

RECORDER'S NOTE: THIS ORDINANCE REPLACES THE PREVIOUS ORDINANCE RECORDED ON 7/22/2025 AS INST#2025-05701.

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Stacie Herridge, Recorder, Story County Iowa



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Prepared By: Leanne Harter, Story County Planning and Development, 900 6th Street, Nevada, IA 50201 (515) 382-7245

Please return to:
Planning & Development

STORY COUNTY IOWA
ORDINANCE NO. 327
AN ORDINANCE AMENDING CHAPTER 80, FLOODPLAIN MANAGEMENT
PROGRAM OF THE STORY COUNTY CODE OF ORDINANCES – LAND
DEVELOPMENT REGULATIONS

BE IT ENACTED by the Board of Supervisors of Story County, Iowa:

Section 1. Purpose. An Ordinance amending Chapter 80, Floodplain Management Program, of the Story County Code of Ordinances - Land Development Regulations.

Section 2. Proposed Amendments. The amendments are as shown in Attachment A of this ordinance.

Section 3. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 4. Saving Clause. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 5. Effective Date. This ordinance shall be effective after its final passage, approval and publication of the ordinance or a summary thereof, as provided by law and approval by the Iowa Department of Natural Resources (IDNR).

Action upon FIRST Consideration: Approval
DATE: July 15, 2025

Moved by: Murken
Seconded by: Heddens
Voting Aye: Murken, Heddens
Voting Nay: None
Not Voting: None
Absent: Faisal

Action upon SECOND Consideration: Approval
DATE: July 22, 2025

Moved by: Murken
Seconded by: Faisal
Voting Aye: Murken, Faisal, Heddens
Voting Nay: None
Not Voting: None
Absent: None

Action upon THIRD Consideration: Waived
DATE: July 29, 2025

Moved by: _____
Seconded by: _____
Voting Aye: _____
Voting Nay: _____
Not Voting: _____
Absent: _____

ADOPTED THIS 22nd day of July, 2025.

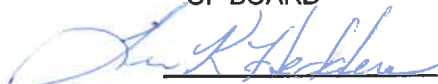

Chairperson, Board of Supervisors

Attest: 
County Auditor

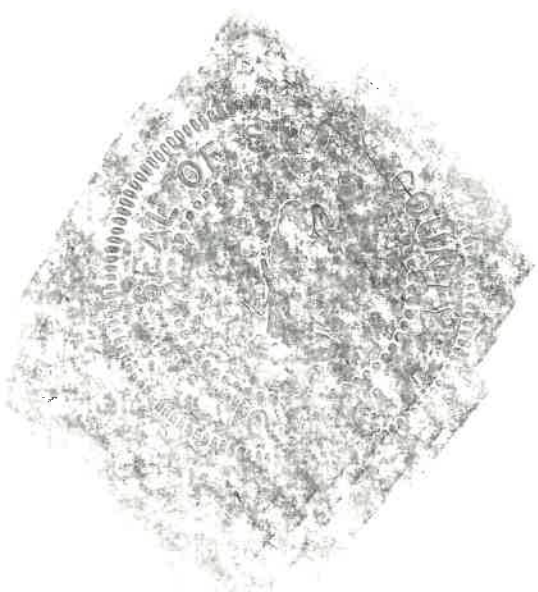
ROLL CALL	Latifah Faisal	Yea ☒	Nay ☐	Absent ☐
FOR ALLOWANCE	Lisa Heddens	Yea ☒	Nay ☐	Absent ☐
	Linda Murken	Yea ☒	Nay ☐	Absent ☐

ALLOWED BY VOTE
OF BOARD

Yea 3 Nay 0 Absent 0


CHAIRPERSON

Above tabulation made by SB



ATTACHMENT A

80.01 STATUTORY AUTHORITY, PURPOSE, AND FINDINGS OF FACT.

1. Statutory Authority. This chapter is established under authority of Chapter 331 of the Code of Iowa, as amended. The Legislature of the State of Iowa has in Chapter 331, Code of Iowa, as amended, delegated the power to counties to exercise any power and perform any function it deems appropriate to protect and preserve the rights, privileges and property of the County or of its residents, and to preserve and improve the peace, safety, health, welfare, comfort and convenience of its residents. This chapter establishes a development permit system that requires a permit for all development within areas of significant flood hazard as identified by the Flood Insurance Study for Story County, Iowa, and Incorporated Communities dated January 15, 2021, within the Unincorporated Areas of Story County. The original Flood Insurance Study for Story County, Iowa was adopted and implemented by the Story County Board of Supervisors on June 1, 1983.

2. Purpose. This chapter establishes a Floodplain Management Program for the Unincorporated areas of Story County, Iowa, intended and designed to manage the development of land in those areas that would be inundated during a one percent annual chance or greater flood to minimize damage to property and threats to personal safety by protecting floodways from developmental encroachment, which would increase flood levels or impede the free flow of flood waters, and by requiring special site planning and construction standards in the floodway fringe. The chapter is required to meet the minimum requirements for acceptance in the National Flood Insurance Program (NFIP) for counties that have a detailed Flood Insurance Study (FIS) issued by the Federal Emergency Management Agency (FEMA). It is the purpose of this chapter to protect and preserve the rights, privileges, and property of Story County and its residents, and to preserve and improve the peace, safety, health, welfare, and comfort and convenience of its residents by minimizing those flood losses described in this chapter, with provisions designed to:

B. Restrict or prohibit development that is which are dangerous to health, safety, or property in times of flood or which causes excessive increases in flood heights or velocities.

C. Require that development uses vulnerable to floods, including public facilities that serve such development uses, be protected against flood damage at the time of initial construction or substantial improvement.

3. Findings of Fact.

B. These flood losses, hazards, and related adverse effects are caused by the: (i) occupancy of flood hazard areas by development uses vulnerable to flood damages which create hazardous conditions as a result of being inadequately elevated or otherwise protected from flooding; and (ii) cumulative effect of obstructions on the floodplain, causing increases in flood heights and velocities.

C. This chapter relies upon engineering methodology for analyzing flood hazards consistent with the standards established by the Iowa Department of Natural Resources (IDNR) and the Federal Emergency Management Agency (FEMA).

5. "Development" means any manmade change to improved or unimproved real estate, including (but not limited to) building or other structures, mining, dredging, filling, grading, paving, excavation, drilling operations, or storage of materials and/or equipment. "Development" does not include minor projects or routine maintenance of existing structures and facilities, as defined this section. It also does not include gardening, plowing, and/or similar practices that do not involve filling, or grading, and/or excavating.

New Definition for ENCLOSED AREA BELOW LOWEST FLOOR

"Enclosed Area Below Lowest Floor" means the floor of the lowest enclosed area in a building when all the following criteria are met:

- A. The enclosed area is designed to flood to equalize hydrostatic pressure during flood events with walls or openings that satisfy the provisions of this Chapter, and
- B. The enclosed area is unfinished (not carpeted, drywalled, etc.) and used solely for low damage potential uses such as building access, parking or storage, and
- C. Machinery and service facilities (e.g., hot water heater, furnace, electrical service) contained in the enclosed area are located at least three (3) feet above the base flood elevation, and
- D. The enclosed area is not a "basement" as defined in this section.

