

## **Proposed Revisions**

to the

### **October 26, 2010 Gila County Floodplain Management Ordinance**

January, 2015

**Purposes for Ordinance Revision:** This change was initiated by the need to correct some erroneous references in the ordinance. As it was being reviewed, it was observed that some areas could be worded better, so that the meaning and procedures are easier to understand. Finally, many residents are desiring to build large parking buildings, which now require a variance from the Board if the building is wet-floodproofed and not elevated, and larger than 600 square feet. After much justification and discussion with the State, it was agreed that we can allow large parking buildings, up to 1400 square feet, on residential lots to be wet-floodproofed without an individual variance from the Board, as long as it meets certain criteria. This should make it easier for the residents to construct large buildings for parking multiple cars, trucks, RVs, boats, ATVs, etc.

#### **Detailed description of changes and justifications:**

##### Section 2.0 - Definitions

"Accessory Structure" definition is clarified.

"Large Parking Building" definition has been added to accommodate wet-floodproofing (flood vents and flood-resistant materials) for buildings larger than 600 square feet, up to 1400 square feet.

##### Section 3.2 - Basis for Establishing the Areas of Special Flood Hazard

Wording is added to clarify the wording describing the situations which the Ordinance regulates, clarify that engineering work is to be sealed by the engineer, in accordance with state law.

##### Section 3.3 - Compliance

The scope of regulation is clarified to agree with the FEMA regulations in 44 CFR 60.

##### Section 3.7.E

Revised a citation from ARS to clarify a reference.

### Section 4.1 - Floodplain Use Permit

Information about the information that needs to be submitted by an applicant for a floodplain use permit is clarified and expanded. Including this information in the ordinance allows applicants to prepare all needed information in advance of the application for a permit, allowing staff to process permit applications more rapidly. This also helps to meet new state requirements for permit processing.

### Section 4.3

C. Revised to allow flexibility on whether data submitted for an individual permit is submitted to the Board for adoption in regulating other development in the area. The best available information at a specific time that is used for an individual permit, may or may not be judged to be adequate to apply as a regulatory standard on a regional basis.

D. Revised wording to correct references and clarify the requirements.

### Section 4.4 - Floodplain Clearance

This section is added to explain the current process to quickly process and approve permit applications where there is floodplain on the building parcel, but all construction is proposed outside of the floodplain area.

### Section 5.1 - Design Standards

Revised to allow the Floodplain Administrator to allow standards other than the ADWR State Standards for floodplain management, as long as they provide an equal or greater degree of flood protection, or are based on better scientific information.

### Section 5.2 - Standards of Construction

Parts of this section have been revised to provide clarification of Federal requirements for construction in floodplains, where it may not have been very well defined in the ordinance in the past. Specific examples are anchoring of fuel (mainly propane) tanks, location of all electrical and mechanical system components above the regulatory flood elevation (electric meters, air conditioning compressors, etc), protection of electrical lines entering buildings, flood-resistant materials usage below the regulatory flood elevation, etc.

5.2.C.5. A section is added for "large parking buildings" to allow parking buildings larger than 600 square feet and up to 1400 square feet to be wet-floodproofed in lieu of elevating the floor, without a variance from the Board, if certain criteria are met for the building.

Paragraph a gives the size limit.

Paragraphs b through f are standard FEMA criteria for wet-floodproofing. Paragraph g limits how far the building floor can be below the regulatory flood elevation (1.4 feet below the actual 100-year water depth). If greater than 2.4 feet, flood insurance rates

must be determined on an individual basis, and are generally much more expensive; many automobiles begin to float at a water depth of two feet, and limiting the depth minimizes the risk of automobiles being displaced inside the building and impacting walls; and the depth of water is restricted to limit the risk to people.

Paragraph h prohibits this size building within a floodway. Floodways need to be kept free from obstructions as much as possible to allow the passage of flood water without large obstructions, so large parking buildings are not allowed there.

Paragraph i contains standard Federal requirements for certifying that the construction was done appropriately.

Paragraph j requires that the wet-floodproofed area never be converted to other uses, including habitable areas, without retrofitting to bring them into compliance with all floodplain regulations in effect at the time, and obtaining the required permits. A non-conversion agreement is to be required as a condition of the floodplain use permit. This is important, since uses such as habitable areas need to be elevated above the flood elevation in order to protect life during flooding.

#### Section 5.6.A - Manufactured Home Elevation

Revised to reflect the wording of ARS 48-3609.B.5

#### Section 5.6.B - Manufactured Home Anchoring

Revised to allow more flexibility in the type of manufactured home anchoring to use, while still being compliant with Federal requirements.

#### Section 5.7 - Standards for Recreational Vehicles

Revised to correct an erroneous reference and to reference the floodway requirement in Section 5.8.

#### Section 5.8 - Floodways

Minor wording changes for clarity.

#### Section 5.9 - Flood-Related Erosion-Prone Areas

Revised Paragraph C so that erosion setbacks are not regulated outside of special flood hazard areas, to be consistent with the ordinance's jurisdiction as stated in Section 3.1.

#### Section 6.3 - Variances

Eliminated the paragraph on special variances to wet-floodproof parking buildings over 600 square feet, since a variance is no longer required to wet-floodproof buildings from 601 up to 1400 square feet that meet the conditions in section 5.2.C.5.

#### Section 7.1 - Flood Limits on Subdivision Plats

Revised to change the effective date of Section 7.1 to October 26, 2010, which was the date Section 7.1 originally became effective.

#### Index

Page numbers are revised to accommodate additions and deletions.