



Public Hearing Summary

Application to amend Parkville Municipal Code Chapter 404, Floodplain Management, to amend the existing floodplain management regulations, including the adoption of new Flood Insurance Rate Maps and the corresponding Flood Insurance Study. Case PZ15-05, City of Parkville, applicant.

The City of Parkville participates in the federal floodplain management program, allowing local property owners to participate in the flood insurance program. As a requirement of participation, the City regulates development and activities within designated flood hazard areas. These regulations are adopted in Parkville Municipal Code Chapter 404, Floodplain Management, which was last updated in 2000. The regulations reference separate Flood Insurance Rate Map (FIRM) panels which delineate 100-year floodplains, floodways and other flood hazard areas. These adopted panels were last updated over 35 years ago and are known to have limited accuracy.

The Federal Emergency Management Agency (FEMA) has prepared new floodplain maps which are proposed for adoption. In order for the City of Parkville to continue to participate in the federal floodplain management program and to allow property owners to continue to participate in the flood insurance program, the new flood study, maps and required amendments to Chapter 404 must be adopted.

A public hearing to discuss this application will be held on Tuesday, February 10, 2015 at 5:30 pm in the Parkville City Hall Boardroom at 8880 Clark Avenue, Parkville, MO 64152. For additional information, please see the attachments described below. For additional question please contact the Parkville Community Development Department at 816-741-7676.

Attachments:

1. Notice of Public Hearing published 1-21-15 in the Platte County Landmark
2. How to View Flood Insurance Rate Map (FIRM) Panels
3. Policy report to the Board of Aldermen summarizing proposed changes
4. Draft of proposed changes
5. Presentation to the Board of Aldermen summarizing required changes, authority, purpose, benefits, history, and adoption process.

Notice of Public Hearing: The Parkville Planning and Zoning Commission will hold a public hearing on Tuesday, February 10, 2015 at 5:30 pm in the Boardroom at Parkville City Hall, 8880 Clark Ave, Parkville, MO, to consider proposed floodplain management regulations, associated Flood Insurance Rate Maps (FIRMs) and a supporting Flood Insurance Study (FIS) as necessary to: promote the public health, safety, and general welfare; to minimize flooding related losses; to establish or maintain the community's eligibility for participation in the National Flood Insurance Program as defined in 44 Code of Federal Regulations (CFR) 59.22(a)(3); and to meet the requirements of 44 CFR 60.3(d). Specifically, the City proposes to repeal and replace portions of the Parkville Municipal Code Chapter 404, *Floodplain Management*, with new floodplain management regulations, including the adoption by reference of FIRMs 29165C0295D, 29165C0313D, 29165C0360D, 29165C0370D, 29165C0376D, 29165C0377D, 29165C0378D, 29165C0379D, 29165C0383D, 29165C0386D, 29165C0387D, 29165C0391D, and Flood Boundary and Floodway Map (FBFM) 29165C0392D and the FIS 29165CV001A for Platte County Missouri. Following consideration, the Planning and Zoning Commission will recommend action to the Board of Aldermen. The Board will consider this recommendation during their regular meeting on Tuesday, February 17, 2015 at 7:00 pm in the Boardroom at Parkville City Hall.

This hearing is open to the public and all interested parties are welcome to attend and address the Planning and Zoning Commission regarding this matter. Copies of the proposed changes to Chapter 404 and links to the associated FIRM maps and FIS study can be found online at www.parkvillemo.gov or all materials may be viewed in person at Parkville City Hall during regular office hours.

How to View Flood Insurance Rate Map (FIRM) Panels

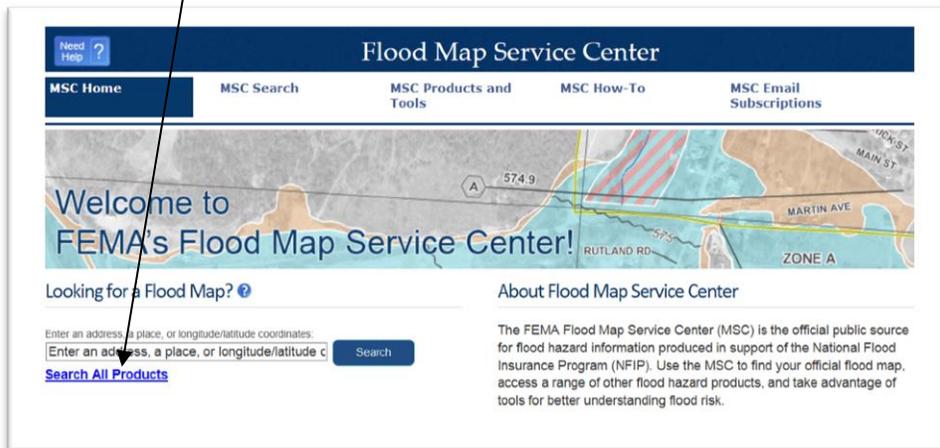
- Verify FIRM Panel numbers online by visiting FEMA’s Map Service Center at:

www.msc.fema.gov/portal

Instructions:

1. Go to the FEMA Map Service Center website: <https://msc.fema.gov/portal>

2. Click Search All Products



3. Select Jurisdiction by: a. State. b. County. c. Community

A screenshot of the "Search All Products" search form. The form is titled "Search All Products" and includes a sub-header "Choose one of the three search options below and optionally enter a posting date range." The form is divided into three main sections: "Jurisdiction", "Jurisdiction Name", and "Product ID". The "Jurisdiction" section has three dropdown menus for "State" (selected as "MISSOURI"), "County" (selected as "PLATTE COUNTY"), and "Community" (selected as "FARLEY, VILLAGE OF"). The "Jurisdiction Name" section has a text input field for "Jurisdiction Name or FEMA ID" with a note "(Ex. Fairfax County-wide or S1039C)". The "Product ID" section has a text input field for "Product ID" with a note "(Ex. Panel Number, LCMC Case Number)". Below these sections is a "Map Service Center Posting Date Range (optional)" section with "Date From" and "Date To" input fields. At the bottom of the form are "Search" and "Clear All Fields" buttons.

4. Click the Search button

Search All Products

Choose one of the three search options below and optionally enter a posting date range.

Jurisdiction

State: MISSOURI
County: PLATTE COUNTY
Community: FARLEY, VILLAGE OF

Jurisdiction Name

Jurisdiction Name or FEMA ID
(Ex. Fairfax County-wide or 31059C)

Product ID

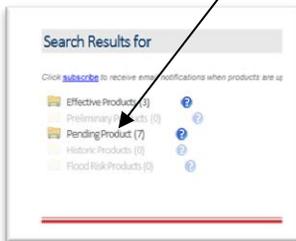
Product ID
(Ex. Panel Number, LOMC Case Number)

Map Service Center Posting Date Range (optional)

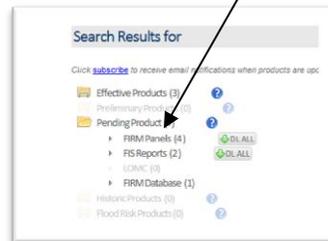
Date From:
Date To:

[Search](#) [Clear All Fields](#)

5. Click on Pending Products



6. Click on FIRM Panels



7. Verify FIRM Panel Numbers on the Ordinance (Article 1, Section A).

You may Download or View the panels

Search Results for

Click [subscribe](#) to receive email notifications when products are updated.

