

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That Columbus City Codes, 1959, are hereby supplemented with the creation of a new section numbered 3123.173, reading as follows:

3123.073 Subdivision Standards in Special Flood Hazard Areas.

The following standards apply to affected portions of all subdivision proposals, including manufactured home subdivisions, and other proposed developments to be located entirely or partially in a Special Flood Hazard Area:

A. All new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of the Columbus Zoning Code.

B. All subdivision proposals shall be consistent with the need to minimize flood damage;

C. All subdivision proposals shall locate and construct public utilities and facilities such as sewer, gas, electrical, and water systems to minimize flood damage;

D. All subdivision proposals shall provide adequate drainage to reduce exposure to flood damage; and,

E. In all areas of special flood hazard where base flood elevation data are not available, the applicant shall provide a hydrologic and hydraulic engineering analysis that generates base flood elevations for all subdivision proposals and other proposed developments containing at least 50 lots or 5 acres, whichever is less.

Section 2. That the existing Section 3301.01 of the Columbus City Codes, 1959, is hereby amended to read as follows:

3301.01 Purpose.

This Zoning Code, pursuant to the Columbus City Charter and Article XVIII, Section 3, of the Ohio Constitution which grants municipalities the legal authority to adopt land use and control measures, is enacted to preserve and promote the public health, safety and welfare by means of regulations and restrictions enacted pursuant to a comprehensive plan designed to, among other purposes, encourage the orderly growth and development of the city; provide for adequate light, air, open space and convenience of access; protect against fire and natural hazards; and maintain and enhance the value of buildings, structures and land throughout the city.

Section 3. That the existing Section 3303.03 of the Columbus City Codes, 1959, is hereby amended to read as follows:

3303.03 Letter C.

"Cabaret" means a nightclub, or restaurant where performers dance, sing, or engage in plays for patrons.

Canopy. See "Awning."

"Carry-out" means a retail business operation, established on an individual tract of land or lot; occupying less than ten thousand (10,000) square feet of gross floor area, engaged in the sale of food and beverages which are furnished to customers primarily for consumption or use off the premises.

"Change of use" means any alteration in the primary use of a lot for zoning purposes which may entail the need for additional parking or loading facilities.
Changeable Copy.

"Automatic changeable copy" means a sign, or portion of a sign on which the copy changes automatically on a lamp bank or through mechanical means, e.g., electrical or electronic time and temperature or message center units.

"Manual changeable copy" means a sign, or portion of a sign on which copy is changed manually in the field, e.g., a reader board with changeable letters.

"Chapter" when used without clarification means a chapter of the Columbus Zoning Code.

"Child day care" means administering to the needs of infants, toddlers, pre-school children, and school children outside of school hours by persons other than their parents or guardians, custodians, or relatives by blood, marriage, or adoption for any part of the twenty-four (24) hour day in a place or residence other than a child's own home.

"Child day care center" means any place in which child day care is provided for seven (7) or more infants, preschool children, or school-age children outside of school hours in average daily attendance, other than the children of the owner or operator of the center, with or without compensation, as all such minors are defined by Ohio Revised Code 5104.01.

"Child day care type B home" means the permanent residence of the owner-operator in which child day care is provided for no more than six (6) children at one time and in which no more than three (3) children may be under two (2) years of age at one time. Amplifications of Revised Code 5104.01 (E) shall apply.

"Circulation area" means all of the area within a parking lot exclusive of driveways or off-street parking or loading spaces, which is provided for vehicular maneuvering, pedestrian movement or other accessory or incidental purposes.

Civic Sign. See "Sign."

"Clearance" in the context of the Graphics Code means the smallest vertical distance between the grade of the adjacent street; curb or land and the lowest point of any sign, including framework and embellishments, extending over that grade.

Commercial Use. See "Use, institutional, commercial or manufacturing."

"Commercial vehicle" means any vehicle used or designed to be used for business or commercial purposes which infringes on the residential character of residential districts and includes, but is not necessarily limited to: a bus, cement truck, commercial tree-trimming equipment, construction equipment; dump truck, garbage truck, panel truck, semi-tractor, semi-trailer, stake bed truck, step van, tank truck, tar truck, or other commercial type vehicle licensed by the Ohio State Bureau of Motor Vehicles as a commercial vehicle or truck.

Community Residential Treatment Center. See "Halfway house."

"Conditional" means safeguards established by the development commission or board of zoning adjustment.

~~Construction for the purpose of flood plain development regulations only:~~

~~"New construction" means a building or structure for which the start of construction occurred on or after the effective date of the ordinance codified in this section.~~

~~"Start of construction" means the date the building permit was issued provided the actual start of construction, repair, reconstruction, placement or other improvement was within one hundred eighty (180) days of the permit date.~~

Construction Sign. See "Sign."

Co-op Sign. See "Sign."

Copy. See "Sign copy."

"Copy area" means the area of the smallest basic geometric figure, such as a parallelogram, circle, triangle, or combination thereof, which can be described so as to enclose the actual copy of a sign.

