

Subpart A - GENERAL ORDINANCES  
Chapter 39 FLOOD DAMAGE PREVENTION

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## Chapter 39 FLOOD DAMAGE PREVENTION

### Sec. 39.043. Specific standards for AE, AH, and AO zones.

In all zones AE, AH, and AO where base flood elevation data has been provided, as set forth in section 39.021, the following provisions apply:

- (1) Compliance with the standards in section 39.041.
- (2) *Residential structures.*
  - a. All new construction or substantial improvements of residential structures ~~within zones AE and AH~~ must have the lowest floor (including basement) elevated to two feet above the base flood elevation.
  - b. All new construction and substantial improvements of residential structures within AO zone must have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the FIRM (at least two feet if no depth number is specified), unless a base flood elevation has been designated by the floodplain administrator.
  - c. A registered professional engineer, architect or land surveyor shall submit an elevation certification to the floodplain administrator that this standard is satisfied.
- (3) *Nonresidential structures.*
  - a. All new construction or substantial improvements of nonresidential structures must have the lowest floor (including basement) elevated to two feet above the base flood elevation. Nonresidential structures ~~within zones AE and AH~~ may not be floodproofed in lieu of being elevated unless a variance is granted pursuant to section 39.030, and provided that together with all attendant utility and sanitary facilities, be designed so that below the base flood elevation plus two feet the structure is water-tight with walls substantially impermeable to the passage of water, and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect must certify that the provisions of this subsection are satisfied. The FEMA floodproofing certificate must be prepared and submitted to the floodplain administrator along with any corresponding operational and maintenance plans.
- (9) *Encroachments.* Encroachments, including fill, new construction, substantial improvements and other developments within the floodplain are prohibited unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge. An increase in the water surface elevation of a floodplain may be permitted only when all of the following conditions are met:
  - a. The property owner owns both sides of the floodplain to the extent of the increase in water surface elevation;
  - b. The increase in the regulatory floodplain is contained in a dedicated drainage easement or right-of-way; and

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- c. The increase in water surface elevation for the 1% annual chance flood does not exceed one foot ~~six inches~~.

**Sec. 39.044. Additional provisions for manufactured homes and recreational vehicles.**

- (1) All manufactured homes to be placed within zone A shall be installed using methods and practices which minimize flood damage. For the purpose of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse or lateral movement. Methods of anchoring may include but are not limited to use of over-the-top or frame ties to ground anchors. This requirement is in addition to other applicable anchoring requirements for resisting wind forces.
- (2) All manufactured homes shall be in compliance with section 39.041.
- (3) Manufactured homes that are placed or substantially improved within zones ~~AH~~AO and AE on the community's FIRM on sites (i) outside of a manufactured home park or subdivision, (ii) in a new manufactured home park or subdivision, (iii) in an expansion to an existing manufactured home park or subdivision, or (iv) in an existing manufactured home park or subdivision where a manufactured home has incurred substantial damage as the result of a flood, shall be elevated on a permanent foundation so that the lowest floor of the manufactured home is at or above two foot above the base flood elevation and that the home shall be securely anchored to an adequately anchored foundation system in accordance with section 39.041.
- (4) Manufactured homes to be placed or substantially improved on sites in an existing manufactured home park or subdivision within zones ~~AHAO~~AO and AE on the community's FIRM that are not subject to subsection (3) of this section shall be elevated on a permanent foundation so that the lowest floor of the manufactured home is at or above two foot above the base flood elevation and that the home shall be securely anchored to an adequately anchored foundation system so that either (i) the lowest floor of the manufactured home is at or above two feet above the base flood elevation, or (ii) the manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system in accordance with section 39.041.
- (5) All recreational vehicles placed on sites within zones ~~AH~~AO and AE must either:
- (a) Be on the site for fewer than 180 consecutive days;
  - (b) Be fully licensed and ready for highway use; or
  - (c) Meet the requirements for new construction, including anchoring and elevation requirements for manufactured homes in this subsection.

A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

(Ord. No. 2020-87, § 1, 12-15-20)