- Effective Products (3)
- Preliminary Products (3)
- Pending Product (7)
 - FIRM Panels (4)
- Historic Products (3)
- Flood Risk Products (3)

Product ID	Effective Date	LOMC	Size	Download	View
29165C0200A	04/02/2015		0MB	DL	VIEW
29165C02007D	04/02/2015		11MB	DL	VIEW
29165C02009D	04/02/2015		15MB	DL	VIEW
29165C02009D	04/02/2015		9MB	DL	VIEW

- FIS Reports (2)
- LOMC (3)
- FIRM Database (1)
- Historic Products (3)
- Flood Risk Products (3)

1-20-15 preliminary report to the Board of Aldermen summarizing proposed floodplain management changes.

ITEM 1A
For 01-20-15
Board of Aldermen Work Session

CITY OF PARKVILLE

Policy Report

Date: Thursday, January 15, 2015

Prepared By:
Sean Ackerson
Assistant City Administrator/
Community Development Director

Reviewed By:
Lauren Palmer
City Administrator

ISSUE:

Overview of the proposed Floodplain Management Ordinance updates to be considered for adoption in February 2015.

BACKGROUND:

The City of Parkville participates in the federal floodplain management program, regulating development and activities within designated flood hazard areas. These regulations are adopted in Parkville Municipal Code Chapter 404, Floodplain Management, which was last updated in 2000. The regulations reference separate Flood Insurance Rate Map (FIRM) panels which delineate 100-year floodplains, floodways and other flood hazard areas. These adopted panels were last updated over 35 years ago and are known to have limited accuracy.

The Federal Emergency Management Agency (FEMA) is in the process of remapping floodplains across the United States. Updated technology has allowed significantly more accurate flood plain mapping. In 2010, FEMA began the process of remapping floodplains and floodways in Platte County. Preliminary flood plain maps were provided for review and comment in 2010. These maps showed more accurate flood hazard delineations, in many cases reducing the designated floodplain and areas. The new maps also show the location of both the floodplain and floodway on a single map panels making hazard determinations easier (previously shown on separate panels). The new maps are also available in digital form and Platte County intends to make the delineations available through their County GIS mapping viewer, significantly increasing access to the information.

To help ensure the flood hazard delineations were accurate, public meetings were advertised and held in Parkville and Platte County to allow property owners and other interested parties to review the preliminary maps. In 2011, a formal three-month appeal period was provided to allow citizens the opportunity to appeal flood plain locations on these preliminary maps. Few comments were received from property owners in Parkville and the surrounding area since the majority of the changes were neutral or beneficial to the owners. These comments or appeals were reviewed by FEMA on a case by case basis and amendments were made where appropriate.

After the public comment period closed and final amendments were included, FEMA proceeded to a Letter of Final Determination. However, all updates were put on hold over concerns about how existing levies would be recognized. The map updates remained on hold through 2014.

In October 2014, FEMA notified Platte County and the City the new maps had finally been published, would become effective April 2, 2015, and the City had six months to adopt required floodplain ordinance updates. In November 2014, the City received the final maps and was authorized to proceed. In December 2014, City, County and staff from other jurisdictions in Platte County met with FEMA and Missouri State Emergency Management Agency (SEMA) members for training on implementation and further direction on adoption of the updates.

The required changes included only minor updates to our existing ordinance including adopting the new FIRM panels and supporting Flood Impact Study by reference. The changes do not change the enforcement or intent of these regulations. The adoption does not change the flood insurance rates. Flood insurance rates have been increased recently, but are established separately and are not affected by the City's adoption of the regulation updates. Instead, adoption makes Parkville property owners eligible to buy federal flood insurance (whether they are located within the floodplain or not). Failure to adopt the updates would result in suspension and ultimately removal from the program, disallowing Parkville property owners from buying federal flood insurance.

Staff proposes the following adoption timeline in order to meet the April 2, 2015, deadline:

- January 20, 2015 – Public presentation to the Board of Aldermen.
- January 21, 2015 – Notice of public hearing to adopt updated regulations and FIRM panels is published in the Platte County Landmark.
- February 10, 2015 – Updates considered by the Planning Commission.
- February 17, 2015 – Updates considered and adopted by the Board unless postponed.
- March 3, 2015 – Final consideration and adoption (if necessary).

Attached are the proposed Floodplain Management updates showing minor changes required by FEMA and additional changes recommended by staff. These changes are currently under review by FEMA, but are expected to be approved in time for approval in February. Paper copies of the final FIRM panels will be on display at the meeting. Unfortunately, the digital file sizes are too large to distribute by email or post on the City webpage currently. Meanwhile, anyone wishing to obtain a copy should contact the Community Development Department who can provide copies on a flash drive, CD or via cloud file sharing.

BUDGET IMPACT:

None until adoption. The expense for codifying adopted updates has been budgeted for 2015. Expenses for staff time and resources to implement, administer and enforce the regulations are also budgeted for 2015.

ALTERNATIVES:

1. Take no action and allow staff to proceed with the proposed timeline.
2. Provide alternative direction to staff.

STAFF RECOMMENDATION:

Staff recommends the Board accept the report and allow staff to proceed with the proposed timeline.

POLICIES:

Per RSMo 89.050 and Parkville Municipal Code, Chapter 483, amendments to the zoning code are to be approved by the Board of Aldermen by ordinance, after the Planning and Zoning Commission considers the amendment at a public hearing and forwards their recommendation.

SUGGESTED MOTIONS:

No action required.

ATTACHMENTS:

1. Draft amendments
2. Power point presentation
3. April 2, 2015 FIRM panels (to be on display at the meeting)

Section 404.010: Statutory Authorization, Findings of Fact and Purpose.

A. *Statutory Authorization.* The legislature of the State of Missouri has in ~~Section 89.020,~~ RSMo., 79.110 delegated the responsibility to local governmental units to adopt floodplain management regulations designed to protect the health, safety and general welfare. Therefore, the Board of Aldermen of the City of Parkville, Missouri, ordains as follows.