"Corner lot" means a lot at the intersection of and abutting on two (2) streets not less than thirty (30) feet in width.

"Court" means an open, uncovered, unoccupied space other than a required yard or area containing off-street parking spaces, unobstructed from the ground to the sky, and located on the same lot with a building or buildings, and either surrounded by the walls of the building or enclosed on two (2) or more sides by such walls.

"Court-type development" means a residential type development in which the area of the court exclusive of all required yards and off-street parking spaces shall be not less than one-half (1/2) of the gross ground floor area of the buildings the court is intended to serve, and the width or diameter of the court area shall be not less than the average height of the building or buildings it is intended to serve.

Section 4. That the existing Section 3303.04 of the Columbus City Codes, 1959, is hereby amended to read as follows:

3303.04 Letter D.

"Density" means a unit of measurement of the number of dwelling units per acre of land derived by dividing the total number of dwelling units within the particular project, development or subdivision for which an application is filed by the total number of acres contained in such project, development or subdivision excluding all dedicated public streets therein.

"Department" when used without clarification means the department of development of the city.

~~"Development," for the purpose of flood plain development regulations only, means any manmade change to improved or unimproved real estate, including but not limited to buildings or structures, mining, dredging, filling, grading, paving, excavating or drilling operations.~~

Directional Sign. See "Sign."

"Director" when used without clarification means the director of the department of development or his or her designee.

Directory Sign. See "Sign."

"District," for the general purposes of the Zoning Code but not for purposes of architectural review, all properties of the same use, height and area classification which adjoin or are continuous without intervening property of another classification regardless of any street, alley, easement or reserve that may intervene.

"Division" when used without clarification means the building services division in the department of development.

"Dormitory" means a building arranged, intended, or designed to be occupied by unrelated persons as either individuals or groups who occupy common sleeping rooms and share related facilities such as bathrooms and washrooms. This type use differs from an "apartment house" in that separate cooking facilities are not available for each of the individuals, or groups of individuals, who occupy the building but common eating facilities and related cooking facilities may be provided in the building.

"Double duplex" means a separate or detached four (4) family residence, the first and second floors of which are each designed and arranged for use by two (2) families separated by a vertical

division wall, each unit of which is heated independently of the others. Each dwelling unit shall have its own separate, private means of ingress.

Double-Faced Sign. See "Sign."

"Drive-in" or "drive-in business" means a use of an individual tract of land or lot on which all of the following exist:

The use is contained in a building with a gross floor area of less than ten thousand (10,000) square feet; and

The buildings and site are designed, developed, and operated as a business which is conducted primarily for convenience of customers arriving and departing from the place of business by automobile to purchase the products or receive services; and

The business includes a limited range of food and beverage items or services for sale, a high volume of sales, and sales transactions are usually completed within five (5) to fifteen (15) minutes.

A drive-in is distinguishable from other businesses allowed in the C-1 through C-4 zones such as book stores, department stores, and supermarkets, where trade in the product or service is the primary purpose, and use of the automobile to patronize the business is incidental to purchasing the product or receiving the services. Products or services sold at a drive-in may be consumed or used either on or off the premises or lot. Drive-in includes a carry-out and fast-food business.

"Dry cleaning establishment" means a use involving the cleaning or dyeing of fabrics, employing the services of more than three (3) persons, the use of mechanical appliances requiring more than a three (3) horsepower motor, and the use of volatile or explosive substances.

"Dwelling" means a building containing a minimum of one (1) but not more than four (4) dwelling units.

"Dwelling unit" means a single, self-contained unit providing independent living facilities for one (1) or more individuals and which contains eating, living, sanitary and sleeping areas and one (1) cooking facility, all for exclusive use by the occupants. This definition does not apply to units in dormitories, homeless shelters, hotels, motels or other buildings designed for transients.

Section 5. That the existing Section 3303.06 of the Columbus City Codes, 1959, is hereby amended to read as follows:

3303.06 Letter F.

"Facing," in reference to a sign, means the readable copy area visible to traffic proceeding in one direction along a public street.

"Fast-food business" means a retail business operation, established on an individual tract of land or lot, occupying less than ten thousand (10,000) square feet of gross floor area, where the products purchased by the customer consist of prepared food and beverages ready for immediate consumption.

"Flag" means an ensign, standard, colors, or emblem of a governmental body.

"Flashing graphic." (See "Graphic.")

"Flood plain development." (See Chapter 3385.)

