

ORDINANCE NUMBER 113

FLOOD DAMAGE PREVENTION

AN ORDINANCE OF THE CITY OF DOVER, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, REQUIRING A FLOODPLAIN DAMAGE PREVENTION ORDINANCE; IDENTIFYING STATUTORY AUTHORITY, FINDINGS OF FACT, PURPOSE AND OBJECTIVES; PROVIDING DEFINITIONS; PROVIDING GENERAL PROVISIONS; PROVIDING FOR ADMINISTRATION, VARIANCES AND APPEALS; IDENTIFYING FLOOD HAZARD REDUCTION PROVISIONS; REPEALING ORDINANCE NUMBER 91 AND OTHER CONFLICTING PROVISIONS AND PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE UPON PUBLICATION.

SECTION 1.0

STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE, AND METHODS

1.1 STATUTORY AUTHORIZATION

The Legislature of the State of Idaho, in Section 46-1020 through Section 46-1024 Idaho Code, authorized local governmental units to adopt a floodplain map and floodplain management ordinance that identifies floodplain areas and that sets forth minimum development requirements in floodplains that are designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the City of Dover, Idaho does ordain as follows:

1.2 FINDINGS OF FACT

- (1) The flood hazard areas of the City of Dover are subject to periodic inundation which results 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 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 ordinance 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:

- (1) To protect human life and health;

- (2) To minimize expenditure of public money and 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 hazard assume responsibility for their actions.

1.4 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 flood plains, 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 may increase flood hazards in other areas.

SECTION 2.0 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 it's most reasonable application.

"ACCESSORY STRUCTURES" means low cost buildings that do not exceed 500 square feet, such as detached two-car garages, boathouses, small pole barns and storage sheds, designed not to be used for human, habitation. Accessory structures shall be constructed and placed on the building site so as to offer minimum resistance to the flow of floodwaters; shall be anchored to prevent floatation which may result in

damage to other structures; service utilities such as electrical and heating equipment shall be elevated or flood-proofed.

"APPEAL" means a request for a review of the interpretation of any provision of this ordinance or a request for a variance.

"AREA OF SHALLOW FLOODING" means a designated AO, or AH Zone on the Flood Insurance Rate Map (FIRM). The base flood depths range from one to three feet; a clearly defined channel does not exist; the path of flooding is unpredictable and indeterminate; and, velocity flow may be evident. AO is characterized as sheet flow and AH indicates ponding.

"AREA OF SPECIAL FLOOD HAZARD" means the land in the flood plain within a community subject to a one percent or greater chance of flooding in any given year. Designation on maps always includes the letters A or V.

"BASE FLOOD" means the flood having a one percent chance of being equaled or exceeded in any given year. Also referred to as the "100-year flood." Designation on maps always includes the letters A or V.

"BASEMENT" means any area of the building having its floor subgrade (below ground level) on all sides.

"CRAWLSPACE" is an enclosed area sub-grade or below the Flood Protection Elevation and as such, must have openings that equalize hydrostatic pressures by allowing for the automatic entry and exit of floodwaters.

"CRITICAL FACILITY" means a facility for which even a slight chance of flooding might be too great. Critical facilities include, but are not limited to schools, nursing homes, hospitals police, fire and emergency response installations, installations which produce, use or store hazardous materials or hazardous waste.

"DEVELOPMENT" means 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 located within the area of special flood hazard.

"ELEVATION CERTIFICATE" means the official form FEMA Form 81-3-1) used to track development, provide elevation information necessary to ensure compliance with community floodplain management ordinances, and determine the proper insurance premium rate with Section B completed by Community Officials.

"ELEVATED BUILDING" means for insurance purposes, a nonbasement building which has its lowest elevated floor raised above ground level by foundation walls, shear walls, post, piers, pilings, or columns.

“EXISTING MANUFACTURED HOME PARK OR SUBDIVISION” means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the adopted floodplain management regulations.

“EXPANSION TO AN EXISTING MANUFACTURED HOME PARK OR SUBDIVISION” means the preparation of additional sites by the construction facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

“FLOOD” OR “FLOODING” means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) The overflow of inland or tidal waters and/or
- (2) The unusual and rapid accumulation of runoff of surface waters from any source.

“FLOOD INSURANCE RATE MAP (FIRM)” means the official map on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

“FLOOD PROTECTION ELEVATION” shall correspond to the elevation of the one percent (1%) chance flood (one hundred [100] year flood) plus any increased flood elevation due to floodway encroachment, plus any required freeboard. The Flood Protection Elevation (FPE) in the City of East Hope is the Base Flood Elevation (BFE) or as otherwise specifically defined in this ordinance.

“FLOOD INSURANCE STUDY” means the official report provided by the Federal Emergency Management Agency that includes flood profiles, the Flood Boundary-Floodway Map, and the water surface elevation of the base flood.

“FLOODWAY” means the channel of a 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 (less than one foot).

“LOWEST FLOOR” means the lowest floor of the lowest enclosed area (including basement and crawlspace). 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

this ordinance found at Section 5.2-1(2). For crawlspace exception see FEMA Technical Bulletin 11-01.

“MANUFACTURED HOME” means 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 attached to the required utilities. The term “manufactured home” does not include a “recreational vehicle.”

“MANUFACTURED HOME PARK OR SUBDIVISION” means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

“NEW CONSTRUCTION” means structures for which the “start of construction” commenced on or after the effective date of this ordinance.

“NEW MANUFACTURED HOME PARK OR SUBDIVISION” means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of adopted floodplain management regulations.

“RECREATIONAL VEHICLE” means a vehicle, which is:

- (a) Built on a single chassis;
- (b) 400 square feet or less when measured at the largest horizontal projection;
- (c) Designed to be self-propelled or permanently towable by a light duty truck; and
- (d) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

“REGULATORY FLOOD” is a flood determined to be representative of large floods known to have occurred in Idaho and which may be expected to occur on a particular stream because of like physical characteristics. The regulatory flood is based upon a statistical analysis of stream flow records available for the watershed or an analysis of rainfall and runoff characteristics in the watershed. In inland areas, the flood frequency of the regulatory flood is once in every one hundred (100) years; this means that in any given year there is a one percent (1%) chance that a regulatory flood may occur or be exceeded.

“REPETITIVE LOSS” means flood-related damages 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 damage occurred.

“START OF CONSTRUCTION” includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement or other improvement was within 180 days of the permit date.

The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

“STRUCTURE” means a walled and roofed building including a gas or liquid storage tank that is principally above ground.

“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 IMPROVEMENT” means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either:

- (1) Before the improvement or repair is started; or
- (2) If the structure has been damaged and is being restored, before the damage occurred. 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 either:

- (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions or
- (2) Any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

“VARIANCE” means a grant of relief from the requirements of this ordinance which permits construction in a manner that would otherwise be prohibited by this ordinance.

“WATER DEPENDENT” means a structure for commerce or industry which cannot exist in any other location and is dependent on the water by reason of the intrinsic nature of its operations.

**SECTION 3.0
GENERAL PROVISIONS**

3.1 LANDS TO WHICH THIS ORDINANCE APPLIES

This ordinance shall apply to all areas of special flood hazards within the jurisdiction of the City of Dover.

3.2 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 and engineering report entitled "The Flood Insurance Study for the Bonner County, Idaho and Incorporated Areas" dated November 18, 2009, with accompanying Flood Insurance Maps, are hereby adopted by reference and declared to be a part of this ordinance. The Flood Insurance Study is on file at the office of the City Clerk, Dover City Hall, Dover, Idaho. The best available information for flood hazard area identification as outlined in Section 4.3-2 shall be the basis for regulation until a new FIRM is issued which incorporates the data utilized under section 4.3-2.

The Flood Protection Elevation (FPE) in the City of East Hope is the Base Flood Elevation (BFE) or as otherwise specifically defined in this ordinance.

3.3 PENALTIES FOR NONCOMPLIANCE

No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violations of the provisions of this ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$500.00 or imprisoned for not more than 6 months, or both, for each violation, and in addition shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent the City of Dover from taking such other lawful action as is necessary to prevent or remedy any violation.

