APPENDIX C
FLOOD OVERLAY
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FL. FLOOD OVERLAY PROVISIONS

A. Any permitted developments in the 100 year flood plain shall be designed to allow participation in the National Flood Insurance Program.-ALL PERMITS

B. The issuance of permits for developments within the channel of a stream or river is prohibited (except as provided for in Section G., paragraph 2.i. and in Section I., paragraph 5.) -ALL PERMITS

C. 100 year flood plains and flash flood areas are encouraged to be used as open space, recreational, and agricultural land uses.-ALL PERMITS

D. Definitions

Unless specifically defined below, words or phrases used in these regulations shall be interpreted to give them the meaning they have in common usage and to give these regulations its most reasonable application.

Alluvial Fan Flooding – Flooding occurring on the surface of an alluvial fan or similar landform which originates at the apex and is characterized by high-velocity flows; active processes of erosion, sediment transport, and deposition; and unpredictable flow paths.

Apex – A point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.

Area of Shallow Flooding – A designated AO, AH, or VO zone on a community’s Flood Insurance Rate Map (FIRM) with a one percent chance or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Base Flood - The flood having a one percent chance of being equaled or exceeded in any given year.

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

Channel - A watercourse with a definite bed and banks which confine and conduct the normal continuous or intermittent flow of water.
Critical Feature – An integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.

Development – Any man-made change in improved and 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.

Elevated Building – A non-basement building (i) built, in the case of a building in Zones AE, A, A99, AO, AH, X, and D, to have the top of the elevated floor, or in the case of a building in Zones V1-30, VE, or V, to have the bottom of the lowest horizontal structure member of the elevated floor elevated above the ground level by means of pilings, columns (posts and piers), or shear walls parallel to the floor of the water and (ii) adequately anchored so as not to impair the structural integrity of the building during a flood of up to the magnitude of the base flood. In the case of Zones AE, A, A99, AO, AH, X, and D, “elevated building” also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters. In the case of Zones V1-30, VE, or V, “elevated building” also includes a building otherwise meeting the definition of “elevated building,” even though the lower area is enclosed by means of breakaway walls if the breakaway walls met the standards of Section 60.3(e)(5) of the National Flood Insurance Program regulations.

Existing Construction – For the purposes of determining rates, 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.”

Existing Manufactured Home Park or Subdivision – A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

Expansion to an Existing Manufactured Home Park or Subdivision – The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

Flood or Flooding – A general and temporary condition of partial or complete inundation of normally dry land areas from (i) the overflow of inland waters or (ii) the unusual and rapid accumulation or runoff of surface waters from any source.
Flood Insurance Rate Map - An official map of a community, on which the Federal Emergency Management Agency (FEMA) has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

Flood Insurance Study - The official report provided by the Federal Emergency Management Agency. The report contains flood profiles, water surface elevation of the base flood, as well as the Flood Boundary-Floodway Map.

Flood Hazard Boundary Map - An official map of a community, issued by the Federal Emergency Management Agency, FEMA, where the boundaries of the flood, mud-slide (i.e., mud-flow) related erosion areas having special hazards have been designated as Zones A, M, and/or E. Where applicable, Flood Insurance Rate Maps (FIRM) have superceded Flood Hazard Boundary Maps.

Floodplain or Flood-prone Area – Any land area susceptible to being inundated by water from any source (see definition of flooding).

Floodplain Management – The operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.

Floodplain Management Regulations – Land Use Regulations, building codes, health regulations, special purpose regulations (such as floodplain regulation, grading regulation and erosion control regulation) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

Flood Protection System – Those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the areas within a community subject to a “special flood hazard” and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

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.

Floodway (Regulatory Floodway) – The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation for than a designated height.
Functionally Dependent Use – A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, as ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

Highest Adjacent Grade – The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Historic Structure – 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 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;
   b. directly by the Secretary of the Interior in states without approved programs.

Levee – A man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

Levee System – A flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

Lowest Floor - 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 the applicable non-elevation design requirement of Section 60.3 of the National Flood Insurance Program regulations.

Manufactured Home – 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. The term “manufactured home” does not include a “recreational vehicle.”

**Manufactured Home Park or Subdivision** – A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

**Mean Sea Level** – For the purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community’s Flood Insurance Rate Map are referenced.

**New Construction** – For the purpose of determining insurance rates, structures for which the “start of construction” commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, “new construction” means structures for which the “start of construction” commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

**New Manufactured Home Park or Subdivision** – A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

**Recreational Vehicle** – A vehicle which is:

1. built on a single chassis;
2. 400 square feet or less when measured at the largest horizontal projections;
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.

**Start of Construction** – Including substantial improvement, the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, 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 of streets and/or walkways; nor does it include excavation for basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied ad dwelling units.
or not part of the main structure. For a substantial improvement, the actual start of 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 – A walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

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.

