

## **Frequently-Asked Questions** **about Floodplains and Flood Insurance**

### *What is a floodplain ?*

The floodplain is any area covered by water during normal water flows, and which could be inundated as a result of storm runoff. Gila County regulates the portion of the floodplain that would be covered by discharges with a one-percent probability of occurrence (the 100-year flood). Those floodplains shown on the FEMA flood Insurance Rate Maps, and others adopted by ordinance or Board action to be regulated floodplains, will be under the jurisdiction of the Gila County Floodplain Management Ordinance. Other floodplains, depending on size, may fall under the jurisdiction of the Gila County Grading and Drainage Ordinance.

## **FLOOD INSURANCE**

### **1. *Where can you obtain floodplain information for insurance purposes?***

Your realtor, mortgage lender, or engineer should have all relevant floodplain information on your property. You may also contact county personnel at the addresses listed following this section for assistance. For insurance purposes through the National flood Insurance Program, flood information is obtained exclusively from the FEMA Flood Insurance Rate Map. *Gila County has no involvement with individual flood insurance policies.*

### **2. *Can I get flood insurance ?***

All properties in the County can get flood insurance, regardless of location.

### **3. *Will I need flood insurance ?***

If your property is located in a 100-year floodplain, or if there are minor tributary washes which could cause damage to your property, even if they are not on the FEMA flood maps, you are strongly encouraged to obtain flood insurance to protect your investment in your property. Federal disaster assistance is not always available following a flood, but flood insurance can cover you regardless. The federal government requires that you obtain flood insurance in some situations:

All structures (not land), where the mortgage is from a Federally Insured Agency, or if the loan is guaranteed by a Federal Program, which are in a 100-year floodplain, are required to have flood insurance.

If you are buying property or refinancing, your lender often uses a flood determination company to do his own determination. If the county has done a flood hazard determination for development purposes, it may or may not be accepted by a lender. The lender is ultimately responsible for the flood zone determination for flood insurance purposes, and may have a company, not familiar with the County, do another determination.

The Flood Insurance Rate Maps are the best available flood information, and we are required to use them. Federal insurance rates vary depending on the flood risk. If your house does not comply with the requirements for construction in a floodplain, you may be charged a higher premium for flood insurance.

## **DEVELOPMENT WITHIN A FLOODPLAIN**

**1. *Why do I need a floodplain permit? My property has never flooded ?***

The floodplain use permit helps you by ensuring that your proposed development is constructed in a manner that reduces the risk of life and property damage when floods occur. The standard which has been adopted for floodplain management in the United States is the "100-year" or "one-percent" flood, which has a one-percent chance of occurring in any given year. It is very possible that you have not seen that flood occur at your parcel, but there is still a risk of flooding.

If you are proposing any development or modification to existing development, the flood zone for your parcel needs to be determined by the County prior to permitting. If it is determined that your parcel is totally or partially within a regulatory floodplain, a Floodplain Use Permit application is required prior to applying for a building permit.

**2. *What is a local floodplain and how does it differ from FEMA floodplains ?***

FEMA floodplains are mapped by the Federal Emergency Management Agency. However, there are many floodprone areas in Gila County that are not mapped by FEMA, many of which are extremely hazardous building locations. Some local floodprone areas have been identified in Gila County using Arizona State Standard methodologies. Although a few of these areas may be regulated under the Floodplain Management Ordinance, most of these will be regulated under the Gila County Grading and Drainage Ordinance, administered by the Engineering Department of Gila County Public Works. Many of the requirements, however, are similar to those areas regulated by the floodplain management ordinance. To determine the floodplain status of a property, please contact Gila County Community Development.

**3. *How can you tell if your property is located within the regulatory floodplain for building purposes?***

Gila County uses the Federal Flood Insurance Rate Maps (FIRMS) as the primary indicator of regulatory floodplains. Contact the County at either of the addresses listed following this section but be sure to have the APN (Assessor's Parcel Number) and/or the address of your property.

Recently platted subdivision maps also have the 100-year floodplain clearly marked on them. They may also be regulatory floodplains (County Flood Control District staff can help you to know which subdivision plats have regulatory floodplain status). If you are not within a regulatory floodplain, but there are indications of flooding potential, you may contract for an engineering study by a private consulting civil engineering firm to determine the flood prone area on your parcel, and how to build for flood safety.

**4. *What is a Floodplain Use Permit ?***

A Floodplain Use Permit is an official document which authorizes specific activity within the regulatory floodplain and/or erosion hazard area, and contains stipulations on how construction is to be done to minimize flood losses. Regulated activities include but are not limited to improvements, temporary construction, fencing, drainage alterations, and/or erosion protection.

