**EXISTING SECTION OF ZONING ORDINANCE WITH CHANGES IN YELLOW**

Section 1106.

FLOOD DAMAGE PREVENTION ORDINANCE

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1. **Purpose**

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

1. To protect human life and health;
2. To minimize expenditure of public money for costly flood control projects;
3. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
4. To minimize prolonged business interruptions;
5. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in areas of special flood hazard;
6. To help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future flood blight areas;
7. To ensure that potential buyers are notified that property is in an area of special flood hazard; and,
8. To ensure that those who occupy the areas of special flood hazards assume responsibility for their actions.

**Methods of Reducing Flood Losses**

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

1. Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
2. Requiring that 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.

**B. Definitions:**

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

1. *Area of special flood hazard* is the land in the flood plain within a community subject to a 1 percent or greater chance of flooding in any given year. The area may be designated as Zone A on the FHBM. After detailed ratemaking has been completed in preparation for publication of the flood insurance rate map, Zone A usually is refined into Zones A, AO, AH, A1-30, AE, A99, AR, AR/A1-30, AR/AE, AR/AO, AR/AH, AR/A, VO, or V1-30, VE, or V. For purposes of these regulations, the term “special flood hazard area” is synonymous in meaning with the phrase “area of special flood hazard”.
2. *Base flood* means the flood having a one percent chance of being equaled or exceeded in any given year.
3. *Base Flood Elevation (BFE)* – Is the water surface elevation of the one (1) percent annual chance flood. The height in relation to mean sea level exp3ected to be reached by the waters of the base flood at pertinent points in the floodplains of coastal and riverine areas.
4. *Breakaway wall* means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.
5. *Development* The carrying out of any surface or structure construction, reconstruction or alteration of land use or intensity of use. Building permit to serve as Development permit and shall be required to ensure conformance with the provisions of this ordinance.
6. *Erosion* means the process of the gradual wearing away of land masses. This peril is not per se covered und the Program.
7. *Flood or Flooding* means:

(a) A general and temporary condition of partial or complete inundation of normally dry land areas from:

* + 1. The overflow of inland or tidal waters.
		2. The unusual and rapid accumulation of runoff of surface waters from any source.
		3. Mudslides (i.e., mudflows) which are proximately caused by flooding as defined in paragraph (a)(2) of this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.

(b) The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph (a)(1) of this definition.

1. *Flood elevation* determination means a determination by the Administrator of the water surface elevations of the base flood, that is, the flood level that has a one percent or greater chance of occurrence in any given year.
2. *Flood Insurance Rate Map (FIRM)* means an official map of a community, on which the Administrator has delineated both the special hazard areas and the risk premium zones applicable to the community.
3. *Flood Insurance Study or Flood elevation study* means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and /or flood-related erosion hazards.
4. *Flood plain or flood-prone area* means any land area susceptible to being inundated by water from any source (see definition of “flooding”).
5. *Flood proofing* means any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.
6. *Floodway* – see regulatory floodway.
7. *Highest adjacent grade* means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.
8. *Historic Structure* means any structure that is:
9. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the national Register;
10. 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;
11. Individually listed on a state inventory of historic places in states with historic reservation programs which have been approved by the Secretary of the Interior; or
12. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:

1. By an approved state program as determined by the Secretary of the Interior or

2. Directly by the Secretary of the Interior in states without approved programs.

1. *Levee* means a man-made structure usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.
2. *Lowest Floor* means 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 not built so as to render the structure in violation of the applicable non-elevation design requirements of Sec. 60.3.
3. *Map* means the Flood Hazard Boundary Map (FHBM) or the Flood Insurance Rate Map (FIRM) for a community issued by the Agency.
4. *Mean sea level* means,for purposed of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community’s Flood Insurance Rate Map are referenced.
5. *Recreational vehicle* A motor home, travel trailer, truck camper, or camping trailer, with or without motor power, designed for human habitation for recreational or emergency occupancy. A recreational vehicle does not include manufactured homes.
6. *Regulatory floodway* means the channel of river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.
7. *Special flood hazard area:* see “area of special flood hazard”.
8. *Special flood hazard area* means an area having special flood, mudslide (i.e. mudflow), or flood-related erosion hazards, and shown on an FHBM or FIRM as Zone A, AO, A1-30, AE, AR, AR/A1-30, AR/AE, AR/AO, AR/AH, AR/A, A99, AH, VO, V1-30, VE, V, M, or E.
9. *Water surface elevation* means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, (or other datum, where specified) of floods of various magnitudes and frequencies in the flood plains of coastal or riverine areas.