~~"Flood or "Flooding" and "Base Flood"~~

~~"Flood" or "Flooding" means a general and temporary condition of partial or complete inundation of normally dry areas from:~~

- ~~1. The overflow of a watercourse; and/or~~

2. ~~The unusual and rapid accumulation or runoff of surface waters from any source.~~

~~"Base flood" means the 100-year recurrence interval flood as shown on the flood profile and the flood insurance rate map (FIRM); that flood, having a one (1) percent chance of being equaled or exceeded in any given year, which defines the flood plain.~~

~~"Flood insurance rate map" or "FIRM" means the map accompanying the flood study or adopted as the map for flood plain development regulations and on which are delineated the watercourses, floodway, and floodway fringe (together constituting the flood plain) for the base flood as amended from time to time and as the same exists at the time application is received.~~

~~"Flood plain" means a watercourse and its adjacent area subject to inundation by the base flood. The flood plain is composed of the floodway and the floodway fringe, and is the total area subject to flood plain development regulations.~~

~~"Flood profile" means any one or all of the cross-sectional profiles of the flood surface elevation along the watercourses in the city for the base flood, as furnished in the flood study as amended from time to time and as the same exists at the time application is received.~~

~~"Flood proof" means any structural feature, addition, change or adjustment to a building, structure or property primarily for the reduction or elimination of flood damage to properties, water and sanitary facilities, buildings, structures, and contents of buildings.~~

~~"Flood protection elevation" means that elevation not less than one and one half (1-1/2) feet above the base flood elevation to which uses regulated by the flood plain development regulations are required to be elevated or flood proofed to compensate for the many unknown factors that could contribute to flood elevations greater than that calculated for a base flood.~~

~~"Flood study" means the "Flood Insurance Study: Franklin County, Ohio and Incorporated Areas" by the Federal Emergency Management Agency (FEMA) for the city of Columbus, Ohio, dated August 2, 1995, as amended from time to time and as the same exists at the time application is received, containing the flood profile and accompanied by the flood insurance rate map (FIRM), concerning the existence and severity of flood potential in the city.~~

~~"Floodway" means the channel of the watercourse and those portions of the adjoining flood plain that must be reserved in order to carry and discharge the waters of a base flood without increasing the water surface elevation by more than one half (1/2) foot; and is generally that area so designated on the flood insurance rate map (FIRM).~~

~~"Floodway fringe" means that portion of the flood plain excluding the floodway which is subject to inundation by the base flood in which development may occur and is generally that area so designated on the FIRM.~~

~~"Floodway obstruction" means any object in, along, across, or projecting into any portion of the floodway which may impede, retard, or change the direction of the flow of water, either in and of itself or by catching or collecting waterborne debris, or that is placed where the flow of water would carry the same downstream to the damage or detriment of life or property.~~

~~"Floor" and "lowest floor" means, for the purpose of flood plain development regulations only, 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~~

~~"Freeway" means an arterial street with full control of access, and complete grade separation at all crossroads. Freeways accommodate heavy traffic at high speeds (usually fifty-five to sixty-five (55--65) miles per hour).~~

~~"Front line of a building" and "front yard line" mean, respectively, that portion of the building line or yard line adjacent to the street line affording principal access to the building. (See also "Lot front.")~~

"Frontage," of a building, and of a lot or property:

1. "Building frontage" means the facade of a building most nearly parallel to an abutting public right-of-way, which affords principal access.

2. "Lot frontage" or "property frontage" means the length of the property line of any one premises along an abutting public right-of-way.

"Fronting," means bordering, in the sense of affording principal access.

Section 6. That the existing Section 3303.09 of the Columbus City Codes, 1959, is hereby amended to read as follows:

3303.09 Letter I.

Identification Sign. See "Sign."

Illegal Sign. See "Sign."

"Illuminated Sign." See "Sign."

~~"Improvement," for the purpose of flood plain development regulations only, "substantial improvement" means any repair, reconstruction, or improvement of a building or structure, the cost of which equals or exceeds fifty (50) percent of its market value either (1) before the improvement or repair is started, or (2) if it has been damaged and is being restored, before the damage occurred. For the purposes of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building or structure commences, whether or not that alteration affects the external dimensions of the building or structure. The term does not, however, include either (1) any project for improvement of a building or structure to comply with existing city or state health, sanitary or safety code specifications which are solely necessary to assure safe living conditions, or (2) any alteration of a building or structure listed on the National Register of Historic Places, the State Registry of Archaeological Landmarks or of Architectural Landmarks or the State Inventory of Historic Places.~~

"Industry" embraces operations involved in manufacture, production or processing of articles of use.

"Installation permit" means a single permit required in lieu of building and electrical permits for the installation of a new sign or modification of a sign whenever either improvement requires a permit.

Institutional Use. See "Use, institutional, commercial or manufacturing."

Interior Graphic. See "Graphic."

"Interior lot" means a lot other than a corner lot, or that portion of a corner lot's area in excess of seventy-two hundred (7,200) square feet.

"Interstate system" means all portions of Interstate highways 1-70, 1-7 1, 1-270, and 1-670 located within the city limits, along with ingress and egress ramps thereof.

Section 7. That the existing Section 3303.18 of the Columbus City Codes, 1959, is hereby amended to read as follows:

3303.18 Letter R.

"Real estate sign." (See "Sign.")