**5. *Who needs a Floodplain Use Permit ?***

Any party planning any development within any regulatory floodplain or erosion hazard setback in the unincorporated area of Gila County needs to apply for a floodplain use permit. If your proposed development is on a parcel of land which contains any area in a floodplain, an application for a floodplain use permit is still required. If the Floodplain Administrator verifies that the floodplain and erosion hazard zone do not affect and are not affected by the proposed development, a Floodplain Clearance will be issued in lieu of a floodplain Use Permit, and the applicant can then proceed to apply for Building Permits.

**6. *Is it possible to build on a floodprone lot ?***

Yes, with restrictions.

**7. *What restrictions can be placed on development within the floodplain ?***

The lowest floor in any structure must be elevated at least one foot above the base flood water surface elevation. Improvements must be located a safe distance from any regulatory wash to reduce erosion hazards, or engineered erosion protection may be used.

Chain link, field fencing, or solid walls located at or near the property boundaries generally may not be placed in a manner which could obstruct or divert flow, within flood prone areas.

Other requirements and restrictions are specified in the Gila County Floodplain Management Ordinance. Copies are available online, at the Gila County Flood Control District, or at the Floodplain Department of Community Development. Development within the Regulatory Floodway will have additional stipulations.

**8. *What steps are required when developing a floodprone lot ?***

Determine where the floodplain areas on your property are located. Prepare a site plan showing proposed development and the floodplain.

Submit your site plan and Floodplain Use Permit application to Gila County Community Development for review. Obtain a Floodplain Use Permit prior to obtaining County building permits. Return the FEMA Elevation Certificate, required by the Floodplain Use Permit, to Gila County Community Development.

**9. *When is it not possible to build on a floodprone lot ?***

You may not construct any development within a designated floodway, unless it is shown by engineering analysis that the proposed development would not cause any rise in the 100-year flood elevation. Site-specific requirements may also be stipulated due to the hazardous nature of the floodway. Floodways are mapped on Flood Insurance Rate Maps, issued by the FEMA, or in some subdivision drainage reports, or on studies adopted by the Board to be used for floodplain management. Development is not allowed within erosion setbacks unless engineered erosion protection is constructed.

**10. *Are there fees involved ?***

There is no fee for a Floodplain Use Permit at this time. You may incur some costs associated with plan preparation , engineering, or surveying, if required.

**11. *May I apply for other permits at the same time ?***

A building permit will not be issued until the Floodplain Use Permit is issued.

**12. *Do I need a permit for a culvert ?***

A culvert requires a Floodplain Use Permit if it is placed within a regulatory floodplain. Even if a permit is not required, the County highly recommends having the culvert designed by an Arizona registered civil engineer, as culverts that are not designed properly often do not do the job they intended to do. You may also be liable for property damage resulting from an improperly designed or installed culvert. Common culvert sizes convey relatively small amounts of water. Depending on the location of the culvert, a Grading and Drainage Permit or a Right-of-Way Use Permit may also be required. Those permits are issued by the Engineering Department of Gila County Public Works.

**13. *Do I need a permit for a shed or other structure which is less than 200 square feet ?***

All structures must be constructed in compliance with the Floodplain Ordinance. Please submit an application for a Floodplain Use Permit, with the required site plan, and type of construction, and a determination will be made by floodplain staff whether the structure meets the requirements to be exempt from a floodplain use permit, or if special requirements are necessary.

**14. *Do I need a permit for a wall/fence less than 6 feet high ?***

If the wall lies within a regulatory floodplain, a Floodplain Use Permit is required. While Building Codes are concerned about the height of walls for visibility and structural reasons, the bottom of the fence, up to the flood level, are of greatest concern. Even short walls and fences have the potential to push water onto adjacent parcels, causing increased erosion and/or flooding adjacent homes. Regardless of whether the fence is in a floodplain, you may be liable for any damages caused if local drainage is altered.

***15. Do I need a permit for an improved, concrete or asphalt, wash crossing ?***

If the improvement is within a regulatory floodplain then a Floodplain Use Permit is required. Improved wash crossings can be dangerous if not constructed properly. Nearly all improved regulatory wash crossings require an engineering analysis, prepared by an Arizona-registered civil engineer, which demonstrates that the proposed crossing will be safe during the 100-year flood. Engineering Studies must be reviewed and approved by the Chief Engineer of the Flood Control District prior to issuance of any Floodplain Use Permit. A wash crossing may also require a permit from the US Army Corps of Engineers, who issues permits under Section 404 of the Clean Water Act.