B. *Findings Of Fact.*

1. *Flood losses resulting from periodic inundation.* The special flood hazard areas of the City of Parkville, Missouri, are subject to 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. *General causes of the flood losses.* These flood losses are caused by:
 - a. The cumulative effect of development in any delineated floodplain causing increases in flood heights and velocities; and
 - b. The occupancy of flood hazard areas by uses vulnerable to floods, hazardous to others, inadequately elevated, or otherwise unprotected from flood damages.
3. *Methods used to analyze flood hazards.* The Flood Insurance Study (FIS) that is the basis of this Chapter uses a standard engineering method of analyzing flood hazards which consist of a series of interrelated steps.
 - a. Selection of a base flood that is based upon engineering calculations which permit a consideration of such flood factors as its expected frequency of occurrence, the area inundated, and the depth of inundation. The base flood selected for this Chapter is representative of large floods which are characteristic of what can be expected to occur on the Missouri River and particular lakes, creeks, streams and other water bodies subject to this Chapter. It is in the general order of a flood which could be expected to have a one percent (1%) chance of occurrence in any one (1) year as delineated on the Federal Insurance Administrator's Flood Insurance Study (FIS), and illustrative materials for Platte County dated ~~May 15, 1978,~~ April 2, 2015 as amended, and any future revisions thereto.
 - b. Calculation of water surface profiles are based on a standard hydraulic engineering analysis of the capacity of the stream channel and overbank areas to convey the regulatory flood.
 - c. Computation of a floodway required to convey this flood without increasing flood heights more than one (1) foot at any point.
 - d. Delineation of floodway encroachment lines within which no development is permitted that would cause any increase in flood height.
 - e. Delineation of flood fringe, i.e., that area outside the floodway encroachment lines, but still subject to inundation by the base flood.

- C. *Statement Of Purpose.* It is the purpose of this Chapter to promote the public health, safety, and general welfare; to minimize those losses described in Section 404.010, Subsection B, 1; to establish or maintain the community's eligibility for participation in the National Flood Insurance Program (NFIP) as defined in 44 Code of Federal Regulations (CFR) 59.22(a)(3); and to meet the requirements of 44 CFR 60.3(d) by applying the provisions of this Chapter to:
1. Restrict or prohibit uses that are dangerous to health, safety or property in times of flooding or cause undue increases in flood heights or velocities;
 2. Require uses vulnerable to floods, including public facilities that serve such uses, be provided with flood protection at the time of initial construction; and
 3. Protect individuals from buying lands that are unsuited for the intended development purposes due to the flood hazard.

Section 404.020: General Provisions.

- A. *Lands To Which Chapter Applies.* This Chapter shall apply to all lands within the jurisdiction of the City of Parkville, Missouri identified as numbered and unnumbered A Zones and AE Zones on the Flood Insurance Rate ~~Map (FIRM)~~Maps (FIRMs) for Platte County on map panels 29165C0295D, 29165C0313D, 29165C0360D, 29165C0370D, 29165C0376D, 29165C0377D, 29165C0378D, 29165C0379D, 29165C0383D, 29165C0386D, 29165C0387D, 29165C0391D, and Flood Boundary and Floodway Map (FBFM)29165C0392D dated ~~May 15, 1978,~~ April 2, 2015 as amended, and any future revisions thereto. In all areas covered by this Chapter, no development shall be permitted except through the issuance of a floodplain development permit granted by the Board of Aldermen or its duly designated representative under such safeguards and restrictions as the Board of Aldermen or the designated representative may reasonably impose for the promotion and maintenance of the general welfare, health of the inhabitants of the community, and as specifically noted in Section 404.040.
- B. *Floodplain Administrator.* The Assistant City Administrator is hereby designated as the Floodplain Administrator under this Chapter.
- C. *Compliance.* No development located within the special flood hazard areas of this community shall be located, extended, converted or structurally altered without full compliance with the terms of this Chapter and other applicable regulations.
- D. *Abrogation And Greater Restrictions.* It is not intended by this Chapter to repeal, abrogate or impair any existing easements, covenants or deed restrictions. However, where this Chapter imposes greater restrictions, the provisions of this Chapter shall prevail. All other ordinances inconsistent with this Chapter are hereby repealed to the extent of the inconsistency only.
- E. *Interpretation.* In their interpretation and application, the provisions of this Chapter shall be held to be minimum requirements, shall be liberally construed in favor of the Governing BodyCity of Parkville, and shall not be deemed a limitation or repeal of any other powers granted by the Missouri State Statutes.
- F. *Warning And Disclaimer Of Liability.* The degree of flood protection required by this Chapter is considered reasonable for regulatory purposes and is based on engineering and scientific

methods of study. Larger floods may occur on rare occasions or the flood heights may be increased by manmade or natural causes, such as ice jams and bridge openings restricted by debris. This Chapter does not imply that areas outside the floodway and flood fringe or land uses permitted within such areas will be free from flooding or flood damage. This Chapter shall not create a liability on the part of the City of Parkville, any officer or employee thereof for any flood damages that may result from reliance on this Chapter or any administrative decision lawfully made thereunder.

- G. *Severability*. If any Section, clause, provision or portion of this Chapter is adjudged unconstitutional or invalid by a court of appropriate jurisdiction, the remainder of this Chapter shall not be affected thereby.

Section 404.030: Administration.

- A. *Floodplain Development Permit (Required)*. A floodplain development permit shall be required for all proposed construction or other development, including the placement of manufactured homes, in the areas described in Section 404.020 ~~(A)~~. No person, firm, corporation or unit of government shall initiate any development or substantial improvement or cause the same to be done without first obtaining a separate floodplain development permit for each structure or other development.
- B. *Designation Of Floodplain Administrator*. The Assistant City Administrator is hereby appointed to administer and implement the provisions of this Chapter.
- C. *Duties And Responsibilities Of Floodplain Administrator*. Duties of the City Floodplain Administrator shall include, but not be limited to:
1. Review of all applications for floodplain development permits to assure that sites are reasonably safe from flooding and that the floodplain development permit requirements of this Chapter have been satisfied;
 2. Review of all applications for floodplain development permits for proposed development to assure that all necessary permits have been obtained from Federal, State or local governmental agencies from which prior approval is required by Federal, State or local law;
 3. Review all subdivision proposals and other proposed new development, including manufactured home parks or subdivisions, to determine whether such proposals will be reasonably safe from flooding;
 4. Issue floodplain development permits for all approved applications;
 5. Notify adjacent communities and the Missouri State Emergency Management Agency (Mo SEMA) prior to any alteration or relocation of a watercourse and submit evidence of such notification to the Federal Emergency Management Agency (FEMA);
 6. ~~Assure that maintenance is provided~~ assure that the flood carrying capacity is not diminished and shall be maintained within the altered or relocated portion of any watercourse ~~so that the flood-carrying capacity is not diminished;~~

7. Verify and maintain a record of the actual elevation (in relation to mean sea level) of the lowest floor, including basement, of all new or substantially improved structures;
8. Verify and maintain a record of the actual elevation (in relation to mean sea level) that the new or substantially improved non-residential structures have been floodproofed; and
9. When floodproofing techniques are utilized for a particular non-residential structure, the CityFloodplain Administrator shall require certification from a registered professional engineer or architect.

