→ With C. Rock comments based upon FHOD draft dated 10/29/2014

NATIONAL FLOOD INSURANCE PROGRAM
COMMUNITY FLOODPLAIN MANAGEMENT REGULATIONS
REVIEW CHECKLIST

Community: Town of Richmond **C.I.D.:** 500040 **State:** Vermont

Review of: Richmond draft Flood Hazard Overlay District 9-16-2014

Reviewed by: Rebecca Pfeiffer, VT DEC, rebecca.pfeiffer@state.vt.us, 802-490-6157

Date of Review: 10/27/2014 following conversation with Julie Graun (FEMA) Rebecca, mark F. + cara.

Community Floodplain Management Regulations Reviewed by (circle one): FEMA (State) Other: (Agency Name)

Reviewer's Determination: /☒/ The floodplain management regulations are compliant.
/☐/ The floodplain management regulations are not compliant.

Approved by: _____ (FEMA only) Date of Approval: ___/___/___

The "Item Description" is a synopsis of the regulatory requirement and should not be construed as a complete description. Refer to the actual language contained in the National Flood Insurance Program Floodplain Management Regulations at Title 44 Code of Federal Regulations (CFR) Part 59 and 60 for the complete description of the required minimum criteria. Below the "Level of Regulations" column, you can indicate whether the community ordinance meets or exceeds the respective provision in the non-shaded areas.

Item Description *(Section reference to the NFIP Regulations follows)*	**Level of Regs**					**Applicable Ordinance Section/Comments**
	a	**b**	**c**	**d**[1]	**e**[1]	
ORDINANCES MUST CONTAIN THE FOLLOWING PROVISIONS:						
1. Citation of Statutory Authority				Y		6.8.1
2. Framework for administering the ordinance (including permit system, establishment of the office for administering the ordinance, record keeping, etc.).				Y		Section 2, 5 (5.2.1(c)vii; 5.12.4; 6.8.16 Administration
3. Adequate enforcement provisions (including a violation and penalty section specifying actions the community will take to assure compliance).				Y		6.8.18
4. Variance section with evaluation criteria and insurance notice. [60.6(a)]				Y		6.8.13
5. Effective Date: Adoption Date:				n/a		DRAFT; 1.3
6. Signature of Appropriate Official and Certification Official.				n/a		DRAFT

[1] If a community has both floodways and coastal high hazard areas, it must meet the requirements of both level 60.3(d) and 60.3(e).

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OTHER PROVISIONS AND ACTIONS THAT MAY BE NECESSARY TO MAKE THE ORDINANCE LEGALLY ENFORCEABLE AND ENSURE THAT IT CAN BE PROPERLY ADMINISTERED:						
7: Purpose section citing health, safety, and welfare reasons for adoption.				Y		1.1, 6.8.2
8: Disclaimer of Liability section advising that the degree of flood protection required by the ordinance is considered reasonable but does not imply total flood protection.				Y		6.8.3(b)
9. Abrogation and Greater Restriction section. (e.g., This Ordinance shall not in any way impair/remove the necessity of compliance with any other applicable laws, ordinances, regulations, etc. Where this Ordinance imposes a greater restriction, the provisions of this Ordinance shall control.)				Y		1.6, 6.8.1 (greater restriction), 6.8.3(a) (abrogation)
10. Severability section. (e.g., If any section, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court, the remainder of the ordinance shall not be affected.)				Y		1.5
11. Public hearing (State/local laws may require hearings)				n/a		DRAFT
12. Publication (State/local laws may require public notices)				n/a		DRAFT
MINIMUM NFIP CRITERIA:						
13. Definitions: [59.1] Y Base Flood; Y Base Flood Elevation; Y Development; Y Existing manufactured home park or subdivision; Y Expansion to an existing manufactured home park or subdivision; Y Flood Insurance Rate Map; Y Flood Insurance Study; Y Floodway; Y Lowest Floor; Y Manufactured Home; Y Manufactured Home Park or Subdivision; YNew Construction; Y New Manufactured Home Park or Subdivision; Y Recreational Vehicle; Y Special Flood Hazard Area; Y Start of Construction; Y Structure; Y Substantial Damage; Y Substantial Improvement; YViolation; Other Definitions as appropriate such as				Y		6.8.4, see checklist below; Includes "Contents", "Engineering Report and Plan", "Insignificant Activities", "Insignificant Repair", "Maintenance", "Minor Accessory Structure", "Structure", "Principal Structure"