3.4 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.

3.5 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 or repeal any other powers granted under State statutes.

3.6 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. Larger floods can and will occur on rare occasions. 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 will be free from flooding or flood damages. This ordinance shall not create liability on the part of the City of Dover, any officer or employee thereof, or the Federal Emergency Management Agency, for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made hereunder.

SECTION 4.0 ADMINISTRATION

4.1 ESTABLISHMENT OF DEVELOPMENT PERMIT

4.1-1 Development Permit Required

A development permit shall be obtained before construction or development begins within any area of special flood hazard established in Section 3.2. The permit shall be for all structures including manufactured homes, as set forth in the "DEFINITIONS," and for all development including fill and other activities, also as set forth in the "DEFINITIONS."

4.1-2 Application for Development Permit

Application for a development permit shall be made on forms furnished by the City of Dover and may include but not be limited to plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities, and the location of the foregoing. Specifically, the following information is required:

- (1) Elevation, in relation to mean sea level, of the lowest floor (as defined) of all structures;

- (2) Elevation in relation to mean sea level to which any structure has been floodproofed;
- (3) Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in Section 5.2-2; and
- (4) Description of the extent to which a watercourse will be altered or relocated as a result of proposed development.

4.2 DESIGNATION OF THE FLOODPLAIN ADMINISTRATOR

The Planning and Zoning Administrator is hereby appointed to be the Floodplain Administrator and to administer and implement this ordinance by granting or denying development permit applications in accordance with its provisions.

4.3 DUTIES AND RESPONSIBILITIES OF THE FLOODPLAIN ADMINISTRATOR

Duties of the Floodplain Administrator shall include, but not be limited to:

4.3-1 Permit Review

- (1) Review all development permits to determine that the permit requirements of this ordinance have been satisfied.
- (2) Review all development permits to determine that all necessary permits have been obtained 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 will increase Base Flood Elevations more than one (1) foot. If Base Flood Elevations increase more than one (1) foot, require a FEMA Conditional Letter of Map Revision (CLOMR) before construction begins and Letter of Map Revision (LOMR) for as-built conditions.
- (4) Review all development permits to determine if the proposed development is located in the floodway. If located in the floodway, assure that the encroachment provisions of Section 5.3(1) are met.
 - (i) If a floodway encroachment is permitted that increases Base Flood Elevations, require a FEMA Conditional Letter of Map Revision (CLOMR) before construction begins and Letter of Map Revision (LOMR) for as-built conditions.

4.3-2 Use of Other Base Flood Data (In A Zones)

When Flood Protection Elevation data has not been provided (A Zones) in accordance with Section 3.2, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD, the Planning and Zoning Administrator shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a Federal, State or other source, in order to establish a Flood

Protection Elevation and administer Sections 5.2, SPECIFIC STANDARDS, and 5.3 FLOODWAYS.

4.3-3 Information to be Obtained and Maintained

- (1) Where Base Flood Elevation data is provided through the Flood Insurance Study, FIRM, or required as in Section 4.3-2, obtain and record the actual elevation (in relation to mean sea level) of the lowest floor (as defined) 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 where Flood Protection Elevation data is provided through the Flood Insurance Study, FIRM, or as required in Section 4.3-2:
 - (i) Obtain, verify and record the actual elevation (in relation to mean sea level), and
 - (ii) Maintain the floodproofing certifications required in Section 4.1-2(3).
- (3) Maintain for public inspection all records pertaining to the provisions of this ordinance.

4.3-4 Alteration of Watercourses

- (1) Notify adjacent communities and the Department of Water Resources and Development prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.
- (2) Require that maintenance is provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.

4.3-5 Interpretation of FIRM Boundaries

Make interpretations where needed, as to 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). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in Section 4.4.

4.4 VARIANCE AND APPEAL PROCEDURES

4.4-1 Variance

- (1) An application for a variance must be submitted to the City Clerk on the form provided by the City of Dover, and include at minimum the same information required for a development permit and an explanation for the basis for the variance request.
- (2) Upon receipt of a completed application for a variance, as determined by the Administrator, the variance request will be set for public hearing at the next

- City Council meeting in which time is available and for the matter to be appropriately noticed and heard.
- (3) Prior to the public hearing, Notice of the hearing will be published in the official newspaper of the City at least 15 days prior to the hearing. In addition to the newspaper publication, written notice shall be provided to all adjoining property owners. A legal description of the subject property and mailing labels for the adjoining properties prepared by an Idaho licensed title company shall be provided by the applicant as part of the complete application information referenced in Section 4.4-1(2) above.
 - (4) The burden to show that the property meets the criteria for a variance is on the applicant.
 - (5) Upon consideration of the factors of Section 4.4-1 (4) and the purposes of this ordinance, the City Council may attach such conditions to the granting of variances as it deems necessary to further the purposes of this ordinance.
 - (6) The City shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency upon request.

4.4-2 Criteria for Variances

- (1) Generally, the only condition under which a variance from the elevation standard may be issued is for new construction and substantial improvements to be erected on a small or irregularly shaped lot contiguous to and surrounded by lots with existing structures constructed below the base flood level. As the lot size increases the technical justification required for issuing the variance increases.
- (2) Variances shall not be issued within a designated floodway if any increase in flood levels during the base flood discharge would result.
- (3) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- (4) Variances shall only be issued upon:
 - (i) A showing by the applicant of good and sufficient cause;
 - (ii) A determination that failure to grant the variance would result in exceptional hardship to the applicant.
 - (iii) A determination that failure to grant the variance would 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 and ordinances.
- (5) Variances pertain to a physical piece of property; they are not personal in nature and do not pertain to the structure, its inhabitants, economic or financial circumstances. They primarily address small lots in densely populated residential neighborhoods.
- (6) Variances should be issued for non-residential buildings in very limited circumstances.

4.4-3 Decision

The decision to either grant or deny a variance shall be in writing and shall set forth the reasons for such approval and denial. If the variance is granted, the property owner shall be put on notice along with the written decision that the permitted building will have its lowest floor below the Flood Protection Elevation and that the cost of flood insurance will likely be commensurate with the increased flood damage risk.

4.5 APPEALS

The City Council shall hear and decide appeals from the interpretations of the Administrator.

4.5-1 Filing an Appeal

An appeal must be filed with the City Clerk within fourteen (14) days of the date of any permit denial or interpretation of the Administrator. Failure to timely file an appeal shall be considered a failure to exhaust the administrative remedies. The appeal must set out the interpretation of the Administrator and a narrative setting forth the facts relied upon by the appellant and the appellants claim regarding the error in the interpretation.

4.5-2 Consideration of an Appeal

Upon receipt of a completed appeal, the appeal will be scheduled for the next available City Council meeting to be heard. The City Council shall consider the following in ruling on an appeal:

- 1) All technical evaluations, all relevant factors, standards specified in other sections of this ordinance, including:
 - (i) The danger that materials may be swept onto other lands to the injury of others;
 - (ii) The danger to life and property due to flooding or erosion damage;
 - (iii) The susceptibility of the proposed facility and its contents to flood damage and the effects of such damage on the individual landowner;
 - (iv) The importance of the services provided by the proposed facility to the community;
 - (v) The necessity of the facility to a waterfront location, where applicable;
 - (vi) The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
 - (vii) The compatibility of the proposed use with existing and anticipated development;
 - (viii) The relationship of the proposed use to the comprehensive plan and flood plain management program for that area;
 - (ix) The safety of access to the property in times of flooding for ordinary and emergency vehicles;

- (x) 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
- (xi) The cost of providing government 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.

4.5-3 Decision

The City Council decision on an appeal shall be in writing and set out the facts, technical information and the legal basis for the decision.

SECTION 5.0 PROVISIONS FOR FLOOD HAZARD REDUCTION

5.1 GENERAL STANDARDS

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

5.1-1 Anchoring

- (1) All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.
- (2) All manufactured homes must likewise be anchored to prevent flotation, collapse, or lateral movement, and shall be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to ground anchors (Reference FEMA's "Manufactured Home Installation in Flood Hazard Areas" guidebook for additional techniques).

