CHAPTER 8

FLOOD PLAIN REGULATION

Part 7

**Definitions**

 **§701. General.** Unless specifically defined below, words and phrases used in this Part shall be interpreted so as to give this Chapter its most reasonable application.

 **§702. Specific Definitions.**

 ACCESSORY USE OR STRUCTURE - A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure.

 BASEMENT - Any area of a building having its floor below ground level on all sides.

 BUILDING – A combination of materials to form a permanent structure having walls and a roof. Included shall be all mobile homes and trailers to be used for human habitation.

 COMPLETELY DRY SPACE – A space which will remain totally dry during flooding; the structure is designed and constructed to prevent the passage of water and water vapor.

 CONSTRUCTION - The construction, reconstruction, renovation, repair, extension, expansion, alteration, or relocation of a building or structure, including the placement of mobile homes.

 DEVELOPMENT - Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, the placement of mobile homes, streets, and other paving, utilities, filling, grading, excavation, mining, dredging, or drilling operations and the subdivision of land.

 ESSENTIALLY DRY SPACE – A space which will remain dry during flooding, except for the passage of some water vapor or minor seepage; the structure is substantially impermeable to the passage of water.

 FLOOD – A temporary inundation of normally dry land areas.

 FLOOD PLAIN - See definition of Flood-Prone area.

 FLOODPROOFING - 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.

 FLOOD-PRONE AREA – A relatively flat or low land area which is subject to partial or complete inundation from an adjoining or nearby stream, river or water course; and/or any area subject to the unusual and rapid accumulation of surface waters from any source.

 FLOODWAY - The channel of a river or other watercourse and the adjacent land area that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

 IDENTIFIED FLOOD PRONE AREA - The flood plain area specifically identified in this ordinance as being inundated by the one hundred (100) year flood. Included would be areas identified as Floodway (FW), Flood-Fringe (FF) and General Flood Plain (FA).

 LAND DEVELOPMENT - (i) The improvement of one lot, or two or more contiguous lots, tracts, or parcels of land for any purpose involving (a) a group of two or more buildings, or (b) the division or allocation of land or space between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features; and, (ii) subdivision of land.

 LOWEST FLOOR - The lowest floor of the lowest enclosed area (including basement). An unfinished or floor 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 Section 403.

 MANUFACTURED HOME – A transportable, single family dwelling intended for permanent occupancy, office, or place of assembly, contained in one or more sections, built on a permanent chassis, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used with or without a permanent foundation. The term includes parked trailers, travel trailers, recreational and other similar vehicles which are placed on a site for more than 180 consecutive days.

 MINOR REPAIR - The replacement of existing work with equivalent materials for the purpose of its routine maintenance and upkeep; but not including any addition, change, or modification in construction, exit facilities, or permanent fixtures or equipment.

 OBSTRUCTION - Any wall, dam, wharf, embankment, levee, dike, pile abutment, projection, excavation, channel, rectification, culvert, building, fence, stockpile, refuse, fill, structure, or matter in, along, across, or projecting into any channel, watercourse, or flood- prone area, which may impede, retard, or change the direction of the flow of water either in itself or by catching or collecting debris carried by such water or is placed where the flow of the water might carry the same downstream to the damage of life and property.

 ONE HUNDERED YEAR FLOOD – A flood that, on the average, is likely to occur once every one hundred (100) years (i.e. that has a one (1) percent chance of occurring each year, although the flood may occur in any year).

 RECREATIONAL VEHICLE – 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 primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

 REGULATORY FLOOD ELEVATION - The one hundred (100) year flood elevation.

 STRUCTURE - Anything constructed or erected on the ground or attached to the ground including but not limited to buildings, sheds, mobile homes, and other similar items.

 SUBDIVISION - The division or re-division or a lot, tract, or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land, including changes in existing lot lines for the purpose, whether immediate or future, or lease, transfer of ownership, or buildings, or lot development; provided, however, that the division of land for agricultural purposes into parcels of more than ten (10) acres, not involving any new street or easement of access, shall be exempted.

 SUBSTANTIAL DAMAGE - 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.