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	a	**b**	**c**	**d**[1]	**e**[1]	
Y Floodproofing; n/a Highest adjacent grade for community's with mapped AO Zones; Y Historic Structures						** See Comments re: "No-Rise Certification" definition
14. Adopt or reference correct Map and date. [60.3(b)] (If the community has an automatic adoption provision in its ordinance, is it a valid provision?)				Y		6.8.5(a)
15. Adopt or reference correct Flood Insurance Study and date. [60.3(c), (d), and/or (e)] (If the community has an automatic adoption provision in its ordinance, is it a valid provision?)				Y		6.8.5(a)
16. Require permits for all proposed construction or other development including placement of manufactured homes to determine whether such construction or development is in a floodplain. [60.3(a)(1)]						
17. Require permits for all proposed construction and other development within SFHAs. [60.3(b)(1)]				Y		1.2, 2.5, 5.1, 6.8.1, 6.8.8, 6.8.9, Figure 6.8-1
18. Assure that all other State and Federal permits are obtained. [60.3(a)(2)]				Y		5.2.1(c)vii, 5.2.1(d); 6.8.16(b)(d)
19. Review permits to assure sites are reasonably safe from flooding and require for new construction and substantial improvements in flood-prone areas [60.3(a)(3)]: (a) Anchoring (including manufactured homes) to prevent flotation, collapse, or lateral movement of the structure. [60.3(a)(3)(i)]				Y		6.8.15.(a)1
(b) Use of flood-resistant materials. [60.3.(a)(3)(ii)]				Y		6.8.15(a)2
(c) Construction methods and practices that minimize flood damage. [60.3(a)(3)(iii)]				Y		6.8.15.(a)3

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	a	**b**	**c**	**d**[1]	**e**[1]	
(d) Electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities designed and/or located to prevent water entry to accumulation. [60.3(a)(3)(iv)]				Y		6.8.15.(a)4
20. Review subdivision proposals and other development, including manufactured home parks or subdivisions, to determine whether such proposals will be reasonably safe from flooding [60.3(a)(4)]. If a subdivision or other development proposal is in a flood-prone area, assure that: (a) Such proposals minimize flood damage. [60.3(a)(4)(i)]				Y		6.8.15.(a)3, 6.8.15(t)2
(b) Public utilities and facilities are constructed so as to minimize flood damage. [60.3(a)(4)(ii)]				Y		6.8.15.(a)3, 6.8.15.(a)4, 6.8.15(t)4
(c) Adequate drainage is provided. [60.3(a)(4)(iii)]				Y		6.8.15.(a)5, 6.8.15(3)
21. Require new and replacement water supply and sanitary sewage systems to be designed to minimize or eliminate infiltration. [60.3(a)(5) and 60.3(a)(6)]				Y		6.8.15(l), 6.8.15(n)
22. Require onsite waste disposal systems be designed to avoid impairment or contamination. [60.3(a)(6)(ii)]				Y		6.8.15(m)
23. Require base flood elevation data for subdivision proposals or other developments greater than 50 lots or 5 acres. [60.3(b)(3)]				Y		6.8.5.b, 6.8.15(t)
24. In A Zones, in the absence of FEMA BFE data and floodway data, obtain, review, and reasonably utilize other BFE and floodway data as a basis for elevating residential structures to or above the base flood level, and for floodproofing or elevating non-residential structures to or above the base flood level. [60.3(b)(4)]				Y		6.8.5.b
25. Where BFE data are utilized in Zone A, obtain and maintain records of the lowest floor and floodproofing elevations for new and substantially improved				Y		6.8.16(e)