9. "Factory-built home" means any structure, designed for residential use, which is wholly or in substantial part, made, fabricated, formed or assembled in manufacturing facilities for installation or assembly and installation, on a building site. For the purpose of this chapter, factory-built homes include mobile homes, manufactured homes, and modular homes, and also include recreational vehicles which are placed on a site for greater than 180 consecutive days and not fully licensed for and ready for highway use.

10. "Factory-built home park or subdivision" means a parcel or contiguous parcels of land divided into two or more factory-built home lots for sale or lease.

New definition for FIVE HUNDRED (500) YEAR FLOOD

"Five hundred (500) year flood" means a flood, the magnitude of which has a two-tenths (0.2) percent chance of being equaled or exceeded in any given year or which, on average, will be equaled or exceeded at least once every five hundred (500) years.

22. "Lowest floor" means the floor of the lowest enclosed area in a structure including a basement except when all the following criteria listed in the definition of Enclosed Area below Lowest Floor are met:

- A. The enclosed area is designed to flood to equalize hydrostatic pressure during floods with walls or openings that satisfy the provisions of this chapter; and
- B. The enclosed area is unfinished (not carpeted, drywalled, etc.) and used solely for low damage potential uses such as structure access, parking or storage; and

C. Machinery and service facilities (e.g., hot water heater, furnace, electrical service) contained in the enclosed area are located at least three (3) feet above the one percent annual chance or greater flood level; and

D. The enclosed area is not a basement, as defined in this section.

In cases where the lowest enclosed area satisfies criteria A, B, C, and D above, the lowest floor is the floor of the next highest enclosed area that does not satisfy the criteria above.

31. "Special flood hazard area (SFHA)" means the land within a community subject to the "base flood" also known as the "one percent annual chance or greater flood". This land is identified as Zone A, AE, AH, AO, AR, A1-30 or A99 on the community's Flood Insurance Rate Map.

33. "Structure" means anything constructed or erected on the ground or attached to the ground, including, but not limited to, buildings, factories, sheds, cabins, factory-built homes, storage tanks, grain storage facilities and/or other similar development.

34. "Substantial damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damage condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. Substantial damage also means flood-related damages sustained by a structure on two separate occasions during a ten-year period for which the costs of repairs at the time of such flood event, on the average, equals or exceeds 25 percent of the market value of the structure before the damage occurred. Volunteer labor and donated materials shall be included in the estimated cost of repair.

35. "Substantial improvement" means any improvement to a structure which satisfies either of the following criteria:

A. Any repair, reconstruction, rehabilitation, addition, or other improvement of a structure, taking place during a 10-year period, the cumulative cost of which equals or exceeds 50 percent of the market value of the structure either (i) before the start of construction of the first improvement of the structure, or (ii) if the structure has been "substantially damaged" and is being restored, before the damage occurred. The term includes structures which have incurred repetitive loss or substantial damage, regardless of the actual repair work performed.

B. Any addition which increases the original floor area of a structure by 25 percent or more. All additions constructed after June 1, 1983, shall be added to any proposed addition in determining whether the total increase in original floor space would exceed 25 percent.

The term does not, however, include any project for improvement of a structure to comply with existing correct existing violations of state or local health, sanitary, or safety code specifications which are solely have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions for the existing development. The term also does not include any alteration of a historic structure, provided the alteration will not preclude the structure's designation as a historic structure.

80.03 LANDS TO WHICH CHAPTER APPLIES.

The provisions of this chapter shall apply to all lands and uses which have significant flood hazards within the jurisdiction of Story County shown on the Official Floodplain Map as being within the boundaries of the Floodway, Floodway Fringe, and the General Floodplain Districts, as established herein. The Flood Insurance Rate Map (FIRM) for Story County, Iowa and Incorporated Areas, dated January 15, 2021, which were prepared as part of the Story County Flood Insurance Study, shall be used to identify such flood hazard areas and all areas shown thereon to be within the boundaries of the base flood shall be considered as having significant flood hazards. The Story County Flood Insurance Study is hereby adopted by reference and is made a part of this ordinance for the purpose of administering floodplain management regulations.

80.05 RULES FOR INTERPRETATION OF DISTRICT BOUNDARIES.

The boundaries of the district Special Flood Hazard areas shall be determined by scaling distances on the Official Floodplain Map Flood Insurance Rate Map. When an interpretation is needed as to the exact location of a boundary, the Floodplain Manager shall make the necessary interpretation. The Story County Board of Adjustment shall hear and decide appeals when it is alleged that there is an error in any requirement, decision, or determination made by the Floodplain Manager in the enforcement or administration of this chapter.

80.06 COMPLIANCE.

No structure or land shall hereafter be developed and no structure shall be located, extended, converted or structurally altered without full compliance with the terms of this chapter and other applicable regulations that apply to development uses within the jurisdiction of this chapter.

80.09 WARNING AND DISCLAIMER OF LIABILITY.

The standards required by this chapter are considered reasonable for regulatory purposes. This chapter does not imply that areas outside the designated Floodplain District areas of significant flood hazard will be free from flooding or flood damages. This chapter shall not create liability on the part of Story County, or any officer or employee thereof, for any flood damages that result from reliance on this chapter or any administrative decision lawfully made thereunder.

80.11 ESTABLISHMENT OF DISTRICTS.

The floodplain areas within the jurisdiction of this chapter are hereby divided into the following districts:

1. Floodway District (FW) — those areas identified as Floodway on the Official Flood plain Map.
 2. Floodway Fringe District (FF) — those areas identified as Zone AE on the Official Floodplain Map but excluding those areas identified as Floodway.
 3. General Floodplain District (GF) — those areas identified as Zone A on the Official Flood plain Map.
- The boundaries shall be as shown on the Official Floodplain Map. Within these districts, all development not allowed as permitted uses or permissible as conditional uses as defined in Chapter 86 and/or Chapter 90 of the Story County Land Development Regulations are prohibited unless a variance to the terms of this chapter and all other applicable sections of the Story County, Iowa Code of Ordinances is granted after due consideration by the Story County Board of Adjustment. In no case shall the Story

County Board of Adjustment grant a variance to the requirements of this chapter, which authorizes a permitted use not allowed in a particular zoning district as established in the Story County Land Development Regulations.

80.12 FW – FLOODWAY DISTRICT.

1. Statement of Intent. It is the intent of the FW Floodway District that the identified area is designed to carry floodwaters and is to be protected from developmental encroachment, which would increase flood levels or cause unnecessary damage to personal property or pose unnecessary threats to personal safety.

A. Structures that impede the free flow of floodwaters will not be allowed.

2. Permitted Development. All development within the FW Floodway District shall meet applicable performance standards of the FW Floodway District and any other ordinance or underlying zoning district as defined in the Story County Land Development Regulations.

3. Development Standards. All development in the FW Floodway District shall comply with the applicable requirements from the Story County Land Development Regulations as well as all development standards contained herein. The following standards shall be met:

A. No development shall cause any increase in the one percent annual chance or greater flood level. Consideration of the effects of any development on flood levels shall be based upon the assumption that an equal degree of development would be allowed for similarly situated lands.

B. All development within the FW Floodway District shall:

(1) Be consistent with the need to minimize flood damage.

(2) Use construction methods and practices that will minimize flood damage.

(3) Use construction materials and utility equipment that are resistant to flood damage.

C. No development shall affect the capacity or conveyance of the channel or floodway of any tributary to the main stream, drainage ditch or any other drainage facility or system.