"Rear of a building," "rear line of a building" and "rear yard line," respectively, mean that portion, building line or yard line opposite to the front line of a building, whether or not affording service access to the building.

"Recreational vehicle" means a vehicle manufactured or modified to contain temporary living quarters for travel, recreation, or vacation purposes including, but not necessarily limited to, camper, travel trailer, truck camper, and motor home.

~~"Recurrence interval" means the average interval of time, based upon a statistical analysis of actual or representative stream flow records, which can be expected to elapse between floods equal to or greater than a specified flood.~~

"Regulations," when referring to the name of a Division of the city administration, means the Building Services Division of the Department of Development.

"Religious facility" means a building or structure in which worship, ceremonies, rituals, and education pertaining to a particular system of beliefs are held.

"Residence" is the general term implying place of human habitation and embracing both residential and apartment residential district classifications.

"Residential care facility" means a use of a dwelling unit or dwelling units within a building primarily for providing supervised room, board and care in a residential setting to residents thereof whose disabilities or status limit their ability to live independently, and secondarily for training, rehabilitation and nonclinical services. The term excludes use as a clinic, institution, hospital, nursing home, convalescent home, school, child day care center, nursery school, dormitory or other similar use. The term shall not be applied to owner-occupied premises with one (1) or two (2) roomers. However, for the purpose of licensing, the term is included within "rooming house" as defined in Section 4501.32.

"Residential complex" means a residential development with fifteen (15) or more dwelling units situated on the same tax parcel.

"Residential use." (See "Use, residential.")

"Residentially zoned district or use" means any area zoned for residential use as defined in this Zoning Code or any area where persons may reside.

"Rest home" means a home that provides personal assistance for three (3) or more individuals who are dependent on the services of others by reason of age or physical or mental impairment but who do not require skilled nursing care. A rest home shall be licensed under Chapter 3721 of the Revised Code to provide only accommodations and personal assistance and may not admit individuals requiring skilled nursing care.

"Retail filling station" means a use involving the supplying to individual vehicles for their use only, of oil, grease or gasoline or other liquid fuel with other customary incidental service, the storage facilities of which use shall not be in excess of two (2) tank cars or total storage capacity of thirty thousand (30,000) gallons. "Retail filling station" is the same as gasoline service station.

"Restaurant" means an establishment that involves the preparation of food and drink, served to and consumed by patrons primarily within the building.

"Right-of-way line" means the limit of publicly owned land or easement encompassing a street or alley.

"Roof line" means the uppermost line of the roof of a building, or in the case of an extended facade, the uppermost height of said facade.

"Roof sign." (See "Sign.")

"Rooming house" means a residential building, other than a hotel, in which part or parts are kept, used or held out to be a place where sleeping accommodations are offered for hire for three (3) or more persons.

"Row" is a group of attached residences, separated by vertical fire walls, in which each residence has its own front and rear yards, and has appropriated to it the entire building between the fire walls.

Section 8. That the existing Section 3305.01 of the Columbus City Codes, 1959, is hereby amended to read as follows:

3305.01 Certificate of Zoning Clearance.

A certificate of zoning clearance is required and shall be obtained from the Administrator prior to the construction or alteration of any building or structure; the establishment, change or modification in the use of any building, structure or land; or the grading, excavating or filling of land.

Further, no person shall maintain or permit the continuation of any use unless and until a certificate of zoning clearance has first been issued for said use.

The certificate shall be issued only Administrator will issue a certificate after determining that the application is in conformity with the provisions of this Zoning Code or as permitted by variance, special permit or decision from an appeal.

Unless otherwise required by this Zoning Code no certificate shall be required for interior remodeling of buildings or structures, which is not intended to cause a change in the intensity of the use of the buildings or structures. However, a certificate of zoning clearance shall always be required prior to development or placement of a use in ~~the flood plain~~ a Special Flood Hazard Area or the construction or alteration of any building or structure in or proposed for ~~the flood plain~~ a Special Flood Hazard Area regardless of size or use.

Section 9. That Columbus City Codes, 1959, are hereby supplemented with the creation of a new section numbered 3385.011, reading as follows:

3385.011 Definitions.

For the purpose of flood plain development only, the following terms, phrases, words and their derivations have the meaning given herein. Other terms used in this Chapter may be defined elsewhere in the Columbus Zoning Code. For the purpose of flood plain development only, where a conflict occurs, the most restrictive definition takes precedence.

Where not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular include the plural number.

“Area of shallow flooding” means a designated AO or AH zone on a community’s Flood Insurance Rate Map (FIRM) with a one percent 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.

“Area of Special Flood Hazard” [See: “Special Flood Hazard Area”.]

“Base flood” means the flood having a one percent (1%) chance of being equaled or exceeded in any given year. The base flood may also be referred to as the one hundred (100) year flood.

“Base flood elevation” means the projected water surface level, measured from mean sea level, at any given point in a base flood.

“Basement” means any area of the building having its floor sub grade (below ground level).