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	a	**b**	**c**	**d**[1]	**e**[1]	
construction. [60.3(b)(5)]						
26. In riverine areas, notify adjacent communities of watercourse alterations and relocations. [60.3(b)(6)]				Y		6.8.16(c)
27. Maintain the carrying capacity of an altered or relocated watercourse. [60.3(b)(7)]				Y		6.8.15(o)
28. Require all manufactured homes to be elevated and anchored to resist flotation, collapse, or lateral movement. [60.3(b)(8)]				Y		6.8.15(a)1 (all development); 6.8.15(j)3
29. Require all new and substantially improved residential structures within A1-30, AE, and AH Zones have their lowest floor (including basement) elevated to or above the Base Flood Elevation. [60.3(c)(2)]				Y		6.8.15(e)
30.[2] In AO Zones, require that new and substantially improved residential structures have their lowest floor (including basement) to or above the highest adjacent grade at least as high as the FIRM's depth number. [60.3(c)(7)]				n/a		
31. Require that new and substantially improved non-residential structures within A1-30, AE, and AH Zones have their lowest floor elevated or floodproofed to or above the Base Flood Elevation. [60.3(c)(3)]				Y		6.8.15(f)
32.[2] In AO Zones, require new and substantially improved non-residential structures have their lowest floor elevated or completely floodproofed above the highest adjacent grade to at least as high as the depth number on the FIRM. [60.3(c)(8)]				n/a		
33. Require that for floodproofed non-residential structures, a				Y		6.8.15(f)3

[2] Item 30 and 32 are not required if the community has no AO Zones.

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Item Description *(Section reference to the NFIP Regulations follows)*	**Level of Regs** a	b	c	d[1]	e[1]	**Applicable Ordinance Section/Comments**
registered professional engineer/architect certify that the design and methods of construction meet requirements at 60.3(c)(3)(ii). [60.3(c)(4)]						
34. Require, for all new construction and substantial improvements, that fully enclosed areas below the lowest floor that are used solely for parking of vehicles, building access or storage in an area other than a basement and which is subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing the entry and exit of floodwaters in accordance with the specifications in 60.3(c)(5). (Openings requirement)				Y		6.8.15(d); 6.8.15(c) prohibits fully enclosed areas below grade on all sides;
35.[3] Until a regulatory floodway is designated, no encroachment may increase the Base Flood level more than 1 foot. [60.3(c)(10)]				Y		6.8.16(u)
36.[4] In Zones AO and AH, require drainage paths around structures on slopes to guide water away from structures. [60.3(c)(11)]				n/a		
37. Require that manufactured homes placed or substantially improved within A1-30, AH, and AE Zones, which meet one of the following location criteria, to be elevated such that the lowest floor is to or above the Base Flood Elevation and be securely anchored: (i) outside a manufactured home park or subdivision; (ii) in a new manufactured home park or subdivision; (iii) in an expansion to an existing manufactured home park or subdivision;				Y		6.8.15(j)2- all SI or replacement manufactured homes must have the lowest floor elevated to 1' above BFE

[3] Item 35 is not required if all streams have floodways designated.

[4] Item 36 is not required if the community has no AO or AH Zones.

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	a	**b**	**c**	**d**[1]	**e**[1]	
iv) on a site in an existing park which a manufactured home has incurred substantial damage as a result of a flood. [60.3(c)(6)]						
38. In A-1-30, AH, and AE Zones, require that manufactured homes to be placed or substantially improved in an existing manufactured home park to be elevated so that (i) the lowest floor is at or above the Base Flood Elevation; OR (ii) the chassis is supported by reinforced piers no less than 36 inches in height above grade and securely anchored. [60.3(c)(12)]				Y		6.8.15(j)4 - all SI or replacement residential structures that cannot be elevated above the BFE, structures shall be elevated no less than 48" above grade; See Comment Below
39. In A1-30, AH, and AE Zones, all recreational vehicles to be placed on a site must (i) be elevated and anchored; OR (ii) be on the site for less than 180 consecutive days; OR (iii) be fully licensed and highway ready. [60.3(c)(14)]				Y		6.8.15(k) - See Comments Below
40. Designate a regulatory floodway which will not increase the Base Flood level more than 1 foot. [60.3(d)(2)]				Y		6.8.4 - Floodway, Regulatory, in Town of Richmond
41. In a regulatory floodway, prohibit any encroachment, which would cause any increase in the Base Flood level unless hydrologic and hydraulic analyses prove that the proposed encroachment would not increase flood levels during the Base Flood discharge. [60.3(d)(3)]				Y		6.8.15(u)
42. In V1-30, VE, and V Zones, obtain and maintain the elevation of the bottom of the lowest horizontal structural member of the lowest floor of all new and substantially improved structures. [60.3(e)(2)]						
43. In V1-30, VE, and V Zones, require that all new						