1. **General Provisions:**

**1. Statutory Authorization**

The Legislature of the State of South Dakota has in (statutes) SDCL 9-36 and 7-18-14 delegated the responsibility of local governmental units to adopt regulations designed to minimize flood losses. Therefore, the County Commissioners of Grant County, SD, does ordain as follows:

The county of Grant elects to comply with the requirements of the National Flood Insurance Act of 1968 (P.L. 90-488, as amended). The National Flood Insurance Program, established in the aforesaid act, provides that areas of the town having a special flood hazard be identified by the Federal Emergency Management Agency and that the floodplain management measures be applied in such flood hazard areas. The National Flood Insurance Program was broadened and modified with the passage of the Flood Disaster Protection Act of 1973 and other legislative measures. It was further modified by the National Flood Insurance Reform Act of 1994. The National Flood Insurance Program is administered by the Federal Emergency Management Agency, a component of the U.S. Department of Homeland Security.

**2. Findings of Fact**

(1) The flood hazard areas of Grant County are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, and extraordinary public expenditures for flood protection and relief, all of which adversely affect the public health, safety, and general welfare.

(2) These flood losses are created by the cumulative effect of obstructions in floodplains which cause an increase in flood heights and velocities, and by the occupancy of flood hazards areas by uses vulnerable to floods and hazardous to other lands because they are inadequately elevated, flood proofed or otherwise protected from flood damage.

**3. Lands to Which This Ordinance Applies**

This ordinance shall apply to **the unincorporated areas** ~~all areas of special flood hazards within the jurisdiction~~ of Grant County.

**4. Basis for Establishing the Areas of Special Flood Hazard**

The areas of special flood hazard identified by the Federal Emergency Management Agency in a scientific engineering report entitled, “The Flood Insurance Study for Grant County,” dated November 4, 2009 with accompanying November 4, 2009.

Flood Insurance Rate Maps and Flood Boundary-Floodway Maps (FIRM and FBFM) and any revisions thereto are hereby adopted by reference and declared to be a part of this ordinance.

1. **Compliance**

No structure or land shall hereafter be constructed, located, altered or have its use changed without full compliance with the terms of this ordinance and other applicable regulations.

**6. Abrogation and Greater Restrictions**

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

**7. Interpretation**

In the interpretation and application of this ordinance, all provisions shall be:

1. considered as minimum requirements;

2. liberally construed in favor of the governing body; and,

3. deemed neither to limit nor repeal any other powers granted under State statutes.

**8. Warning and Disclaimer of Liability**

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. On rare occasions greater floods can and will occur and flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas of will be free from flooding or flood damages. This ordinance shall not create liability on the part of the community or any official or employee thereof, for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made thereunder.

**D. Administration**

1. **Establishment of Development Permits**

**The following** ~~A~~ development permit**s** shall be obtained **for certain construction or development activities.** ~~before construction or development begins within any area of special flood hazard established in Section 1106.~~

**1. Flood Plain Development Permit (Development Permit)**

**Before construction or development begins within any area of special flood hazard established in Section 1106** application for a Development Permit shall be presented to the Floodplain Administrator on forms furnished by him/her and may include, but not be limited to, plans in duplicate drawn to scale showing the location, dimensions, and elevation of proposed landscape alterations, existing and proposed structures, including the placement of manufactured homes, and the location of the foregoing in relation to areas of special flood hazard Additionally, the following information is required:

~~1.~~ **i.**Elevation (in relation to mean sea level), of the lowest floor (including basement) of all new and substantially improved structures;

~~2.~~ **ii.**Elevation in relation to mean seal level to which any nonresidential structure shall be floodproofed;

~~3.~~ **iii.**A certificate from a registered professional engineer or architect that the nonresidential floodproofed structure shall meet the floodproofing criteria of Article V;

~~4.~~ **iv.**Description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of proposed development.

**2. Hydrologic Alteration Development Permit (HADP)**

**A HADP shall be obtained prior to the commencement of any construction or development as described in Section 1106.G.1 in any special flood hazard area, floodway, or Zone X as identified in the most recently adopted Flood Insurance Rate Map for the unincorporated areas of Grant County.**

**B. Designation of the Floodplain Administrator**

The Zoning Officer is hereby appointed the Floodplain Administrator to administer and implement the provisions of this ordinance and other appropriate sections of 44 CFR (National Flood Insurance Program Regulations) pertaining to floodplain management.

**C. Duties and Responsibilities of the Floodplain Administrator**

The Zoning Officer is hereby appointed to administer and implement the provisions of this ordinance and other appropriate sections of 44 CFR(National Flood Insurance Program Regulations) pertaining to floodplain management.

