

COUNCIL WORKSHOP MEETING

A G E N D A

TOWN OF CHINCOTEAGUE

March 20, 2014, 5:00 P.M. –Council Room - Town Hall

CALL TO ORDER

INVOCATION BY COUNCILMAN TAYLOR

PLEDGE OF ALLEGIANCE

AGENDA ADDITIONS/DELETIONS AND ADOPTION:

1. Review of the Draft Flood Ordinance, Chapter 30
2. Committee Member Comments
3. Closed Meeting in Accordance with Section 2.2-3711(A) (3) of the Code of Virginia.
 - Real property

ADJOURN:



STAFF REPORT

To: Mayor Tarr and Town Council Members
Through: Robert Ritter, Town Manger
From: Bill Neville, Director of Planning
Date: March 20, 2014
Subject: Town Council Workshop
Floodplain Ordinance Revisions
Town Code Section 30 - Floods

The Ordinance Committee met on February 13, 2014 to review and recommend changes to the Town Code that would bring the Floodplain Ordinance into compliance with FEMA Flood Insurance Program standards, and would address concerns of the Town regarding permitting for fill activities. These revisions were forwarded to the Town Council Workshop with the understanding that a meeting with FEMA representatives was scheduled on March 12, 2014 which may result in further changes.

On March 12th, Town and County representatives met with Mari Radford (FEMA) and Charley Banks (VA DCR) to discuss the proposed ordinance changes. Their review was helpful and supportive. With assurance that the Town Floodplain Administrator has flexibility to interpret when minor encroachments in the floodplain are not required to obtain a permit, it was agreed that exceptions added to the definition of the term 'Development', and alternate definitions for 'Fill' and 'Grading' would be removed from the draft revisions.

Since the last ordinance review was in 2011, Charley Banks completed an up to date review and recommended several other minor changes for conformance to the Virginia Model Floodplain Ordinance. The 'redline' version of the Floodplain Ordinance presented at the Council Workshop is based on the version reviewed by the Ordinance Committee (with the exceptions and alternate definitions of 'fill' and 'grading' removed) and includes the final revisions recommended by C. Banks on March 13, 2014.

Town Staff recommends consideration of these revisions and forwarding this document, along with any other changes from the Workshop, to the Regular Town Council meeting on April 7, 2014 for action. Ms. Radford has verbally authorized an extension of the 6 month review deadline to April 7th or May 5th if necessary.

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Article I. General Provisions

- Sec. 30-1. Purpose.
- Sec. 30-2. Applicability.
- Sec. 30-3. Compliance and liability.
- Sec. 30-4. Abrogation and greater restrictions.
- Sec. 30-5. Severability.
- Sec. 30-6. ~~Reserved~~Penalty for violations.

Article II. Floodplain Management

- Sec. 30-7. Definitions.
- Sec. 30-8. Reserved.

Article III. Establishment of Zoning Districts

- Sec. 30-9. Description of districts.
- Sec. 30-10. Official floodplain map.
- Sec. 30-11. District boundary changes.
- Sec. 30-12. Interpretation of district boundaries.
- Sec. 30-13. Reserved.

Article IV. District Provisions

- Sec. 30-14. Permit and application requirements.
- Sec. 30-15. General standards.
- Sec. 30-16. Specific standards.
- Sec. 30-17. Standards for subdivision proposals.
- Sec. 30-18. Standards for the coastal ~~high hazard district 'A' zone.~~
- Sec. 30-19. Standards for the coastal high hazard district.
- Sec. 30-20. Anchoring fuel tanks.

Article V. Existing Structures in Floodplain Areas

- Sec. 30-21. Existing Structures

Article VI. Variances

- Sec. 30-~~2022~~. Factors to be considered.

Article ~~VII~~VII. Enactment

***Cross references**—Buildings and building regulations, ch. 14; environment, ch. 22; streets, sidewalks and other public places, ch. 50; utilities, ch. 62; waterways, ch. 70; zoning, app. A; land subdivision and development, app. B.

~~State law reference~~—Flood Damage Reduction Act, Code of Virginia, § 10.1-600 et seq.

ARTICLE I. GENERAL PROVISIONS

Sec. 30-1. Statutory Authority and Purpose.

This ordinance is adopted pursuant to the authority granted to localities by the Flood Damage Reduction Act, Code of Virginia, § 10.1-600 et seq.

The purpose of these provisions is to prevent the loss of life and property, the creation of health and safety hazards, the disruption of commerce and governmental services, the extraordinary and unnecessary expenditure of public funds for flood protection and relief, and the impairment of the tax base by:

- (a) regulating uses, activities, and development which, alone or in combination with other existing or future uses, activities, and development, will cause unacceptable increases in flood heights, velocities, and frequencies.
- (b) restricting or prohibiting certain uses, activities, and development from locating within districts subject to flooding.
- (c) requiring all those uses, activities, and developments that do occur in flood-prone districts to be protected and/or flood-proofed against flooding and flood damage.
- (d) protecting individuals from buying land and structures which are unsuited for intended purposes because of flood hazards.

The special flood hazard areas are generated for storm surges and coastal flood hazards, and then designated on the Flood Insurance Rate Maps (FIRMs) as Zones AE (base flood elevation data has been provided), Coastal A Zone (area subject to wave heights between 1.5 feet and 3 feet) and Zones VE (Coastal high hazard base flood elevation data has been provided). References to other special flood hazard areas have been omitted from this ordinance since they are not identified on the Town of Chincoteague (Accomack County) FIRMs. If other special flood hazard areas are added as revisions to the FIRMs, this ordinance will be revised to reflect the additional zones. Since the FIRMs are based on storm surges and coastal flood hazards, paragraph 60.3.(c)(10) of the CFR 44 (cumulative effects of proposed developments), which does not apply along lakes, bay shores, estuaries, and the ocean coast, has been omitted from this Ordinance as not being applicable.

Sec. 30-2. Applicability.

These provisions shall apply to all lands within the jurisdiction of the ~~town~~Town of Chincoteague and identified as ~~being in~~areas of special flood hazard according to the 100-year floodplain flood insurance rate map (FIRM) that is provided to the Town of Chincoteague (Accomack County) by the Federal Insurance Administration-FEMA.

Sec. 30-3. Compliance and liability.