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Item Description *(Section reference to the NFIP Regulations follows)*	**Level of Regs** a	b	c	d[1]	e[1]	**Applicable Ordinance Section/Comments**
construction and substantial improvements: (a) Are elevated and secured to anchored pilings or columns so that the bottom of the lowest horizontal structural member is at or above the Base Flood Elevation. [60.3(e)(4)]						
(b) A registered professional engineer/architect certify that the design and methods of construction meet elevation and anchoring requirements at 60.3(e)(4)(i) and (ii). [60.3(e)(4)]						
(c) Have the space below the lowest floor either free of obstruction or constructed with breakaway walls. Any enclosed space shall be used solely for parking, building access, or storage. [60.3(e)(5)]						
(d) All new construction is landward of mean high tide. [60.3(e)(3)]						
(e) Prohibit use of fill for structural support. [60.3(e)(6)]						
(f) Prohibit alteration of sand dunes and mangrove stands, which would increase potential flood damage. [60.3(e)(7)]						
44. Require that manufactured homes placed or substantially improved within V1-30, VE, and V Zones, which meet one of the following location criteria, meet the V Zone standards in 60.3(e)(2) through (e)(7): (i) outside a manufactured home park or subdivision; (ii) in a new manufactured home park or subdivision; (iii) in an expansion to an existing manufactured home park or subdivision; (iv) on a site in an existing park which a manufactured home has incurred substantial damage as a result of a flood. [60.3(e)(8)]						
45. In V1-30, VE, and V Zones, require that manufactured homes to be placed or substantially improved in an existing manufactured home park to be elevated so that						

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	a	**b**	**c**	**d**[1]	**e**[1]	
(i) the lowest floor is at or above the Base Flood Elevation; OR (ii) the chassis is supported by reinforced piers no less than 36 inches in height above grade and securely anchored. [60.3(e)(8)(iv)]						
46. In V1-30, VE, and V zones, all recreational vehicles to be placed on a site must (i) be elevated and anchored; OR (ii) be on the site for less than 180 consecutive days; OR (iii)be fully licensed and highway ready. [60.3(e)(9)]						

Additional Information:

N Stand-alone Ordinance?

Y Automatic Adoption?

Y Additional Regulatory Measures? If yes, specify:

- 5.6.6(b) Extraction of Earth Resources: removal or filling of earth resources is prohibited within 50' of a wetland or waterbody (navicable watercourse) or within a buffer zone (defined in 5.6.6(c)(iv), which could be a 25'-100' to a stream);
- 5.12.2(h) – Planned Unit Developments (PUDs) are required to make appropriate provisions for preservation of natural features when feasible. This list includes floodplains, wetlands, waterbodies, streams & stream banks;
- 6.7 – Shorelines: For protection of Winooski & Huntington Rivers, Gillette Pond and Richmond portion of Lake Iroquois. This overlay district is intend to minimize erosion into these features. Additionally, 6.7.6 highly encourages a 50' on all streams and brooks (not required);
- 6.8.4 – Substantial Improvement is tracked over a Common Plan of Development, or which results in an expansion of greater than 25% of the existing gross floor area, whichever is less;
- 6.8.6 – FHOD Jurisdictional Determination Process – (6.8.6.B.b) LOMR-F shall not be used to remove land from the jurisdiction of the FHOD; ✓
- 6.8.x – Substantial Improvement Determination section spells out SI process;
- 6.8-1 – prohibits:
  - additions to existing accessory structures* and principle structures within the floodway,
  - temporary structures, new minor accessory structures*, new accessory structures from the floodway ("accessory structures" just refers to the structure being subordinate to a primary structure. "Structure" definition is an assembly of material for occupancy or use which is more strict than minimum NFIP definition),