D. *Application For Floodplain Development Permit.* To obtain a floodplain development permit, the applicant shall first file ana complete floodplain development permit application in writing on a form furnished with the Floodplain Administrator for that purpose review and action. Every floodplain development permit application shall:

1. Describe the land on which the proposed work is to be done by lot, block and tract, house and street address, or similar description that will readily identify and specifically locate the proposed structure or work;
2. Identify and describe the work to be covered by the floodplain development permit;
3. Indicate the use or occupancy for which the proposed work is intended;
4. Indicate the assessed value of the structure and the fair market value of the improvement;
5. Specify whether development is located in designated flood fringe or floodway;
6. Identify the existing base flood elevation and the elevation of the proposed development;
7. Give such other information as reasonably may be required by the CityFloodplain Administrator;
8. Be accompanied by plans and specifications for proposed construction; and
9. Be signed by the permittee or his authorized agent who may be required to submit evidence to indicate such authority.

Section 404.040: Provisions For Flood Hazard Reduction.

A. General Standards.

1. No permit for floodplain development shall be granted for new construction substantial improvements, and other improvements, including the placement of manufactured homes, within any numbered or unnumbered A Zones and AE Zones, unless the conditions of this Section are satisfied.
2. All areas identified as unnumbered A Zones on the FIRM are subject to inundation of the 100-year flood; however, the base flood elevation is not provided. Development within unnumbered A Zones is subject to all provisions of this Chapter. If Flood Insurance

Study data is not available, the ~~community~~Floodplain Administrator shall obtain, review, and reasonably utilize any base flood elevation or floodway data currently available from Federal, State or other sources.

3. Until a floodway is designated, no new construction, substantial improvements or other development, including fill, shall be permitted within any numbered A Zone or AE Zone on the 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 (1) foot at any point within the community.
4. All new construction, subdivision proposals, substantial improvements, prefabricated structures, placement of manufactured homes, and other developments shall require:
 - a. Design or adequate anchorage to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
 - b. Construction with materials resistant to flood damage;
 - c. Utilization of methods and practices that minimize flood damages;
 - d. All electrical, heating, ventilation, plumbing, air-conditioning equipment, and other service facilities be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
 - e. New or replacement water supply systems and/or sanitary sewage systems be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and on-site waste disposal systems be located so as to avoid impairment or contamination; and
 - f. Subdivision proposals and other proposed new development, including manufactured home parks or subdivisions, located within special flood hazard areas are required to assure that:
 - (1) All such proposals are consistent with the need to minimize flood damage;
 - (2) All public utilities and facilities, such as sewer, gas, electrical, and water systems, are located and constructed to minimize or eliminate flood damage;
 - (3) Adequate drainage is provided so as to reduce exposure to flood hazards; and
 - (4) All proposals for development, including proposals for manufactured home parks and subdivisions, of five (5) acres or fifty (50) lots, whichever is lesser, include within such proposals base flood elevation data.

~~(5)~~ Storage, material, and equipment.

- ~~(a)~~ The storage or processing of materials within the special flood hazard area that are in time of flooding buoyant, flammable, explosive, or could be injurious to human, animal, or plant life is prohibited.

~~(b)~~ Storage of other material or equipment may be allowed if not subject to major damage by floods, if firmly anchored to prevent flotation, or if readily removable from the area within the time available after a flood warning.

~~(6)~~ Accessory structures. Structures used solely for parking and limited storage purposes, not attached to any other structure on the site, of limited investment value, and not larger than four hundred (400) square feet, may be constructed at-grade and wet-floodproofed provided there is no human habitation or occupancy of the structure; the structure is of single-wall design; a variance has been granted from the standard floodplain management requirements of this Chapter; and a floodplain development permit has been issued.

B. Specific Standards.

1. In all areas identified as numbered and unnumbered A Zones and AE Zones, where base flood elevation data have been provided, as set forth in Section 404.040(A)(2), the following provisions are required:

a. *Residential construction.* New construction or substantial improvement of any residential structures, including manufactured homes, shall have the lowest floor, including basement, elevated to a minimum of one (1) foot above the base flood elevation.

b. *Non-residential construction.* New construction or substantial improvement of any commercial, industrial or other non-residential structures, including manufactured homes, shall have the lowest floor, including basement, elevated to a minimum of one (1) foot above the base flood elevation or, together with attendant utility and sanitary facilities, be floodproofed so that below the base flood elevation 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 certify that the standards of this Subsection are satisfied. Such certification shall be provided to the Floodplain Administrator as set forth in Section 404.030(C)(9).

c. Require, for all new construction and substantial improvements, that fully enclosed areas below lowest floor used solely for parking of vehicles, building access or storage in an area other than a basement and that 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:

(1) A minimum of two (2) openings having a total net area of not less than one (1) square inch for every one (1) square foot of enclosed area subject to flooding shall be provided; and

(2) The bottom of all openings shall be no higher than one (1) foot above grade. Openings may be equipped with screens, louvers, valves or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

C. Manufactured Homes.

1. All manufactured homes to be placed within all unnumbered and numbered A Zones and AE Zones, on the community's FIRM shall be required to be installed using methods and practices that 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.
 2. Require manufactured homes that are placed or substantially improved within unnumbered or numbered A Zones and AE Zones on the community's FIRM on sites:
 - a. Outside of manufactured home park or subdivision;
 - b. In a new manufactured home park or subdivision;
 - c. In an expansion to an existing manufactured home park or subdivision; or
 - d. an existing manufactured home park or subdivision on which a manufactured home has incurred substantial damage as the result of a flood be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to a minimum of one (1) foot above the base flood elevation and be securely attached to an adequately anchored foundation system to resist flotation, collapse and lateral movement.
 3. Require that manufactured homes to be placed or substantially improved on sites in an existing manufactured home park or subdivision within all unnumbered and numbered A Zones and AE Zones on the community's FIRM, that are not subject to the provisions of Section 404.040(C)(2) of this Chapter, be elevated so that either:
 - a. The lowest floor of the manufactured home is a minimum of one (1) foot above the base flood level; or
 - b. The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than thirty-six (36) inches in height above grade and be securely attached to an adequately anchored foundation system to resist flotation, collapse and lateral movement.
- D. *Floodway*. Located within areas of special flood hazard established in Section 404.020(A) are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters that carry debris and potential projectiles, the following provisions shall apply:
1. The community shall select and adopt a regulatory floodway based on the principle that the area chosen for the regulatory floodway must be designed to carry the waters of the base flood without increasing the water surface elevation of that flood more than one (1) foot at any point.
 2. The community shall prohibit any encroachments, including fill, new construction, substantial improvements and other development, within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed

encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.

3. If Section 404.040(D)(2) is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Section 404.040.
 4. In unnumbered A Zones, the community shall obtain, review and reasonably utilize any base flood elevation or floodway data currently available from ~~Feral~~Federal, State, or other sources as set forth in Section 404.040(A)(2).
- E. *Recreational Vehicles*. Require that recreational vehicles placed on sites within all unnumbered and numbered A Zones and AE Zones on the community's FIRM either:
1. Be on the site for fewer than one hundred eighty (180) consecutive days; or
 2. Be fully licensed and ready for highway use*; or
 3. Meet the permitting, elevation, and the anchoring requirements for manufactured homes of this Chapter.
- * 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.

