floodproofing certifications required for all new or substantially-improved floodproofed nonresidential structures;
- (3) Maintain for public inspection all records pertaining to the provisions of this resolution, including base flood elevation data, Flood Insurance Rate Maps, variance documentation, Conditional Letters of Map Revision, Letters of Map Revision, Letters of Map Amendment, and as-built elevations.

### **3.4-4 FLOOD OR EROSION CONTROL MEASURES OR WATERCOURSE ALTERATIONS OR RELOCATION**

Dams, dikes, levees, embankments, floodwalls, rip rap, rock protection, or other flood or erosion control measures and any alteration or relocation of the channel or watercourse shall be subject to all applicable provisions of section 1521.06 and 1521.07 of the Ohio Revised Code and all other applicable state, federal, county and local ordinances and regulations.

- (1) Notify adjacent communities, the U.S. Army Corps of Engineers, and the Ohio Department of Natural Resources, Division of Water, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency. A watercourse is considered to be altered if any change occurs within its banks.
- (2) Such measures over three (3) feet in height or involving over one thousand (1000) square feet of surface area shall be submitted by the Community NFIP Administrator to the U.S. Army Corps of Engineers and/or the Ohio Department of Natural Resources for review, recommendations, and approval as appropriate.
- (3) Flood control measures intended to remove lands from the Regulatory Floodplain district must be approved by FEMA. The Regulatory Floodplain shall be changed to coincide only with effective revisions to published NFIP maps.
- (4) Maintain engineering documentation and ensure that necessary maintenance will be provided for the altered or relocated portion of said watercourse so that the flood carrying capacity will not be diminished as required in Section 3.1(E).

**3.4-5                    INTERPRETATION OF FLOOD BOUNDARIES**

Make interpretations, where needed, as to the exact location of the boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). Where a map boundary and field elevations disagree, the elevations delineated in the flood elevation profile shall prevail.

**3.4-6                    ALTERATION OF COMMUNITY BOUNDARIES**

Upon occurrence, notify FEMA in writing whenever the boundaries of unincorporated Franklin County have been modified by annexation or the community has assumed authority over an area, or no longer has authority to adopt and enforce floodplain management regulations for a particular area. In order to ensure that Unincorporated Franklin County's Flood Insurance Rate Map accurately represents Unincorporated Franklin County's boundaries, include within such notification a copy of a map of Unincorporated Franklin County suitable for reproduction, clearly delineating the new corporate limits or the new area for which Unincorporated Franklin County has assumed or relinquished floodplain management regulatory authority.

### **3.5 VARIANCE PROCEDURE**

#### **3.5-1 VARIANCE BOARD**

- (1) Extraordinary circumstances may exist making a strict enforcement of the applicable standards of this resolution unreasonable and, therefore, a procedure for Variance is provided to allow for the flexibility necessary to adapt to changed or unusual conditions, both foreseen and unforeseen.

For this reason the Franklin County Commissioners have created a Board of Zoning Appeals to hear requests for Variance. Appeals from any decision of the Board may be taken by any person or persons aggrieved by any decision of the Board to the Franklin County Court of Common Pleas.

- (2) In passing upon a Variance request, the Board shall consider all technical evaluations, all relevant factors, standards specified in other sections of this resolution, and:
  - a. the danger that materials may be swept onto other lands to the injury of others;
  - b. the danger to life and property due to flooding or erosion damage;
  - c. the susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
  - d. the importance of the services provided by the proposed facility to the community;
  - e. the availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
  - f. the necessity to the facility of a waterfront location, where applicable;
  - g. the compatibility of the proposed use with existing and anticipated development;
  - h. the relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
  - i. the safety of access to the property in times of flood for ordinary and emergency vehicles;
  - j. the expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and,
  - k. the costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.

#### **3.5-2 CONDITIONS FOR VARIANCE**

- (1) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- (2) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- (3) Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the Base Flood level, providing items (a-k) in Section

3.5-1(2) have been fully considered. As the lot size increases beyond one-half acre, the technical justification required for issuing the variance increases.

- (4) Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
- (5) Variances shall only be issued upon:
  - a. a showing of good and sufficient cause;
  - b. a determination that failure to grant the variance would result in exceptional hardship due to the physical characteristics of the property. Increased cost or inconvenience of meeting the requirements of these regulations does not constitute an exceptional hardship to the applicant;
  - c. a determination that the granting of a variance will not result in increased flood heights beyond that which is allowed in this resolution, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public as identified or conflict with existing local laws or resolutions; and,
  - d. a determination that the structure or other development is protected by methods to minimize flood damages.
- (6) Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

## SECTION 4.0

### GENERAL STANDARDS, SPECIFIC STANDARDS FLOODWAYS

#### 4.1 GENERAL STANDARDS

In all areas of special flood hazard the following standards are required:

##### 4.1-1 ANCHORING

- (1) All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
- (2) All manufactured homes, not otherwise regulated by the Ohio Revised Code pertaining to manufactured home parks, shall be anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors.