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  - new dwelling units (including accessory apartments) and new principal structures from the SFHA & floodway;
  - new outdoor storage from the floodway,
  - new fill from the SFHA and floodway (except to elevate existing structures),
  - new junkyards from the SFHA and floodway,
  - new storage of hazardous materials from the SFHA and floodway,
  - new critical facilities from the SFHA and floodway;
- 6.8.15(e) & 6.8.15(f) requires SI/replaced structures to be elevated to 1' above BFE, non-residential structures to be dry floodproofed 2' above BFE
- 6.8.15(e), 6.8.15(f), 6.8.15(g) requires structural designs, specifications and plans prepared and certified by a registered professional engineer or architect for any substantially improved or replaced residential, non-residential, or accessory (greater than 500 square feet) structure.
- 6.8.15(u)2 – Within the Floodway, development shall: 2. Not increase risk to any surrounding properties, facilities or structures from erosion or flooding
- 6.8.17 -Certificate of Occupancy

State Requirement:

Y ANR Referral Requirement [24 VSA §4424]? 6.8.16(c)

General Comments:

Overall, the Town of Richmond currently has 53 flood insurance policies in force, insuring approximately $12.8 million dollars of property. There have been 31 paid losses since the Town has joined the National Flood Insurance Program in 1982 resulting in nearly $400,000 being paid out in claims.

In the proposed draft, there are concerns from VT DEC and FEMA that although a maintenance activity by definition does not have the potential to be a substantial improvement, how would that be confirmed by the Town? To ensure that such a system is in keeping with the minimum NFIP requirements, the Town of Richmond will need to develop an administrative procedure to track exempted maintenance activities in order to demonstrate that the maintenance would, *in fact*, not result in a substantial improvement, either as an individual activity or as part of a Common Plan of Development.

Specific Section Comments:

Section 5.3.5 Certificates of Occupancy: Suggested that the waiver of a CO within a one story building without a basement or cellar NOT apply within the FHOD. Section 6.8.17 contains specific CO standards for the FHOD. It is recommended that the language in 5.3.5 refers to these specific FHOD standards in 6.8.17.

no - not done

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Section 5.9 Accessory Dwellings: Given that the Town of Richmond prohibits new accessory dwelling units within the FHOD, it is recommended that the language in this section references the FHOD standard. ✓yes - done

Section 5.10.4 Public Facilities and Utilities: Consider updating this language to the recently amended language found in 24 VSA §4413. The change was to specifically indicate that communities have the ability to regulate these facilities for NFIP/FHOD compliance. The exceptions to these facilities would be state owned and operated institutions and facilities and public utility power generating plants and transmission facilities regulated by the PSB under 30 VSA §248. no - not done

Section 6.8.7 Substantial Improvement Determinations: Under 6.8.x.(a)(b), it allows the AO to consider actual cash value for SI determinations. Consider removing this option for SI/SD determinations. After TS Irene, the VT Floodplain Management Program found that verifying actual cash value estimates was very difficult to do, requiring a high level of expertise from the AO or other Town officials to verify. We would recommend allowing for all of the other methods for determining the pre-damaged value of the structure. Limiting the sources of determining a structure's pre-damaged value would be allowable by FEMA because it is more restrictive than FEMA's minimum SI recommendation. ✓yes - done removed

In addition, the Town may want to consider putting some time limit or some other "relevance" test on the independent appraisal by a professional appraiser. To ensure that an out of date appraisal would not be used, the Town could add language such as "completed in the last year" or "verified by the appraiser to still be representative of the market and structure", or some other means test as determined by the community. no not done

Section 6.8.15(b): Fuel storage tank language references fill, which is a CU review for an existing structure (structure definition would include a fuel storage tank). It is recommended that the language below be changed so that it is clear that it is preferable that fuel storage tanks be elevated in ways that does not involve fill.