D. Utilities, if permitted, shall meet the applicable development standards of the Floodway Fringe District and shall be constructed or aligned to present the minimum possible resistance to flood flows.

E. Structures, if permitted, shall be designed for low flood damage potential and shall not be for human habitation.

F. Storage of equipment or materials that are buoyant, flammable, explosive, or injurious to human, animal, or plant life is prohibited.

(1) Storage of other material may be allowed if readily removable from the FW Floodway District within an approved timeframe available after flood warning subject to submission and approval by the Floodplain Manager of an evacuation plan.

G. Watercourse alterations or relocations (channel changes and modifications) must be designed to maintain the flood carrying capacity within the altered or relocated portion. Such alterations or relocations must be approved by the Iowa Department of Natural Resources prior to approval of a permit by Story County.

~~H. Any fill allowed in the floodway must be shown to have some beneficial purpose and shall be limited to the minimum amount necessary.~~

~~I. Pipeline river or stream crossings shall be buried in the streambed and banks or otherwise sufficiently protected to prevent rupture due to channel degradation and meandering or due to the action of flood flows. Only trenchless construction methods shall be permitted for pipeline installations. An undisturbed stream buffer shall be maintained where trenchless methods are also required. The buffer shall be 50 feet or the channel width, measured as the average width between the top of the opposing banks, whichever is greater. The buffer shall be the required width on either side of the stream measured from the stream edge. The buffer may be reduced to the width of the Special Flood Hazard Area in the case that the required buffer is larger than the Special Flood Hazard Area.~~

~~(Ord. 302—Sep. 22 Supp.)~~

80.13 FF—FLOODWAY FRINGE DISTRICT.

~~1. Statement of Intent. The intent of the FF Floodway Fringe District is to require special site planning and construction standards to minimize the threats to personal safety and damage to property caused by flooding.~~

~~2. Permitted Development. All development within the FF Floodway Fringe District shall meet all applicable performance standards of the FF Floodway Fringe District and any other ordinance or underlying zoning district as defined in the Story County Land Development Regulations.~~

~~3. Development Standards. All development must be consistent with the need to minimize flood damage and meet the following applicable development standards. Until a regulatory floodway is designated no development may increase the Base Flood Elevation more than one (1) foot. The applicant will be responsible for providing the Department of Natural Resources with sufficient technical information to make such a determination.~~

~~A. Fill. Any fill allowed shall be subject to the following standards:~~

~~(1) No more than twenty percent (20%) of the area of the lot located in the Floodway Fringe District shall be filled above the grade as demonstrated on the 2-foot elevation contours as developed using elevation data from the State of Iowa's by the 2008 LiDAR program.~~

~~(2) The fill material must be compacted to at least ninety five percent (95%) of Standard Laboratory Maximum Dry Density (Standard Proctor), according to ASTM Standard D-698. Fill soils must be fine grained soils of low permeability such as those classified as CH, CL, SC or ML according to ASTM Standard D-2487, "Classification of Soils for Engineering Purposes". The fill material must be homogenous and isotropic.~~

~~(3) The fill cannot alter existing drainage patterns on the lot.~~

~~(4) A certification from an accredited soil testing professional, certifying that the requirements of this subsection are met, shall be submitted prior to issuance of any permits for further construction on the site.~~

~~B. New and Substantially Improved Structures. All new and substantially improved structures shall:~~

- (1) Be adequately anchored to prevent flotation, collapse, or lateral movement of the structure.
- (2) Use construction methods and practices that will minimize flood damage.
- (3) Use construction materials and utility equipment that are resistant to flood damage.
- (4) Fully enclosed areas below the lowest floor (not including basements) 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 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 they permit the automatic entry and exit of floodwaters.
 - d. Such areas shall be used solely for parking of vehicles, structure access and low damage potential storage.
- (5) New and substantially improved structures must 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.
- (6) New and substantially improved structures shall be constructed with electric meter, electrical service panel box, hot water heater, heating, air conditioning, ventilation equipment (including ductwork), and other similar machinery and equipment elevated (or in the case on non-residential structures, optionally floodproofed to) a minimum of three (3) feet above the base flood elevation.
(Ord. 293—Sep. 22 Supp.)
- (7) New and substantially improved structures shall be constructed with plumbing, gas lines, water/gas meters and other similar service utilities elevated (or in the case of non-residential structures, optionally floodproofed to) a minimum of three (3) feet above the base flood elevation or designed to be watertight and withstand inundation to such a level.
(Ord. 293—Sep. 22 Supp.)
- C. Residential Structures. All new or substantially improved residential structures shall have the lowest floor (including basements) elevated a minimum of three (3) feet above the one percent annual chance or greater flood level. Construction shall be upon compacted fill meeting the requirements in Subsection 80.13.3.A which shall, at all points, be no lower than three (3) feet above the one percent annual chance or greater flood level and extend at such elevation at least 18 feet beyond the limits of any structure erected thereon.
 - (1) Alternate methods of elevating (such as piers) may be allowed, subject to favorable consideration by the Board of Adjustment and concurrence of Iowa Department of Natural Resources, as a variance to requirements of Section 80.13(3)(C), where existing topography, street grades, or other

factors preclude elevating by fill. In such cases, the methods used must be adequate to support the structure as well as withstand the various forces and hazards associated with flooding.

— (2) All new residential structures shall be provided with a means of access which will be passable by wheeled vehicles during the one percent annual chance or greater flood.

— D. Nonresidential Structures. All new or substantially improved nonresidential structures shall have the lowest floor (including basement) elevated a minimum of three (3) feet above the one percent annual chance or greater flood level, or together with attendant utility and sanitary systems, be flood proofed to such a level. When flood proofing is utilized, a professional engineer registered in the State of Iowa shall certify that the flood proofing methods used are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the one percent annual chance or greater flood; and that the structure, below the one percent annual chance or greater flood level, is watertight with walls substantially impermeable to the passage of water. A record of the certification indicating the specific elevation (in relation to North American Vertical Datum 1988) to which any structures are flood proofed shall be maintained by the Floodplain Manager.

— E. Factory Built Homes. All new and substantially improved factory built homes, including those placed in existing factory built home parks or subdivisions, shall be elevated on a permanent foundation such that the lowest floor of the structure is a minimum of three (3) feet above the one percent annual chance or greater flood level. All new and substantially improved factory built homes, including those placed in existing factory built home parks or subdivisions, shall be anchored to resist flotation, collapse, or lateral movement. The following specific requirements (or their equivalent) shall be met:

— (1) Over the top ties shall be provided at each of the four corners of the factory built home, with two additional ties per side at intermediate locations and factory built homes less than 50 feet long requiring one additional tie per side.

— (2) Frame ties shall be provided at each corner of the home with five additional ties per side at intermediate points and factory built homes less than 50 feet long requiring four additional per side.

— (3) All components of the anchoring system shall be capable of carrying a force of 4,800 pounds.

— (4) Any additions to factory built homes shall be similarly anchored.

— F. Utility and Sanitary Systems.

— (1) On-site wastewater disposal and water supply systems, including geothermal wells, shall be located or designed to avoid impairment to the system or contamination from the system during flooding.

— (2) All new and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the system as well as the discharge of effluent into floodwaters.

— (3) Wastewater treatment facilities (other than on-site systems) shall be provided with a level of flood protection equal to or greater than three (3) feet above the one percent annual chance or greater flood elevation.