Duties of the Zoning Officer shall include but not be limited to: Permit Review

a. Review all development permits to determine that the permit requirements of these regulations have been satisfied.

b. Review all development permits to determine that permit requirements have been obtained from those Federal, State, or local government agencies from which prior approval is required.

c. Review all development permits to determine if the proposed development adversely affects the flood carrying capacity of the area of special flood hazard. For the purpose of these regulations, "adversely affects" means damage to adjacent properties because of rises in flood stages attributed to physical changes of the channel and the adjacent overbank areas.

i. If it is determined that there is no adverse effect and the development is not a building, then the permit shall be granted without further consideration.

ii. If it is determined that there is an adverse effect, then technical justification (i.e., a registered professional engineer's certification) for the proposed development shall be required.

iii. If the proposed development is a building, then the provisions of these regulations shall apply.

**D. Use of Other Base Flood Data**

* 1. When base flood elevation data has not been provided in accordance with Section 3.11.02 (2) BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD, the zoning officer shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a Federal, State, or other source as criteria for requiring that new construction, substantial improvements, or other development in Zone A are administered in accordance with 3.11.04 (2) SPECIFIC STANDARDS.
	2. When regulatory floodway has not been designated, the Floodplain Administrator must require that no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30 and AE on the community’s FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.
	3. Under the provisions of 44 CFR Chapter 1, Section 65.12, of the National Flood Insurance Program regulations, a community may approve certain development in Zones A1-30, AE, AH, on the community’s FIRM which increases the water surface elevation of the base flood by more than one foot, provided that the community first applies for a conditional FIRM revision through FEMA (Conditional Letter of Map Revision).

**E. Information to be Obtained and Maintained**

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 whether or not the structure contains a basement.

2. For all new or substantially improved floodproofed structures:

a. Verify and record the actual elevation (in relation to mean sea level) to which the structure has been floodproofed.

b. Maintain the floodproofing certifications required in Section 3.11.03 (1) (c).

3. Maintain for public inspection all records pertaining to the provisions of these regulations.

**F. Alteration of Watercourses**

1. Assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained.
2. Notify adjacent communities and State Coordinating Agency prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.
3. Require that maintenance be provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.

**G. Man-Made Hydrological Alterations**

**1. In order to assess the impacts of man-made hydrological alteration on areas of special lood hazard, to minimize flood damage, and to promote the administration of Flood Damage Prevention Ordinance, a Hydrological Alteration Plan (HAP) shall be filed (for informational purposes only) with the Grant County Zoning Officer, prior to the commencement of the excavation for, or the construction, installation, or modification of, a hydrological alteration project, including but not limited to, the following:**

**i. Construction or installation of a surface drain or closed drain or blind drain;**

**ii. Any draining, filling, diverting, in whole or part, of a pond, wetland, or lake or filling of a drain;**

**iii. Construction of any lateral drain;**

**iv. Modification of any permitted or vested drainage with the intent of deepening or widening any drainage channel, increasing the size and/or depth of any drainage tile, or the extending or rerouting any drainage work;**

**v. Improvements to a drainage district or coordinated drainage area which were not included in the original plans;**

**vi. Modification of any permitted or vested drainage which has the effect of causing an impediment to existing drainage.**

**2. A Hydrological Alteration Plan (HAP) shall consist of written plan which includes the following information:**

**i. The name(s), address(s), and contact information of the legal owner(s) of the land subject to the HAP, and the name(s), address(s), and contact information of any contractor, individual, corporation, if any, who will commence work on behalf of the legal owner of the land subject to the HAP;**

**ii. A detailed site plan showing the location of the proposed construction, a description of the size of the drain, or other man-made hydrological alteration, and the location and elevation of the proposed outlet;**

**iii. Not more than thirty (30) days following the completion of the man-made hydrological alteration, the applicant shall provide the floodplain administrator, or designated zoning officer with as-built electronic files of all feature data (the size, depth/elevation, and location, etc.) of the materials used in the drainage project. The electronic files shall be provided in an ESRI or CAD based file format with a coordinate system defined.**

 **3. Within two weeks of the receipt of the Hydrological Alteration Plan (HAP), the Flood Plain Administrator or Zoning Officer shall publish a notice (once) in the official newspaper of Grant County that a proposed HAP has been filed with the Planning and Zoning Office. The notice shall contain the name(s) of the legal owner(s) of the land subject to the HAP, and advise the public that a detailed site plan showing the location of the proposed construction, a description of the size of the drain, or other man-made hydrological alteration and the location of the proposed outlet is available for public inspection at the Grant County Planning and Zoning Office during regular business hours.**

 **4. The Flood Plain Administrator or designated Zoning Officer shall keep and administer a HAP filing system within the office of the Planning and Zoning, which shall be the official repository for HAP records and shall be maintained open for public inspection during regular business hours.**

**5. Any contractor, individual, or corporation, who commences work on a man-made hydrological alteration project, defined above, in violation of the filing and notice requirements stated above shall be subject to the violation penalty provisions of Section 808 of the Grant County Complied Zoning Ordinance.**

**~~G.~~H. Interpretation of FIRM Boundaries**

Make interpretations, where needed, as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions).