“Development” means any man-made change to improved or unimproved real estate, including but not limited to buildings or structures, mining, dredging, filling, grading, paving, excavating or drilling operations or storage of equipment or materials.

"Federal Emergency Management Agency" or "FEMA" means the agency with the overall responsibility for administering the National Flood Insurance Program.

"Fill" means a deposit of earth material placed by artificial means.

"Flood" or "flooding" means a general and temporary condition of partial or complete inundation of normally dry areas from the overflow of a watercourse, or the unusual and rapid accumulation or runoff of surface waters from any source.

"Flood plain" or "100-year flood plain" [See: "Special Flood Hazard Area".]

"Flood profile" means any one or all of the cross-sectional profiles of the water surface elevations for the base flood (base flood elevations) along watercourses, as delineated on the Flood Insurance Rate Map and the Flood Insurance Study.

"Flood Insurance Rate Map" or "FIRM" means an official map on which the Federal Emergency Management Agency or the U. S. Department of Housing and Urban Development has delineated the Special Flood Hazard Areas.

"Flood Insurance Study" or "FIS" means the official report in which the Federal Emergency Management Agency or the U. S. Department of Housing and Urban Development has provided flood profiles, floodway boundaries, and the water surface elevations of the base flood.

"Flood proof" means any structural feature, addition, change or adjustment to a building, structure or property primarily for the reduction or elimination of flood damage to properties, water and sanitary facilities, buildings, structures and contents of buildings.

"Flood protection elevation" means that elevation not less than 1½ feet above the base flood elevation to which uses regulated by the flood plain development regulations are required to be elevated or flood proofed.

"Floodway" means that portion of the "Special Flood Hazard Area," excluding the "floodway fringe," which is the channel of a river or other watercourse and the adjacent land areas that shall be reserved in order to discharge the "base flood" without cumulatively increasing the water surface elevation by more than one-half (1/2) foot.

[Code writer's comment: Floodways are delineated on the Flood Boundary and Floodway Map, or on the Flood Insurance Rate Map or profiled in the Flood Insurance Study. Floodways may also be delineated in other sources of flood information.]

"Floodway fringe" means that portion of the "Special Flood Hazard Area," excluding the "floodway," which is subject to inundation by the "base flood" in which development may occur.

"Floodway obstruction" means any object in, along, across, or projecting into any portion of the floodway which may impede, retard, or change the direction of the flow of water, either in and of itself or by catching or collecting waterborne debris, or that is placed where the flow of water would carry the same downstream to the damage or detriment of life or property.

"Historic Structure" means any structure that is:

A. Listed individually in the National Register of Historic Places (a listing maintained by the U. S. Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listings on the National Register;

B. 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;

C. Individually listed on the State of Ohio's inventory of historic places maintained by the Ohio Historic Preservation Office; or

D. Individually listed on the inventory of historic places maintained by the Columbus Register of Historic Properties whose historic preservation program has been certified by the Ohio Historic Preservation Office.

“Lowest floor” means the lowest level of the lowest enclosed area, including basement or crawlspace, of a building or structure. 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 built in accordance with the applicable design requirements specified in the Columbus City Codes for enclosures below the lowest floor.

“New construction” means a structure for which the “start of construction” commenced on or after the initial effective date of the City of Columbus, Ohio, Flood Insurance Rate Map, and includes any subsequent improvements to such structures.

“Recurrence interval” means the average interval of time, based upon a statistical analysis of actual or representative stream flow records, which can be expected to elapse between floods equal to or greater than a specified flood.

“Special Flood Hazard Area” means a river or other watercourse and its adjacent area subject to inundation by the “base flood.” A “Special Flood Hazard Area” is also known as a “flood plain” or “100-year flood plain” and is composed of the “floodway” and the “floodway fringe.” Special Flood Hazard Areas are designated by the Federal Emergency Management Agency as either Zone A, AE, AH, AO, A1-30, or A99.

“Start of construction” means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within one hundred eighty (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 a 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 as 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 a building.

“Structure” means:

A. A building or any structure having a roof supported by columns or walls, or any series of structures separated only by “fire separations” but contained under a common roof or within common walls, and requiring a building permit in accordance with Title Forty-One of the Building Code that is used for shelter, occupancy, enclosure, or support of persons, animals, or property, or

B. A combination of materials, other than a building, to form a construction that is safe and stable including, but not limited to, stadiums, gospel or circus tents, reviewing stands, platforms, staging, observation towers, sheds, coal bins, above grade gas or liquid storage tanks, or fences in excess of six (6) feet in height.

“Substantial damage” means 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% of the fair market value of the structure before the damage occurred. Substantial damage also means flood

related damage sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25 percent of the fair market value of the structure before the damage occurred.