> (b) Required to securely anchor any fuel storage tanks to prevent flotation or lateral movement (as needed to serve an existing building in the Special Flood Hazard Zone). Vent pipes and the bottom of the fuel storage tank shall be elevated at least one foot above the base flood elevation; or storage tanks may be placed underground, if securely anchored as certified by a qualified professional

Section 6.8.15(h) & 6.8.15(i) - Minor Accessory Structures: Is there a reason why there is a separate standard for minor accessory structures smaller than 500 SF and 150 SF? The standards for 6.8.15(i) could be covered under 6.8.15(h). If both are included for a reason relevant elsewhere in the bylaw, it is recommened that 6.8.15(i)(4) be written similar to 6.8.15(h)(4) to streamline the text. yes, keep seperate pc decided.

Section 6.8.11(b)(1): Figure 6.8-1 was changed to state that "improvements, non-substantial" is now a Condition Use review if located within the floodway. The language or 6.8.11(b)(1) would just need to be deleted – already moved "Improvements, non-substantial" to 6.8.12(b)(3). ✓yes done

Specific FEMA Checklist Items:

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Checklist Item 13: (listed below are relevant definitions or definitions that may be slightly different than the VT FHAR Model definitions are listed below)

Accessory Structures - A structure on the same lot with and of a nature which is customarily incidental and subordinate to the principal structure.

Contents – personal property that is not considered part of the structure and may include furniture, portable and window air conditioners, portable microwave ovens and portable dishwashers, clothes washers and dryers, food freezers, and machinery and equipment which are not integral to the structures primary heating, ventilation and cooling systems. Contents may also include outdoor furniture and seasonal decorations.

Engineering Report and Plan - a report and a plan prepared by and signed by an engineer licensed to practice in Vermont, delineating the Base Flood Elevation Area on a property by an accepted engineering method, including but not limited to a methodology recognized by a federal or Vermont state agency, and which show the calculated Special Flood Hazard Area boundary with sufficient information for such boundary to be confirmed. The Engineering Report and Plan must include a contour map showing the actual BFE of the area and, if no BFE is available from a Flood Insurance Study, a hydrologic and hydraulic study is needed as part of the Engineering Report and Plan to provide the BFE.

Insignificant activities – placement or erection of decorative or directional elements which do not result in new obstructions to flood flows or alter drainage or have the potential to be a substantial improvement. Insignificant activities may include mowing, planting a garden, adding soil amendments, installing a mail box for the delivery of US postal mail or newspaper, or erecting a flag pole. Insignificant activities will not result in new obstructions to flood flows or impair drainage or have the potential to be a substantial improvement. ✓

Insignificant repair – to fix or mend to a sound condition after decay or damage and the cost of which does not exceed $500 or does not result in the replacement, alteration, addition or extension of an existing structure. Insignificant repairs will not result in new obstructions to flood flows or impair drainage or have the potential to be a substantial improvement. ✓

Improvement, non-substantial – any reconstruction, rehabilitation, addition, or other improvement to a Structure which does not meet the definition of Substantial Improvement, Maintenance, Insignificant Repair or Insignificant Activities. Non-substantial improvements will not result in new obstructions to flood flows or impair drainage. ✓

"Maintenance" **definition has been amended in accordance to FEMA R 1 guidance to read:** ✓ ✱✱ ✓

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Maintenance – routine care or upkeep of a structure or property which results in retention of the current condition or value. Routine maintenance will not result in new obstructions to flood flows or impair drainage or have the potential to be a substantial improvement. Also includes maintenance of existing paths, recreation areas, storm water drainage areas, roads, bridges, culverts, boardwalks or channel management activities

Minor Accessory Structures - A structure on the same lot with and of a nature which is customarily incidental and subordinate to the principal use or structure and is smaller than 500 square feet as measured by the gross floor area and that represents a minimal investment. If the Minor accessory structures has two or more walls and a roof, it may not be used for human habitation. Minor accessory structures may include buildings without walls such as carports, picnic pavilions, board walks and decks.