- (a) No land shall hereafter be developed and no structure shall be located, relocated, constructed, reconstructed, enlarged, or structurally altered except in full compliance with the terms and provisions of this ordinance and any other applicable ordinances and regulations which apply to uses within the jurisdiction of this ordinance.
- (b) The degree of flood protection sought by the provisions of this ordinance is considered reasonable for regulatory purposes and is based on acceptable engineering methods of study. Larger floods may occur on rare occasions. Flood heights may be increased by man-made or natural causes, such as ice jams and bridge openings restricted by debris. This ordinance does not imply that districts outside the floodplain district, or that land uses permitted within such district, will be free from flooding or flood damages.
- (c) Records of actions associated with administering this ordinance will be kept on file and maintained by the zoning administrator.
- (d) This ordinance shall not create liability on the part of the town or any officer or employee thereof for any flood damages that result from reliance on this ordinance and/or any administrative decision lawfully made in good faith thereunder.

Sec. 30-4. Abrogation and greater restrictions.

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This ~~ordinance~~ Ordinance supersedes ~~any ordinance currently~~ Chapter 30 **Floods** of the Code of the Town of Chincoteague previously in effect ~~in flood-prone districts.~~ prior to the adoption of these provisions. However, any underlying ordinance shall remain in full force and effect to the ~~extend~~ extent that its provisions are more restrictive than this ordinance.

Sec. 30-5. Severability.

If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance shall be declared invalid for any reason whatever, such decision shall not affect the remaining portions of this ordinance. The remaining portions shall remain in full force and effect; and for this purpose, the provisions of this ordinance are hereby declared to be severable.

Sec. 30-6. ~~Reserved. Penalty for violations~~

Any person who fails to comply with any of the requirements or provisions of this article or directions of the Town Manager or any authorized employee of the Town of Chincoteague shall be guilty of a Class 2 misdemeanor and subject to the penalties therefore. In addition to the above criminal penalties, all other actions by the Town of Chincoteague for enforcement hereunder are hereby reserved, including but not limited to injunctive relief in the Circuit Court of Accomack County, Virginia. The imposition of a fine or penalty for any violation of, or noncompliance with, this article shall not excuse the violation or noncompliance or permit it to continue; and all such persons shall be required to correct or remedy such violations or noncompliances within such time as reasonably determined by the officer charged with the enforcement hereof, based on the nature and seriousness of the violation, and other material circumstance. Any structure constructed, reconstructed, enlarged, altered or relocated in noncompliance with this article may be declared by the Town of Chincoteague to be a public nuisance and abatable as such. Flood insurance may be withheld from structures constructed in violation of this article. Violations and associated penalties of the Town of Chincoteague Zoning Ordinance are addressed in Appendix A of the Town Code, Article 10.

ARTICLE II. FLOODPLAIN MANAGEMENT

Sec. 30-7. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Base flood, means the flood having a one percent chance of being equaled or exceeded in any given year.

Base flood elevation, means the ~~Federal Emergency Management Agency designated~~ water surface elevations of the base flood, that is, the flood level that has a one hundred (100) percent or greater chance of occurrence in any given year. The water surface elevation of the base flood in relation to the datum specified on the community's Flood Insurance Rate Map. For the purposes of this ordinance, the base flood is the 1% annual chance flood.

Basement means any area of the building having its floor sub-grade (below ground level) on all sides.

Board of Zoning Appeals means the board appointed to review appeals made by individuals with regard to decisions of the Zoning Administrator in the interpretation of this ordinance.

Breakaway wall means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

Coastal A Zone, means flood hazard areas that have been delineated as subject to wave heights between 1.5 feet and 3 feet.

Coastal high hazard area means a special flood hazard area extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources.

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.

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Elevated building means a non-basement building built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, or columns (posts and piers).

Existing construction, means structures for which the “start of construction” commenced before the effective date of the FIRM or before January 1, 1975 for FIRMs effective before that date. “Existing construction” may also be referred to as “existing structures.”

Flood or flooding, means:

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

(a) the overflow of inland or tidal waters; or,

(b) the unusual and rapid accumulation or runoff of surface waters from any source.

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

~~body of water, accompanied by a severe storm, or by an unanticipated force of nature such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph 1(a) of this definition.~~

Flood Insurance Rate Map (FIRM), means an official map of a community, on which the Administrator has delineated both the special hazard areas and the risk premium zones applicable to the community. A FIRM that has made available digitally is called a Digital Flood Insurance Rate Map (DFIRM).

Flood Insurance Study (FIS), means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudflow and/or flood-related erosion hazards.

Floodplain ~~or flood-prone area~~ means any land area ~~susceptible to~~ subject to a one (1%) percent or greater chance of being inundated by flooded in any given year as determined in Article III, Section 30-10 of this ordinance.
~~water from any source.~~

Flood proofing - any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

Freeboard means 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 wave action, bridge openings, and the hydrological effect of urbanization in the watershed.

Fuel oil tank means any container greater than 10 gallons used for storage of fuel oil.

Highest adjacent grade - the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Historic structure means 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,

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- (b) directly by the Secretary of the Interior in states without approved programs.

Letters of Map Change (LOMC), means an official FEMA determination, by letter, that amends or revises an effective *Flood Insurance Rate Map* or *Flood Insurance Study*. Letters of Map Change include:

Letter of Map Amendment (LOMA): An amendment based on technical data showing that a property was incorrectly included in a designated *special flood hazard area*. A LOMA amends the current effective *Flood Insurance Rate Map* and establishes that a Land as defined by meets and bounds or structure is not located in a *special flood hazard area*.

Letter of Map Revision (LOMR): A revision based on technical data that may show changes to *flood zones, flood elevations, floodplain* and *floodway* delineations, and planimetric features. A Letter of Map Revision Based on Fill (LOMR-F), is a determination that a *structure* or parcel of land has been elevated by fill above the *base flood elevation* and is, therefore, no longer exposed to *flooding* associated with the *base*

flood. In order to qualify for this determination, the fill must have been permitted and placed in accordance with the community's floodplain management regulations.

Conditional Letter of Map Revision (CLOMR): A formal review and comment as to whether a proposed flood protection project or other project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective Flood Insurance Rate Map or Flood Insurance Study.

Lowest adjacent grade, means the lowest natural elevation of the ground surface next to the walls of a structure.

Lowest floor, means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of Federal Code 44CFR §60.3.

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 connected to the required utilities. For floodplain management purposes the term manufactured home also includes park trailers, travel trailers, and other similar vehicles placed ~~one~~ on a site for greater than 180 consecutive days.