“Substantial improvement” means any reconstruction, rehabilitation, addition or other improvement of a structure, the cost of which equals or exceeds 50 % of the fair market value of the structure before the “start of construction” of the improvement. This term includes structures that have incurred “substantial damage,” regardless of the actual repair work performed. The term “substantial improvement” does not include:

- A. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, safety and building code specifications which have been identified by the applicable code enforcement official, prior to the application for a development permit and which are the minimum necessary to assure safe living conditions;
- B. Any alteration of an “historic structure” provided that the alteration shall not preclude the structure’s continued designation as an “historic structure;” or
- C. Any improvement to a structure that is considered “new construction.”

“Variance” means a grant of relief from the standards of these regulations consistent with the variance conditions herein.

“Violation” means the failure of a structure or other development to be fully compliant with these regulations.

Section 10. That the existing Section 3385.013 of the Columbus City Codes, 1959, is hereby amended to read as follows:

3385.013 Methods of reducing flood losses.

~~In order to accomplish its purposes, this chapter includes methods and provisions for:~~

- ~~{A.} Restricting or prohibiting uses which are dangerous to health, safety, and property due to flooding, or which result in damaging increases in erosion, in flood heights or in flood water velocity;~~
- ~~{B.} Requiring that uses vulnerable to floods, including facilities, which serve such uses, be protected against flood damage at the time of initial construction;~~
- ~~{C.} Controlling the alteration of the floodplains, watercourse channels, and natural protective barriers, which help accommodate or channel flood waters;~~
- ~~{D.} Controlling the filling, grading, dredging, and other development which may increase flood damage; and~~
- ~~{E.} Preventing or regulating the creation construction of floodway obstructions flood barriers which shall ~~will~~ unnaturally divert flood waters or which may increase flood hazards in other areas.~~

Section 11. That the existing Section 3385.02 of the Columbus City Codes, 1959, is hereby amended to read as follows:

3385.02 Applicability of Flood Plain Development Regulation ~~Flood Plain development overlays established.~~

A. The Floodplain Development Regulations apply to all Special Flood Hazard Areas within the jurisdiction of the City of Columbus, Ohio, as identified by the Federal Emergency Management Agency or the U.S. Department of Housing and Urban Development including any additional special flood hazard areas annexed by the City of Columbus, Ohio.

B. No structure or land shall be altered, constructed, converted, enlarged, extended, located, reconstructed, or repaired except in full compliance with the terms of the floodplain regulations of the Columbus City Codes and all other applicable regulations which apply to uses within the jurisdiction of this chapter, unless specifically exempted from filing for a flood development permit as stated in this chapter.

C. The provisions of this chapter are not intended to abrogate, impair, or repeal any existing covenants, deed restrictions, or easements. However, where the provisions of this chapter conflict with any other regulation or legal requirement, whichever imposes the more stringent restrictions shall prevail.

D. In the interpretation and application of this chapter all provisions are:

1. Considered as minimum requirements,
2. Liberally construed in favor of the governing body, and
3. Deemed neither to limit nor repeal any other powers granted under local code or state statutes.

~~The flood plain constitutes two overlays which are hereby established for and effective in the floodway and floodway fringe of the City and which shall be subject to the regulations of this chapter. These overlays, the floodway overlay and the floodway fringe overlay, are detailed on the flood profile and Flood Insurance Rate Map (FIRM) and shall be outlined on the Zoning Map.~~

~~The regulations contained herein prescribe the minimum requirements for adequate land use and control measures necessary to achieve the objectives of C.C. 3385.01 for the floodplain and shall be liberally construed in favor of the City. These two overlays distinguish between (1) the hazards to life and property associated with that portion of the floodplain required to carry and discharge the waters of a baseflood (the floodway overlay) and (2) the remaining portion of the flood plain that is subject to inundation during a base flood (the floodway fringe overlay). The regulations of this chapter shall be construed as being supplementary to the regulations imposed on the same lands by virtue of the land's being part of a zoning district. It is not intended by the chapter to repeal, abrogate, annul, or in any way impair or interfere with existing provisions of other laws or ordinances, except those specifically repealed by this chapter. However, where this chapter imposes greater restrictions, the provisions of this chapter shall prevail.~~

Section 12. That the existing Section 3385.03 of the Columbus City Codes, 1959, is hereby amended to read as follows:

3385.03 Data Use and Map Interpretation Application of chapter.

~~The flood plain identified in the "Flood Insurance Study: Franklin County, Ohio and Incorporated Areas" (the Flood Study), and the FIRM and any revisions thereto is subject to the provisions of this chapter.~~

The following guidelines shall apply to the use and interpretation of maps and other data showing areas of special flood hazard:

A. In areas where FEMA has not identified special flood hazard areas, or in FEMA identified special flood hazard areas where base flood elevation and floodway data have not been identified, the Director shall review and reasonably utilize any other flood hazard data available from a federal, state, or other source.

B. Base flood elevations and floodway boundaries produced on FEMA flood maps and studies shall take precedence over base flood elevations and floodway boundaries by any other source that reflect a reduced floodway width and/or lower base flood elevations. Other sources of data, showing

increased base flood elevations and/or larger floodway areas than are shown on FEMA flood maps and studies, shall be reasonably used by the Director.