—(4) All new or replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system. Water supply treatment facilities (other than on-site systems) shall be provided with a level of protection equal to or greater than three (3) feet above the one percent annual chance or greater flood elevation.

—(5) Utilities such as gas or electrical systems shall be located and constructed to minimize or eliminate flood damage to the system and the risk associated with such flood damaged or impaired systems.

—G. Storage of Equipment and Materials. Storage of equipment and materials that are flammable, explosive, or injurious to human, animal, or plant life is prohibited unless elevated a minimum of three (3) feet above the one percent annual chance or greater flood level. Other material and equipment must either be similarly elevated or: (i) not subject to major flood damage and anchored to prevent movement due to floodwaters; or (ii) readily removable from the area within the time available after flood warning, subject to submission and approval by the Floodplain Manager of an evacuation plan.

—H. Flood Control Structures. Flood control structural works such as levees, flood walls, etc. shall provide, at a minimum, protection from a one percent annual chance or greater flood with a minimum of three feet of design freeboard and shall provide for adequate interior drainage. Structural flood control works shall be approved by the Iowa Department of Natural Resources.

—I. Watercourse Alterations or Relocations. Watercourse alterations or relocations must be designed to maintain the flood carrying capacity within the altered or relocated portion. Such alterations or relocations must be approved by the Iowa Department of Natural Resources prior to approval of a permit by Story County.

—J. No development shall affect the capacity or conveyance of the channel or floodway of any tributary to the main stream, drainage ditch, or other drainage facility or system.

—K. Subdivisions. Subdivisions (including factory built home parks and subdivisions) shall be consistent with the need to minimize flood damages and shall have adequate drainage provided to reduce exposure to flood damage. Development associated with subdivision proposals (including the installation of public utilities) shall meet the applicable development standards of this chapter as well as those regulations defined in the Story County Land Development Regulations.

—(1) Subdivision proposals intended for residential development shall provide all lots with a means of vehicular access that will remain dry during occurrence of the one percent annual chance or greater flood.

—(2) Preliminary and Final Plats for all new subdivisions shall include base flood elevation data for those areas located within the Floodway, Floodway Fringe, or General Floodplain Districts.

—L. Accessory Structures to Residential Uses.

—(1) Detached garages, sheds, and similar structures that are incidental to a residential use are exempt from the base flood elevation requirements where the following criteria are satisfied.

a. The structure shall be designed to have low flood damage potential. The structure shall be used solely for low flood damage potential purposes such as vehicle parking and limited storage. The structure shall not be used for human habitation.

b. Its size shall not exceed 600 sq. ft. in size.

c. Those portions of the structure located less than one (1) foot above the one percent annual chance or greater flood elevation must be constructed of flood-resistant materials.

d. The structure shall be constructed and placed on the building site so as to offer minimum resistance to the flow of floodwaters.

e. The structure shall be firmly anchored to resist flotation, collapse and lateral movement.

f. The structure's service facilities such as electrical and heating equipment shall be elevated or floodproofed to at least three (3) feet above the one percent annual chance or greater flood elevation.

g. The structure's walls shall include openings that satisfy the provisions of Section 80.13(3)(B).

(2) Exemption from the one percent annual chance or greater flood elevation requirements for such a structure may result in increased premium rates for flood insurance coverage of the structure and its contents.

M. Recreational Vehicles.

(1) Recreational vehicles are exempt from the requirements of paragraph E of this subsection regarding anchoring and elevation of factory-built homes when the following criteria are satisfied.

a. The recreational vehicle shall be located on the site for less than 180 consecutive days; and

b. The recreational vehicle must be fully licensed and ready for highway use. A recreational vehicle is ready for highway use if it is on its wheels or jacking system and is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached additions.

(2) Recreational vehicles that are located on the site for more than 180 consecutive days and are not ready for highway use must satisfy requirements of paragraph E of this subsection regarding anchoring and elevation of factory-built homes.

N. Pipeline Crossings. Pipeline river or stream crossings shall be buried in the streambed and banks or otherwise sufficiently protected to prevent rupture due to channel degradation, meandering, and the action of flood flows. Only trenchless construction methods shall be permitted for pipeline installations. An undisturbed stream buffer shall be maintained where trenchless methods are also required. The buffer shall be 50 feet or the channel width, measured as the average width between the top of the opposing banks, whichever is greater. The buffer shall be the required width on either side of the stream, measured from the stream edge. The buffer may be reduced to the width of the Special Flood Hazard Area in the case that the required buffer is larger than the Special Flood Hazard Area.

~~(Ord. 302 - Sep. 22 Supp.)~~

O. Maximum Damage Potential Development. All new or substantially improved maximum damage potential development shall have the lowest floor (including basement) elevated a minimum of three (3) feet above the elevation of the 500-year flood, or together with attendant utility and sanitary systems,

be floodproofed to such a level. When floodproofing is utilized, a professional engineer registered in the State of Iowa shall certify that the floodproofing methods used are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the 0.2% annual chance flood; and that the structure below the 0.2% annual chance flood elevation is watertight with walls substantially impermeable to the passage of water. A record of the certification indicating the specific elevation (in relation to NAVD 1988) to which any structures are floodproofed shall be maintained by the Floodplain Manager. Where 0.2% chance flood elevation data has not been provided in the Flood Insurance Study, the Iowa Department of Natural Resources shall be contacted to compute such data. The applicant will be responsible for providing the Department of Natural Resources with sufficient technical information to make such determinations.

80.14 GF—GENERAL FLOODPLAIN DISTRICT.

1. Statement of Intent. The GF General Floodplain District reflects those areas that would be inundated during a one percent annual chance or greater flood, but for which specific flood elevations and Floodway and Floodway Fringe limits have not been established. It is the intent of the GF General Floodplain District to impose the development standards of the Floodway and Floodway Fringe after a determination is made to identify the Floodway and Floodway Fringe areas on an individual project basis.

2. Applicant's Burden to Define Floodway and Floodway Fringe Boundary. Where one percent annual chance or greater flood data has not been provided in the Flood Insurance Study, the burden to demonstrate the boundary of the Floodway and Floodway Fringe rests on the applicant.

3. Permitted Development. The following development shall be permitted within the GF General Floodplain District to the extent they are not prohibited by any other ordinance or underlying zoning district as defined in the Story County Land Development Regulations and provided they do not include placement of structures, factory built homes, fill or other obstructions, the storage of materials or equipment, excavation or alteration of a watercourse.

A. Agricultural uses such as general farming, pasture, grazing, outdoor plant nurseries, horticulture, viticulture, truck farming, forestry, sod farming and wild crop harvesting.

B. Industrial commercial uses such as loading areas, parking areas, airport landing strips.

C. Private and public recreational uses such as golf courses, tennis courts, driving ranges, archery ranges, picnic grounds, boat launching ramps, swimming areas, parks, wildlife and nature preserves, game farms, fish hatcheries, shooting preserves, target ranges, trap and skeet ranges, hunting and fishing areas, hiking and horseback riding trails.

D. Residential uses such as lawns, gardens, parking areas and play areas.

E. Replacement or Newly Constructed Bridges and/or Culverts. The requirement to define the floodway and floodway fringe boundary does not apply to proposed replacement or newly constructed bridges and/or culverts wherein the bridge and/or culvert is:

— (1) Located in a rural (unincorporated) area where the stream drains less than 100 square miles or in an urban (incorporated) area where the stream drains less than two square miles; and

— (2) Not associated with a channel modification that constitutes a channel change as specified in 567-71.2(1)b, Iowa Administrative Code.