Section 404.050: Floodplain Management Variance Procedures.

- A. *Establishment Of Appeal Board*. The Board of ~~Aldermen~~Zoning Adjustment as established by the City of Parkville shall hear and decide appeals and requests for variances from the floodplain management requirements of this Chapter.
- B. *Responsibility Of Appeal Board*. Where an application for a floodplain development permit or request for a variance from the floodplain management regulations is denied by the ~~City~~Floodplain Administrator, the applicant may apply for such floodplain development permit or variance directly to the Appeal Board, as defined in Section 404.050(A).

The ~~Appeal~~ Board ~~of Aldermen~~ shall hear and decide appeals when it is alleged that there is an error in any requirement, decision, or determination made by the ~~City~~Floodplain Administrator in the enforcement or administration of this Chapter.

- C. *Further Appeals*. Any person aggrieved by the decision of the ~~Appeal~~ Board ~~of Aldermen~~ or any taxpayer may appeal such decision to the ~~Platte County~~ Circuit Court ~~of Platte County~~ as provided in ~~Section~~RSMo 89.110, ~~RSMo~~.
- D. *Floodplain Management Variance Criteria*. In passing upon such applications for variances, the Board of ~~Aldermen~~Zoning Adjustment shall consider all technical data and evaluations, all relevant factors, standards specified in other Sections of this Chapter, and the following criteria:
 1. The danger to life and property due to flood damage;
 2. The danger that materials may be swept onto other lands to the injury of others;

3. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
4. The importance of the services provided by the proposed facility to the community;
5. The necessity to the facility of a waterfront location, where applicable;
6. The availability of alternative locations, not subject to flood damage, for the proposed use;
7. The compatibility of the proposed use with existing and anticipated development;
8. The relationship of the proposed use to the Comprehensive Plan and Floodplain Management Program for that area;
9. The safety of access to the property in times of flood for ordinary and emergency vehicles;
10. The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters, if applicable, expected at the site; and
11. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems; streets; and bridges.

E. *Conditions For Approving Floodplain Management Variances.*

1. Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half ($\frac{1}{2}$) acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing Subparagraphs (2) through (6) below have been fully considered. As the lot size increases beyond the one-half ($\frac{1}{2}$) acre, the technical justification required for issuing the variance increases.
2. Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places, the State Inventory of Historic Places, or local inventory of historic places upon determination provided the proposed activity will not preclude the structure's continued historic designation.
3. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
4. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
5. Variances shall only be issued upon:
 - a. A showing of good and sufficient cause;
 - b. A determination that failure to grant the variance would result in exceptional hardship to the applicant; and

- c. 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.
6. A community shall notify the applicant in writing over the signature of a community official that:
- a. The issuance of a variance to construct a structure below base flood level will result in increased premium rates for flood insurance up to amounts as high as twenty-five dollars (\$25.00) for one hundred dollars (\$100.00) of insurance coverage; and
 - b. Such construction below the base flood level increases risks to life and property. Such notification shall be maintained with the record of all variance actions as required by this Chapter.
- F. *Conditions For Approving Variances For Accessory Structures.* Any variance granted for an accessory structure shall be decided individually based on a case-by-case analysis of the building's unique circumstances. Variances granted shall meet the following conditions as well as those criteria and conditions set forth in Section 404.050(D) and (E) of this Chapter.

In order to minimize flood damages during the 100-year flood and the threat to public health and safety, the following conditions shall be included for any variance issued for accessory structures that are constructed at-grade and wet-floodproofed.

1. Use of the accessory structures must be solely for parking and limited storage purposes in ~~Zone A flood-prone areas~~ only ~~as identified on the community's Flood Insurance Rate Map (FIRM).~~
- 2.- For any new or substantially damaged accessory structures, the ~~exterior~~exterior and interior building components and elements (i.e., foundation, wall framing, exterior and interior finishes, flooring, etc.) below ~~the base flood elevation~~highest adjacent grade, must be built with flood-resistant materials in accordance with Section 404.040(A)(4)(b) of this Chapter.
3. The accessory structures must be adequately anchored to prevent flotation, collapse or lateral movement of the structure in accordance with Section 404.040(A)(4)(a) of this Chapter. All of the building's structural components must be capable of resisting specific flood-related forces including hydrostatic, buoyancy, and hydrodynamic and debris impact forces.
- 4.- Any mechanical, electrical, or other utility equipment must be located above ~~the base flood elevation~~highest adjacent grade or floodproofed so that they are contained within a watertight, floodproofed enclosure that is capable of resisting damage during flood conditions in accordance with Section 404.040(A)(4)(d) of this Chapter.
- 5.- The accessory structures must meet all National Flood Insurance Program (NFIP) opening requirements. The NFIP requires that enclosure or foundation walls, subject to the 100-year flood, contain openings that will permit the automatic entry and exit of floodwaters in accordance with ~~Section 404.040(B)(1)(c) of this Chapter~~the NFIP regulations.

~~6. The accessory structures must comply with the floodplain management floodway encroachment provisions of Section 404.040(D)(2) of this Chapter. No variances may be issued for accessory structures within any designated floodway, if any increase in flood levels would result during the 100-year flood.~~

~~7. Equipment, machinery, or other contents must be protected from any flood damage.~~

~~8.7.~~ No disaster relief assistance under any program administered by any Federal agency shall be paid for any repair or restoration costs of the accessory structures.

~~9.8.~~ A community shall notify the applicant in writing over the signature of a community official that:

a. The issuance of a variance to construct a structure below ~~base flood level~~highest adjacent grade will result in increased premium rates for flood insurance up to amounts as high as twenty-five dollars (\$25.00) for every one hundred dollars (\$100.00) of insurance coverage; and

b. Such construction below ~~the base flood level~~highest adjacent grade increases risks to life and property. Such notification shall be maintained with the record of all variance actions as required by this Chapter.

~~109.~~ Wet-floodproofing construction techniques must be reviewed and approved by the ~~community~~Floodplain Administrator and ~~registered~~a professional engineer or architect registered in the State of Missouri prior to the issuance of any floodplain development permit for construction.

Section 404.060: Penalties For Violation.

Violation of the provisions of this Chapter or failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with granting of variances) shall constitute a misdemeanor. Any person who violates this Chapter or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than five hundred dollars (\$500.00), and in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the City of Parkville or other appropriate authority from taking such other lawful action as is necessary to prevent or remedy any violation.

Section 404.070: Amendments.