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 for the purposes of determining insurance rates, structures for which the "start of construction" commenced on or after ~~the effective date of an initial Flood Insurance Rate Map on or after December 31, 1974, whichever is later~~ 3/1/1977, and includes any subsequent improvements to such structures. For floodplain management purposes, new construction means structures for which start of construction commenced on or after the ~~effective date of a floodplain management regulation adopted by a community~~ 2/2/1989 and includes any subsequent improvements to such structures.

Post-FIRM structures, means a structure for which construction or substantial improvement occurred after February 2, 1989.

Pre-FIRM structures, means a structure for which construction or substantial improvement occurred on or before February 2, 1989.

Primary frontal dune, means a continuous or nearly continuous mound or ridge of sand with relatively steep seaward and landward slopes immediately landward and adjacent to the beach and subject to erosion and overtopping from high tides and waves during major coastal storms. The inland limit of the primary frontal dune occurs at the point where there is a distinct change from a relatively steep slope to a relatively mild slope.

Propane or liquefied petroleum gas tank means a container greater than 50 pounds used for the storage of propane.

Recreational vehicle means a vehicle which is:

- (1) built on a single chassis;
- (2) 400 square feet or less when measured at the largest horizontal projection;
- (3) designed to be self-propelled or permanently towable by a light duty truck; and,
- (4) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational camping, travel, or seasonal use.

Repetitive Loss Structure, means a building covered by a contract for flood insurance that has incurred flood-related damages on two occasions, in which the cost of the repair, on the average, equaled or exceeded 25 percent of the market value of the structure at the time of each such flood event; and at the time of the second incidence of flood-related damage, the contract for flood insurance contains increased cost of compliance coverage.

Severe repetitive loss structure, means a structure that: (a) Is covered under a contract for flood insurance made available under the NFIP; and (b) Has incurred flood related damage – (i) For which 4 or more separate claims payments have been made under flood insurance coverage with the amount of each such claim exceeding \$5,000, and with the cumulative amount of such claims payments exceeding \$20,000; or (ii) For which at least 2 separate claims payments have been made under such coverage, with the cumulative amount of such claims exceeding the market value of the insured structure.

Special flood hazard area means the land in the floodplain subject to a one (1%) percent or greater chance of being flooded in any given year as determined in Article III, Section 30-10 of this ordinance.

Start of construction means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, substantial improvement 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 on the property of accessory

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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 the 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 - for flood plain 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 coverage purposes, means

1. A building with two or more outside rigid walls and a fully secured roof, that is affixed to a permanent site;
2. A manufactured home, also known as a mobile home, is a structure: built on a permanent chassis, transported to its site in one or more sections, and affixed to a permanent foundation); or

3. A travel trailer without wheels, built on a chassis and affixed to a permanent foundation, that is regulated under the community's floodplain management and building ordinances or laws.

For insurance coverage purposes, "structure" does not mean a recreational vehicle or a park trailer or other similar vehicle, except as described in paragraph (3) of this definition, or a gas or liquid storage tank.

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 reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the 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 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 historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure.

Violation, means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations, as applicable.

Sec. 30-8. Reserved.

ARTICLE III. ESTABLISHMENT OF ZONING DISTRICTS

Sec. 30-9. Description of districts.

(a) Basis of Districts - The various floodplain districts shall include special flood hazard areas subject to inundation by waters of the a one hundred (100) (1%) percent or greater chance of being flooded in any given year flood. The basis for the delineation of these districts shall be the Flood Insurance Study (FIS) and the Flood Insurance Rate Maps (FIRM) for the Town prepared by the Federal Emergency Management Agency, Federal Insurance Administration, dated June 1, 1984, as _____, and any subsequent revisions or amendments thereto. amended.

(1) The Coastal Floodplain District shall be those areas identified as coastal AE-~~or~~ A1-30 Zones on the maps accompanying the Flood Insurance Study. Flood elevations are provided in these tidal floodplains; however, floodway data is not applicable.

(2) The Coastal A District shall be those flood hazard areas that have been delineated as subject to wave heights between 1.5 feet and 3 feet.

(2) The Coastal High Hazard District shall be those areas identified as ~~V1—V30~~, VE,

or V Zones ~~on the maps accompanying the Flood Insurance Study that have been delineated as subject to wave heights in excess of 3 feet or subject to high-velocity wave action or wave-induced erosion.~~

(b) Overlay Concept

(1) The Floodplain Districts described above shall be overlays to the existing underlying districts as shown on the Official Zoning Ordinance Map, and as such, the

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provisions for the floodplain districts shall serve as a supplement to the underlying district provisions.

(2) Any conflict between the provisions or requirements of the Floodplain Districts and those of any underlying district, the more restrictive provisions and/or those pertaining to the floodplain districts shall apply.
~~to the floodplain districts shall apply.~~

(3) In the event any provision concerning a Floodplain District is declared inapplicable as a result of any legislative or administrative actions or judicial decision, the basic underlying provisions shall remain applicable.

~~basic underlying provisions shall remain applicable.~~

Sec. 30-10. Official floodplain map.

The boundaries of the Special Flood Hazard Area and Floodplain Districts are established as shown on the Flood ~~Boundary and Floodway Map and/or Flood Insurance Rate Map~~ which is declared to be a part of this ordinance and which shall be kept on file at the town offices.
~~which is declared to be a part of this ordinance and which shall be kept on file at the town offices.~~

Sec. 30-11. District boundary changes.

The delineation of any of the Floodplain Districts may be revised by the town where natural or man-made changes have occurred and/or where more detailed studies have been conducted or undertaken by the U. S. Army Corps of Engineers or other qualified agency, or an individual documents the need for such change. However, prior to any such change, approval must be obtained from the Federal ~~Insurance Administration~~ Emergency Management Agency (FEMA).

Sec. 30-12. Interpretation of district boundaries.

Initial interpretations of the boundaries of the Floodplain Districts shall be made by the Zoning ~~Officer~~ Administrator. Should a dispute arise concerning the boundaries of any of the Districts, the Board of Zoning Appeals shall make the necessary determination. The person questioning or contesting the location of the District boundary shall be given a reasonable opportunity to present his case to the Board and to submit his own technical evidence if he so desires.