Substantial Improvement – 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 “start of construction” of the improvement. This 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 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.”

Variance – A grant of relief to a person from the requirement of these Land Use Regulations when specific enforcement would result in unnecessary hardship. A variance, therefore, permits construction or development in a manner otherwise prohibited by these regulations. (For full requirements see Section 60.6 of the National Flood Insurance Program regulations.)

Violation – The failure of a structure or other development to be fully compliant with the community’s floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in Section 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

Water Surface Elevation – The height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.
E. National Flood Insurance Program

1. Statutory Authorization, Findings of Fact, Purpose and Objectives:

   a. Statutory Authorization. The Legislature of the State of Wyoming has in Section 18-5-105 et seq. Wyoming Statutes Annotated, 1977 edition as amended, delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the Board of County Commissioners of Lincoln County, Wyoming does resolve as follows:

   b. Findings of Fact

      1. The flood hazard areas of Lincoln County are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.

      2. These flood losses are caused by the cumulative effect of obstructions in floodplains which increase flood heights and velocities, and by the occupancy of flood hazard areas by uses vulnerable to flood and hazardous to other lands because they are inadequately elevated, floodproofed or otherwise unprotected from flood damage.

   c. Statement of Purpose. It is the purpose of these Land Use Regulations to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed:

      1. To protect human life and health;
      2. To minimize expenditures of public money for costly flood control projects;
      3. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
      4. To minimize prolonged business interruptions;
      5. To minimize damage to public facilities and utilities, such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;
      6. To help maintain a stable tax base by providing for the sound use and development of flood prone areas in such a manner as to minimize future flood blight areas;
      7. To insure that potential buyers are notified that property is in a flood area; and
8. To ensure that those who occupy floodplain areas assume responsibility for their actions.

d. Methods of Reducing Flood Losses. In order to accomplish its purposes, these Land Use Regulations include methods and provisions for:

1. Restricting or prohibiting uses which are dangerous to health, safety, and property in times of flood, or cause excessive increases in flood heights or velocities;
2. Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
3. Controlling the alteration of natural flood plains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;
4. Controlling filling, grading, dredging, and other development which may increase flood damage; and,
5. Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

F. General Provisions

1. The provisions of the flood overlay regulations shall apply to all areas of special flood hazard within the jurisdiction of Lincoln County, Wyoming.
2. Basis for Establishing the Areas of Special Flood Hazard. The areas of special flood hazard identified by the Federal Emergency Management Agency (FEMA) in a scientific and engineering report entitled Flood Insurance Study for Lincoln County, Wyoming and Incorporated Areas, dated, 16 November 2011. Flood Insurance Study Number 56023CV000A and all panels are hereby and declared to be a part of these Land Use Regulations.
3. Development permits, as defined by these Land Use Regulations, shall be required to ensure conformance with the provisions of the flood overlay regulations.
4. No structure shall hereafter be located, altered, or have its use changed without full compliance with the terms of these Land Use Regulations and other applicable regulations.
5. This regulation is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where these Land Use Regulations and another regulation, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.
6. In the interpretation and application of these Land Use Regulations, all provisions shall be:
a. considered as minimum requirements;
b. liberally construed in favor of the governing body; and
c. deemed neither to limit nor repeal any other powers granted under State statutes.

7. The degree of flood protection required by these Land Use Regulations is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. On rare occasions greater floods can and will occur and flood heights may be increased by man-made or natural causes. These regulations do not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. These regulations shall not create liability on the part of the community or any official or employee thereof for any flood damages that result from reliance on these Land Use Regulations or any administrative decision lawfully made thereunder.

G. Administration

1. The Director of the Office of Planning and Development and the Senior Planner are hereby appointed to administer and implement the provisions of these Land Use Regulations and other appropriate sections of 44 CFR (National Flood Insurance Program Regulations) pertaining to floodplain management.

2. The duties of the Administrator shall include, but are not limited to, the following:

   a. Maintain and hold open for public inspection all records pertaining to the provisions of these Land Use Regulations.
   b. Review permit application(s) to determine whether proposed building site, including the placement of manufactured homes, will be reasonably safe from flooding.
   c. Review, approve or deny all applications for development permits required by adoption of these Land Use Regulations.
   d. Review permits for proposed development to assure that all necessary permits have been received from those governmental agencies from which prior approval is required by Federal or State law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334.
   e. Where interpretation is needed as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the Administrator shall make the necessary interpretation.
   f. Notify, in riverine situations, adjacent communities and the State Coordinating Agency which is the Wyoming Emergency Management Agency, prior to any alteration or relocation of a watercourse, and submit
evidence of such notification to the Federal Emergency Management Agency.
g. Assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained.
h. When base flood elevation data has not been provided in accordance with Section F, Paragraph 2, the Administrator shall obtain, review and reasonably utilize any base flood elevation data and floodway data available from a Federal, State or other source, in order to administer the provisions of Section I.
i. When a regulatory floodway has not been designated, the Administrator must require that no new construction, substantial improvements, or other development (including fill) shall be permitted within Zone AE on the community’s FIRM unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.
j. Under the provisions of 44 CFR Chapter 1, Section 65.12, of the National Flood Insurance Program regulations, a community may approve certain development in Zones AE and AH, on the community’s FIRM which increases the water surface elevation of the base flood by more than one foot, provided that the community first applies for a conditional FIRM revision through FEMA (Conditional Letter of Map Revision).