5.1-2 AH Zone Drainage

Adequate drainage paths are required around structures on slopes to guide floodwaters around and away from proposed structures.

5.1-3 Construction Materials and Methods

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

5.1-4 Utilities

- (1) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
- (2) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters; and,
- (3) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

5.1-5 Subdivision Proposals

- (1) All subdivision proposals shall be consistent with the need to minimize flood damage;
- (2) All subdivision proposals shall have utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize or eliminate flood damage;
- (3) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage; and,
- (4) Where Base Flood Elevation data has not been provided or is not available from another authoritative source, it shall be generated for subdivision proposals and other proposed developments which contain at least 50 lots or 5 acres (whichever is less).

5.1-6 Review of Building Permits

Where Flood Protection Elevation data is not available either through the Flood Insurance Study, FIRM, or from another authoritative source (Section 4.3-2), applications for building permits shall be reviewed to assure that proposed construction will be reasonably safe from flooding. The test of reasonableness is a local judgment and includes use of historical data, high water marks, photographs of past flooding, etc., where available. Failure to elevate at least two feet above grade in these zones may result in higher insurance rates.

5.2 SPECIFIC STANDARDS

In all areas of special flood hazards where Flood Protection Elevation data has been provided as set forth in Section 2.0, Definitions and Section 3.2, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD or Section 4.3-2, Use of Other Base Flood Data , the following provisions are required:

5.2-1 Residential Construction

- (1) New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated at or above the Flood Protection Elevation.
- (2) Fully enclosed areas below the lowest floor that are subject to flooding are prohibited, or 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 be either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria:
 - (i) 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.
 - (ii) The bottom of all openings shall be no higher than one foot above grade.
 - (iii) Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
 - (iv) Below grade, crawlspaces are prohibited at sites where the velocity of floodwaters exceeds five (5) feet per second.
 - (v) All building utility systems within the crawlspace shall be elevated above Flood Protection Elevation or be designed so that floodwaters cannot enter or accumulate within the system component during flood conditions.
 - (vi) The interior of a crawlspace below the Flood Protection Elevation must not be more than 2 feet below the lowest adjacent exterior grade (LAG) and the height of the below grade crawlspace, measured from the interior grade of the crawlspace to the top of the crawlspace foundation must not exceed 4 feet at any point.
 - (vii) Below grade, crawlspaces constructed in accordance with the requirements listed in this subsection shall not be considered basements. However, applicants who construct buildings that have below grade crawlspaces are hereby advised that such buildings will have higher flood insurance premiums than buildings that have crawlspaces with interior elevations at or above the lowest adjacent grade.

5.2-2 Nonresidential Construction

New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated at or above the Flood Protection Elevation; or, together with attendant utility and sanitary facilities, shall:

- (1) Be floodproofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water;
- (2) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;
- (3) 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 provisions of this subsection based on their development and/or review of the structural design, specifications and plans. Such certifications shall be provided to the official as set forth in Section 4.3-3(2);
- (4) Nonresidential structures that are elevated, not floodproofed, must meet the same standards for space below the lowest floor as described in 5.2-1(2);
- (5) Applicants floodproofing nonresidential buildings shall be notified that flood insurance premiums will be based on rates that are one foot below the floodproofed level (e.g. a building floodproofed to the base flood level will be rated as one foot below).

5.2-3 Manufactured Homes

- (1) All manufactured homes to be placed or substantially improved 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 the result of a flood;
 shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated at or above the Flood Protection Elevation and be securely anchored to an adequately designed foundation system to resist flotation, collapse and lateral movement.

- (2) Manufactured homes to be placed or substantially improved on sites in an existing manufactured home park or subdivision within Zones AH, and AE on the community's FIRM that are not subject to the above manufactured home provisions must be elevated so that either:
 - (i) The lowest floor of the manufactured home is elevated at or above the Flood Protection 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 designed foundation system to resist flotation, collapse, and lateral movement.

5.2-4 Recreational Vehicles

Recreational vehicles placed on sites are required to either:

- (i) Be on the site for fewer than 180 consecutive days,
- (ii) Be fully licensed and ready for highway use, 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; or
- (iii) Meet the requirements of 5.2-3 above and the elevation and anchoring requirements for manufactured homes.

5.3 AREAS WITHOUT REGULATORY FLOODWAY

In areas where a regulatory floodway has not been designated: No new construction, substantial improvements, or other development (including fill) shall be permitted within the AE Zone 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.

5.4 FLOODWAYS

Located within areas of special flood hazard established in Section 3.2 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters which carry debris, potential projectiles, and erosion potential, the following provisions apply:

- (1) Prohibit encroachments, including fill, new construction, substantial improvements, and other development unless certification by a registered professional civil engineer is provided demonstrating through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.
- (2) If Section 5.4(1) is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Section 5.0, PROVISIONS FOR FLOOD HAZARD REDUCTION.

5.5 STANDARDS FOR SHALLOW FLOODING AREAS (AO ZONES)

Shallow flooding areas appear on FIRMs as AO zones with depth designations. The base flood depths in these zones range from 1 to 3 feet above ground where a clearly defined channel does not exist, or where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is usually characterized as sheet flow. In these areas, the following provisions apply:

- (1) New construction and substantial improvements of residential structures and manufactured homes within AO zones shall have the lowest floor (including basement) elevated above the highest grade adjacent to the building, one foot or more above the depth number specified on the FIRM (at least two feet above highest adjacent grade if no depth number is specified).
- (2) New construction and substantial improvements of nonresidential structures within AO zones shall either:
 - (i) Have the lowest floor (including basement) elevated above the highest adjacent grade of the building site, one foot or more above the depth number specified on the FIRM (at least two feet if no depth number is specified); or
 - (ii) Together with attendant utility and sanitary facilities, be completely flood proofed to or above that level so that any space below that level 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. If this method is used, compliance shall be certified by a registered professional engineer or architect as in section 5.2-2(3).
- (3) Require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures.
- (4) Critical facilities shall have the lowest floor, including basement, elevated three (3) feet above the depth specified on the FIRM or at least five (5) feet above highest adjacent grade if no depth number is specified.

5.6 CRITICAL FACILITY

Construction of new critical facilities shall be, to the extent possible, located outside the limits of the Special Flood Hazard Area (SFHA) (100-year floodplain). Construction of new critical facilities shall be permissible within the SFHA if no feasible alternative site is available. Critical facilities constructed within the SFHA shall have the lowest floor elevated three feet above the Base Flood Elevation or to the height of the 500-year flood, whichever is higher. Access to and from the critical facility should also be protected to the height utilized above. Floodproofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters. Access routes elevated to or above the level of the Flood Protection Elevation shall be provided to all critical facilities to the extent possible.

**SECTION 6.0
FEES**

The City Council is authorized to establish permit fees which provide for the reimbursement of costs incurred by the City in the administration of this ordinance. Such costs include but are not limited to those associated with the processing and professional review of the permitting and proposed development as identified in this ordinance. The City Council is hereby authorized to establish said fees by resolution.

**SECTION 7.0
REPEAL AND SEVERABILITY**

Ordinance Number 91 and any other existing ordinance provisions in conflict with the provisions of this ordinance are hereby repealed. The provisions of this ordinance are hereby declared to be individually severable. Should any provision of this ordinance be declared invalid by a court of competent jurisdiction, such declaration shall not affect the validity of the remaining provisions.

**SECTION 8.0
PUBLICATION AND EFFECTIVE DATE**

This Ordinance shall take effect and be in full force upon its passage, approval, and summary publication in full in one (1) issue of the Bonner County Daily Bee, the official newspaper of the City of Dover.