***16. What is the average wait time for a permit ?***

Floodplain Use Permit processing time can vary due to workload and seasons. The time it takes the County to complete a permit also depends greatly on the information that is submitted with the application. Permits can be significantly delayed if violations are found on the property, if the site plan does not adequately or accurately show proposed or existing improvements, if proposed improvements are not located appropriately in the floodplain, if the County requires additional information to properly evaluate the hazard to the proposed improvements, or if the proposed improvements are in a high hazard area. Permitting time frames will be determined pursuant to ARS 48-3645 and published on the web.

***17. Do I need a permit to grade a driveway on my property ?***

If any portion of the proposed grading modifies the land elevations or redirects drainage within a regulatory floodplain, a Floodplain Use Permit may be required. If the driveway includes any improved wash crossings (concrete, asphalt, culverts, bridge) an engineering analysis and design may be required so that the crossing will withstand the base flood. If grading is only minor maintenance which has no impact on drainage and does not change the driveway elevation, no permit would be required.

***18. Do I need a permit to change the direction of a wash ?***

Redirection or other modification of a regulatory wash requires a Floodplain Use Permit. In addition, an engineering analysis prepared by an Arizona-registered civil engineer must be submitted to prove that changing the wash location will not adversely affect adjacent properties. A Conditional Letter of Map Revision (CLOMR) from FEMA may be required as a condition of a Floodplain Use Permit, which will need to be followed by a Letter of Map Revision (LOMR) from FEMA when complete. A Section 404 Permit from the US Army Corps of Engineers may also be required as a condition of a Floodplain Use Permit. Floodplain Use Permits for channel modifications should be submitted directly to the Gila County Flood Control District.

**19. How high do I need to elevate my manufactured home ?**

The elevation requirement for manufactured homes in regulatory floodplains depends on the regulatory flood elevation at the location where the manufactured home is placed. In some locations where flood elevations are unknown (not provided by FEMA), the County may require an engineering study/analysis prepared by an Arizona-registered civil engineer to be submitted to and approved by the Floodplain Administrator prior to issuance of a Floodplain Use Permit. Manufactured homes must be elevated one foot above the 100-year water surface elevation, as measured from the bottom of the lowest structural support member (usually the I-beam).

**20. How high do I need to elevate my site-built home ?**

The elevation requirement for site-built homes in regulatory floodplains depends on the regulatory flood elevation at the location where the home is constructed. In some locations where flood elevations are unknown (not provided by FEMA), the County may require an engineering study/analysis prepared by an Arizona-registered civil engineer to be submitted to and approved by the Floodplain Administrator prior to issuance of a Floodplain Use Permit. Elevation requirements for site-built homes are that the lowest floor elevation be one foot above the base flood water surface elevation, including attached garages. The "lowest floor elevation," as defined in the FEMA regulations, and the Gila County Floodplain Management Ordinance, depends on the type of construction and details of the construction. Please bring a sketch of your proposed construction, and consult with Floodplain staff regarding the floor elevation prior to submitting permit applications and final plans.

**21. Is there a way to avoid having to elevate my detached shed or garage ?**

*It is always preferable to elevate the floor to the Regulatory Flood Elevation, in order to protect the contents and to have fewer restrictions on the present and future use of the structure, if needed.* However, if necessary, it is allowable to have a fully enclosed structure or attached garage with a finished floor below the Regulatory Flood Elevation (RFE), with certain restrictions.

- The building/garage must be usable solely for vehicle parking or limited storage, it must be "wet-floodproofed," by using openings, called "flood vents" to equalize water forces on both sides of the walls by allowing for the automatic entry and exit of floodwaters. Flood venting must be on at least two walls if possible with the bottom of the vents within one foot of grade. The total area of flood vents must be equal to at least one square inch of net opening (excluding obstructions from screening, louvers, etc.) per square foot of enclosed area.
- It must be constructed of flood-resistant materials up to the RFE in accordance with the Floodplain Ordinance. Flood-resistant materials are those that can be inundated by floodwaters with little or no damage, such as concrete, stone, masonry, pressure-treated lumber, and epoxy paint. A FEMA publication on acceptable flood-resistant materials is available.

- Detached buildings over 600 square feet in size require a that variance be obtained from the Board, after discussion in a public meeting, before a floodplain use permit may be issued. There is some time involved in the variance process.
- Wet-floodproofed areas or structures must always be used solely for parking and limited storage unless brought into compliance with the floodplain regulations for other uses (which also requires a separate floodplain use permit). Typically, this means that the floor would need to be retrofitted to be at an elevation of at least the RFE, which is not always economically feasible to do at a later time.
- Flood Insurance premiums for buildings with the floor below the RFE will also be quite expensive compared to structures with elevated floors.