3. Permit Procedures. Application for a Development permit shall be presented to the Administrator on forms furnished by him/her and may include, but not be limited to, plans in duplicate drawn to scale showing the location, dimensions, and elevation of proposed landscape alterations, existing and proposed structures, including the placement of manufactured homes and the location of the foregoing in relation to areas of special flood hazard. Additionally, the following information is required:

a. Elevation (in relation to mean sea level), of the lowest floor (including basement) of all new and substantially improved structures;
b. Elevation in relation to mean sea level to which any nonresidential structure shall be floodproofed;
c. A certificate from a professional engineer or architect that the nonresidential floodproofed structure shall meet the floodproofing criteria of Section I, Paragraph 2.b.
d. Description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of proposed development.
e. Maintain a record of all such information in accordance with Section G, Paragraph 2.a.
4. Approval or denial of a Development Permit by the Administrator shall be based on all of the provisions of these Land Use Regulations and the following relevant factors:

   a. The danger to life and property due to flooding or erosion damage;
   b. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
   c. The danger that materials may be swept onto other lands to the injury of others;
   d. The compatibility of the proposed use with existing and anticipated development;
   e. The safety of access to the property in times of flood for ordinary and emergency vehicles;
   f. The costs of providing governmental services during and after flood conditions including maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical and water systems;
   g. The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site;
   h. The necessity to the facility of a waterfront location, where applicable;
   i. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
   j. The relationship of the proposed use to the comprehensive plan for that area.

H. Variance Procedures

1. The Board of County Commissioners shall hear and render judgment on requests for variances from the requirements of these flood regulations.
2. The Board shall hear and render judgment on an appeal only when it is alleged there is an error in any requirement, decision, or determination made by the Administrator in the enforcement or administration of these regulations.
3. Any person aggrieved by the decision of the Board may appeal such decision in the courts of competent jurisdiction.
4. The Administrator shall maintain a record of all actions involving an appeal and shall report variances to the Federal Emergency Management Agency upon request.
5. Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places without regard to the procedures set forth in the remainder of this Section.
6. Variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the relevant factors in Section I, paragraph 1. have been fully considered. As the
lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.

7. Upon consideration of the factors noted above and the intent of this ordinance, the Board may attach such conditions to the granting of variances as it deems necessary to further the purpose and objectives of these regulations (Section E., paragraph 1.c).

8. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

9. Variances may be issued for 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.

10. Prerequisites for granting variances:
   a. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
   b. Variances shall only be issued upon:
      1. showing a good and sufficient cause;
      2. a determination that failure to grant the variance would result in exceptional hardship to the applicant, and
      3. a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or regulations.
   c. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation, and that the cost of flood insurance will be commensurate with the risk resulting from the reduced lowest floor elevation.

11. Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that:
   a. the criteria outlined in Section G. paragraph 4. a-j are met, and
   b. the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.

I. Provisions for Flood Hazard Reduction

1. General Standards - In all areas of special flood hazards the following provisions are required for all new construction and substantial improvements:
a. All new construction or substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
b. All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage;
c. All new construction or substantial improvements shall be constructed with materials resistant to flood damage;
d. All new construction or substantial improvements shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
e. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
f. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharge from the systems into flood waters; and,
g. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

2. Specific Standards - In all areas of special flood hazards where base flood elevation data has been provided as set forth in (i) Section F., paragraph 2, or (ii) Section G., paragraph 2.h, the following provisions are required:
   a. Residential Construction – new construction and substantial improvement of any residential structure shall have the lowest floor (including basement), elevated to or above the base flood elevation. A registered professional engineer, architect, or land surveyor shall submit a certification to the Administrator that the standard of this subsection as proposed in Section G., paragraph 3.a. is satisfied. Where Base Flood Elevations have not been established in FIRM Zone (A) areas, the lowest floor shall be elevated at least 18 inches above highest surrounding grade.
   b. Nonresidential Construction – new construction and substantial improvements of any commercial, industrial or other nonresidential structure shall either have the lowest floor (including basement) elevated to or above the base flood level or together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is watertight with
walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction and shall certify that the design and methods of construction are in accordance with accepted standards of practice as outlined in this subsection. A record of such certification which includes the specific elevation (in relation to mean sea level) to which such structures are floodproofed shall be maintained by the Administrator.