— In cases of bridges and/or culverts not in compliance with the aforementioned criteria, as well as projects not associated with bridges and/or culverts located within the GF General Floodplain, the following development standards shall apply and review by the Iowa Department of Natural Resources is required.

— F. Streambank Stabilizations and Drainage Ditch Maintenance. The requirement to define the floodway and floodway fringe boundary does not apply to proposed drainage ditch maintenance completed by the drainage district in accordance with Chapter 468 of the Code of Iowa and stream bank stabilizations wherein:

— (1) Spoils are disposed of outside of the Special Flood Hazard Area or spread less than six inches thick in an even layer away from the top of the bank; and

— (2) No fill is proposed; and

— (3) Revetment material, if proposed, is placed so that it does not extend past the existing bank or, in the case of severe erosion so that the resulting channel cross-section is not more restrictive than the adjacent natural upstream and downstream channel cross-sections and the revetment material does not extend above the adjacent top of the bank. Revetment material shall also comply with the following best practices, as illustrated in Figure 1:

— a. The stream bank is prepared by sloping or terracing prior to the placement of gravel bedding and/or fabric under the revetment material.

— b. The revetment material consists of a mixture of sizes so as to form a dense, interlocking blanket.

— c. The revetment material is placed on the existing or prepared stream bank with a finished slope of no steeper than two (2) feet horizontal to one (1) foot vertical rise.

— d. Revetment material is restricted to field stone, quarry rock and broken concrete. All exposed reinforcing steel shall be removed or cut flush with the surface of the concrete prior to placement. Any concrete slabs larger than three feet across shall be broken into smaller pieces prior to placement. The use of asphalt or other solid waste is prohibited.

— e. The thickness of a revetment blanket shall not exceed three (3) feet.

— f. A toe of revetment material to protect against scour and erosion is also proposed.

— (4) For mowed banks, a finished slope of no steeper than three (3) feet horizontal to one (1) foot vertical rise is recommended.

— (5) Other professionally accepted best practices for stream bank stabilization may be utilized at the discretion of the Floodplain Manager or their designee, such as those included in Iowa's River Restoration Toolbox, as amended by the Iowa Department of Natural Resources.

—G. The Floodplain Manager may require the floodway and floodway fringe boundary to be defined in the case development proposed under 80.14(3)(E) or 80.14(3)(F) may increase flood levels, impede flood flows, or otherwise creates a risk for downstream life or property.

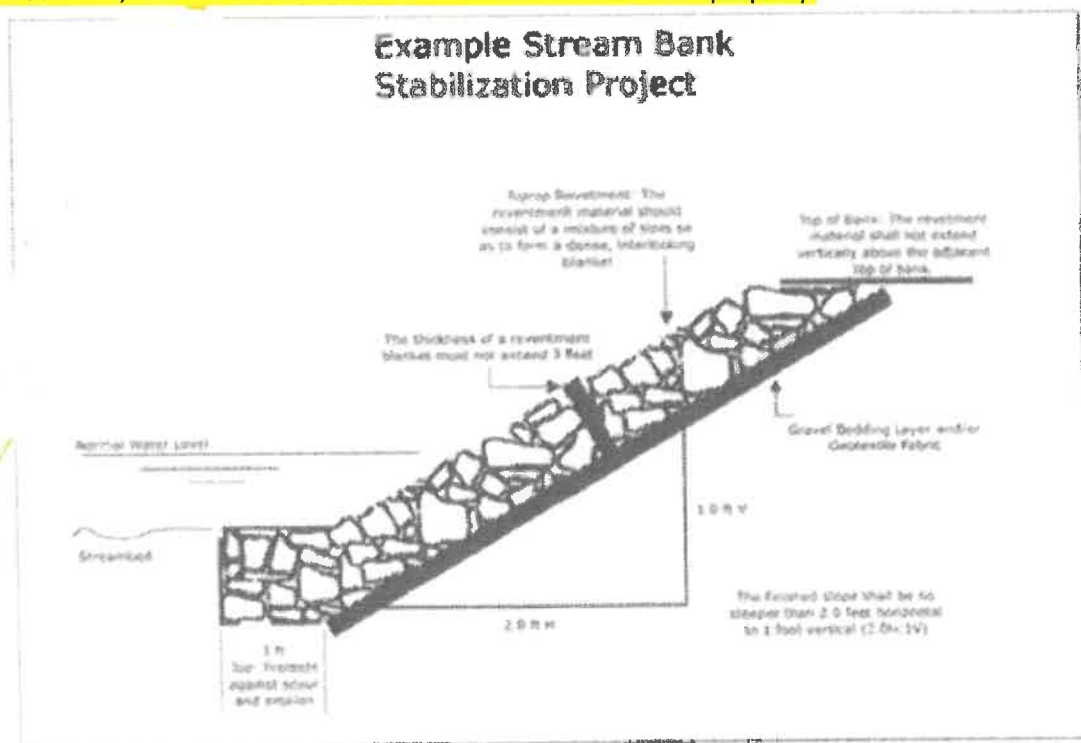


Figure 1 Example Stream Bank Stabilization Project

New Section 80.11 Floodplain Management Standards

80.11 FLOODPLAIN MANAGEMENT STANDARDS

1. General Floodplain Standards

A. All development must be consistent with the need to minimize flood damage and meet the following applicable performance standards. Where base flood elevations have not been provided in the Flood Insurance Study, the Iowa Department of Natural Resources shall be contacted to determine (i) whether

the land involved is either wholly or partly within the floodway or floodway fringe and (ii) the base flood elevation. Until a regulatory floodway is designated, no development may increase the Base Flood Elevation more than one (1) foot. The applicant will be responsible for providing the Department of Natural Resources with sufficient technical information to make such determination.

B. Review by the Iowa Department of Natural Resources is not required for the proposed construction of new or replacement bridges or culverts where (i) the bridge or culvert is located on a stream that drains less than one hundred (100) square miles, and (ii) the bridge or culvert is not associated with a channel modification that constitutes a channel change as specified in 567-71.2(1)b, Iowa Administrative Code.

C. Residential Structures. All new or substantially improved residential structures shall have the lowest floor (including basements) elevated a minimum of three (3) feet above the one percent annual chance or greater flood level. Construction shall be upon compacted fill meeting the requirements in Subsection 80.13.3.A which shall, at all points, be no lower than three (3) feet above the one percent annual chance or greater flood level and extend at such elevation at least 18 feet beyond the limits of any structure erected thereon.

(1) Alternate methods of elevating (such as piers) may be allowed, subject to favorable consideration by the Board of Adjustment and concurrence of Iowa Department of Natural Resources, as a variance to requirements of Section 80.13(3), where existing topography, street grades, or other factors preclude elevating by fill. In such cases, the methods used must be adequate to support the structure as well as withstand the various forces and hazards associated with flooding.

(2) All new residential structures located in areas that would become isolated due to flooding of surrounding ground shall be provided with a means of access that will be passable by wheeled vehicles during the base flood. However, this criterion shall not apply where the Floodplain Manager determines there is sufficient flood warning time for the protection of life and property. When estimating flood warning time, consideration shall be given to the criteria listed in 567-75.2(3), Iowa Administrative Code.