The regulations, restrictions, and boundaries set forth in this Chapter may from time to time be amended, supplemented, changed, or appealed to reflect any and all changes in the National Flood Disaster Protection Act of 1973, provided, however, that no such action may be taken until after a public hearing in relation thereto, at which parties of interest and citizens shall have an opportunity to be heard. ~~Notice of the time and place of such hearing shall be published in a newspaper of general circulation in Platte County. At least twenty (20) days shall elapse between the date of this publication and the public hearing. All notices shall be in accordance with the requirements of Chapter 483, Changes and Amendments, Section 483.030, Public Hearing.~~ A copy of such amendments will be provided to the Region VII office of the Federal

Emergency Management Agency (FEMA). The regulations of this Chapter are in compliance with the National Flood Insurance Program (NFIP) regulations.

Section 404.080: Definitions.

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

100-YEAR FLOOD

See “*BASE FLOOD.*”

ACCESSORY STRUCTURE

The same as “*APPURTENANT STRUCTURE.*”

ACTUARIAL RATES

See “*RISK PREMIUM RATES.*”

ADMINISTRATOR

The Federal Insurance Administrator.

AGENCY

The Federal Emergency Management Agency (FEMA).

AGRICULTURAL COMMODITIES

Agricultural products and livestock.

AGRICULTURAL STRUCTURE

Any structure used exclusively in connection with the production, harvesting, storage, drying, or raising of agricultural commodities.

APPEAL

A request for review of the Floodplain Administrator's interpretation of any provision of this Chapter or a request for a variance.

APPURTENANT STRUCTURE

A structure that is on the same parcel of property as the ~~principal~~ **principle** structure to be insured and the use of which is incidental to the use of the principal structure.

AREA OF SPECIAL FOOD HAZARD

The land in the floodplain within a community subject to a one percent (1%) or greater chance of flooding in any given year.

BASE FLOOD

The flood having a one percent (1%) chance of being equaled or exceeded in any given year.

BASEMENT

Any area of the structure having its floor subgrade (below ground level) on all sides.

BUILDING

See “*STRUCTURE*.”

CHIEF EXECUTIVE OFFICER or CHIEF ELECTED OFFICIAL

The official of the community who is charged with the authority to implement and administer laws, ordinances and regulations for that community.

COMMUNITY

Any State or area or political subdivision thereof which has authority to adopt and enforce floodplain management regulations for the areas within its jurisdiction.

DEVELOPMENT

Any ~~manmade~~man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, levees, levee systems, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials.

ELEVATED BUILDING

For insurance purposes, a non-basement building which has its lowest elevated floor raised above ground level by foundation walls, shear walls, posts, piers, pilings or columns.

ELIGIBLE COMMUNITY or PARTICIPATING COMMUNITY

A community for which the Administrator has authorized the sale of flood insurance under the National Flood Insurance Program (NFIP).

EXISTING CONSTRUCTION

For the purposes of determining rates, structures for which the “start of construction” commenced before the effective date of the FIRM or before January 1, 1975, for ~~FIRM's~~FIRMs effective before that date. “*Existing construction*” may also be referred to as “*existing structures*”.

EXISTING MANUFACTURED HOME PARK or SUBDIVISION

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 floodplain management regulations adopted by a community.

The preparation of additional sites by the construction of 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

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

1. The overflow of inland; and/or
2. The unusual and rapid accumulation or runoff of surface waters from any source.

FLOOD BOUNDARY AND FLOODWAY MAP (FBFM)

An official map of a community on which the Administrator has delineated both special flood hazard areas and the designated regulatory floodway.

FLOOD ELEVATION DETERMINATION

A determination by the Administrator of the water surface elevations of the base flood, that is, the flood level that has a one percent (1%) or greater chance of occurrence in any given year.

FLOOD ELEVATION STUDY

An examination, evaluation and determination of flood hazards.

FLOOD FRINGE

The area outside the floodway encroachment lines, but still subject to inundation by the regulatory flood.

FLOOD HAZARD BOUNDARY MAP (FHBM)

An official map of a community, issued by the Administrator, where the boundaries of the flood areas having special flood hazards have been designated as (unnumbered or numbered) A Zones.

FLOOD INSURANCE RATE MAP (FIRM)

An official map of a community on which the Administrator has delineated both the special flood hazard areas and the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY (FIS)

An examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations.

FLOODPLAIN or FLOOD-PRONE AREA

Any land area susceptible to being inundated by water from any source (see "*FLOODING*").

FLOODPLAIN MANAGEMENT

The operation of an overall program of corrective and preventive measures for reducing flood damage including, but not limited to, emergency preparedness plans, flood control works, and floodplain management regulations.

FLOODPLAIN MANAGEMENT REGULATIONS

Zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as floodplain and grading ordinances) and other applications of police power. The term describes such State or local regulations, in any combination thereof, that provide standards for the purpose of flood damage prevention and reduction.

FLOODPROOFING

Any combination of structural and ~~non-structural~~ nonstructural additions, changes, or adjustments to structures that reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, or structures and their contents.

FLOODWAY or REGULATORY FLOODWAY

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 one (1) foot.

FLOODWAY ENCROACHMENT LINES

The lines marking the limits of floodways on Federal, State and local floodplain maps.

FREEBOARD

A factor of safety usually expressed in feet above a flood level for purposes of floodplain management. “*Freeboard*” tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as bridge openings and the hydrological effect of urbanization of the watershed.

FUNCTIONALLY DEPENDENT USE

A use that cannot perform its intended purpose unless it is located or carried out in close proximity to water. This term includes only docking facilities and facilities that are necessary for the loading and unloading of cargo or passengers, but does not include long-term storage or related manufacturing facilities.

HIGHEST ADJACENT GRADE

The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

HISTORIC STRUCTURE

Any structure that is:

1. 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;
2. 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;
3. Individually listed on a State Inventory of Historic Places in States with historic preservation programs which have been approved by the Secretary of the Interior; or
4. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - a. By an approved State program as determined by the Secretary of the Interior; or
 - b. Directly by the Secretary of the Interior in States without approved programs.

LOWEST FLOOR

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 floodproofing design requirements of this Chapter.

MANUFACTURED HOME

A structure, transportable in one (1) or more sections, that 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

A parcel (or contiguous parcels) of land divided into two (2) or more manufactured home lots for rent or sale.

MAP

The Flood Hazard Boundary Map (FHBM), Flood Insurance Rate Map (FIRM), or the Flood Boundary and Floodway Map (FBFM) for a community issued by the Federal Emergency Management Agency (FEMA).

MARKET VALUE or FAIR MARKET VALUE

An estimate of what is fair, economic, just and equitable value under normal local market conditions.

MEAN SEA LEVEL

For purposes of the National Flood Insurance Program (NFIP), 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 (FIRM) are referenced.

NEW CONSTRUCTION

For the purposes of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "*new construction*" means structures for which the "start of construction" commenced on or after the effective date of the floodplain management regulations adopted by a community and includes any subsequent improvements to such structures.

NEW MANUFACTURED HOME PARK or SUBDIVISION

A manufactured home park or subdivision for which the construction of facilities for servicing the lot 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 floodplain management regulations adopted by the community.