C. When Preliminary Flood Insurance Rate Maps and / or Flood Insurance Study have been provided by FEMA:

1. Upon the issuance of a Letter of Final Determination by the FEMA, the preliminary flood hazard data shall be used and replace all previously existing flood hazard data provided from FEMA for the purposes of administering these regulations.

2. Prior to the issuance of a Letter of Final Determination by FEMA, the use of preliminary flood hazard data shall only be required where no base flood elevations and /or floodway areas exist or where the preliminary base flood elevations or floodway area exceed the base flood elevations and/or floodway widths in existing flood hazard data provided from FEMA. Such preliminary data may be subject to change and / or appeal to FEMA.

D. The Director shall make interpretations, where needed, as to the exact location of the flood boundaries and areas of special flood hazard.

E. Where a map boundary showing an area of special flood hazard and field elevations disagree, the base flood elevations or flood protection elevations (as found on an elevation profile, floodway data table, established high water marks, etc.) shall prevail.

Section 13. That the existing Section 3385.04 of the Columbus City Codes, 1959, is hereby amended to read as follows:

3385.04 Basis for establishing the Special Flood Hazard Areas ~~areas of special flood hazard~~.

The Special Flood Hazard Areas ~~areas of special flood hazard~~ have been identified by the Federal Emergency Management Agency in scientific and engineering reports entitled “Flood Insurance Study, Franklin County, Ohio and Incorporated Areas”, dated April 21, 1999, “Flood Insurance Study”, Delaware County, Ohio, and Incorporated Areas” dated April 21, 1999, and the “Flood Insurance Study, Fairfield County, Ohio” dated April 17, 1996. These studies, or successor studies, with accompanying Flood Boundary and Floodway Maps and/or Flood Insurance Rate Maps (FIRM), and any revisions thereto are hereby adopted by reference and declared to be part of the Columbus City Codes. These ~~The~~ Flood Insurance Studies ~~Study~~ are on file with the Department of Development ~~department of Trade and development~~ and are available for public inspection.

Section 14. That the existing Section 3385.045 of the Columbus City Codes, 1959, is hereby amended to read as follows:

3385.045 Alteration of Boundaries ~~Flood plain boundary changes~~

The Director shall notify FEMA in writing whenever the boundaries of the City of Columbus have been modified by annexation or the City has assumed authority over an area, or no longer has authority to adopt and enforce floodplain management regulations for a particular area.

~~The delineation of the flood plain may be revised by the Administrator where natural or man-made changes have occurred and/or more detailed studies conducted or undertaken by a federal, state, local or other qualified agency or where individual documents support such changes. However, prior to any such change, approval shall be obtained from the Federal Emergency Management Agency.~~

Section 15. That the existing Section 3385.05 of the Columbus City Codes, 1959, is hereby amended to read as follows:

3385.05 Use of other base flood elevation and floodway data. ~~Delineation of floodway and floodway fringe overlay.~~

Special Flood Hazard Areas where base flood elevation data have not been provided by the Federal Emergency Management Agency are designated as Zone A on the Flood Insurance Rate Map. Within these areas, the Director shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a federal, state, or other source, including data obtained under other provisions of this chapter; and where floodway data are available, administer all of the provisions of the Columbus City Codes.

All activities, development, and/or uses proposed in Special Flood Hazard Areas where the Flood Insurance Study provides base flood elevation data as set forth in this Chapter, but no floodways have been designated, shall be reviewed and approved before a Certificate of Zoning Clearance is issued. The Certificate shall only be issued after it is demonstrated that the cumulative effect of any proposal, combined with all other existing and anticipated activities, development, and/or uses shall not increase the water surface elevation of the base flood more than 1/2 foot at any point. The selection of the floodway overlay shall be based on the principle that the area chosen for the floodway must be sufficient to carry the waters of the base flood without increasing the water surface elevation of that flood more than one-half (1/2) foot at any point within the watercourse. This floodway overlay designation is established on the FIRM.

The landward boundary of the floodway fringe overlay shall be that of the base flood. The channelward boundary of the floodway fringe overlay shall be that of the abutting floodway.

Section 16. That the existing Section 3385.06 of the Columbus City Codes, 1959, is hereby amended to read as follows:

3385.06 Duties of the Director pertaining to Floodplain Development Regulations
Availability of maps delineating flood plain.

The Director shall grant or deny certificate of zoning clearance applications in accordance with all provisions of the Columbus City Codes. The duties and responsibilities of the Director may include:

A. Reviewing certificate of zoning clearance applications to determine that requirements of this Columbus City Code have been satisfied;

B. Reviewing certificate of zoning clearance applications to assure that they contain the necessary permits from authorized federal, state or local governmental reviewing agencies. It is the applicant's responsibility for obtaining the necessary permits.