c. Enclosures –

1. New construction and substantial improvements, with fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:
   a. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
   b. The bottom of all openings shall be no higher than one foot above grade.
   c. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

2. Crawspaces – In addition to the requirements contained in the paragraph above, new construction and substantial improvements of any below grade crawlspace shall:
   a. have the interior grade elevation that is below base flood elevation no lower than two (2) feet below the lowest adjacent grade;
   b. have the height of the below grade crawlspace measured from the interior grade of the crawlspace to the top of the foundation wall, not exceed four (4) feet at any point;
   c. have an adequate drainage system that allows floodwaters to drain from the interior area of the crawlspace following a flood; be anchored to prevent flotation, collapse, or lateral movement of the structure and be capable of resisting the hydrostatic and hydrodynamic loads;
d. be constructed with materials and utility equipment resistant to flood damage;

e. be constructed using methods and practices that minimize flood damage;

f. be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

d. Manufactured Homes

1. Require that all manufactured homes to be placed within Zone A on a community’s FHBM or FIRM shall be installed using methods and practices which minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist 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 requirement is in addition to applicable State and local anchoring requirements for resisting wind forces.

2. Require that manufactured homes that are placed or substantially improved within Zones A1-30, AH, and AE on the community’s FIRM on sites (i) outside of 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, or (iv) in an existing manufactured home park or subdivision on which a manufactured home has incurred “substantial damage” as a result of a flood, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to or above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

3. Require that manufactured homes be placed or substantially improved on sites in an existing manufactured home park or subdivision with Zones A1-30, AH, and AE on the community’s FIRM that are not subject to the provisions of paragraph d. of this section be elevated so that either:

a. the lowest floor of the manufactured home is at or above the base flood elevation, or

b. the manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.
e. Recreational Vehicles – Require that recreational vehicles placed on sites within Zones A1–30, AH, and AE on the community’s FIRM either:
   1. be on the site for fewer than 180 consecutive days,
   2. be fully licensed and ready for highway use, or
   3. meet the permit requirements of Section G., paragraph 3.a, and the elevation and anchoring requirements for “manufactured homes” in paragraph 2.d. of this section. 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.

3. Standards for Subdivision Proposals – New subdivision proposals shall not include: building envelopes within Zones A, AE areas; use floodplain acreage for lot density calculations (see Table 6.1); and, place any buildings in floodplain portions of subdivision lots.

4. Standards for Areas of Shallow Flooding (AO/AH Zones) – Located within the areas of special flood hazard established in Section F., paragraph 2, are areas designated as shallow flooding. These areas have special flood hazards associated with base flood depths of 1 to 3 feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow; therefore, the following provisions apply:
   a. All new construction and substantial improvements of residential structures shall have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the community’s FIRM (at least two feet if no depth number is specified).
   b. All new construction and substantial improvements of non-residential structures shall:
      1. have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the community’s FIRM (at least two feet if no depth number is specified), or;
      2. together with attendant utility and sanitary facilities be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads of effects of buoyancy.
   c. A registered professional engineer or architect shall submit a certification to the Administrator that the standards, as proposed in Section I., paragraph 2.b., are satisfied.
d. Require within Zones AH or AO adequate drainage paths around structures on slopes, to guide flood waters around and away from proposed structures.

5. **Floodways** – Located within areas of special flood hazard established in Section F., paragraph 2, are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles and erosion potential, the following provisions shall apply:
   a. Encroachments are prohibited, including fill, new construction, substantial improvements and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.
   b. If Section I., paragraph 5.a. above is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Section I.
   c. When a regulatory floodway has not been designated, the Administrator must require that no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30 and AE on the community’s FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.
   d. Under the provisions of 44 CFR Chapter 1, Section 65.12, of the National Flood Insurance regulations, a community may permit encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations, provided that the community first applies for a conditional FIRM and floodway revision through FEMA (Conditional Letter of Map Revision).

Due to size of each panel, the panel maps will not be available on the county website; however, the Office of Planning and Engineering has printed copies that can be viewed or individual copies can be ordered through FEMA (usually at a cost).

Flood Overlay information on parcels located within Lincoln County, Wyoming can be viewed at the County website link: [http://www.lcwy.org/Departments/planning/disclaimer.php](http://www.lcwy.org/Departments/planning/disclaimer.php) and view the Interactive Zoning Map of Lincoln County under Flood Plain legend;

AND/OR
FEMA Flood Overlay D-FIRMS (and create FIRMettes) access link:
http://www.fema.gov/hazard/map/flood.shtml
and
FEMA Map Service Center:
https://msc.fema.gov/webapp/wcs/stores/servlet/FemaWelcomeView?storeId=10001&catalogId=10001&langId=-1