D. Nonresidential Structures. All new or substantially improved nonresidential structures shall have the lowest floor (including basement) elevated a minimum of three (3) feet above the one percent annual chance or greater flood level, or together with attendant utility and sanitary systems, be flood proofed to such a level. When flood proofing is utilized, a professional engineer registered in the State of Iowa shall certify that the flood proofing methods used are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the one percent annual chance or greater flood; and that the structure, below the one percent annual chance or greater flood level, is watertight with walls substantially impermeable to the passage of water. A record of the certification indicating the specific elevation (in relation to North American Vertical Datum 1988) to which any structures are flood proofed shall be maintained by the Floodplain Manager.

E. All new and substantially improved structures:

(1) Fully enclosed areas below the “lowest floor” (not including basements) that 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 meet or exceed the following minimum criteria:

a. A minimum of two (2) openings, with positioning on at least two (2) walls, 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 they permit the automatic entry and exit of floodwaters.

Such areas shall be used solely for parking of vehicles, building access and low damage potential storage. Where the distance between the floor and ceiling of the fully enclosed area below the “lowest floor” is five (5) feet or more, the applicant shall be required to sign and record with the Story County Recorder a Non-Conversion Agreement that ensures the lower enclosed area remains compliant with the criteria outlined in this Chapter.

(2) New and substantially improved structures must 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.

(3) New and substantially improved structures shall be constructed with electric meter, electrical service panel box, hot water heater, heating, air conditioning, ventilation equipment (including ductwork), and other similar machinery and equipment elevated (or in the case of non-residential structures, optionally floodproofed to) a minimum of three (3) feet above the base flood elevation.

(4) New and substantially improved structures shall be constructed with plumbing, gas lines, water/gas meters and other similar service utilities either elevated (or in the case of non-residential structures, optionally floodproofed to) a minimum of three (3) feet above the base flood elevation or designed to be watertight and withstand inundation to such a level.

F. Factory-built homes

(1) All new and substantially improved factory-built homes, including those placed in existing factory-built home parks or subdivisions, shall be elevated on a permanent foundation such that the lowest floor of the structure is a minimum of three (3) foot above the base flood elevation.

(2) All new and substantially improved factory-built homes, including those placed in existing factory-built home parks or subdivisions, shall be anchored to resist flotation, collapse, or lateral movement. Anchorage systems may include, but are not limited to, use of over-the-top or frame ties to ground anchors as required by the State Building Code.

- a. Over-the-top ties shall be provided at each of the four corners of the factory-built home, with two additional ties per side at intermediate locations and factory-built homes less than 50 feet long requiring one additional tie per side.
- b. Frame ties shall be provided at each corner of the home with five additional ties per side at intermediate points and factory-built homes less than 50 feet long requiring four additional per side.
- c. All components of the anchoring system shall be capable of carrying a force of 4,800 pounds.
- d. Any additions to factory-built homes shall be similarly anchored.

G. Utility and Sanitary Systems

- (1) On-site waste disposal and water supply systems, including geothermal wells, shall be located or designed to avoid impairment to the system or contamination from the system during flooding.
- (2) All new and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system as well as the discharge of effluent into flood waters. Wastewater treatment facilities (other than on-site systems) shall be provided with a level of flood protection equal to or greater than three (3) feet above the base flood elevation.
- (3) New or replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system. Water supply treatment facilities (other than on-site systems) shall be provided with a level of protection equal to or greater than three (3) feet above the base flood elevation.
- (4) Utilities such as gas or electrical systems shall be located and constructed to minimize or eliminate flood damage to the system and the risk associated with such flood damaged or impaired systems.

H. Storage of materials and equipment. Storage of materials and equipment that are flammable, explosive or injurious to human, animal or plant life is prohibited unless elevated a minimum of three (3) feet above the base flood elevation. Other material and equipment must either be similarly elevated or (i) not be subject to major flood damage and be anchored to prevent movement due to flood waters or (ii) be readily removable from the area within the time available after flood warning, subject to submission and approval by the Floodplain Manager of an evacuation plan.

I. Flood control structural works. Flood control structural works such as levees, flood walls, etc. shall provide, at a minimum, protection from the base flood with a minimum of 3 ft. of design freeboard and shall provide for adequate interior drainage. In addition, structural flood control works shall be approved by the Department of Natural Resources.

J. Watercourse alterations. Watercourse alterations or relocations must be designed to maintain the flood carrying capacity within the altered or relocated portion. In addition, such alterations or relocations must be approved by the Department of Natural Resources.

K. Subdivisions. Subdivisions (including factory-built home parks and subdivisions) shall be consistent with the need to minimize flood damages and shall have adequate drainage provided to reduce exposure to flood damage. Development associated with subdivision proposals (including the installation of public utilities) shall meet the applicable performance standards of this Ordinance.

- (1) Subdivision proposals intended for residential use shall provide all lots with a means of access which will be passable by wheeled vehicles during the base flood.
- (2) Proposals for subdivisions greater than five (5) acres or fifty (50) lots (whichever is less) shall include base flood elevation data for those areas located within the Special Flood Hazard Area.

L. Accessory Structures to Residential Uses

- (1) Detached garages, sheds, and similar structures that are incidental to a residential use are exempt from the base flood elevation requirements where the following criteria are satisfied.
 - a. The structure shall be designed to have low flood damage potential.
 - b. Its size shall not exceed 600 sq. ft. in size.
 - c. Those portions of the structure located less than 1 foot above the base flood elevation must be constructed of flood-resistant materials.
 - d. The structure shall be used solely for low flood damage potential purposes such as vehicle parking and limited storage.
 - e. The structure shall not be used for human habitation.
 - f. The structure shall be constructed and placed on the building site so as to offer minimum resistance to the flow of floodwaters.
 - g. The structure shall be firmly anchored to prevent flotation, collapse, and lateral movement which may result in damage to other structures.
 - h. The structure's service facilities such as electrical and heating equipment shall be elevated or floodproofed to at least three (3) feet above the base flood elevation.
 - i. The structure's walls shall include openings that satisfy the provisions of this Ordinance.
- (2) Exemption from the one percent annual chance or greater flood elevation requirements for such a structure may result in increased premium rates for flood insurance coverage of the structure and its contents.

M. Recreational Vehicles.

- (1) Recreational vehicles are exempt from the requirements of paragraph E of this subsection regarding anchoring and elevation of factory-built homes when the following criteria are satisfied.

- a. The recreational vehicle shall be located on the site for less than 180 consecutive days; and
 - b. The recreational vehicle must be fully licensed and ready for highway use. A recreational vehicle is ready for highway use if it is on its wheels or jacking system and is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached additions.
- (2) Recreational vehicles that are located on the site for more than 180 consecutive days and are not ready for highway use must satisfy requirements of paragraph E of this subsection regarding anchoring and elevation of factory-built homes.

N. Pipeline Crossings. Pipeline river or stream crossings shall be buried in the streambed and banks or otherwise sufficiently protected to prevent rupture due to channel degradation, meandering, and the action of flood flows. Only trenchless construction methods shall be permitted for pipeline installations. An undisturbed stream buffer shall be maintained where trenchless methods are also required. The buffer shall be 50 feet or the channel width, measured as the average width between the top of the opposing banks, whichever is greater. The buffer shall be the required width on either side of the stream, measured from the stream edge. The buffer may be reduced to the width of the Special Flood Hazard Area in the case that the required buffer is larger than the Special Flood Hazard Area.