No-Rise Certification – A certification by a licensed engineer supported by hydraulic or hydrologic technical data (or an explanation of why an analysis is not required) based on the ~~standard step-backwater~~ computer model utilized to develop the 100-year floodway shown on the FEMA Flood Insurance Rate Map (FIRM) and the results tabulated in the Flood Insurance Study (FIS) for Richmond. (may want to consider removing this reference to the type of model utilized to develop the flood study/floodway, as I don't believe it was a step backwater analysis) ✓ Made this change CR 10/29

Principal Structure - A structure, which includes a walled and roofed building, in which is conducted the main or principal use of the lot on which the structure is situated.

Structure - An assembly of materials for occupancy or use, including, but not limited to, a building, mobile home or trailer, sign, wall or fence, except a wall or fence on an operating farm. The term Structure also includes liquid and gas storage tanks that are principally above ground. Unless otherwise specifically provided, (1) the term Structure does not include parking areas and driveways, (2) for purposes of determining setbacks, the term Structure does not include fences, except where specifically provided, and (3) for the determination of setbacks, septic systems shall not be considered structures and the setbacks shall be dictated by state law. See also Recreational Vehicle and Existing Structure.

Temporary Structures – one-story Structures not on the site for more than 180 consecutive days, which do not exceed 400 square feet of floor area and do not involve wastewater systems, includes recreational vehicles.

Checklist Item 17: Section 6.8.-1: Final approval of the language for "Repairs, Insignificant" and "Maintenance" will need to be made by FEMA. In general, FEMA has typically approved a $500 project exemption cost as long as it does not result in an encroachment in the floodway or negatively impacted the flow of water during a flood (i.e. interior repairs or activities made above the BFE).

based upon 10/27 conversation with Julie Graur FEMA I FEMA would accept.

NATIONAL FLOOD INSURANCE PROGRAM
COMMUNITY FLOODPLAIN MANAGEMENT REGULATIONS
REVIEW CHECKLIST

Community_____ **C.I.D.** _____ **State**_____

Reviewed by: _____ Date of Review: _____

Checklist Item 38: Section 6.8.15(j)4 – This section allows replacement or substantially improved manufactured homes located in an existing Manufactured Home Park to be elevated 48" above grade if elevation of the manufactured home above the BFE is not possible. It is possible that there may not be any existing manufactured home parks where a replacement/substantially improved structure would need to be elevated greater than 4' above grade in order for the home to be elevated to 1' above the BFE (i.e. greater than a 3' flood depth during a FEMA base flood event). If there are parts of an existing manufactured home park where the flood depth would be greater than 3', then it is highly recommended that the Town of Richmond does require the homes to be elevated to 1' above the BFE in order to protect homes in such a vulnerable location within the floodplain. Structure elevations above the BFE can occur, and are recommended, without the use of fill. An example of an elevation of 4+' above the grade could result in a garage with adequate flood vents at grade with the home located on top of the garage.

not done

If the Town of Richmond keeps this section within the bylaw, it is recommended that a procedure or policy be created that establishes when it is considered "not possible" to elevate a manufactured home above the BFE, either within the bylaw or within a procedure to be adopted and used by the DRB. FEMA guidance often cites the cost of a structural elevation is not a valid reason to issue a variance or exception to a standard. It is suggested to consider a specific *difference* in elevation between the grade and the BFE. For example, if the grade of land is more than X' below BFE, then the DRB would consider it *not possible* to elevate the replacement home above BFE.

Checklist Item 39: Section 6.8.15(k) – Recommended that the Town consider adding the third FEMA standard that would state "or elevated and anchored in accordance with 6.8.15(j)" 6.8.15(j) refers to the elevation and anchoring requirement in the Richmond Bylaw.

not done