Submitting Technical Data

The Town of Chincoteague base flood elevations may increase or decrease resulting from physical changes affecting flooding conditions. As soon as practicable, but not later than six months after the date such information becomes available, the Town shall notify the Federal Insurance Administrator of the changes by submitting technical or scientific data. Such a submission is necessary so that upon confirmation of those physical changes affecting flooding

conditions, risk premium rates and flood plain management requirements will be based upon current data.

Sec. 30-13. Reserved.

ARTICLE IV. DISTRICT PROVISIONS

Sec. 30-14. Permit and application requirements.

~~(a)~~

(a) Floodplain Administrator – The Zoning Administrator is designated to administer and implement the provisions of this ordinance. Any decision of the Zoning Administrator may be appealed to Board of Zoning Appeals pursuant to Virginia State Code Sec. 15.2-2311.

(b) Duties and Responsibilities of the Floodplain Administrator

The duties and responsibilities of the Floodplain Administrator shall include but are not limited to:

(1) Review applications for permits to determine whether proposed activities will be located in the Special Flood Hazard Area (SFHA).

(2) Interpret floodplain boundaries and provide available base flood elevation and flood hazard information.

(3) Review applications to determine whether proposed activities will be reasonably safe from flooding and require new construction and substantial improvements to meet the requirements of these regulations.

(4) Review applications to determine whether all necessary permits have been obtained from the Federal, State or local agencies from which prior or concurrent approval is required.

(c) Permit Requirement - All uses, activities, and development occurring within any floodplain district, shall be undertaken only upon the issuance of a ~~zoning~~floodplain permit. Such ~~use, activity, or~~ development shall be undertaken only in ~~strict~~ compliance with the provisions of ~~this Chapter 30, the ordinance~~ Virginia Uniform Statewide Building code, and ~~with~~ all other applicable codes and ordinances, ~~as amended and the town including any~~ subdivision regulations~~-, if applicable.~~

Prior to the issuance of any such permit, the ~~zoning officer~~Zoning Administrator shall require all applications to include compliance with all applicable state and federal laws and shall review all sites for the purpose of determining that they will be in compliance with the issued permit in his reasonable discretion, upon completion of such work.

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~~(b)~~

(d) Site Plans and Permit Applications - All applications for development within any floodplain district and all building permits issued for the floodplain shall incorporate the following information:

- (1) ~~For structures to be elevated, the~~The elevation of the lowest floor (including basement).
- (2) For structures to be flood-proofed (non-residential only), the elevation to which the structure will be flood-proofed and the supporting engineering certificate.
- (3) The elevation of the one hundred (100)-year flood.
- (4) Topographic information showing existing and proposed ground elevations.

Sec. 30-15. General standards.

In all special flood hazard areas the following provisions shall apply:

- (a) New construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure.
- (b) Manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable state requirements for resisting wind forces.
- (c) New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
- (d) New construction or substantial improvements shall be constructed by methods and practices that minimize flood damage.
- (e) Electrical, heating, ventilation, plumbing, air conditioning equipment and other service facilities, including duct work, shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
- (f) New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.
- (g) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters.
- (h) On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.

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- (i) Any alteration, repair, reconstruction or improvements to a building that is in compliance with the provisions of this ordinance shall meet the requirements of “new construction” as contained in this ordinance.
- (j) Any alteration, repair, reconstruction or improvements to a building that is not in compliance with the provisions of this ordinance, shall be undertaken only if said non-conformity is not furthered, extended, or replaced.
- (k) Prior to any proposed alteration or relocation of any channels or of any watercourse, stream, etc., within this jurisdiction a permit shall be obtained from the U. S. Corps of Engineers, the Virginia Department of Environmental Quality, and the Virginia Marine Resources Commission

(a joint permit application is available from any of these organizations).
The flood carrying capacity within an altered or relocated portion of any watercourse shall be maintained.

Sec. 30-16. Specific standards.

In all special flood hazard areas the following provisions shall apply:

(a) Residential Construction - New construction or substantial improvement of any residential structure (including manufactured homes) shall have the lowest floor, including basement, elevated no lower than base flood elevation.

(b) Non-Residential Construction - New construction or substantial improvement of any commercial, industrial, or non-residential building (or manufactured home) shall have the lowest floor, including basement, elevated to no lower than base flood elevation. Non-residential construction may be flood-proofed in lieu of being elevated provided that all areas of the building components below the elevation corresponding to the BFE plus one foot are water tight with walls substantially impermeable to the passage of water, and use structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied. Such certification, including the specific elevation (in relation to mean sea level) to which such structures are flood-proofed, shall be maintained by the Zoning Administrator

~~lowest floor, including basement, elevated to no lower than base flood elevation.~~

(c) Elevated Buildings - Enclosed areas, of new construction or substantially improved structures, which are below the ~~regulatory flood protection~~lowest floor elevation shall:

(1) not be designed or used for human habitation, but shall only be used for parking of vehicles, building access, or limited storage of maintenance equipment used in connection with the premises. Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment (standard exterior door), or entry to the living area (stairway or elevator). The interior portion of such enclosed area shall not be partitioned or finished into separate rooms, except to enclose storage areas;

~~with the premises. Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment (standard exterior door), or entry to the living area (stairway or elevator). The interior portion of such enclosed area shall not be partitioned or finished into separate rooms, except to enclose storage areas;~~

(2) be constructed entirely of flood resistant materials below the regulatory flood protection elevation;

(3) in the Coastal High Hazard District, follow the standards for elevation outlined in Article IV, Section 30-18.

←

(4) in the Coastal A Zone, follow the standards outlined in Section 30-18(a).

(5) include, in Zones AE, and A1-30, measures to automatically equalize hydrostatic flood forces on walls by allowing for the entry and exit of flood waters. To meet this

requirement, the openings must either be certified by a professional engineer or architect or meet the following minimum design criteria:

~~meet the following minimum design criteria:~~

- (a) Provide a minimum of two openings on different sides of each enclosed area subject to flooding.
- (b) The total net area of all openings must be at least one (1) square inch for each square foot of enclosed area subject to flooding.

~~CHINCOTEAGUE CODE~~

~~CD30:10~~

(c) If a building has more than one enclosed area, each area must have openings to allow flood waters to automatically enter and exit.

(d) The bottom of all required openings shall be no higher than one (1) foot above the adjacent grade.

~~the adjacent grade.~~

(e) Openings may be equipped with screens, louvers, or other opening coverings or devices, provided they permit the automatic flow of flood waters in both directions.