NFIP

The National Flood Insurance Program (NFIP).

PARTICIPATING COMMUNITY (ALSO KNOWN AS AN ELIGIBLE COMMUNITY)

Also known as an "eligible community," means a community in which the Administrator has authorized the sale of flood insurance.

PERSON

Includes any individual or group of individuals, corporation, partnership, association or any other entity, including Federal, State and local governments and agencies.

PRINCIPALLY ABOVE GROUND

At least fifty- one percent (51%) of the actual cash value of the structure, less land value, is above ground.

RECREATIONAL VEHICLE

A vehicle which is:

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

REMEDY A VIOLATION

To bring the structure or other development into compliance with Federal, State or local floodplain management regulations; or, if this is not possible, to reduce the impacts of its non-compliance.

RISK PREMIUM RATES

Those rates established by the Administrator pursuant to individual community studies and investigations which are undertaken to provide flood insurance in accordance with Section 1307 of the National Flood Disaster Protection Act of 1973 and the accepted actuarial principles. “*Risk premium rates*” include provisions for operating costs and allowances.

SPECIAL FLOOD HAZARD AREA

See “*AREA OF SPECIAL FLOOD HAZARD.*”

SPECIAL HAZARD AREA

An area having special flood hazards and shown on an FHBM, FIRM or FBFM as Zones (unnumbered or numbered) A and AE.

START OF CONSTRUCTION

Includes substantial improvements, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvements were within one hundred eighty (180) days of the permit date. The “**actual start**” means either the first ~~(1st)~~ placement of permanent construction of a structure on a site, such as the pouring of slabs or footings, the installation of piles, the construction of columns, 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, the installation of streets and/or walkways, excavation for a basement, footings, piers, foundations, the erection of temporary forms, nor installation on the property of accessory structures, 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 ~~(1st)~~ 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.

STATE COORDINATING AGENCY

That agency of the State Government or other office designated by the Governor of the State or by State Statute at the request of the Administrator to assist in the implementation of the National Flood Insurance Program (NFIP) in that State.

STRUCTURE

For floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home. “*Structure*” for insurance purposes, means a walled and roofed building, other than a gas or liquid storage tank, that is principally above ground and affixed to a permanent site, as well as a manufactured home on a permanent foundation. For the latter purpose, the term includes a building while in the course of construction, alteration or repair, but does not include building materials or supplies intended for use in such construction, alteration or repair, unless such materials or supplies are within an enclosed building on the premises.

SUBSTANTIAL DAMAGE

Damage of any origin sustained by a structure whereby the cost of restoring the structure to ~~pre-its before~~ damaged condition would equal or exceed fifty percent (50%) of the market

value of the structure before the damage occurred. The term includes Repetitive Loss buildings (see definition).

SUBSTANTIAL IMPROVEMENT

~~Any reconstruction, rehabilitation, addition or other improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure before “start of construction” of the improvement. This term includes structures which have incurred “substantial damage,” regardless of the actual repair work performed. The term does not, however, include either:~~

- ~~1. Any project for improvement of a structure building required to ~~correct~~comply with existing ~~violations of State or local~~ health, sanitary, or safety code specifications ~~that~~which have been identified by the ~~local~~ Code Enforcement Official and which are ~~the minimum~~solely necessary to assure safe living conditions, or~~
- ~~2. Any alteration of a “historic structure” provided that the alteration will not preclude the structure’s continued designation as a “historic structure”, or~~
- ~~3. Any improvement to a building.~~

SUBSTANTIAL IMPROVEMENT

Any combination of reconstruction, alteration, or improvement to a building, taking place during a 10 year period, in which the cumulative percentage of improvement equals or exceeds fifty percent of the current market value of the building. For the purposes of this definition, an improvement occurs 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 building. This term includes structures, which have incurred “repetitive loss” or “substantial damage,” regardless of the actual repair work done.

The term does not apply to:

1. any project for improvement of a building required to comply with existing health, sanitary, or safety code specifications which have been identified by the Code Enforcement Official and which are solely necessary to assure safe living conditions, or
2. Any alteration of a “historic structure” provided that the alteration will not preclude the ~~structure’s~~structure’s continued designation as a “historic structure.” Or
2. Any building that has been damaged from any source or is categorized as repetitive loss.

SUBSTANTIALLY IMPROVED EXISTING MANUFACTURED HOME PARKS OR SUBDIVISIONS

Where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds fifty percent (50%) of the value of the streets, utilities and pads before the repair, reconstruction or improvement commenced.

VARIANCE

A grant of relief by the community from the terms of a floodplain management regulation. Flood insurance requirements remain in place for any varied use or structure and cannot be varied by the community.

VIOLATION

The failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required by this Chapter is presumed to be in violation until such time as that documentation is provided.

WATER SURFACE ELEVATION

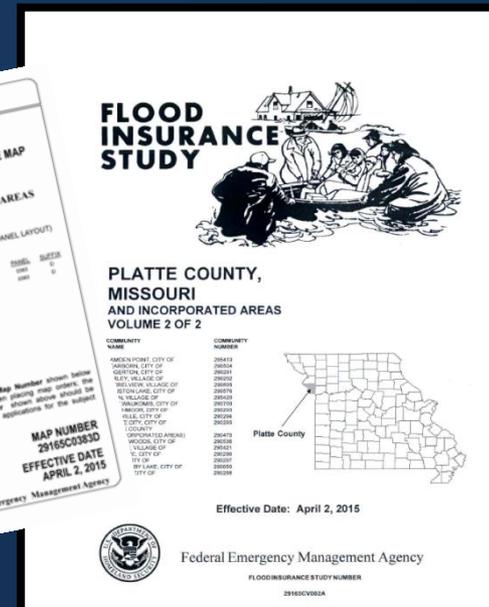
The height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929 (or other datum where specified), of floods of various magnitudes and frequent frequencies in the floodplain.

1-20-15 presentation to the Board of Aldermen summarizing required changes, authority, purpose, benefits, history, and adoption process,



2015 Floodplain Regulations Update Overview

Tuesday, January 20, 2015



Federal Emergency Management Agency

FLOOD INSURANCE STUDY NUMBER
29165C0363D



Required Updates

In order to comply with Federal 44 CFR 60.3 standards, prior to April 2, 2015, Parkville must adopt the new Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM) for those areas within our jurisdiction and ensure our floodplain ordinance meets minimum Federal requirements.

These standards are the minimum standards that must be met. The City may choose to adopt higher standards, and has done so in the past.