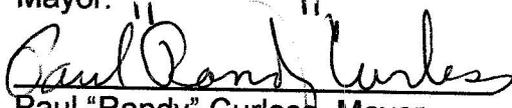
THIS ORDINANCE PASSED AND APPROVED under suspension of the rules and duly enacted as an Ordinance of the City of Dover, Idaho, at a regular meeting of the City Council on this 12th day of November, 2009 upon the following roll call vote:

City Council:

Margaret Becker
Marguerite Burge
James Janish
David Darling

AYE
AYE
AYE
AYE

Mayor:


Paul "Randy" Curless, Mayor

Attest:


Kym Holbert, City Clerk

CITY OF DOVER
SUMMARY OF ORDINANCE NUMBER 113
FLOOD DAMAGE PREVENTION

AN ORDINANCE OF THE CITY OF DOVER, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, REQUIRING A FLOODPLAIN DAMAGE PREVENTION ORDINANCE; IDENTIFYING STATUTORY AUTHORITY, FINDINGS OF FACT, PURPOSE AND OBJECTIVES; PROVIDING DEFINITIONS; PROVIDING GENERAL PROVISIONS; PROVIDING FOR ADMINISTRATION, VARIANCES AND APPEALS; IDENTIFYING FLOOD HAZARD REDUCTION PROVISIONS; REPEALING ORDINANCE NUMBER 91 AND OTHER CONFLICTING PROVISIONS AND FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE UPON PUBLICATION.

A summary of the principal provisions of Ordinance Number 113 of the City of Dover, Bonner County, Idaho, and adopted November 12, 2009 is as follows:

SECTION 1 identifies statutory authorization for adoption of the ordinance.

SECTION 2 sets forth definitions of terms within the ordinance.

SECTION 3 establishes general provisions of the ordinance.

SECTION 4 establishes administration and provides for variances and appeals.

SECTION 5 establishes provisions for flood hazard reduction.

SECTION 6 provides authorization to establish permit fees.

SECTION 7 repeals Ordinance 91 and provides for severability by a court of law.

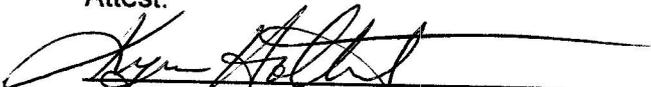
SECTION 8 provides for publication and an effective date.

A full text of Ordinance Number 113 is available in the City Clerk's office at 699 Lakeshore Ave. Dover, Idaho and can be provided upon request during normal business hours.

Dated this 12th day of November, 2009


Paul "Randy" Curless, Mayor

Attest:


Kym Holbert, Clerk

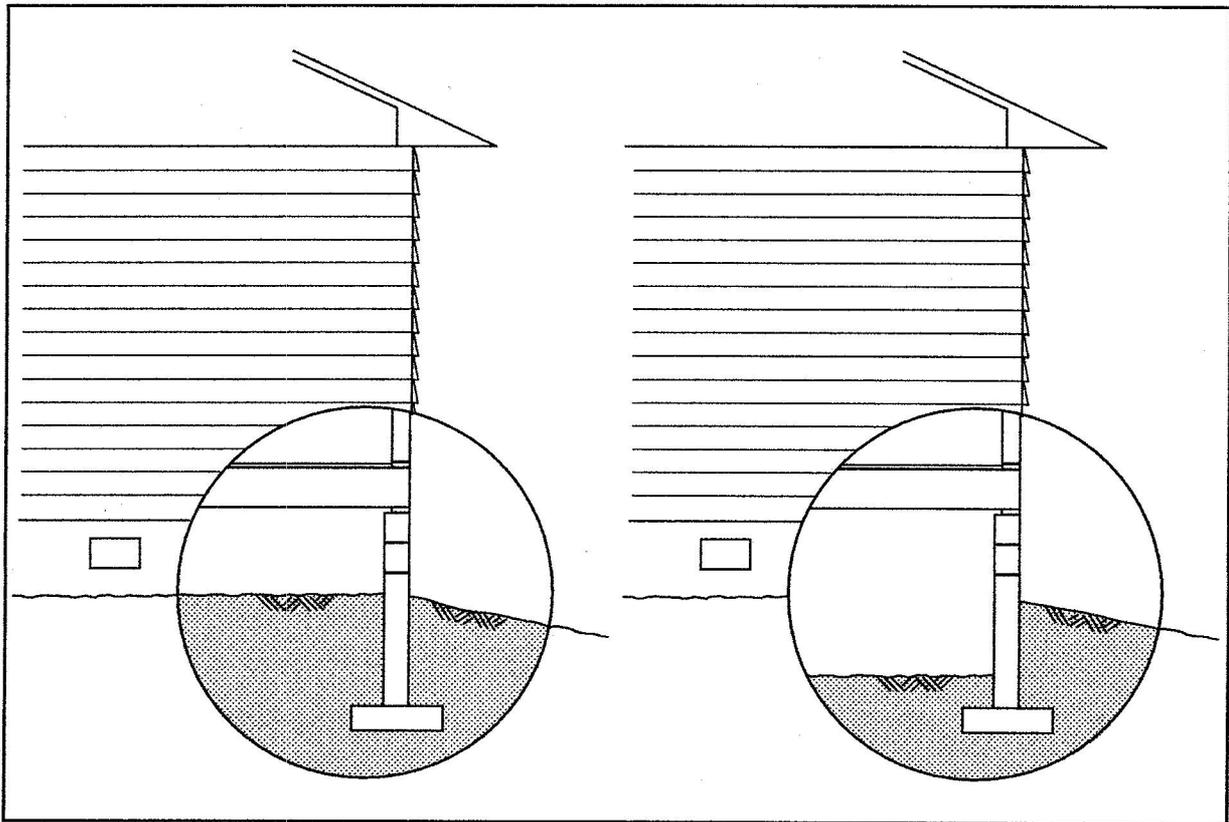
I, the undersigned Legal Counsel for the City of Dover, of Bonner County, Idaho, hereby certify that I have read the foregoing Summary of Ordinance No. 113 of said City and that the same is true and complete and provides adequate notices to the public of the contents of said Ordinance.

Dated this 13th day of November, 2009


Susan Weeks, Legal Counsel

Crawlspace Construction for Buildings Located in Special Flood Hazard Areas

National Flood Insurance Program Interim Guidance



FEDERAL EMERGENCY MANAGEMENT AGENCY
FEDERAL INSURANCE AND MITIGATION ADMINISTRATION

FIA-TB-11
(11/01)

Key Word/Subject Index

This index allows the user to locate key words and subjects in this Technical Bulletin. The Technical Bulletin User's Guide (printed separately) provides references to key words and subjects throughout the Technical Bulletins. For definitions of selected terms, refer to the Glossary at the end of this bulletin.

Key Word/Subject Index	Page
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Flood forces on buildings	5
Flood insurance implications	6
Flood-resistant materials	8
Pre-engineered below-grade crawlspace foundation guidance	7
Requirements, additional for below-grade crawlspaces	4
Utilities, access, and ventilation openings	9

Any comments on the Technical Bulletins should be directed to:

Federal Emergency Management Agency
Federal Insurance and Mitigation Administration
500 C Street, SW.
Washington, DC 20472

TECHNICAL BULLETIN 11-01

Crawlspace Construction for Buildings Located in Special Flood Hazard Areas National Flood Insurance Program Interim Guidance

Introduction

Crawlspace foundations are commonly used to elevate the lowest floors of residential buildings located in Special Flood Hazard Areas (SFHAs) above the Base Flood Elevation (BFE). This Technical Bulletin provides guidance on crawlspace construction and supports a recent policy decision to allow construction of crawlspaces with interior grades up to 2 feet below the lowest adjacent exterior grade (LAG), referred to as below-grade crawlspaces, provided that other requirements are met. Prior to that decision, below-grade crawlspaces were considered basements under the National Flood Insurance Program (NFIP) Floodplain Management Regulation definitions at 44 CFR 59.1 and were not permitted below the BFE. This requirement had been established because below-grade crawlspace foundation walls are exposed to increased forces during flood conditions, such as hydrostatic and saturated soil forces.

