

FCO 2014 - III

**Floyd County Board of Commissioners
Ordinance Pertaining to Text Amendments to the Floyd County Zoning Ordinance**

Whereas, the Floyd County Board of Commissioners met on April 1, 2014, on this matter pursuant to IC 36-7-4-607; and

Whereas, the Board received from the Floyd County Plan Commission a favorable recommendation of the proposed zoning amendment listed in Exhibit A.

Whereas, the Plan Commission heard from both proponents and opponents of the map amendments to the zoning ordinance in accordance with IC 36-7-4-604

NOW, THEREFORE,

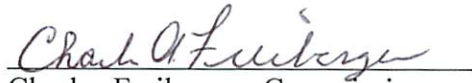
BE IT RESOLVED that Floyd County Zoning Ordinance is amended as indicated on Exhibit A.

SO RESOLVED this 1st day of April 2014.

BOARD OF COMMISSIONERS
OF THE COUNTY OF FLOYD


Mark Seabrook, President


Stephen A. Bush, Commissioner


Charles Freiberger, Commissioner

ATTEST:


Scott Clark, County Auditor

Exhibit A

Replace the Special Flood Hazard Area (SFHA) Definition found in Section 2.01 with the following:

Special Flood Hazard Area (SFHA) means those lands within the jurisdiction of Floyd County subject to inundation by the regulatory flood. The SFHAs of Floyd County are generally identified as such on the Floyd County, Indiana and Incorporated Areas Flood Insurance Rate Maps dated December 4, 2012 as well as any future updates, amendments, or revisions, prepared by the Federal Emergency Management Agency with the most recent date. (These areas are shown on a FIRM as Zone A, AE, A1- A30, AH, AR, A99, or AO).

Replace Section 6.02 B. with the following:

B. Basis for Establishing Regulatory Flood Data.

This ordinance's protection standard is the regulatory flood. The best available regulatory flood data is listed below.

- (1) The regulatory flood elevation, floodway, and fringe limits for the studied SFHAs within the jurisdiction of Floyd County shall be as delineated on the one-percent annual chance flood profiles in the Flood Insurance Study of Floyd County, Indiana and Incorporated Areas and the corresponding Flood Insurance Rate Map dated December 4, 2012 as well as any future updates, amendments, or revisions, prepared by the Federal Emergency Management Agency with the most recent date.
- (2) The regulatory flood elevation, floodway, and fringe limits for each of the SFHAs within the jurisdiction of Floyd County, delineated as an "A Zone" on the Floyd County, Indiana and Incorporated Areas Flood Insurance Rate Map dated December 4, 2012 as well as any future updates, amendments, or revisions, prepared by the Federal Emergency Management Agency with the most recent date, shall be according to the best data available as provided by the Indiana Department of Natural Resources; provided the upstream drainage area from the subject site is greater than one square mile. Whenever a party disagrees with the best available data, the party needs to replace existing data with better data that meets current engineering standards. To be considered, this data must be submitted to the Indiana Department of Natural Resources for review, subsequently approved.
- (3) In the absence of a published FEMA map, or absence of identification on a FEMA map, the regulatory flood elevation, floodway, and fringe limits of any watercourse in the community's known flood prone areas shall be according to the best data available as provided by the Indiana Department of Natural Resources; provided the upstream drainage area from the subject site is greater than one square mile.
- (4) Upon issuance of a Letter of Final Determination (LFD), any more restrictive data in the new (not yet effective) mapping/study shall be utilized for permitting and construction (development) purposes, replacing all previously effective less restrictive flood hazard data provided by FEMA.