

ADMINISTRATIVE PROCEDURES FOR FLOODPLAIN MANAGEMENT FOR CITY OF HESSTON

I. Duties of the Floodplain Administrator

Duties of the Hesston City Administrator, designated as the Floodplain Administrator in the above referenced resolution:

- ◆ Review of all applications for floodplain development permits to assure that sites are reasonably safe from flooding and that the floodplain development permit requirements of this resolution have been satisfied;
- ◆ Review of all applications for floodplain development permits for proposed development to assure that all necessary permits have been obtained from Federal, State, or local governmental agencies from which prior approval is required by Federal, State, or local law;
- ◆ Review all subdivision proposals and other proposed new development, including manufactured home parks or subdivisions, to determine whether such proposals will be reasonably safe from flooding;
- ◆ Issue floodplain development permits for all approved applications;
- ◆ Notify adjacent communities and the Division of Water Resources, Kansas Department of Agriculture, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency (FEMA);
- ◆ Assure that the flood-carrying capacity is not diminished and shall be maintained within the altered or relocated portion of any watercourse; and
- ◆ Verify and maintain a record of the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures within the designated floodplain;
- ◆ Verify and maintain a record of the actual elevation (in relation to mean sea level) that the new or substantially improved non-residential structures within the designated floodplain have been flood proofed; and
- ◆ When flood proofing techniques are utilized for a particular non-residential structure, the Floodplain Administrator shall require certification from a registered professional engineer or architect.

II. Floodplain Development Permitting System

A. Submittal of Floodplain Development Permit Application

- ◆ Floodplain Development Permits are turned in to the Floodplain Manager in the Hesston City Hall.
- ◆ There is no fee for a Floodplain Development Permit.
- ◆ The numbering system for Floodplain Development Permits shall be as follows. First are the letters "FD" designating floodplain development. The next four digits are the year the permit is issued. The following numbers shall be a number assigned in order as each permit is issued beginning with 001.

- ◆ Floodplain Development Permits may need to be accompanied by the following documents: building plans, an elevation certificate, encroachment survey, a site map showing the location of the proposed development, non-residential floodproofing certificate, a FIRMette, no-rise certification, building permits, sanitation permit, and copies of any required state and federal permits. For some minor projects there will not be any additional documents. The required documentation will be determined for each individual permit.
- B. Reviewing the Floodplain Development Permit Application
- ◆ During the review of Floodplain Development Permit the property will be found and checked on flood maps. It will be determined which flood zone the property is located in. It will also be determined if the property is a floodway. A FIRMette or a GIS map of the area will be made. The development site will be marked on the map.
- C. Review documentation for compliance with technical requirements of community's floodplain management ordinance:
- ◆ The Floodplain Manager will review documents such as Floodplain Development Permits or Elevation Certificates for accuracy. If the Floodplain Manager is absent a preliminary review will be conducted by the Utilities Superintendent. In the event the Utilities Superintendent or the Floodplain Manager require technical assistance they will consult with Division of Water Resources.
- D. Review of engineering documents
- ◆ Copies of Engineering Documents may be sent to the City Engineer using the email for review.
 - ◆ Examples of engineering documents linked to NFIP requirements are hydrologic and hydraulic calculations, loading calculations and methods of construction relative to floodproofing, alternative designs for openings below lowest floor, and design and methods of construction for breakaway walls exceeding SOP loading resistance of 20 pounds per square foot.
- E. Approval or denial of a floodplain development permit application:
- ◆ Approval – The approved permit is signed by the Floodplain Manager. A copy is provided upon request to the applicant.
 - ◆ Conditional Approval – If a permit receives conditional approval the reasons will be noted on a separate sheet of paper attached to the permit. Reason for conditional approval could be waiting for a finished construction elevation certificate.
 - ◆ Denial – If a permit is denied the reasons for denial will be noted on a separate piece of paper and attached to the permit form. The applicant will be notified in writing and given a copy of the reasons for denial.

III. Inspection Process

- A. Inspection One - Footings
- ◆ Set backs - front, side and rear yards, easements; lot line survey stakes.
 - ◆ Footings – depth; width; steel.
- B. Inspection Two - Foundation

- ◆ Forms (true and plumb, adequately braced), condition of footing, steel, Height above grade, bots on site, Basement soil pipe, job card sign off.

C. Inspection Three – Framing, Rough Plumbing & Electrical

- ◆ Backfill, lumber, sills, floor, ceiling and roof, stairs, roof covering, cuts for plumbing, mechanical & electrical, window size, fireplace, proper waste & venting, and final on plumbing, mechanical and electrical.