##### 4.1-2 CONSTRUCTION MATERIALS AND METHODS

- (1) All new construction and substantial improvements shall be constructed with materials resistant to flood damage;
- (2) All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage; and
- (3) All new construction and substantial improvements shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

##### 4.1-3 PUBLIC OR PRIVATE UTILITIES OR FACILITIES

Activities or developments such as bridges, culverts, docks, wharves, piers, water supply systems, sanitary sewer systems, on-site waste disposal systems, storm sewers and works, or construction of other public or private utility works and appurtenances shall be planned, designed, constructed, installed, and maintained consistent with the need to minimize the potential for flood damage to them and to the community in accordance with this Resolution. Compensating measures shall be required by this Resolution to offset potential impacts of such projects.

#### **4.1-4 SUBDIVISION PROPOSALS**

- (1) All subdivision proposals, including manufactured home subdivisions, shall be consistent with the need to minimize flood damage;
- (2) All subdivision proposals, including manufactured home subdivisions, shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;
- (3) All subdivision proposals, including manufactured home subdivisions, shall have adequate drainage provided to reduce exposure to flood damage; and
- (4) All subdivision proposals, including manufactured home subdivisions, shall meet the specific standards of Section 4.2-4.

#### **4.1-5 STANDARDS IN SPECIAL FLOOD HAZARD WITHOUT BASE FLOOD ELEVATION DATA**

Refer to Section 3.4-2

#### **4.1-6 MAINTAIN FLOW CHARACTERISTICS**

No use of the Floodplain shall unduly or adversely affect or impact the efficiency, flow characteristics or flood heights of the main channel or other affected tributaries, ditches, drainage facilities or systems, for storm frequencies up to and including the Base Flood event.

#### **4.1-7 MINIMIZE FLOOD DAMAGE**

No use or encroachment within the floodway shall increase the base flood elevation. All activities and developments shall be planned, designed, constructed and installed consistent with the need to minimize damages in time of flooding.

#### **4.1-8 STORAGE OR PROCESSING OF MATERIALS**

Storage or processing of materials which are buoyant, pollutant, flammable, explosive, or could be injurious to human, animal or plant life in time of flooding shall be stored one and one half (1 1/2) feet above the Base Flood Elevation, or suitably flood-proofed and protected. Proposed protection measures and safeguards shall be approved by the OEPA.

Storage of materials or equipment or placement of other obstructions which in time of flooding may be dislodged or otherwise carried off site by flood waters to the possible damage or detriment to life or property must be protected by suitable safety measures.

#### **4.1-9 WASTE PROCESSING, DISPOSAL FACILITIES AND WASTEWATER TREATMENT AND DISPOSAL SYSTEMS**

Such facilities must be approved by the Ohio EPA, the County Sanitary Engineer, or the County District Board of Health, whichever has jurisdiction, and must be elevated or flood-proofed to provide protection from the Base Flood.



## **4.2 SPECIFIC STANDARDS**

In all areas of special flood hazard where base flood elevation data have been provided as set forth, the following provisions are required:

### **4.2-1 BUILDINGS AND STRUCTURES**

Temporary or permanent buildings and structures, including new construction and substantial improvement of residential and non-residential buildings shall be designed and constructed such that:

#### **A. RESIDENTIAL CONSTRUCTION**

- 1) Flood protection shall be achieved by elevating the structure; the lowest floor, including basement, shall be at least one foot above the Base Flood Elevation, plus Floodway computation increases; Floodway computation increase range from 0.0 to 0.5 feet and are listed in the Flood Insurance Study published by FEMA and available at the Franklin County Development Department.
- 2) See Section 3.4-2 for new construction and substantial improvements in special flood hazard areas where floodway and base flood elevation data have not been provided (A zones).
- 3) All structural, site and/or grading plans for residential development activities in the floodplain shall be prepared and sealed by a registered Professional Engineer and/or Architect.
- 4) The applicant shall obtain and furnish to the Community NFIP Administrator as-built elevations, certified by a Registered Surveyor, of the basement and first floor, to be maintained on file for public inspection.
- 5) No residential buildings and/or structures shall be located in the Floodway portion of the Floodplain.

