

GROUP 5, ITEM B

AMENDMENTS TO COUNTY FLOOD ORDINANCE DEFINITIONS

Chapter 6 - BUILDINGS AND BUILDING REGULATIONS

ARTICLE IV. – FLOOD HAZARD REDUCTION

DIVISION 2. DEFINITIONS

Sec. 6-479. Definitions in general.

*Staff note:* The existing language in the most recent amendment to the County's Flood Ordinance 22-30 (amending 15-09) regarding the 12-month repetitive loss "look back" is not a FEMA or Community Rating System (CRS) requirement. There currently is no CRS credit for this language in the County's ordinance (the minimum standard for CRS credit is at least 5 years). Staff proposes removal of this language and clean-up of existing language to be more consistent with FEMA P-758 Substantial Improvement/Substantial Damage Desk Reference, Page 1-1. Removing the 12-month rep loss language will not impact the County's CRS score, CRS classification or FEMA standing.

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

*Alteration of a watercourse through Substantial damage remain unchanged.*

*Substantial Damage (SD)* means damage of any origin sustained by a ~~building or~~ structure whereby the cost of restoring the ~~building or~~ structure to its before-damaged condition would equal or exceed 50 percent of the market value of the ~~building or~~ structure before the damage occurred. Work on structures that are determined to be substantially damaged is considered to be substantial improvement, regardless of the actual repair work performed.

*Substantial Improvement (SI)* means any combination of repair, reconstruction, rehabilitation, alteration, addition, or other improvement of a ~~building or~~ structure ~~for all but repetitive loss properties as defined by FEMA~~, the cost of which equals or exceeds 50 percent of the market value of the ~~building or~~ structure before the ~~improvement or repair is started~~ start of construction of the improvement or repair. ~~If a building or structure is identified as part of a repetitive loss property by FEMA, the costs of any repair, reconstruction, rehabilitation, addition or other improvement of a building or structure will be considered cumulatively over the prior 12-month period.~~ If the structure has incurred substantial damage, any repairs are considered substantial improvement regardless of the actual repair work performed. The term ~~"substantial damage"~~ substantial improvement does not, however, include either:

- (1) Any project for improvement of a building required to correct existing health, sanitary, or safety code violations identified by the Building Official and that are the minimum necessary to ensure safe living conditions.
- (2) Any alteration of a historic structure provided the alteration will not preclude the structure's continued designation as a historic structure.

*Remainder of section unchanged.*