IV. Enforcement Actions

- ◆ When a violation is identified the property owner will be sent a certified letter that identifies the problem and establishes a time line for correction. A copy of the receipt for the letter will be kept on file with a copy of the letter. Additional copies of the letter will be sent to the City Attorney and Division of Water Resources.
- ◆ The first step in resolving a violation involves a meeting with the property owner. In some cases violations could be resolved by removal of material stored in flood area, the property owner applies for the proper permits, the property owner consults with an engineer or land surveyor, or a finished elevation certificate is provided by the property owner to the Floodplain Manager. Each violation will be handled on a case-by-case basis. If the property owner refuses to cooperate or the violation continues there are enforcement procedures in Chapter 16, Article 4, and Section 16-424 of the Hesston City Codes.
- ◆ When a successful resolution can be agreed on the Floodplain Manager will verify it through either review of documents or a site visit.

V. Variances

- ◆ A Variance Request Form is completed when requesting a variance.
- ◆ The Hesston Zoning Appeals Board will hear requests for a variance. The fee for requesting a variance is \$35. Applicants requesting a variance must notify the Floodplain Manager thirty days before the next meeting of the Appeals Board. The person requesting the variance must provide documents to the Floodplain Manager thirty days before the Appeals Board meeting. Supporting documents for a variance to the permitting requirements should be in accordance with the Hesston Zoning regulations adopted by reference in Ordinance 130-1997-086.
- ◆ A variance may be granted by a majority vote of the Hesston Zoning Appeals Board.
- ◆ The applicant will be notified of the variance by certified mail. A copy of the letter will be maintained in the Floodplain Manager’s office at City Hall. The following information will be contained in the letter when a variance is granted. “A community shall notify the applicant in writing over the signature of a community official that: (a) the issuance of a variance to construct a structure below base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25.00 for \$100.00 of insurance coverage and (b) such construction below the base flood level increases risks to life and property. Such notification shall be maintained with the record of all variance actions as required by this ordinance.”

A numbering system for variances will be similar to the system for permits. The letters FV for floodplain variance, followed by four digits for the year, and a three digit numerical value beginning with 001.

VI. Record Keeping System

- ◆ Floodplain Development Permits will be filed in records room of city hall. The Floodplain Manager will be responsible for maintaining records of Floodplain Development Permits as well as Elevation Certificates, LOMAs, and Non-Residential Floodproofing Certificates.
- ◆ Blank forms are available on request at Hesston City Hall. Forms can be sent on request by fax or regular mail. The Floodplain Development Form is available on the web site www.hesstonks.org to be downloaded.

VII. Map Appeals and Revisions

- ◆ A copy of each LOMA/LOMR must be filed with the official community floodplain map (FIRM/FHBM/FBFM/FIS). This activity will be coordinated with the Hesston City Clerk. Notification to the landowner is not required in those cases where a LOMA was granted at the landowner's request.
- ◆ FEMA flood maps are available for review at Hesston City Hall in the Floodplain Manager's office. Flood maps can be viewed on the internet at www.msc.fema.gov.
- ◆ Any other sources for determining flood data will be stored in either the Floodplain Manager's office or with the Harvey County Mapping Department.

VIII. Biennial Reports

- ◆ The floodplain administrator is responsible for completing, signing and submitting the FEMA biennial report. To complete the biennial report information about building permits will be needed from the Building Inspector or City Clerk, about farm structures from the County Appraiser, about population from the Census, and about location of structures from the Mapping Department. Copies of the Biennial Reports will be kept in the Floodplain Manager's office at Hesston City Hall.

IX. Investigate Complaints

- ◆ A complaint about an issue in the floodplain can be made to the Floodplain Manager. If the Floodplain Manager is not available notify the Hesston City Clerk. Complaint Forms are available to be completed with as much information as possible.
- ◆ An investigation typically will involve a site visit. If possible a photo will be taken of the violation. A certified letter stating the complaint will be sent to the owner of record of the property where the violation is occurring. A file will be started. The numbering system is a similar system to variance and permits. In this case the first two letters will be FC for floodplain complaint. Copies of letters, photos, and other documents will be kept in the file. The Division of Water Resources will be notified about the complaint as well. In some cases a State permit may be required and in other cases simply to notify the NFIP Coordinator for State of Kansas.
- ◆ Complaint files will be kept in the Floodplain Manager's office. The Floodplain Manager's office is located at Hesston City Hall.

X. Certification of Adoption

These Administrative Procedures for Floodplain Management for the community of Hesston, Kansas shall be in full force and effect from and after this 13th day of October, 2008.

PASSED AND ADOPTED this 13th day of October, 2008.

Mayor

ATTEST:

City Clerk