In many parts of the country, a common practice is to construct crawlspaces with the interior floor 1 or 2 feet below-grade by either (1) backfilling against the exterior of the foundation wall or (2) excavating the crawlspace area to construct footings that result in a below-grade crawlspace floor. Because FEMA wishes to recognize common construction practices that do not increase flood damage, FEMA recently completed a review of the policy for residential crawlspace construction. In this review, the construction practices for below-grade crawlspaces were examined to determine whether a crawlspace that was 1 or 2 feet below grade would increase the flood damage potential to the foundation walls or result in additional damages to the building.

The review included (1) an engineering analysis that assessed the damage potential of floodwaters acting upon below-grade crawlspace foundation walls, (2) a review of available NFIP claims history for crawlspaces, and (3) input from FEMA Regional staff and NFIP General Adjusters of any firsthand knowledge of crawlspace damage during flood events. A review of NFIP claims history and staff input did not reveal evidence of structural damage or failure of crawlspace foundation walls during flood events. The engineering analysis indicates that below-grade foundation walls, when constructed according to common practice, have sufficient capacity to resist flood-related forces from standing and low-velocity floodwaters, subject to the requirements outlined in this bulletin.

This Technical Bulletin presents NFIP minimum requirements for crawlspace construction in the SFHA, including (1) requirements for all crawlspace construction and (2) requirements for below-grade crawlspace construction that may extend 1 or 2 feet below grade in the SFHA. This Technical Bulletin also provides a best practices approach for preferred and below-grade crawlspace construction, illustrated in Figures 1 and 2, including design limitations, water accumulation and drainage considerations, and use of flood-resistant materials. While communities may now allow below-grade crawlspace construction in the SFHA, this type of construction is not the recommended construction method, because of the increased likelihood of problems with water accumulation,

moisture damage, and drainage. The use of crawlspace construction with the interior grade at or above the LAG minimizes the occurrence of these problems. This interim guidance on residential crawlspace construction is based on conclusions from the recently completed review and analyses.

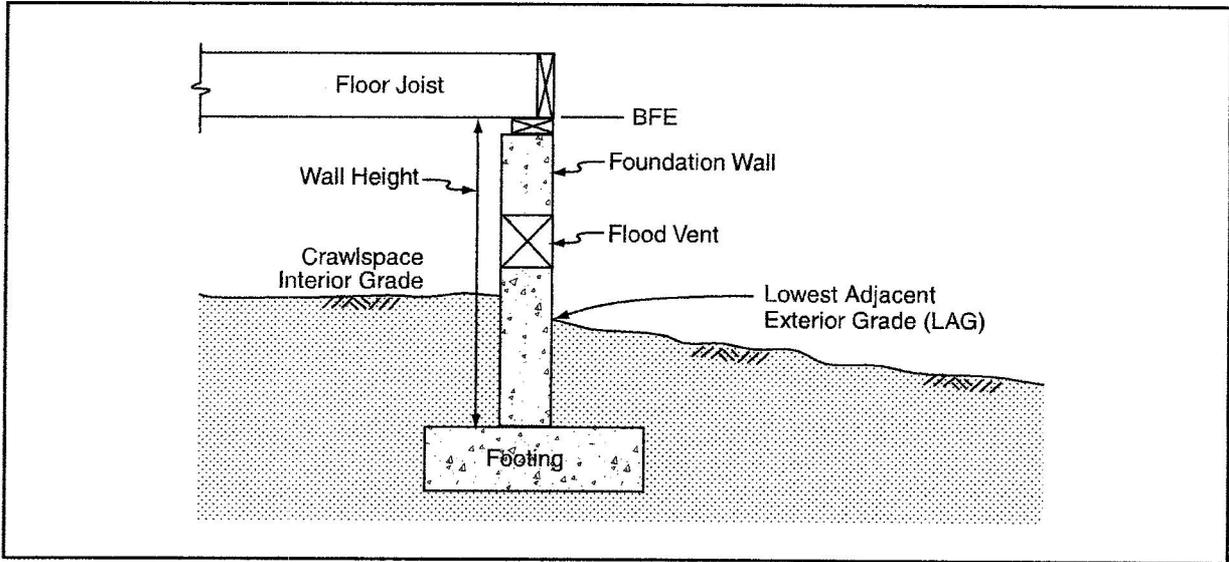


Figure 1 Preferred crawlspace construction.

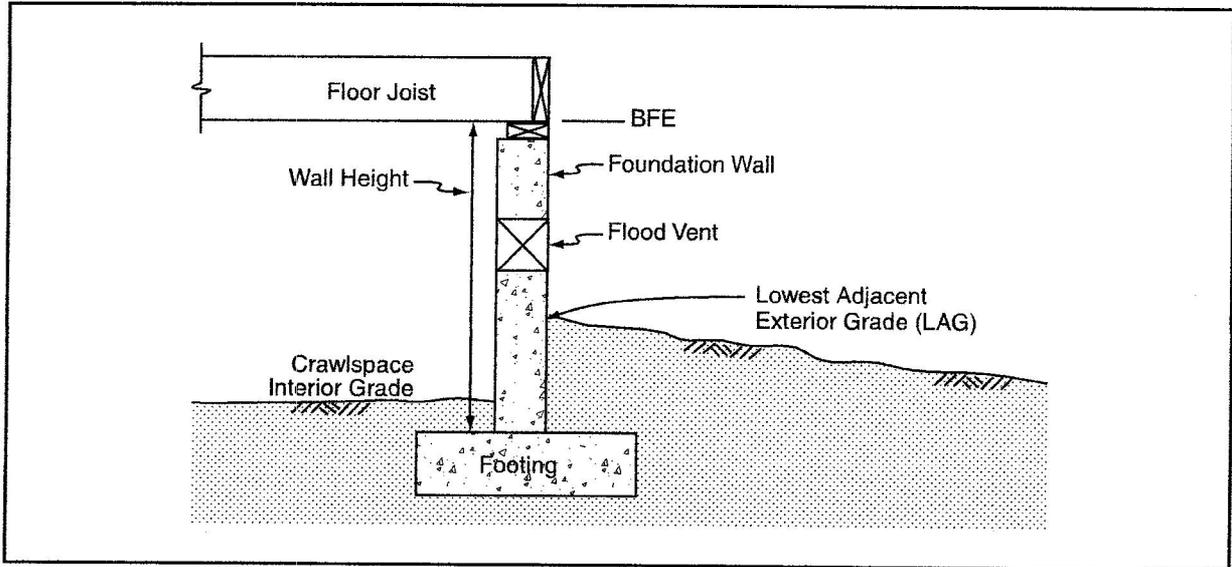


Figure 2 Below-grade crawlspace construction.

This Technical Bulletin provides **interim** guidance. The decision whether or not to allow below-grade crawlspace construction will be left to each community. Communities should review applicable state laws, regulations, and building codes, and consult with their State NFIP Coordinator to determine whether below-grade crawlspace construction is permitted in their state. Communities that choose to allow below-grade crawlspace construction will be required to amend their floodplain management ordinance to include the provisions outlined in the following sections on below-grade crawlspace construction. Please note that communities that choose to amend their ordinance to allow for below-grade crawlspaces in response to this interim guidance may also be required at some later date to amend their ordinance if FEMA adopts revised regulations that differ from the interim guidance.

Note

Any building utility systems within the crawlspace must be elevated above the BFE or designed so that floodwaters cannot enter or accumulate within system components during flood conditions. Ductwork, in particular, must either be placed above the BFE or sealed to prevent the entry of floodwaters. FEMA 348, *Protecting Building Utilities from Flood Damage*, provides detailed guidance on designing and constructing flood-resistant utility systems.

NFIP Requirements

NFIP requirements that apply to crawlspace construction are found in sections 44 CFR 60.3(a)(3) and 60.3(c)(2) and (c)(5) of the NFIP regulations. NFIP requirements that apply to all crawlspaces are discussed in the first section below. The second section lists additional requirements that must be applied to crawlspaces that have interior grades below the LAG. The additional requirements are intended to ensure that these crawlspaces are not subject to flood-related loads that would exceed the strength of the crawlspace wall and lead to failure and significant damage to the building or to other damage related to poor drainage in the below-grade crawlspace.