O. Maximum Damage Potential Development. All new or substantially improved maximum damage potential development shall have the lowest floor (including basement) elevated a minimum of three (3) feet above the elevation of the 500-year flood, or together with attendant utility and sanitary systems, be floodproofed to such a level. When floodproofing is utilized, a professional engineer registered in the State of Iowa shall certify that the floodproofing methods used are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the 0.2 % annual chance flood; and that the structure, below the 0.2% annual chance flood elevation is watertight with walls substantially impermeable to the passage of water. A record of the certification indicating the specific elevation (in relation to North American Vertical Datum 1988) to which any structures are floodproofed shall be maintained by the Administrator. Where 0.2% chance flood elevation data has not been provided in the Flood Insurance Study, the Iowa Department of Natural Resources shall be contacted to compute such data. The applicant will be responsible for providing the Department of Natural Resources with sufficient technical information to make such determinations.

P. Streambank Stabilizations and Drainage Ditch Maintenance. The requirement to define the floodway and floodway fringe boundary does not apply to proposed drainage ditch maintenance completed by the drainage district in accordance with Chapter 468 of the Code of Iowa and stream bank stabilizations wherein:

- (1) Spoils are disposed of outside of the Special Flood Hazard Area or spread less than six inches thick in an even layer away from the top of the bank; and
- (2) No fill is proposed; and

- (3) Revetment material, if proposed, is placed so that it does not extend past the existing bank or, in the case of severe erosion so that the resulting channel cross-section is not more restrictive than the adjacent natural upstream and downstream channel cross-sections and the revetment material does not extend above the adjacent top of the bank. Revetment material shall also comply with the following best practices, as illustrated in Figure 1:
- a. The stream bank is prepared by sloping or terracing prior to the placement of gravel bedding and/or fabric under the revetment material.
 - b. The revetment material consists of a mixture of sizes so as to form a dense, interlocking blanket.
 - c. The revetment material is placed on the existing or prepared stream bank with a finished slope of no steeper than two (2) feet horizontal to one (1) foot vertical rise.
 - d. Revetment material is restricted to field stone, quarry rock and broken concrete. All exposed reinforcing steel shall be removed or cut flush with the surface of the concrete prior to placement. Any concrete slabs larger than three feet across shall be broken into smaller pieces prior to placement. The use of asphalt or other solid waste is prohibited.
 - e. The thickness of a revetment blanket shall not exceed three (3) feet.
 - f. A toe of revetment material to protect against scour and erosion is also proposed.
- (4) For mowed banks, a finished slope of no steeper than three (3) feet horizontal to one (1) foot vertical rise is recommended.
- (5) Other professionally accepted best practices for stream bank stabilization may be utilized at the discretion of the Floodplain Manager or their designee, such as those included in Iowa's River Restoration Toolbox, as amended by the Iowa Department of Natural Resources.
- (6) The Floodplain Manager may require the floodway and floodway fringe boundary to be defined in the case proposed development may increase flood levels, impede flood flows, or otherwise create a risk for downstream life or property.

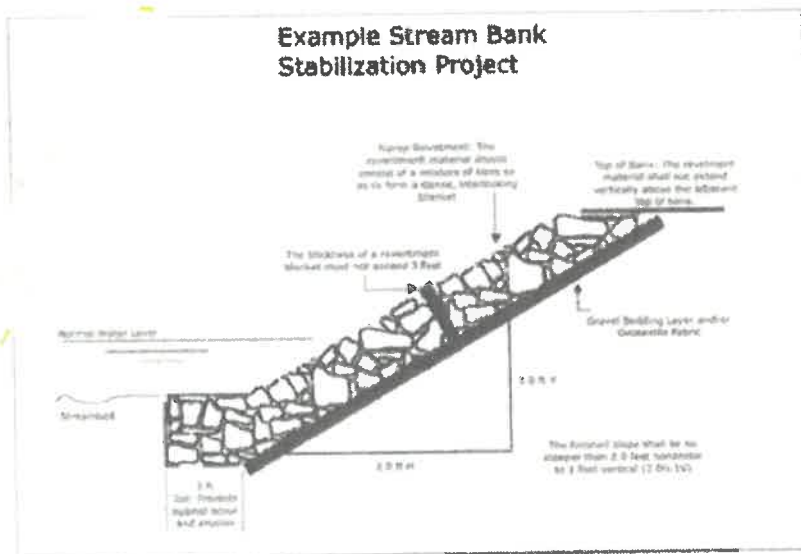


Figure 1 Example Stream Bank Stabilization Project

Q. Fill. Any fill allowed shall be subject to the following standards:

- (1) No more than twenty percent (20%) of the area of the lot located in the Floodway Fringe District shall be filled above the grade as demonstrated on the 2-foot elevation contours as developed using elevation data from the State of Iowa's by the 2008 LiDAR program.
- (2) The fill material must be compacted to at least ninety five percent (95%) of Standard Laboratory Maximum Dry Density (Standard Proctor), according to ASTM Standard D-698. Fill soils must be fine grained soils of low permeability such as those classified as CH, CL, SC or ML according to ASTM Standard D-2487, "Classification of Soils for Engineering Purposes". The fill material must be homogenous and isotropic.
- (3) The fill cannot alter existing drainage patterns on the lot.
- (4) A certification from an accredited soil testing professional, certifying that the requirements of this subsection are met, shall be submitted prior to issuance of any permits for further construction on the site.

2. Special Floodway Provisions

In addition to the General Floodplain Standards, development within the floodway must meet the following applicable standards. The floodway is that portion of the floodplain which must be protected from developmental encroachment to allow the free flow of flood waters. Where floodway data has been provided in the Flood Insurance Study, such data shall be used to define the floodway. Where no floodway data has been provided, the Department of Natural Resources shall be contacted to provide a floodway delineation. The applicant will be responsible for providing the Department of Natural Resources with sufficient technical information to make such determination.

A. No use or development shall be permitted in the floodway that would result in any increase in the base flood elevation. Consideration of the effects of any use or development on flood levels shall be based upon the assumption that an equal degree of development would be allowed for similarly situated lands.

B. All development within the floodway shall:

- (1) Be consistent with the need to minimize flood damage.
- (2) Use construction methods and practices that will minimize flood damage.
- (3) Use construction materials and utility equipment that are resistant to flood damage.

C. No development shall affect the capacity or conveyance of the channel or floodway of any tributary to the main stream, drainage ditch or any other drainage facility or system.

D. Structures, buildings, recreational vehicles, and sanitary and utility systems, if permitted, shall meet the applicable General Floodplain standards and shall be constructed or aligned to present the minimum possible resistance to flood flows.

E. Structures, if permitted, shall have a low flood damage potential and shall not be for human habitation.

F. Storage of materials or equipment that are buoyant, flammable, explosive or injurious to human, animal or plant life is prohibited. Storage of other material may be allowed if readily removable from the floodway within the time available after flood warning subject to submission and approval by the Floodplain Manager of an evacuation plan.

G. Watercourse alterations or relocations (channel changes and modifications) must be designed to maintain the flood carrying capacity within the altered or relocated portion. In addition, such alterations or relocations must be approved by the Department of Natural Resources prior to approval of a permit by Story County.

H. Any fill allowed in the floodway must be shown to have some beneficial purpose and shall be limited to the minimum amount necessary.