#### **B. NONRESIDENTIAL CONSTRUCTION**

- 1) New construction and substantial improvement of any nonresidential structure shall either have the lowest floor, including basement, elevated to the level of the base flood elevation; or, together with attendant utility and sanitary facilities, shall:
  - a. be floodproofed so that the structure is watertight with walls substantially impermeable to the passage of water to at least one (1) foot above the base flood elevation.
  - b. have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and,

- c. be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the standards of this subsection. A floodproofing certificate, to be completed by a registered professional engineer or architect is required if floodproofing is chosen over elevation.
- 2) See Section 3.4-2 for new construction and substantial improvements in special flood hazard areas where floodway and base flood elevation data have not been provided (A zones).
- 3) All structural, site and/or grading plans for nonresidential development activities in the floodplain shall be prepared and sealed by a registered Professional Engineer and/or Architect.
- 4) The Applicant shall obtain and furnish to the Community NFIP Administrator as-built elevations, certified by a Registered Surveyor, of the basement and first floor, to be maintained on file for public inspection.
- 5) No nonresidential buildings and/or structures shall be located in the Floodway portion of the Floodplain.
- 6) In AO zones new construction and substantial improvements shall either have the lowest floor, including basement, elevated above the highest adjacent grade at least as high as the depth number on the community's Flood Insurance Rate Map (at least two feet if no depth number is specified); or be floodproofed to that level consistent with floodproofing standards, and adequate drainage paths shall be provided around structures on slopes, to guide floodwaters around and aware from proposed structures.

#### **C. ACCESSORY STRUCTURES**

Accessory structures, not for human occupancy, less than or equal to 576 square feet gross floor area and located in the Floodway Fringe shall be exempted from elevation or dry floodproofing standards provided the following standards are met:

- a. they shall be constructed of flood resistant materials and designed to have low flood damage potential (i.e. opening at grade);
- b. they shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of flood waters;
- c. they shall be firmly anchored to prevent flotation;
- d. service facilities such as electrical and heating equipment shall be elevated or floodproofed;
- e. they shall meet the structural opening requirements of Section 4.2-3.

The Applicant is advised this exemption may affect flood insurance premiums, the purchase of flood insurance or payment of flood insurance claims for such structures and their contents.

#### **4.2-2 MANUFACTURED HOMES AND RECREATIONAL VEHICLES**

The following standards apply to all new and substantially improved manufactured homes not subject to the manufactured home requirements of Section 3733.01, Ohio Revised Code:

- (1) Manufactured homes shall be properly anchored. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors.
- (2) Manufactured homes shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is at one (1) foot plus the Floodway computation increase above the base flood elevation.

Recreational vehicles must meet at least one of the following standards:

- (1) They shall not be located on sites in special flood hazard areas for more than 180 days, or
- (2) They must be fully licensed and ready for highway use, or
- (3) They must meet all standards for both Section 4.1 and Section 4.2.

#### **4.2-3 ENCLOSURES BELOW THE LOWEST FLOOR**

Fully enclosed areas below the lowest floor that are useable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must:

- (1) Be certified by a registered professional engineer or architect; or,
- (2) Must meet or exceed the following criteria:
  - a. a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
  - b. the bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, valves, or other openings provided that they permit the automatic entry and exit of floodwaters.

#### **4.2-4 SUBDIVISIONS AND LARGE DEVELOPMENTS**

See Section 3.4-2 for all subdivision proposals and other proposed development located in special flood hazard areas where floodway and base flood elevation data have not been provided (A zones).

### **4.3 FLOODWAYS**

#### **4.3-1 AREAS WITH FLOODWAYS**

The Flood Insurance Study identifies a segment within areas of special flood hazard known as a floodway. The floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles, and erosion potential. The following provisions apply within all delineated floodway areas:

- (1) All residential and nonresidential construction is prohibited within any floodway.
- (2) Other encroachments, including fill, and other development are prohibited unless a hydrologic and hydraulic analysis performed in accordance with standard engineering practices demonstrates that the proposed encroachment would not result in any increase in flood levels during the occurrence of the base flood discharge.
- (3) Any encroachment within the floodway that would result in an increase in base flood elevations can only be granted upon prior approval by the Federal Emergency Management Agency.

#### **4.3-2 AREAS WITHOUT FLOODWAYS**

In all areas of special flood hazard where FEMA has provided base flood elevation data but has not delineated a floodway, the following provisions apply:

- (1) Encroachments, including fill, and other development shall only be permitted if it is demonstrated that the cumulative effect of any proposed development, when combined with all other existing and anticipated development, shall not increase the water surface elevation of the base flood more than one (1) foot at any point.

## SECTION 5.0

### DEFINITIONS

**ACCESSORY STRUCTURE** - A subordinate structure, the use of which is incidental to that of a principal structure on the same lot.

**APPEAL** - A request for review of the interpretation of any provision of this resolution or a request for Variance.

**AREA OF SHALLOW FLOODING** - A designated AO or AH zone on a community's Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

**AREA OF SPECIAL FLOOD HAZARD** - The land in the floodplain subject to a one percent or greater chance of flooding in any given year. Areas of special flood hazard are designated by the Federal Emergency Management Agency as zone A, AE, AH, AO, A1-30, and A99.