(f) Foundation enclosures made of flexible skirting are not considered enclosures for regulatory purposes, and, therefore, do not require openings. ~~Masonry or wood~~ Masonry or wood underpinning, regardless of structural status, is considered an enclosure and requires openings as outlined above.

~~underpinning, regardless of structural status, is considered an enclosure and requires openings as outlined above.~~

(d) Standards for Manufactured Homes and Recreational Vehicles

(1) All manufactured homes placed, or substantially improved, on individual lots or parcels, in expansions to existing manufactured home parks or subdivisions, in a new manufactured home park or subdivision or in substantially improved manufactured home parks or subdivisions, must meet all the requirements for new construction, including elevation and anchoring.

(2) All manufactured homes placed or substantially improved in an existing manufactured home park or subdivision must be elevated so that:

(a) the lowest floor of the manufactured home is elevated no lower than base flood elevation; or,

(b) the manufactured home chassis is supported by reinforced piers or other foundation elements of at least an equivalent strength, of no less than 36 inches in height above the grade, only in parks and subdivisions with no record of flood damage;

~~above the grade;~~

(c) the manufactured home must be securely anchored to the adequately anchored foundation system to resist flotation, collapse and lateral movement;

(d) in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage," any manufactured home placed or substantially improved must meet the standards of Article IV, Section 30-16(d)(2)(a), ~~(b)~~ and (c) above.

(3) All recreational vehicles placed on sites must either:

(a) be on the site for fewer than 180 consecutive days;

(b) be fully licensed and ready for highway use (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); or,

~~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~~;

or,

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(c) meet all the requirements for new construction, including anchoring and elevation requirements of Article IV, Section 30-16(d)(1) or (2)(a) and (c), above.

Sec. 30-17. Standards for subdivision proposals.

(a) All subdivision proposals shall be consistent with the need to minimize flood damage;

(b) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage;

(c) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards, and

(d) Base flood elevation data shall be provided for subdivision proposals and other proposed development proposals (including manufactured home parks and subdivisions) that exceed fifty lots or five acres, whichever is the lesser.

Sec. 30-18. Standards for the coastal ~~high hazard district.~~ 'A' zone

The Coastal A Zone shall be those areas, as defined by the VA USBC, that are subject to wave heights between 1.5 feet and 3 feet, and identified on the FIRM by Limits of Moderate Wave Action (LiMWA). For these areas, the following provisions shall apply ~~within the~~:

(a) Buildings and structures within this zone shall have the lowest floor elevated to or above the base flood elevation plus one foot of freeboard, and must comply with all other applicable provisions of this ordinance.

Sec. 30-19. Standards for the coastal high hazard district.

The VE or V Zones shall be those areas that are known as Coastal High Hazard District areas, having been determined to be subject to wave heights in excess of 3 feet or subject to high-velocity wave action or wave-induced erosion. For these areas, the following provisions shall apply:

(a) All new construction and substantial improvements in Zones ~~V1—V30~~ **VE** and ~~VE~~ **(V if base flood elevation is available)** shall to be elevated on pilings or columns so that:

~~(1) the~~

- 1) The bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings or columns) is elevated to or above the base flood level ~~recommen~~ if the lowest horizontal structural member is parallel to the direction of wave approach or elevated at

least one foot above the base flood level if the lowest horizontal structural member is perpendicular to the direction of wave approach; and,
>one foot freeboard); and,

(2) the

- 2) The pile or column foundation and structure attached thereto is anchored to resist flotation, collapse, and lateral movement due to the effects of wind and water loads acting simultaneously on all building components. Wind and water loading values shall each have a one percent chance of being equaled or exceeded in any given year (one-percent annual chance).

~~chance~~);

(b) A registered professional engineer or architect shall develop or review the structural design, specifications and plans for the construction, and shall certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the provisions of Article IV, Section 30-~~1819~~(a).

(c) Obtain the elevation (in relation to mean sea level) of the bottom of the lowest horizontal structural member of the lowest floor (excluding pilings and columns) of all new and substantially improved structures in Zones ~~V1—V30V~~ and VE. The Floodplain Management Administrator shall maintain a record of all such information.

(d) All new construction shall be located landward of the reach of mean high tide.

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(e) Provide that all new construction and substantial improvements have the space below the lowest floor either free of obstruction or constructed with non-supporting breakaway walls, open wood-lattice work, or insect screening intended to collapse under wind and water loads without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system. For the purpose of this section, a breakaway wall shall have a design safe loading resistance of not less than 10 and no more than 20 pounds per square foot. Use of breakaway walls which exceed a design safe loading resistance of 20 pounds per square foot (either by design or when so required by local codes) may be permitted only if a registered professional engineer or architect certifies that the designs proposed meet the following conditions:

- (1) Breakaway wall collapse shall result from water load less than that which would occur during the base flood; and
- (2) The elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all building components (structural and nonstructural). Maximum wind and water loading values to be used in this determination shall each have a one percent chance of being equaled or exceeded in any given year.

(f) The enclosed space below the lowest floor shall be useable solely for parking of vehicles, building access, or storage. Such space shall not be partitioned into multiple rooms, temperature-controlled, or used for human habitation.

(g) Prohibit the use of fill for structural support of buildings. When fill is proposed in a coastal high hazard area, appropriate engineering analyses shall be conducted to evaluate the impacts of the fill prior to issuance of a development permit.

(h) Prohibit man-made alteration of sand dunes which would increase potential flood damage.

(i) All manufactured homes to be placed or substantially improved within Zones ~~V1—V30~~, V, and VE on the town’s Flood Insurance Rate Map on sites must meet the standards of Article IV, Section 30-~~1819~~(a) through (h) and that manufactured homes placed or substantially improved on other sites in an existing manufactured home park or subdivision with Zones ~~V1—V30~~, V, and VE on the Flood Insurance Rate Map meet the requirements of Article IV, Section 30-16(~~ed~~)(1) and (2), if they are located:

- (1) outside of a manufactured home park or subdivision,
- (2) in a new manufactured home park or subdivision,
- (3) in an expansion to an existing manufactured home park or subdivision, or
- (4) in an existing manufactured home park or subdivision in which a manufactured home has incurred “substantial damage.”” due to flooding.