NFIP Requirements for All Crawlspace Construction

Crawlspaces are commonly used as a method of elevating buildings in SFHAs to or above the BFE. General NFIP requirements that apply to all crawlspaces that have enclosed areas or floors below the BFE include the following:

- The building must be designed and adequately anchored to resist flotation, collapse, and lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy. Hydrostatic loads and the effects of buoyancy can usually be addressed through the required openings discussed in the next bullet. Because of hydrodynamic loads, crawlspace construction is not recommended in areas with flood velocities greater than 5 feet per second unless the design is reviewed by a qualified design professional, such as a registered architect or professional engineer. Other types of foundations are recommended for these areas.
- The crawlspace is an enclosed area below the BFE and, as such, must have openings that equalize hydrostatic pressures by allowing for the automatic entry and exit of floodwaters. The bottom of each flood vent opening can be no more than 1 foot above the lowest adjacent exterior grade. For guidance on flood openings, see Technical Bulletin 1-93, *Openings in Foundation Walls*.

- Crawlspace construction is not permitted in V zones. Open pile or column foundations that withstand storm surge and wave forces are required in V zones.
- Portions of the building below the BFE must be constructed with materials resistant to flood damage. This includes not only the foundation walls of the crawlspace used to elevate the building, but also any joists, insulation, or other materials that extend below the BFE. The recommended construction practice is to elevate the bottom of joists and all insulation above BFE. Insulation is not a flood-resistant material. When insulation becomes saturated with floodwater, the additional weight often pulls it away from the joists and flooring. Ductwork or other utility systems located below the insulation may also pull away from their supports. See the section Flood-Resistant Materials, on page 8 this bulletin. For more detailed guidance on flood-resistant materials see Technical Bulletin 2-93, *Flood-Resistant Materials Requirements*.
- Any building utility systems within the crawlspace must be elevated above BFE or designed so that floodwaters cannot enter or accumulate within the system components during flood conditions. Ductwork, in particular, must either be placed above the BFE or sealed from floodwaters. For further guidance on the placement of building utility systems in crawlspaces, see FEMA 348, *Protecting Building Utilities From Flood Damage*.

Flood-resistant materials and utilities, access, and ventilation openings in crawlspaces are further addressed in this bulletin.

Additional Requirements for Below-Grade Crawlspaces

If a community chooses to amend its floodplain management ordinance to allow for the construction of below-grade crawlspaces, the ordinance must include the following provisions in addition to the above requirements:

- The interior grade of a crawlspace below the BFE must not be more than 2 feet below the lowest adjacent exterior grade (LAG), shown as D in Figure 3.
- The height of the below-grade crawlspace, measured from the interior grade of the crawlspace to the top of the crawlspace foundation wall must not exceed 4 feet (shown as L in Figure 3) at any point. The height limitation is the maximum allowable unsupported wall height according to the engineering analyses and building code requirements for flood hazard areas (see the section Guidance for Pre-Engineered Crawlspaces, on page 7 of this bulletin). This limitation will also prevent these crawlspaces from being converted into habitable spaces.
- There must be an adequate drainage system that removes floodwaters from the interior area of the crawlspace. The enclosed area should be drained within a reasonable time after a flood event. The type of drainage system will vary because of the site gradient and other drainage characteristics, such as soil types. Possible options include natural drainage through porous, well-drained soils and drainage systems such as perforated pipes, drainage tiles, or gravel or crushed stone drainage by gravity or mechanical means.
- The velocity of floodwaters at the site should not exceed 5 feet per second for any crawlspace. For velocities in excess of 5 feet per second, other foundation types should be used.

- Below-grade crawlspace construction in accordance with the requirements listed above will not be considered basements.

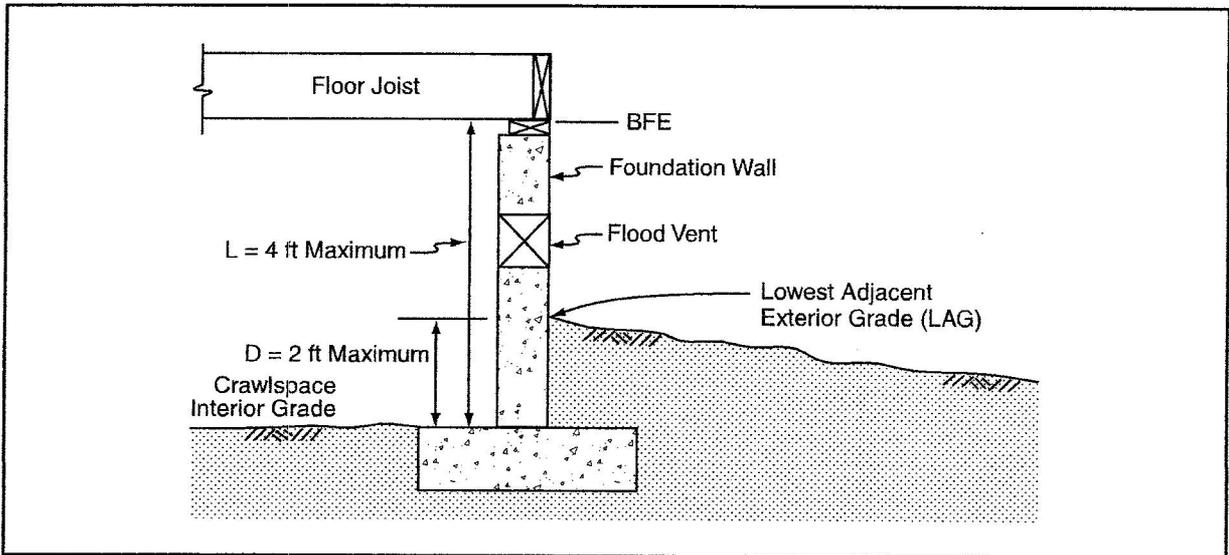


Figure 3 Requirements regarding below-grade crawlspace construction.

Drainage considerations for below-grade crawlspaces are further addressed in this bulletin. For additional information regarding this interim guidance, please contact the FEMA Regional Office or State NFIP Coordinator. Local FEMA regional offices are listed in the separately printed *User's Guide to Technical Bulletins* and may be found at the www.fema.gov website.

Flood Forces on Buildings

Buildings in flood hazard areas may be subjected to a variety of flood-induced forces. During inundation by standing or low-velocity floodwaters, a building must primarily resist hydrostatic pressures from saturated soils and floodwaters. This situation is typical of broad, flat floodplains and floodways along lower-gradient rivers and streams. During inundation by high-velocity floodwaters, a building must also resist hydrodynamic forces and impact loads. High-velocity floodwaters are found in floodways along steeper-gradient rivers, sheet flow down slopes, or coastal areas with storm surge and waves.

The community Flood Insurance Study contains a Floodway Data Table that includes data on mean velocities (in feet per second) within the floodway at each cross section along the river or stream. The mean averages the higher channel velocities with lower velocities in overbank areas that are within the floodway. Generally, velocities at sites outside of the floodway are lower than the mean floodway velocities listed in the Floodway Data Table. For example, if the mean floodway velocity at a cross section is 4 feet per second, the velocities outside the floodway are likely less than that value. If in doubt about the floodway velocity or in areas where the mean floodway velocity may exceed 5 feet per second, contact an engineer knowledgeable in hydraulics and hydrology to determine flood velocities at the building site.

Buildings located in areas subject to ponding or low-velocity flows must primarily address issues related to hydrostatic loads on the crawlspace foundation, removal of floodwater and sediment from the crawlspace area, and other NFIP floodproofing requirements, such as protecting or elevating utilities and using flood-resistant materials.

Crawlspace construction is not recommended in A zones with high-velocity floodwaters (greater than 5 feet per second). Other types of foundations, such as open pile or column foundations, that allow floodwaters to flow freely beneath the building are recommended for these areas.