**BASE FLOOD** - A flood having a one (1) percent chance of being equaled or exceeded in any given year. Sometimes referred to as the 100 Year Flood.

**BASEMENT** - Any area of the building having its floor subgrade (below ground level) on all sides.

**CHANNEL** - A natural or artificial depression of perceptible extent with definite bed and banks to confine and conduct flowing water either continuously or periodically.

**COMMUNITY NFIP ADMINISTRATOR** - The person, persons, agency, or other local government entity responsible for the administration and enforcement of the National Flood Insurance Program in compliance with Federal Law 44 CFR Parts 59 and 60. For unincorporated Franklin County (NFIP Community Number 390167) the Franklin County Development Department is the Community NFIP Administrator.

**DEVELOPMENT** - Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

**FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)** - The federal agency with overall responsibility for administering the National Flood Insurance Program (NFIP).

**FLOOD / FLOODING** - A general and temporary condition of partial or complete inundation of normally dry land area from either the overflow of inland or tidal waters, and/or the unusual and rapid accumulation or runoff of surface waters from any source.

**FLOOD INSURANCE RATE MAP (FIRM)** - An official map on which the Federal Emergency Management Agency has delineated the areas of special flood hazard.

**FLOOD INSURANCE STUDY** - Means the official report in which the Federal Emergency Management Agency or the U.S. Department of Housing and Urban Development has provided flood profiles, floodway

boundaries, and the water surface elevations of the base flood.

**FLOODPLAIN** - The areas adjoining a watercourse which are expected to be flooded as a result of a severe combination of meteorological and hydrological conditions.

**FLOODWAY** - A floodway is the channel of a river or other watercourse and the adjacent land areas that have been reserved in order to pass the base flood discharge. A floodway is typically determined through a hydraulic and hydrologic engineering analysis such that the cumulative increase in the water surface elevation of the base flood discharge is no more than a designated height. In no case shall the designated height be more than one foot at any point within the community.

**HISTORIC STRUCTURE** - Means any structure that is:

- 1) Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listings on the National Register;
- 2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- 3) Individually listed on the state of Ohio's inventory of historic places maintained by the Ohio Historic Preservation Office; or
- 4) Individually listed on the inventory of historic places maintained by a local historical society whose historic preservation program has been certified by the Ohio Historic Preservation Office.

**LOWEST FLOOR** - The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor; provided that such enclosure is built in accordance with the applicable design requirements specified in this resolution for enclosures below the lowest floor.

**MANUFACTURED HOME** - A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle".

**MANUFACTURED HOME PARK** - A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent. This definition shall exclude any manufactured home park as defined in Section 3733.01 of the Ohio Revised Code, for which the Public Health Council has exclusive rule making power.

**MANUFACTURED HOME SUBDIVISION** - A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for sale. This definition shall exclude any manufactured home park as defined in Section 3733.01 of the Ohio Revised Code, for which the Public Health Council has exclusive rule making power.

**NEW CONSTRUCTION** - Structures for which the "start of construction" commenced on or after the

initial effective date of the Franklin County (Unincorporated) Flood Insurance Rate Map, July 5, 1983, and includes any subsequent improvements to such structures.

**OBSTRUCTION** - Any dam, wall, wharf, embankment, levee, dike, pile, abutment, projection, excavation, channel rectification, culvert, building, wire, fence, stockpile, refuse, fill, structure, or matter which is in, along, across, or projecting into any channel, watercourse, or regulatory floodplain which may impede, retard, or change the direction of the flow of water either in itself or by catching or collecting debris carried by such water or which is placed where the flow of water might carry the same downstream to the damage of life or property.

**RECREATIONAL VEHICLE** - A vehicle which is (1) built on a single chassis, (2) 400 square feet or less when measured at the largest horizontal projection, (3) designed to be self-propelled or permanently towable by a light duty truck, and (4) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

**START OF CONSTRUCTION** - The date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date.

**STRUCTURE** - A walled and roofed building, manufactured home, or gas or liquid storage tank that is principally above ground.

**STRUCTURE, PRINCIPAL** - A structure in which is conducted the principal use of the lot on which it is situated.

**SUBSTANTIAL DAMAGE** - Means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. Substantial damage also means flood related damage sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.

**SUBSTANTIAL IMPROVEMENT** - Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage". For the purposes of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include any project to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified prior to the application for a development permit which are solely necessary to assure safe living conditions, or any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

**WATERCOURSE** - A channel in which a flow of water occurs either continuously or intermittently in a definite direction. The term applies to either natural or artificially constructed channels.

**VARIANCE** - A grant of relief from the standards of this resolution consistent with the variance conditions herein.

**VIOLATION** - Means the failure of a structure or other development to be fully compliant with this resolution.