I. Pipeline river or stream crossings shall be buried in the streambed and banks or otherwise sufficiently protected to prevent rupture due to channel degradation and meandering or due to the action of flood flows. Only trenchless construction methods shall be permitted for pipeline installations. An undisturbed stream buffer shall be maintained where trenchless methods are also required. The buffer shall be 50

feet or the channel width, measured as the average width between the top of the opposing banks, whichever is greater. The buffer shall be the required width on either side of the stream measured from the stream edge. The buffer may be reduced to the width of the Special Flood Hazard Area in the case that the required buffer is larger than the Special Flood Hazard

80.15 ADMINISTRATION. – Renumber to 80.12

The Planning and Development Director or their designee is hereby appointed to implement and administer the provisions of this chapter and is referenced herein as the Floodplain Manager. Duties and responsibilities of the Floodplain Manager shall include, but not necessarily be limited to the following:

5. Submit to the Federal Insurance Administrator an annual report concerning the community's participation, utilizing the annual report form supplied by the Federal Insurance Administrator.

8. Maintain the accuracy of the community's Flood Insurance Rate Maps when development results in the following. Within six (6) months of the completion of the development, the applicant shall submit to FEMA all scientific and technical data necessary for a Letter of Map ~~Amendment~~ **Revision**.

A. Development placed within the Floodway ~~District~~ results in any of the following:

80.16 FLOODPLAIN DEVELOPMENT PERMIT REQUIRED. - Renumber to 80.13

80.17 APPLICATION FOR PERMIT. - Renumber to 80.14

Application shall be made on forms furnished by the Floodplain Manager and shall include the following:

1. Description of the work to be covered by the permit for which application is to be made.

2. Description of the land on which the proposed work is to be done (i.e., parcel identification number, lot, block, track, street address or similar description) that will readily identify and locate the work to be done.

3. Location and dimensions of all structures and additions

4. Identification **Indication** of the use or occupancy for which the proposed work is intended.

5. Elevation of the **base flood**/one percent annual chance or greater flood.

6. Elevation (in relation to NAVD 1988) of the lowest floor (including basement) of structures or of the level to which a structure is to be flood proofed.

7. For structures being improved or rebuilt, the estimated cost of improvements and market value of the structure prior to the improvements.

8. Such other information as the Floodplain Manager deems reasonably necessary (e.g., drawings or a site plan) for the purpose of this chapter. Upon completion of the work, additional information may be required to be submitted, such as a no-rise certification, elevation certificate, and/or other required engineering documents as determined by the Floodplain Manager.

80.18 ACTION ON PERMIT APPLICATION. - Renumber to 80.15

80.19 CONSTRUCTION AND DEVELOPMENT TO BE AS PROVIDED IN APPLICATION AND PLANS. - Renumber to 80.16

Floodplain development permits issued on the basis of approved plans and applications authorize only the development, arrangement, and construction set forth in such approved plans and applications and

no other **development use**, arrangement or construction. Any **development use**, arrangement, or construction differing from what is authorized shall be deemed a violation of this chapter. The applicant shall be required to submit certification by a professional engineer or land surveyor, as appropriate, registered in the State of Iowa, that the finished fill, structure floor elevations, flood proofing, or other flood protection measures were accomplished in compliance with the provisions of this chapter, prior to the use or occupancy of any structure. Such certifications shall be on FEMA forms.

80.20 APPOINTMENT AND DUTIES OF BOARD OF ADJUSTMENT. - Renumber to 80.17

80.21 CONDITIONAL USES. - Renumber to 80.18

80.22 APPEALS. - Renumber to 80.19

80.23 VARIANCES. - Renumber to 80.20

80.24 HEARINGS AND DECISIONS OF THE BOARD OF ADJUSTMENT. - Renumber to 80.21

80.25 FACTORS UPON WHICH THE DECISION TO GRANT VARIANCES SHALL BE BASED. - Renumber to 80.22

80.26 CONDITIONS ATTACHED TO VARIANCES. - Renumber to 80.23

80.27 APPEALS TO THE COURT. - Renumber to 80.24

80.28 NONCONFORMING USES. - Renumber to 80.25

3. If any nonconforming use or structure is destroyed by any means, including flood, it shall not be reconstructed if the cost is more than 50 percent of the market value of the structure before the damage occurred, unless it is reconstructed in conformity with the provisions of this chapter. This limitation does not include the cost of any alteration to comply with existing state or local health, sanitary, building or safety codes or regulations or the cost of any alteration of a structure listed on the National Register of Historic Places, provided that the alteration shall not preclude its continued designation.

80.29 PENALTIES FOR VIOLATION. - Renumber to 80.26

80.30 AMENDMENTS. - Renumber to 80.27

80.31 ADMINISTRATIVE PROCEDURES FOR FLOODPLAIN MANAGEMENT AND REGULATION. - Renumber to 80.28



DO NOT WRITE IN THE SPACE ABOVE, RESERVED FOR RECORDER

Prepared By: Leanne Harter, Story County Planning and Development, 900 6th Street, Nevada, IA 50201 (515) 382-7245

Please return to:
Planning & Development

AFFIDAVIT

Leanne A. Harter, AICP CFM, Director, Story County, Iowa, Planning and Development Department, attests to the following information. On July 22, 2025, the Story County Board of Supervisors approved Ordinance Number 327 pertaining to changes to Chapter 80, Floodplain Management Program of the Story County Code of Ordinances – Land Development Regulations.

Upon review of the adopted ordinance by the Iowa Department of Natural Resources (IDNR), the following scrivener's error was identified.

Within the Recreational Vehicle provisions, new Section 80.11(1)(M), the reference to paragraph E should be paragraph F, the Factory-built home requirements.

The purpose of this affidavit is to acknowledge that the following language is correct:

M. Recreational Vehicles.

- (1) Recreational vehicles are exempt from the requirements of paragraph F of this subsection regarding anchoring and elevation of factory-built homes when the following criteria are satisfied.
 - a. The recreational vehicle shall be located on the site for less than 180 consecutive days; and
 - b. The recreational vehicle must be fully licensed and ready for highway use. A recreational vehicle is ready for highway use if it is on its wheels or jacking system and is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached additions.
- (2) Recreational vehicles that are located on the site for more than 180 consecutive days and are not ready for highway use must satisfy requirements of paragraph F of this subsection regarding anchoring and elevation of factory-built homes.

This affidavit further removes and replaces the reference to SECTION V(1)(D)(1) as noted below.

E. All new and substantially improved structures:

- (1) Fully enclosed areas below the "lowest floor" (not including basements) that 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 meet or exceed the following minimum criteria:
 - a. A minimum of two (2) openings, with positioning on at least two (2) walls, 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 they permit the automatic entry and exit of floodwaters.

Such areas shall be used solely for parking of vehicles, building access and low damage potential storage. Where the distance between the floor and ceiling of the fully enclosed

area below the “lowest floor” is five (5) feet or more, the applicant shall be required to sign and record with the Story County Recorder a Non-Conversion Agreement that ensures the lower enclosed area remains compliant with the criteria outlined in (~~SECTION V(1)(D)(1).~~) this Chapter.

Leanne A. Harter Leanne A. Harter
Director, Story County Planning and Development

Date 9/26/2025

Laura G. Johnston [Signature]
Notary, State of Iowa

Date 9/26/2025
License Expiration Date 8.15.28