Flood Insurance Implications

In May 1999, the Federal Insurance Administration (now the Federal Insurance and Mitigation Administration – FIMA) revised the rates being charged for residential buildings with below-grade crawlspaces. These rates were considerably lower than the full basement rates previously charged for these buildings. In May 2001, these rates were further reduced based on engineering analyses performed by FEMA. However, rates for buildings with below-grade crawlspaces will be higher than rates for buildings that have the interior grade of the crawlspace at or above the adjacent exterior grade, since the risk of flood damage is greater for the former type of construction. As more experience is gained on crawlspace losses, FEMA will continue to reassess those rates, factoring in the cost of pumping out and cleaning these areas, as well as physical damage to the foundation. Buildings with below-grade crawlspaces currently cannot be rated by an insurance agent using the NFIP *Flood Insurance Manual*. They must be submitted for a special rating under the Submit-to-Rate process by underwriters knowledgeable in this type of construction. FIMA will determine whether the rating for this type of construction should be standardized and included in the Flood Insurance Application and the *Flood Insurance Manual*.

Caution

Buildings that have below-grade crawlspaces will have higher flood insurance premiums than buildings that have the preferred crawlspace construction, with the interior elevation at or above the lowest adjacent exterior grade (LAG).

Best Practices for Crawlspace Foundations in SFHA

The NFIP preferred construction practice for excavated crawlspace construction is to backfill the interior area so that it is level with or higher than the LAG. If trench construction is used to place footings, the trenches should be backfilled to the level of the adjacent exterior grade, to avoid ponding of water. A reinforced masonry or concrete foundation wall that is anchored to the footing and lowest floor with connectors will provide the best performance in flood events. This type of construction will better resist hydrostatic pressures against the foundation and limit the amount of water that will pond under the building after a flood.

The 2000 *International Residential Code* (IRC 2000), Section 327, addresses flood-resistant design and construction of foundation walls in flood hazard areas and is consistent with NFIP requirements. The IRC requires that all structural systems in floodplains be designed, connected, and anchored to resist flotation, collapse, or permanent lateral movement due to structural loads from flooding equal to the design flood elevation. The IRC limits the unsupported height of plain (unreinforced) 8-inch hollow masonry walls to 4 feet for flood-resistant construction, where the unsupported height is the distance from the finished grade of the enclosed crawlspace area to the top of the foundation wall.

A community that chooses to allow the construction of below-grade crawlspaces should develop a multi-hazard approach that also resists other loads from hazards such as wind and earthquake. Crawlspace foundation walls must bear or resist all loads that may be experienced during their useful service life.

Guidance for Pre-Engineered Below-Grade Crawlspace Foundations

FEMA performed an engineering analysis to determine the effect of flood-related forces on crawlspace foundation walls (see Figure 4), particularly for unreinforced concrete and concrete masonry construction. The analysis followed design criteria prescribed in the American Concrete Institute (ACI) *Building Code Requirements and Commentary for Reinforced Concrete* (ACI 318-92) and the 1999 Masonry Standards Joint Committee (MSJC) *Building Code Requirements and Specifications*. Flood analysis procedures from FEMA 259, *Engineering Principles and Practices of Retrofitting Flood-Prone Residential Structures*, were used for calculating hydrostatic and hydrodynamic forces. A comprehensive analysis of two flood scenarios was conducted:

- Fully saturated soil and 1-foot-deep floodwaters, that just reach the bottom of the flood opening, but have not flooded the enclosed crawlspace area.
- A fully flooded crawlspace area with velocity floodwaters acting on the above-grade portion of the crawlspace walls.

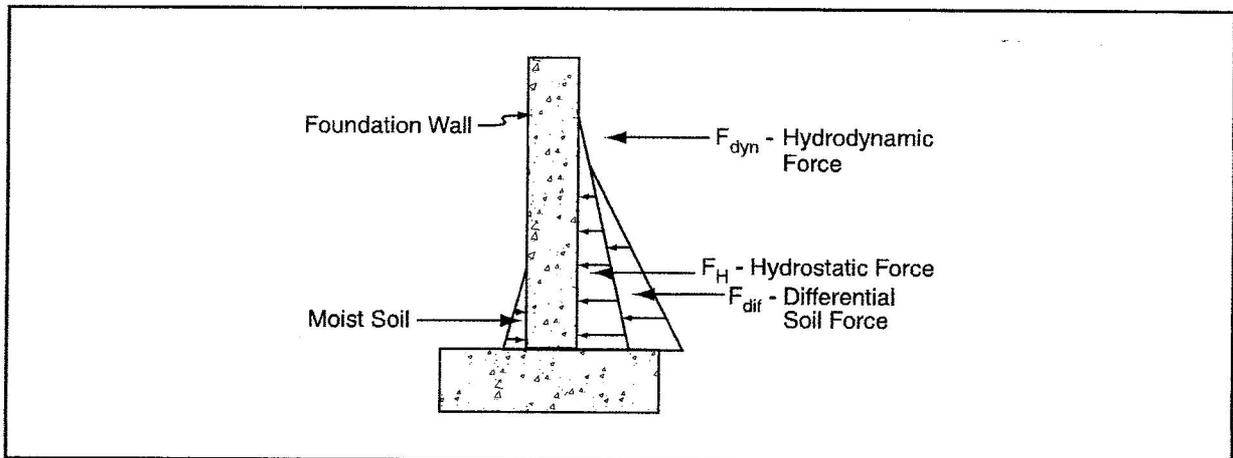


Figure 4 Flood-related forces on a crawlspace wall.

The first analysis evaluated four parameters: (1) wall construction of unreinforced 8-inch and 12-inch masonry block with standard M or S mortar type and 6-inch plain concrete foundation walls, (2) depth of interior crawlspace grade relative to the LAG, (3) flood velocity, and (4) soil types suitable for construction. The hydrostatic pressures from the saturated soil and 1-foot-deep floodwaters cause the maximum loads to occur in the lower section of the wall below the exterior grade. This analysis assumed that the 1-foot-deep floodwaters have a low velocity and are unlikely to cause significant hydrodynamic or impact loads on the foundation wall.

The second analysis evaluated hydrodynamic forces for varied flood depths and flood velocities on a foundation wall. The analysis assumed that the crawlspace was provided with proper openings to equalize hydrostatic pressure. Impact forces were not included in the analysis, as the shallow flood depths and low-velocity flows are not expected to produce significant debris impact damage. This decision was further supported by the lack of field evidence concerning wall failures from impact by debris. However, debris impact should be considered as part of the foundation wall design and analysis for riverine or other locations with high-velocity flows.

These analyses found that a crawlspace can resist flood-related forces for flood velocities up to 5 feet per second, if the wall height is limited to 4 feet and the top of the footing is no more than 2 feet below-grade.

As a result of these analyses, FEMA has determined that communities may allow below-grade residential crawlspace construction provided that the interior grade of the crawlspace does not exceed 2 feet below the LAG, and the height of the crawlspace measured from the interior grade of the crawlspace at any point to the bottom of the lowest horizontal structural member of the lowest floor does not exceed 4 feet for the specified wall construction.

Flood-Resistant Materials

All structural and non-structural building materials at or below the BFE must be flood resistant. A flood-resistant material is defined as any building material capable of withstanding direct and prolonged contact with floodwaters without sustaining significant damage. Flood-resistant materials must be used for all building elements subject to exposure to floodwaters, including floor joists, insulation, and ductwork. If flood-resistant materials are not used for building elements, those elements must be elevated above the BFE. The term “prolonged contact” means at least 72 hours, and the term “significant damage” means any damage requiring more than low-cost cosmetic repair (such as painting). This requirement applies regardless of the expected or historical flood duration. Technical Bulletin 2-93, *Flood Resistant Materials Requirements*, further defines NFIP criteria for flood-resistant materials and material categories.

Drainage Considerations

A significant issue associated with below-grade crawlspaces is drainage of the interior crawlspace area after normal precipitation and flood events. Moisture damage to a building can be severe when water remains standing in the crawlspace area after precipitation or a flood event. Standing water also creates significant health hazards, such as mosquito breeding grounds and growth of bacteria, mold, and fungus. If crawlspace access doors do not remain secured, standing water also presents a drowning hazard.

