

SCOTT COUNTY ORDINANCE NO. 24 - _____

AN ORDINANCE TO ADOPT AMENDMENTS TO CHAPTER 6 OF THE SCOTT COUNTY CODE TO ADD AND AMEND CERTAIN DEFINITIONS RELATED TO FLOODPLAIN REGULATIONS AND TO ALSO AMEND CERTAIN SPECIFIC FLOODPLAIN REGULATIONS IN ORDER TO COMPLY WITH THE REQUIREMENTS OF THE NATIONAL FLOOD INSURANCE PROGRAM AS REQUIRED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

BE IT ENACTED BY THE BOARD OF SUPERVISORS OF SCOTT COUNTY, IOWA:

Section 1 Amend the following sections of Chapter 6, SCOTT COUNTY CODE, 2012.

6-5	DEFINITIONS
6-8	ESTABLISHMENT OF DISTRICTS AND DISTRICT BOUNDARIES
6-23.	GENERAL PROVISIONS OF THE FLOODWAY, FLOODWAY FRINGE, AND FLOODPLAIN OVERLAY DISTRICTS
6-25. "FF"	Floodway Fringe Overlay District
6-26. "GF"	General Flood Plain Overlay District

Section 2. Amend certain provisions of Section 6-5 DEFINITIONS to read as follows:

34. ENCLOSED AREA BELOW LOWEST FLOOR – The floor of the lowest enclosed area in a building when all the following criteria are met:
- A. The enclosed area is designed to flood to equalize hydrostatic pressure during flood events with walls or openings that satisfy the provisions of ~~6-23.B(5)~~ 6.23.B.D.(1) of this Ordinance, and

Section 3. Amend certain portions of Section 6-8 ESTABLISHMENT OF DISTRICTS AND DISTRICT BOUNDARIES to read as follows:

- D. Flood Plain Overlay Map: The boundaries of the flood plain overlay districts shall be the same as shown on the Flood Insurance Rate Maps, which were issued by the Federal Emergency Management Agency. The Flood Insurance Rate Maps (FIRM) for Scott County and Incorporated Areas, dated ~~March 23, 2021~~ dated April 11, 2024, which were prepared as part of the Scott County Flood Insurance Study, are hereby adopted by reference and declared to be the Official Flood Plain Zoning Map for unincorporated Scott County. The flood profiles and all explanatory material contained with the Flood Insurance Study are declared to be part of this ordinance. These maps are hereby adopted by reference as the Official Flood Identification Maps, together with the accompanying Flood Insurance Study and all explanatory material therein. These maps shall have the same force and effect as if they were all fully set forth or described herein. Subsequent amendments to these maps and Flood Insurance Study shall be adopted through the procedures established herein.

Section 4. Amend certain portions of Section 6-23 GENERAL PROVISIONS OF THE FLOODWAY, FLOODWAY FRINGE, AND GENERAL FLOODPLAIN OVERLAY DISTRICTS to read as follows:

A. General Provisions of the Floodplain Overlay Districts

2. Establishment of Official Floodplain Zoning Map

The Flood Insurance Rate Maps (FIRM) for Scott County's unincorporated areas, dated ~~March 23, 2021~~ **April 11, 2024**, which was prepared as part of the Flood Insurance Study for Scott County, are hereby adopted by reference and declared to be the Official Floodplain Zoning Map. The Scott County Flood Insurance Study is hereby adopted by reference and is made a part of this ordinance for the purpose of administering floodplain management regulations.

B.1.B.3) Record and maintain a record of (i) the elevation (in relation to North American Vertical Datum 1988 ~~(ALTERNATIVE LANGUAGE: National Geodetic Vertical Datum 1929)~~ [NOTE: ~~reference Flood Insurance Study for the appropriate datum~~]) of the lowest floor (including basement) of all new or substantially improved structures or (ii) the elevation to which new or substantially improved structures have been floodproofed.

B.2.B.6) Elevation (in relation to North American Vertical Datum 1988 ~~[reference Flood Insurance Study for the appropriate datum]~~) of the lowest floor (including basement) of structures or of the level to which a structure is to be floodproofed.

Section 5. Amend certain portions of Section 6-25 "FF" FLOODWAY FRINGE OVERLAY DISTRICT to read as follows:

3.L.1) Recreational vehicles are exempt from the requirements of Section ~~6-23 (3) (D)~~ **6-25 (3) (E)** of this Ordinance regarding anchoring and elevation of factory-built homes when the following criteria are satisfied:

Section 6. Validity and Severability

Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 7. Repealer

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 8. Effective Date.

This ordinance shall be in full force and effective after its final passage and publication as by law provided.

Public Hearing _____,
First Consideration _____,
Second Consideration _____,

Ken Beck
Chairman, Board of Supervisors

Attested by: _____ Published on _____.
Kerri Tomkins
Scott County Auditor