**~~H.~~I.Variance Procedures**

1. The Appeal Board as established by the community shall hear and render judgement on requests for variances from the requirements of this ordinance.
2. The Appeal Board shall hear and render judgment on an appeal only when it is alleged there is an error in any requirement, decision, or determination made by the Floodplain Administrator in the enforcement or administration of this ordinance.
3. Any person or persons aggrieved by the decision of the Appeal Board may appeal such decision in the courts of competent jurisdiction.
4. The Floodplain Administrator shall maintain a record of all actions involving an appeal and shall report variances to the Federal Emergency Management Agency and the State Office of Emergency Management upon request.
5. 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 the relevant factors in Section C(2) of this Article have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.
6. Upon consideration of the factors noted above and the intent of this ordinance, the Appeal Board may attach such conditions to the granting of variances as it deems necessary to further the purpose and objectives of this ordinance (Article 1, Section C).
7. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
8. 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.
9. Prerequisites for granting variances:
10. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the floor hazard, to afford relief.
11. Variances shall only be issued upon:
12. showing a good and sufficient cause;
13. a determination that failure to grant the variance would result in exceptional hardship to the applicant, and
14. a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

Any application to whom a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

1. Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that:
2. the criteria outlined in Article 4, Section D(1)-(9) are met, and
3. the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.

**~~I.~~J. Provision For Flood Hazard Reduction**

A. General Standards

In all areas of special flood hazards the following provisions are required for all new construction and substantial improvements:

1. All new construction and substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
2. All new construction and substantial improvements shall be constructed by methods and practices that minimize flood damage;
3. All new construction and substantial improvements shall be constructed materials resistant to flood damage;
4. All new construction or 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.
5. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
6. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharge from the systems into flood waters; and,
7. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

B. Specific Standards

In all areas of special flood hazards where base flood elevation data has been provided as set forth in Article III, the following provisions are required:

* 1. Residential Construction – new construction and substantial improvement of any residential structure shall have the lowest floor (including basement), elevated to one foot above the base flood elevation. A registered professional engineer, architect, or land surveyor shall submit a certification to the Floodplain Administrator that the standard of this subsection as proposed in Article IV, is satisfied.
	2. Nonresidential Construction – new construction and substantial improvements of any commercial, industrial or other nonresidential structure shall either have the lowest floor (including basement) elevated to one foot above the base flood level or together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall develop and /or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice as outlines in this subsection. A record of such certification which includes the specific elevation (in relation to mean sea level) to which such structures are floodproofed shall be maintained by the Floodplain Administrator.
	3. Enclosures – new construction and substantial improvements, with fully enclosed areas below the lowest floor that are usable 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 either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:
	4. 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.
	5. The bottom of all openings shall be no higher than one foot above grade.
	6. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

4. Manufactured Homes –

1. Require that all manufactured homes to be placed within Zone A on a community’s FHBM or FIRM shall be installed using methods and practices which minimize flood damage. For the purposes 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 applicable State and local anchoring requirements for resisting wind forces.
2. Require that manufactured homes that are placed or substantially improved within Zones A1-30, AH, 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 on which a manufactured home has incurred “substantial damage” as a result of a flood, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to one foot above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

1. Require that manufactured homes be placed or substantially improved on sites in an existing manufactured home park or subdivision with Zones A1-30, AH and AE on the community’s FIRM that are not subject to the provisions of paragraph (4) of this section be elevated so that either:

1) the lowest floor of the manufactured home is at one foot above base flood elevation, or

2) the manufactured home chassis is support3ed 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 to resist flotation, collapse, and lateral movement.

5. Recreational Vehicles – Require that recreational vehicles placed on sites within Zones A1-30, AH, and AE on the community’s FIRM either:

1. be on the site for fewer than 180 consecutive days,
2. be fully licensed and ready for highway use, or
3. meet the permit requirements of Article IV, and the elevation and anchoring requirements for “manufactured homes” in paragraph (4) of this section. 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.
4. Standards for Subdivision Proposals

All subdivision proposals including the placement of manufactured home parks and subdivisions shall be consistent with this ordinance.

All proposals for the development of subdivisions including the placement of manufactured home parks and subdivisions shall meet Development Permit requirements of Article V of this ordinance.

Base flood elevation data shall be generated for subdivision proposals and other proposed development including the placement of manufactured home parks and subdivisions which is greater than 50 lots or 5 acres, whichever is lesser, if not otherwise provided pursuant to this ordinance.

All subdivision proposals including the placement of manufactured home parks and subdivisions shall have adequate drainage provided to reduce exposure to flood hazards.

All subdivision proposals including the placement of manufactured home parks and subdivisions shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.

**K. Expiration of Development Permits**

**Any Development Permit or HADP required by this ordinance shall remain effective unless or until it expires in accordance with Section 805.3of the Grant County Zoning Ordinance.**