The interim guidance for below-grade crawlspace construction requires an adequate drainage system that allows floodwaters to drain from the interior area of the crawlspace within a reasonable time. A maximum time of 72 hours is recommended to minimize floodwater contact with crawlspace materials and related moisture damage. The interim guidance is not prescriptive as to a type of drainage system; however, it is the community's responsibility to ensure that all buildings with below-grade crawlspaces have adequate drainage systems to ensure that accumulated waters drain from the crawlspace area. Communities must include in their ordinances a provision that addresses drainage requirements.

Drainage systems for below-grade crawlspace areas will vary because of site characteristics and soil types. Possible drainage system options include perforated pipes, drainage tiles, or gravel or crushed stone drainage by gravity or mechanical means. Fill dirt placed around the outside of the foundation wall should be adequately graded to slope away from the foundation and aid natural site drainage. If lots are too small to provide adequate site drainage through grading, other methods, such as swales, may be used to provide drainage away from the structure. Foundation drainage practices required by local codes must be met in addition to drainage of the enclosed below-grade crawlspace area.

Any enclosed area below the BFE is subject to flood forces and must have exterior wall openings whose bottom edges are no more than 1-foot above the LAG, in accordance with NFIP regulations. The wall openings allow the automatic entry and exit of floodwaters and for the floodwaters to reach equal levels on both sides of the foundation wall. The only exception to this requirement is dry floodproofed non-residential buildings. Further information on NFIP requirements for flood openings in foundation walls is found in Technical Bulletin 1-93, *Openings in Foundation Walls*.

Utilities, Access, and Ventilation Openings

NFIP regulations at 44 CFR, Section 60.3(a)(3)(iv) require that "utility systems shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located to prevent water from entering or accumulating within the components during conditions of flooding." The utility systems can be either elevated above the BFE or floodproofed in a manner that prevents floodwaters from infiltrating or accumulating within any component of the system. Elevation is the recommended method of mitigation for utility systems in A Zones. FEMA 348, *Protecting Building Utilities from Flood Damage*, provides detailed guidance on designing and constructing flood-resistant utility systems.

Access and ventilation openings shall be provided to the crawlspace area according to the local building codes and regulations. Access and ventilation requirements under the IRC 2000 include the following:

- An access opening 18 inches by 24 inches shall be provided to the enclosed crawlspace area to allow access to mechanical equipment or building utilities located in this space.
- The minimum net area of required ventilation openings shall not be less than 1 square foot for each 150 square feet of enclosed crawlspace area. One such ventilation opening shall be within 3 feet of each corner of the building. Ventilation openings shall be covered with an appropriate material.

The NFIP

The NFIP was created by Congress in 1968 to provide federally backed flood insurance coverage, because flood coverage was generally unavailable from private insurance companies. The NFIP is also intended to reduce future flood losses by identifying floodprone areas and ensuring that new development in these areas is adequately protected from flood damage. The NFIP is based on an agreement between the Federal government and participating communities that have been identified as floodprone. FEMA, through the Federal Insurance and Mitigation Administration, makes flood insurance available to the residents of a participating community, provided the community adopts and enforces adequate floodplain management regulations that meet the minimum NFIP requirements. The NFIP encourages communities to adopt floodplain management ordinances that exceed the minimum NFIP criteria set forth in Part 60 of the NFIP Floodplain Management Regulations (44 CFR 60). Included in the NFIP requirements, found under Title 44 of the U.S. Code of Federal Regulations, are minimum building design and construction standards for buildings located in SFHAs. Through their floodplain management ordinances or laws, communities adopt the NFIP performance standards for new, substantially improved, and substantially damaged buildings in floodprone areas identified on FEMA's Flood Insurance Rate Maps (FIRMs).

Technical Bulletins

This publication is one of a series of Technical Bulletins that FEMA has produced to provide guidance concerning the building performance standards of the NFIP. These standards are contained in 44 CFR 60.3. The bulletins are intended for use primarily by state and local officials responsible for interpreting and enforcing NFIP regulations and by members of the development community, such as design professionals and builders. New bulletins, as well as updates of existing bulletins, are issued periodically, as necessary. The bulletins do not create regulations; rather they provide specific guidance for conforming with the minimum requirements of existing NFIP regulations. Users of the Technical Bulletins who need additional guidance concerning NFIP regulatory requirements should contact the Mitigation Division of the appropriate FEMA Regional Office or the local floodplain administrator. NFIP Technical Bulletin 0, *User's Guide to Technical Bulletins*, lists the bulletins issued to date, provides a key word/subject index for the entire series, and lists addresses and telephone numbers for FEMA's 10 Regional Offices.

Ordering Information

Copies of FEMA Technical Bulletins can be obtained from the FEMA Regional Office that serves your area. In addition, Technical Bulletins and other FEMA publications can be ordered from the FEMA Publications Distribution Facility at 1-800-480-2520. The Technical Bulletins are also available at the FEMA web site at www.fema.gov.

Further Information

The following publications contain information related to the guidance presented in this bulletin:

American Concrete Institute. 1992. ACI318-92. *Building Code Requirements and Commentary for Reinforced Concrete*. Detroit, MI.

American Society of Civil Engineers. 1998. SEI/ASCE 7-98. *Minimum Design Loads for Buildings and Other Structures*. Reston, VA.

American Society of Civil Engineers. 1998. SEI/ASCE 24-98. *Flood Resistant Design and Construction*. Reston, VA.

Federal Emergency Management Agency. 1986. *Floodproofing Non-Residential Structures*. FEMA 102. Washington, DC.

Federal Emergency Management Agency. 1999. *Protecting Building Utility Systems From Flood Damage*. FEMA 348. Washington, DC.

Federal Emergency Management Agency. 2001. *Engineering Principles and Practices for Retrofitting Flood-Prone Residential Structures*. FEMA 259. Washington, DC.

International Code Council. 2000. *International Building Code*. Birmingham, AL.

International Code Council. 2000. *International Residential Code*. Birmingham, AL.

Masonry Standards Joint Committee. 1999. ACI 530-99/ASCE 5-99/TMS 402-99. *Building Code Requirements for Masonry Structures*.

National Association of Home Builders Research Foundation, Inc. 1977. *Manual for the Construction of Residential Basements in Non-Coastal Flood Environs*. Upper Marlboro, MD. March.

National Association of Home Builders Research Center, Inc. 2000. *Residential Structural Design Guide: 2000 Edition*. Upper Marlboro, MD.

National Concrete Masonry Association. 2000. TR121. *Concrete Masonry Design Tables*. Herndon, VA.

Glossary

Base Flood – The flood that has a 1-percent probability of being equaled or exceeded in any given year (also referred to as the 100-year flood).

Basement – Any area of a building having its floor subgrade (below ground level) on all sides.

Community – Any state or area or political subdivision thereof, or any Indian tribe or authorized tribal organization, or Alaska Native village or authorized native organization, which has the authority to adopt and enforce floodplain management regulations for the areas within its jurisdiction.

Federal Emergency Management Agency (FEMA) – The independent Federal agency that, in addition to carrying out other activities, administers the NFIP.

Federal Insurance and Mitigation Administration (FIMA) – The component of FEMA directly responsible for administering the flood hazard identification, floodplain management, and flood insurance activities of the NFIP.

Flood Insurance Rate Map (FIRM) – The insurance and floodplain management map issued by FEMA that identifies, on the basis of detailed or approximate analysis, areas of 100-year flood hazard in a community.

Floodprone area – Any land area susceptible to being inundated by flood water from any source.

New construction/structure – For floodplain management purposes, new construction means structures for which the start of construction commences on or after the effective date of a floodplain management regulation adopted by a community and includes subsequent improvements to the structure. For flood insurance purposes, these structures are often referred to as “post-FIRM” structures.

Special Flood Hazard Area (SFHA) – Area subject to inundation by the base flood, designated Zone A, A1-30, AE, AH, AO, V, V1-V30, or VE.