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(j) Recreational vehicles placed on sites within Zones ~~V1—V30~~, V, and VE on the community’s Flood Insurance Rate Map must either:

- (1) be on the site for fewer than 180 consecutive days,
- (2) 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,
- (3) meet the requirements of Article IV, Section 30-14 and Article IV, Section 30-~~1819~~(a) through (h).

Sec. 30-~~1920~~. Anchoring fuel tanks.

(a) All new, replaced, or existing oil, and propane tanks must be anchored against floatation, collapse and lateral movement under flood conditions by means of an approved anchorage system or shall be installed at or above base flood elevation and shall be set upon a firm foundation and supports to prevent floatation, collapse and lateral movement under flood conditions. It shall be unlawful to fill or refill any such tank that is not so anchored or elevated.

(b) All new, replaced, or existing oil tanks shall have their vent pipe extended at least three feet above the top most portion of the body of the tank. This provision shall also apply to substantial improvement buildings and buildings experiencing repetitive loss.

(c) All new, replaced, or existing oil tanks must all be fitted with a fill tube screw-on tight-fit cap with gasket.

(d) This section shall be effective November 4, 2010 for existing or replaced fuel tanks.
(Amended 4/7/08)

(e) Any person violating the provision of this section shall, upon conviction, be guilty of a class 4 misdemeanor and be punished by a fine of not more than two hundred and fifty dollars (\$250.00). Each day in violation shall constitute a separate offense.
(Adopted 11/5/07)

ARTICLE V. EXISTING STRUCTURES IN FLOODPLAIN AREAS

Sec. 30-21. Existing Structures

A structure or use of a structure or premises which lawfully existed before the enactment of these provisions, but which is not in conformity with these provisions, may be continued subject to the following conditions:

- A. Any modification, alteration, repair, reconstruction, or improvement of any kind to a structure and/or use located in any flood plain areas to an extent or amount of less than fifty (50) percent of its market value shall conform to the VA USBC and the appropriate provisions of this ordinance.
- B. The modification, alteration, repair, reconstruction, or improvement of any kind to a structure and/or use, regardless of its location in a floodplain area to an extent or amount of fifty (50) percent or more of its market value shall be undertaken only in full compliance with this ordinance and shall require the entire structure to conform to the VA USBC.

ARTICLE VI. VARIANCES

Sec. 30-2022. Factors to be considered.

In passing upon applications for variances, the board of zoning appeals shall satisfy all relevant factors and procedures specified in other sections of the zoning ordinance and consider the following additional factors:

(a) The showing of good and sufficient cause.

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(b) The danger to life and property due to increased flood heights or velocities caused by encroachments. No variance shall be granted for any proposed use, development, or activity within any Floodway District that will cause any increase in the one hundred (100)-year flood elevation.

(c) The danger that materials may be swept on to other lands or downstream to the injury of others.

(d) The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination, and unsanitary conditions.

(e) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owners.

(f) The importance of the services provided by the proposed facility to the community.

(g) The requirements of the facility for a waterfront location.

(h) The availability of alternative locations not subject to flooding for the proposed use.

(i) The compatibility of the proposed use with existing development and development anticipated in the foreseeable future.

(j) The relationship of the proposed use to the comprehensive plan and floodplain management program for the area.

(k) The safety of access by ordinary and emergency vehicles to the property in time of flood.

(l) The expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters expected at the site.

(m) The repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.

(n) Such other factors which are relevant to the purposes of this ordinance.

All applicants must obtain documentation pertaining to the request for a variance from a Virginia certified engineer to evaluate the proposed project in relation to flood heights and velocities, and the adequacy of the plans for flood protection and other related matters prior to referring such to the board of zoning appeals.

Variances shall be issued only after the board of zoning appeals has determined that the granting of such will not result in ~~(a) unacceptable or prohibited increases in flood heights,~~

(a) unacceptable or prohibited increases in flood heights,

(b) additional threats to public safety,

(c) extraordinary public expense; and will not

(d)

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create nuisances,

(e) cause fraud or victimization of the public, or

(f) conflict with local laws or ordinances.

Variances shall be issued only after the board of zoning appeals has determined that the variance will be the minimum required to provide relief from exceptional hardship to the applicant.

The board of zoning appeals shall notify the applicant for a variance, in writing, that the issuance of a variance to construct a structure below the one hundred (100)-year flood elevation (a) increases the risks to life and property and (b) will result in increased premium rates for flood insurance.

A record shall be maintained of the above notification as well as all variance actions, including justification for the issuance of the variances. Any variances that are issued shall be noted in the annual or biennial report submitted to the Federal Insurance Administrator.

ARTICLE ~~VII~~. ENACTMENT

This ordinance shall ~~became~~become effective upon passage on ~~September 21, 2006~~April 7,
2014.