These issues should be considered when proposing construction with floors below the regulatory flood elevation. The size and location of flood vents and the types of flood-resistant materials used must also be shown on the site plan and building plans.

**22. *Why do I have to complete an Elevation Certificate for my structure ?***

The Floodplain Ordinance and FEMA require that an Elevation Certificate must be submitted to the County for review and approval, for all structures within a regulatory floodplain. The purpose of the Elevation Certificate is to ensure that the structure is elevated and/or flood vented as required by the floodplain use permit for the structure. All Elevation Certificates must be completed by an Arizona-registered land surveyor or civil engineer using the FEMA form in effect at the time of submittal.

**23. *If I have a wash on my property how far do structures need to be away from it?***

Wash setbacks may be for erosion hazards or for floodways. Erosion hazard setbacks, depend upon the base flood peak discharge (flow rate) going through the wash at the property. For regulatory washes, the setback can range from 20 feet to hundreds of feet. In some cases the County may not have the base flood discharge of the wash available, and may require that an engineering analysis/study, prepared by an Arizona-registered civil engineer, be submitted to and reviewed by the Floodplain Administrator prior to issuance of a floodplain use permit. Please check with the County to determine what erosion hazard setback distance, if any, is required. In floodplains where a floodway has not been defined, the ordinance defines a minimum floodway including the channel width plus twenty feet from the top of the bank extending out away from the channel on each side of the watercourse.

**24. *Do I need a permit to replace a manufactured home on my property ?***

Yes, any time a manufactured home is replaced within a regulatory floodplain a new floodplain use permit is required. A replacement manufactured home is considered as new construction, which needs to comply with the floodplain ordinance and building codes in effect at the time of replacement.

**25. *What is sheet flooding, and how deep is it ?***

Sheet flooding exists in areas that are flat or have a low slope and where there are no or few well-defined washes, or where washes are not large enough to contain all the water delivered by large storm events. As a result, flood waters flow in a broad sheet across the entire ground surface. For this reason, sheet flooding is hard to recognize, leading many to believe there is no hazard. In a sheet flood area, the flooding is likely to affect all or most of your property. The County recommends that all property owners within the sheet flood area purchase flood insurance as flood damage to structures or home contents are not typically covered by Homeowners insurance policies.

Where sheet flooding has been identified, the depth will be shown on the Flood Insurance Rate Maps. Homes and other structures that are not elevated have been flooded by water less than six inches deep. Sheet flooding has been known to undercut building foundations, causing potentially significant building stability problems, and pull up and move fences. In addition, even shallow moving water exerts a tremendous amount of force on objects that obstruct its movement.

## **OTHER FLOODPLAIN ISSUES**

**1. *What about all of the houses and other improvements in the floodplain that have already been built ?***

Individuals who built before the awareness of a flood hazard may have structures that are not built with adequate protection from flood hazards. Improvements constructed legally are allowed to continue to exist, though restrictions may be placed on modifying or replacing them.

**2. *My neighbor is blocking/altering a wash or floodplain. Who should I contact ?***

If a neighbor is blocking or altering a wash or regulatory floodplain it may constitute a violation of the Floodplain Ordinance and may cause adverse affects to adjacent properties. As such, the Floodplain Administrator should be contacted.

**3. *If I think that I'm not in a floodplain, can I get myself out of the floodplain ?***

The FEMA regulations provide the opportunity to demonstrate that your property is not subject to flooding. In order to do this, you will likely be required to provide an analysis from an Arizona registered civil engineer that shows that the property is not subject to flooding, or an Elevation Certificate from a Registered Land Surveyor that shows that natural ground at all points around the home is above the regulatory flood elevation. There are different submittal forms for different situations. Some cases also involve FEMA review fees.

If you wish to pursue this option, please contact the Floodplain Administrator to obtain more information, or visit [www.fema.gov](http://www.fema.gov) and search for information on Letters of Map Change.

**4. *My house was flooded during a storm event. Should I contact the County ?***

If your house was flooded during a storm event you may contact the County. A representative of the County will contact you and/or visit the site to review the cause of the flooding and to provide recommendation on how to remediate the damage to the structure and can provide advice for protecting the structure from future flood events. The structure may experience mold problems if proper steps are not taken to dry out any moisture. In addition, repairs to the structure may require a FPUP. Other than providing advice, the County is limited in the amount of other assistance, including financial assistance, which can be provided. The County is prohibited from spending public money on private property. Flood Insurance, through the National Flood Insurance Program, is highly recommended as the most effective way to protect the investment in your home.