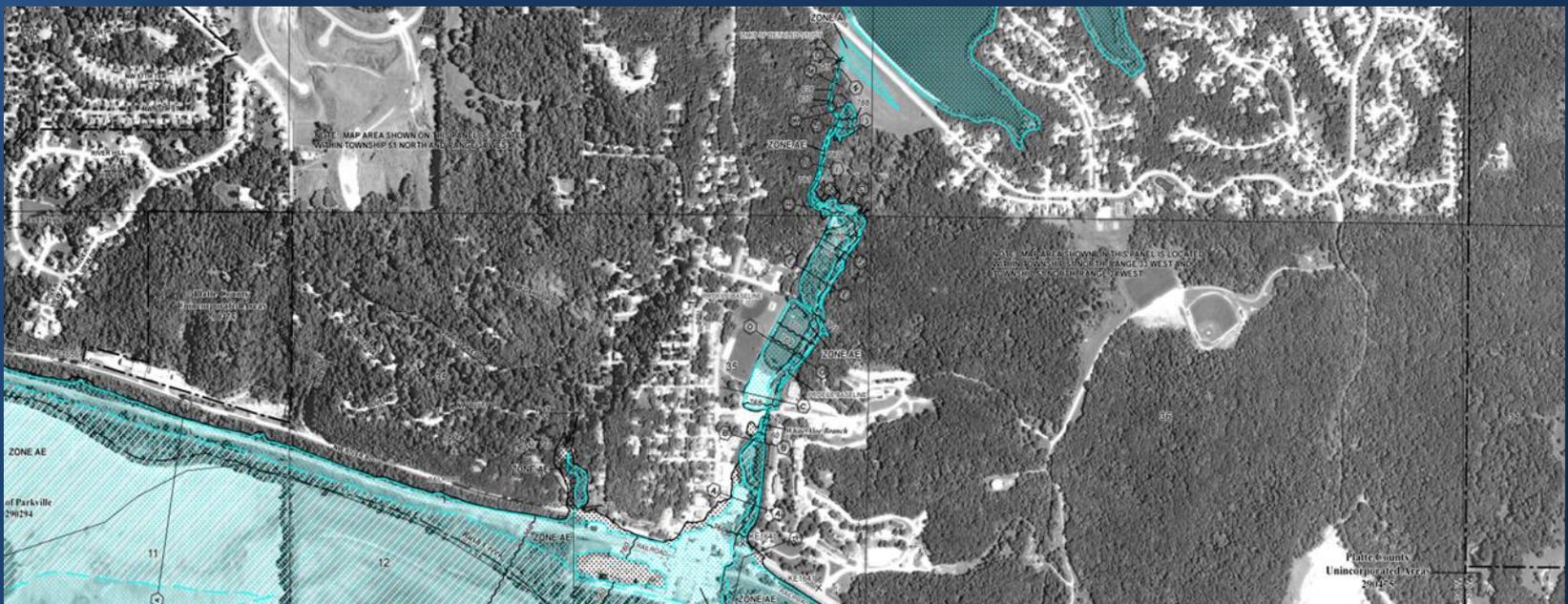
Required Updates

Specifically, Parkville must:

- Update City Code Chapter 404, *Floodplain Management*
- Adopt the April 2, 2015 Flood Insurance Study (FIS) 29165CV002A for Platte County, Missouri
- Adopt new Flood Insurance Rate Maps (FIRMs) for Platte County, including panels 29165C0295D, 29165C0313D, 29165C0360D, 29165C0370D, 29165C0376D, 29165C0377D, 29165C0378D, 29165C0379D, 29165C0383D, 29165C0386D, 29165C0387D, 29165C0391D, and 29165C0392D all dated April 2, 2015

44 CFR 60.3 (d)

Specifically the requirements of Section 44 CFR 60.3 (d) apply to Parkville due to the delineation of a base flood elevation and floodway. Parkville is currently subject to these standards and only minor changes are proposed. The primary change will be the adoption of more accurate floodplain mapping.



City Authority

In general, Parkville's Municipal Code forms local laws and includes the following information:

- Rationale and objectives for its creation.
- Administrative and enforcement procedures for its implementation.
- Specific requirements or regulations and standards to obtain the objectives of the ordinance.

The City's floodplain regulations for flood loss reduction obtain its authority from the police powers delegated by the State of Missouri through RSMo 79.110.

City Authority

The floodplain ordinance:

- Is legally enforceable.
- Can be applied uniformly to ALL development.
- Takes precedent over any less restrictive or conflicting laws, ordinances, or codes.
- Addresses the minimum Federal requirements (44 CFR 60.3).

Purpose

The purpose of adopting the proposed updates is to:

- Maintain the community's eligibility for participation in the National Flood Insurance Program (NFIP).
- Promote public health, safety, and general welfare.
- Minimize 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.



Purpose

- Restrict or prohibit uses that are dangerous to health, safety, or property in times of flooding or cause undue increases in flood heights or velocities.
- Require uses vulnerable to floods, including public facilities that serve such uses, be provided with flood protection at the time of initial construction.
- Protect individuals from buying lands that are unsuited for the intended development purposes due to the flood hazard.

Benefits

- The community can participate in the National Flood Insurance Program (NFIP).
- New maps better delineate the floodplain and floodways, in many cases reducing the areas from the 1979 delineations.
- City minimizes risk to public health, safety and welfare.
- Helps minimize recurring loss and damages.
- Helps reduce insurance rates for the taxpayers.

History of Updates

- 2010 - FEMA began the process of more accurately mapping floodplains in Platte County.
- September 30, 2010 – Preliminary FIRM maps including resulting updates were provided.
- 2010/11 - Two public meetings were held to provide an opportunity for citizens to review the preliminary maps.
- March 9, 2011 – Notice of proposed changes and 90 day appeal process were advertised in the Platte County Landmark.
- March 16, 2011 – 2nd notice of changes and right to appeal advertised in the Platte County Landmark.
- February 16, 2011 – Notice of proposed changes advertised in Federal Register.

History of Updates

- June 14, 2011 – 90 day appeal period closes and FEMA addresses appeals on a case by case basis.
- 2011 through 2014 – FEMA put the Letter of Final Determination on hold to address concerns about levies and how they will be regulated.
- June 6, 2014 – FEMA notified Parkville that the hold was lifted and adoption will proceed.
- October 2, 2014 - FEMA notified Parkville the new maps had been published and must be adopted before April 2, 2015.
- November 14, 2014 – Final maps received.
- December 11, 2014 – SEMA provided training for Platte County communities and coordinated adoption.

Adoption process

- January 20, 2015 – Public presentation to the Board of Aldermen.
- January 21, 2015 – Notice of public hearing to adopt updated regulations and FIRM panels is published in the Platte County Landmark.
- February 10, 2015 – Updates considered by the Planning Commission.
- February 17, 2015 – Updates considered and adopted by the Board unless postponed.
- March 3, 2015 – Final consideration and adoption, if necessary.

History of Regulation in Parkville

- February 21, 1978 – Parkville adopts “Floodway and Floodway Fringe” Districts.
- May 15, 1978 – The FIRM panel for the area then encompassing Parkville was published.
- December 18, 1979 - The existing FIRM panels for Platte County were published.
- 1987 and 1999 – Updates to the Floodplain regulations were adopted.
- November 17, 2000 – The existing Floodplain Regulations in Chapter 404 were adopted.