State and county	Location and case No.	Chief executive officer of community	Community map repository	Effective date of modification	Community No.
St. Johns (FEMA Docket No.: B-1350).	Unincorporated areas of St. Johns County (13-04-0459P).	The Honorable Jay Morris, Chairman, St. Johns County Board of Commissioners, 500 San Sebastian View, St. Augustine, FL 32084.	St. Johns County Growth Management Department, 4040 Lewis Speedway St., Augustine, FL 32084.	December 16, 2013	125147
St. Johns (FEMA Docket No.: B-1350).	Unincorporated areas of St. Johns County (13-04-3658P).	The Honorable Jay Morris, Chairman, St. Johns County Board of Commissioners, 500 San Sebastian View St., Augustine, FL 32084.	St. Johns County Growth Management Department, 4040 Lewis Speedway St., Augustine, FL 32084.	December 13, 2013	125147
Georgia: Columbia (FEMA Docket No.: B-1350).	Unincorporated areas of Columbia County (13-04-3713P).	The Honorable Ron C. Cross, Chairman, Columbia County Board of Commissioners, P.O. Box 498, Evans, GA 30809.	Columbia County Department of Planning and Engineering, P.O. Box 498, Evans, GA 30809.	December 5, 2013	130059
Hawaii: Hawaii (FEMA Docket No.: B-1350).	Hawaii County (13-09-2122P).	The Honorable William P. Kenoi, Mayor, County of Hawaii, 25 Aupuni Street, Hilo, HI 96720.	Hawaii County Public Works Department, 101 Pauahi Street, Suite 7, Hilo, HI 96720.	December 16, 2013	155166
Kentucky: Jefferson (FEMA Docket No.: B-1350).	Louisville-Jefferson County Metro Government (13-04-4613P).	The Honorable Greg Fisher, Mayor, Louisville-Jefferson County Metro Government, 527 West Jefferson Street, Louisville, KY 40202.	Louisville-Jefferson County Metropolitan Sewer District, 700 West Liberty Street, Louisville, KY 40203.	December 6, 2013	210120
Montana: Lincoln (FEMA Docket No.: B-1350).	Unincorporated areas of Lincoln County (13-08-0330P).	The Honorable Tony Berget, Chairman, Lincoln County Board of Commissioners, 512 California Avenue, Libby, MT 59923.	Lincoln County Emergency Management Department, 925 East Spruce Street, Libby, MT 59923.	December 9, 2013	300157
Nevada:					
Clark (FEMA Docket No.: B-1350).	City of Henderson (13-09-1602P).	The Honorable Andy A. Hafen, Mayor, City of Henderson, Henderson City Hall, P.O. Box 95050, Henderson, NV 89009.	Public Works Department, 240 Water Street, Henderson, NV 89015.	November 1, 2013	320005
Clark (FEMA Docket No.: B-1350).	City of Henderson (13-09-1966P).	The Honorable Andy A. Hafen, Mayor, City of Henderson, Henderson City Hall, P.O. Box 95050, Henderson, NV 89009.	Public Works Department, 240 Water Street, Henderson, NV 89015.	November 29, 2013	320005
North Carolina:					
Buncombe (FEMA Docket No.: B-1350).	City of Asheville (13-04-4986P).	The Honorable Terry M. Bellamy, Mayor, City of Asheville, P.O. Box 7148, Asheville, NC 28802.	Development Services Department, 161 South Charlotte Street, Asheville, NC 28801.	November 12, 2013	370032
Davie (FEMA Docket No.: B-1350).	Unincorporated areas of Davie County (12-04-4913P).	The Honorable Beth Dirks, Davie County Manager, 123 South Main Street, 2nd Floor, Mocksville, NC 27028.	Davie County Development Services Department, 298 East Depot Street, Suite 100, Mocksville, NC 27028.	November 15, 2013	370308
Forsyth (FEMA Docket No.: B-1350).	City of Winston-Salem (11-04-3398P).	The Honorable Allen Joines, Mayor, City of Winston-Salem, 101 North Main Street, Suite 150, Winston-Salem, NC 27101.	Inspections Department, 100 East 1st Street, Suite 328, Winston-Salem, NC 27101.	October 15, 2013	375360
Wake (FEMA Docket No.: B-1350).	Town of Cary (12-04-3992P).	The Honorable Harold Weinbrecht, Mayor, Town of Cary, P.O. Box 8005, Cary, NC 27512.	Stormwater Services Office, 316 North Academy Street, Cary, NC 27513.	November 7, 2013	370238
South Carolina: Horry (FEMA Docket No.: B-1350).	City of North Myrtle Beach (13-04-2856P).	The Honorable Marilyn Hatley, Mayor, City of North Myrtle Beach, 1018 2nd Avenue South, North Myrtle Beach, SC 29582.	Planning and Development Department, 1018 2nd Avenue South, North Myrtle Beach, SC 29582.	November 29, 2013	450110
Washington: Spokane (FEMA Docket No.: B-1350).	City of Cheney (13-10-0843P).	The Honorable Tom Trulove, Mayor, City of Cheney, 609 2nd Street, Cheney, WA 99004.	Public Works Department, 112 Anderson Road, Cheney, WA 99004.	December 6, 2013	530175

(Catalog of Federal Domestic Assistance No. 97.022, "Flood Insurance.")

Dated: January 31, 2014.

Roy E. Wright,

Deputy Associate Administrator for Mitigation, Department of Homeland Security, Federal Emergency Management Agency.

[FR Doc. 2014-05733 Filed 3-14-14; 8:45 am]

BILLING CODE 9110-12-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA-2014-0002; Internal Agency Docket No. FEMA-B-1401]

Proposed Flood Hazard Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: Comments are requested on proposed flood hazard determinations, which may include additions or modifications of any Base Flood Elevation (BFE), base flood depth, Special Flood Hazard Area (SFHA)

boundary or zone designation, or regulatory floodway on the Flood Insurance Rate Maps (FIRMs), and where applicable, in the supporting Flood Insurance Study (FIS) reports for the communities listed in the table below. The purpose of this notice is to seek general information and comment regarding the preliminary FIRM, and where applicable, the FIS report that the Federal Emergency Management Agency (FEMA) has provided to the affected communities. The FIRM and FIS report are the basis of the floodplain management measures that the community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP). In addition,

the FIRM and FIS report, once effective, will be used by insurance agents and others to calculate appropriate flood insurance premium rates for new buildings and the contents of those buildings.

DATES: Comments are to be submitted on or before June 16, 2014.

ADDRESSES: The Preliminary FIRM, and where applicable, the FIS report for each community are available for inspection at both the online location and the respective Community Map Repository address listed in the tables below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at www.msc.fema.gov for comparison.

You may submit comments, identified by Docket No. FEMA-B-1366, to Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, FEMA, 500 C Street SW., Washington, DC 20472, (202) 646-4064, or (email) Luis.Rodriguez3@fema.dhs.gov.

FOR FURTHER INFORMATION CONTACT: Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, FEMA, 500 C Street SW., Washington, DC 20472, (202) 646-4064, or (email) Luis.Rodriguez3@fema.dhs.gov; or visit the FEMA Map Information eXchange (FMIX) online at

www.floodmaps.fema.gov/fhm/fmx_main.html.

SUPPLEMENTARY INFORMATION: FEMA proposes to make flood hazard determinations for each community listed below, in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a).

These proposed flood hazard determinations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities. These flood hazard determinations are used to meet the floodplain management requirements of the NFIP and also are used to calculate the appropriate flood insurance premium rates for new buildings built after the FIRM and FIS report become effective.

The communities affected by the flood hazard determinations are provided in the tables below. Any request for reconsideration of the revised flood hazard information shown on the Preliminary FIRM and FIS report that satisfies the data requirements

outlined in 44 CFR 67.6(b) is considered an appeal. Comments unrelated to the flood hazard determinations also will be considered before the FIRM and FIS report become effective.

Use of a Scientific Resolution Panel (SRP) is available to communities in support of the appeal resolution process. SRPs are independent panels of experts in hydrology, hydraulics, and other pertinent sciences established to review conflicting scientific and technical data and provide recommendations for resolution. Use of the SRP only may be exercised after FEMA and local communities have been engaged in a collaborative consultation process for at least 60 days without a mutually acceptable resolution of an appeal. Additional information regarding the SRP process can be found online at http://floodsrp.org/pdfs/srp_fact_sheet.pdf.

The watersheds and/or communities affected are listed in the tables below. The Preliminary FIRM, and where applicable, FIS report for each community are available for inspection at both the online location and the respective Community Map Repository address listed in the tables. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at www.msc.fema.gov for comparison.

Community	Community map repository address
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Wicomico County, Maryland, and Incorporated Areas

Maps Available for Inspection Online at: <http://www.fema.gov/preliminaryfloodhazarddata>

City of Fruitland	City Hall, 401 East Main Street, Fruitland, MD 21826.
City of Salisbury	City Hall, 125 North Division Street, Salisbury, MD 21801.
Town of Delmar	Town Hall, 100 South Pennsylvania Avenue, Delmar, MD 21875.
Town of Mardela Springs	Town Hall, 201 Station Street, Mardela Springs, MD 21837.
Town of Sharptown	Town Hall, 401 Main Street, Sharptown, MD 21861.
Town of Willards	Town Hall, 7360 Main Street, Willards, MD 21874.
Unincorporated Areas of Wicomico County	Wicomico County Government Office Building, 125 North Division Street, Room 201, Salisbury, MD 21801.

Accomack County, Virginia, and Incorporated Areas

Maps Available for Inspection Online at: <http://www.fema.gov/preliminaryfloodhazarddata>

Town of Belle Haven	Town Office, 15293 Kings Street, Belle Haven, VA 23306.
Town of Chincoteague	Town Hall, 6150 Community Drive, Chincoteague, VA 23336.
Town of Onancock	Town Hall, 15 North Street, Onancock, VA 23417.
Town of Saxis	Town Hall, 8334 Freeschool Lane, Saxis, VA 23427.
Town of Tangier	Town Hall, 4301 Joshua Thomas Lane, Tangier, VA 23440.
Town of Wachapreague	Town Hall, 6 Main Street, Wachapreague, VA 23480.
Unincorporated Areas of Accomack County	Accomack County Department of Building, Planning and Zoning, 23296 Courthouse Avenue, Room 105, Accomac, VA 23301.

City of Hopewell, Virginia (Independent City)

Maps Available for Inspection Online at: <http://www.fema.gov/preliminaryfloodhazarddata>

City of Hopewell	City Hall, 300 North Main Street, Hopewell, VA 23860.
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Community	Community map repository address
City of Suffolk, Virginia (Independent City)	
Maps Available for Inspection Online at: http://www.fema.gov/preliminaryfloodhazarddata	
City of Suffolk	City Hall, 441 Market Street, Suffolk, VA 23434.
King William County, Virginia, and Incorporated Areas	
Maps Available for Inspection Online at: http://www.fema.gov/preliminaryfloodhazarddata	
Town of West Point	Town Hall, 329 Sixth Street, West Point, VA 23181.
Unincorporated Areas of King William County	King William County Administrator's Office, 180 Horse Landing Road, King William, VA 23086.
Middlesex County, Virginia, and Incorporated Areas	
Maps Available for Inspection Online at: http://www.fema.gov/preliminaryfloodhazarddata	
Town of Urbanna	Town Office, 45 Cross Street, Urbanna, VA 23175.
Unincorporated Areas of Middlesex County	Middlesex County Building Department, 877 General Puller Highway, Saluda, VA 23149.
Prince George County, Virginia, and Incorporated Areas	
Maps Available for Inspection Online at: http://www.fema.gov/preliminaryfloodhazarddata	
Unincorporated Areas of Prince George County	Prince George County Planning and Zoning Office, 6602 Courts Drive, 1st Floor, Prince George, VA 23875.
Prince William County, Virginia, and Incorporated Areas	
Maps Available for Inspection Online at: http://www.fema.gov/preliminaryfloodhazarddata	
Town of Dumfries	Town Hall, Zoning Administrator's Office, 101 South Main Street, Dumfries, VA 22026.
Town of Quantico	Town Hall, 337 Fifth Street, Quantico, VA 22134.
Unincorporated Areas of Prince William County	Prince William County Department of Public Works, Watershed Management Branch, 5 County Complex Court, Prince William, VA 22192.

(Catalog of Federal Domestic Assistance No. 97.022, "Flood Insurance.")

Dated: January 31, 2014.

Roy E. Wright,

Deputy Associate Administrator for Mitigation, Department of Homeland Security, Federal Emergency Management Agency.

[FR Doc. 2014-05729 Filed 3-14-14; 8:45 am]

BILLING CODE 9110-12-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA-2014-0002; Internal Agency Docket No. FEMA-B-1402]

Changes in Flood Hazard Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This notice lists communities where the addition or modification of

Base Flood Elevations (BFEs), base flood depths, Special Flood Hazard Area (SFHA) boundaries or zone designations, or the regulatory floodway (hereinafter referred to as flood hazard determinations), as shown on the Flood Insurance Rate Maps (FIRMs), and where applicable, in the supporting Flood Insurance Study (FIS) reports, prepared by the Federal Emergency Management Agency (FEMA) for each community, is appropriate because of new scientific or technical data. The FIRM, and where applicable, portions of the FIS report, have been revised to reflect these flood hazard determinations through issuance of a Letter of Map Revision (LOMR), in accordance with Title 44, Part 65 of the Code of Federal Regulations (44 CFR Part 65). The LOMR will be used by insurance agents and others to calculate appropriate flood insurance premium rates for new buildings and the contents of those buildings. For rating purposes, the currently effective community number is shown in the table below and must be used for all new policies and renewals.

DATES: These flood hazard determinations will become effective on the dates listed in the table below and revise the FIRM panels and FIS report in effect prior to this determination for the listed communities.

From the date of the second publication of notification of these changes in a newspaper of local circulation, any person has ninety (90) days in which to request through the community that the Deputy Associate Administrator for Mitigation reconsider the changes. The flood hazard determination information may be changed during the 90-day period.

ADDRESSES: The affected communities are listed in the table below. Revised flood hazard information for each community is available for inspection at both the online location and the respective community map repository address listed in the table below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at www.msc.fema.gov for comparison.