C. Reviewing certificate of zoning clearance applications to determine if the proposed development is located within a designated floodway and assure that encroachment provisions of this Chapter are met for development proposed in the floodway.

D. Causing the inspection by an applicant of development projects before, during, and after construction to ensure compliance with all provisions of the Columbus City Codes.

E. Causing the notification, by an applicant, of adjacent communities, the U.S. Army Corps of Engineers, and the Ohio Department of Natural Resources, Division of Water, prior to any alteration or relocation of a watercourse, and submitting evidence of such notification to the Federal Emergency Management Agency. A watercourse is considered altered if any change occurs within its banks.

F. Maintaining submitted engineering documentation that the flood carrying capacity of the altered or relocated portion of said watercourse shall not be diminished.

G. Requiring the maintenance necessary to assure the flood carrying capacity of altered or relocated portions of watercourses is not diminished.

H. Using elevations delineated in the flood elevation profile from the Flood Insurance Study, interpret special flood hazard area boundary locations in instances of conflict between mapped boundaries and actual field conditions.

~~The Administrator shall make available and maintain information as to the flood plain which will provide descriptive data delineating the floodway and floodway fringe overlay boundaries along the major watercourses within the City by which the location of individual properties can be determined in relation to the flood plain.~~

~~To further facilitate the implementation of Flood Plain Development Regulations, the landward boundary of the flood plain shall be delineated on the Zoning Map to provide notice that the properties within the flood plain are subject to qualifications and restrictions in addition to those of the underlying zoning district.~~

~~The location of the boundary of the overlays shall be delimited by the Administrator for each certificate application regarding the floodway and floodway fringe by applying the appropriate flood profile and FIRM to site surveys as submitted in accordance with this chapter. Where these sources disagree, the elevations delineated in the flood profile shall prevail.~~

Section 17. That the existing Section 3385.07 of the Columbus City Codes, 1959, is hereby amended to read as follows:

3385.07 Activities, development, and uses in the floodway Uses permitted in the floodway.

If permitted by the underlying zoning district or council variance, any one or more of the following may be allowed:

A. Reforestation, wetland restoration or banking, and conservation projects;

B. Recreation trails, passive recreational use, and access thereto;

C. Bridges when constructed above the flood protection elevation or as approved by FEMA, storm water outfall, underground utility crossings, streets and railroads not requiring fill, and stream crossings;

D. Temporary construction activity only for the maintenance and/or repair of permitted activities, development, and/or uses and;

Within the floodway, no building, structure or premises shall be used, and no building or structure shall be erected which is designed to be used for human habitation.

~~Within a floodway, no buildings or structures shall be used and no buildings or structures shall be erected, constructed, altered, or enlarged for any purpose and no premises shall be used which are arranged, intended, or designed to be used for other than one of the following uses as permitted by the underlying zoning district:~~

~~(1) Agricultural use;~~

~~(2) Public or private recreational use;~~

~~(3) Public or private water-oriented facility for recreational or navigational use and water measuring and control device;~~

~~(4) Public utility such as an underground culvert or pipe, street or railroad not requiring fill, and watercourse crossing bridge or transmission line above the flood protection elevation.~~

~~No fill, new construction, substantial improvement, or other development shall be permitted in the floodway unless a technical evaluation demonstrates that the same~~

~~shall not result in any increase in flood levels during the occurrence of the base flood discharge as certified by a registered professional engineer or architect.~~

~~Any building expansion or structure in addition to being floodproofed in accordance with Chapter 4175 and C.C. 4113 shall meet the following requirements:~~

- ~~(a) Have a low flood damage potential;~~
- ~~(b) Be located on the site outside the floodway whenever possible;~~
- ~~(c) Be aligned so as to minimize its potential as a floodway obstruction;~~
- ~~(d) Minimize the barrier effect of appurtenant works such as fences and walls; and~~
- ~~(e) Maintain the terrain.~~

Section 18. That the existing Section 3385.08 of the Columbus City Codes, 1959, is hereby amended to read as follows:

3385.08 Standards and requirements for activities, development, and uses in the floodway ~~Prohibited uses in the floodway.~~

A. Any activity, development, and/or uses specified in C.C. Section 3385.07 shall comply with all applicable flood hazard reduction provisions of the Columbus City Codes, and also shall be designed to:

1. Have low flood damage potential;
2. Be located as far to the outside of the floodway as possible;
3. Be aligned so as to minimize its potential as a floodway obstruction;
4. Minimize the barrier effect of items such as fences and walls; and
5. Minimize disturbance to the terrain.

B. A person seeking to do any activity, development, or initiate a use specified in C.C. Section 3385.07 that would not result in an increase in base flood elevations during the occurrence of the base flood discharge shall first submit the following minimum documentation for review and approval before a Certificate of Zoning Clearance is issued:

1. A plan detailing the activity, development, and/or use, which shall receive approval by the respective city department staff reviewer, and
2. A hydrologic and hydraulic analysis performed by a certified or registered professional engineer in accordance with standard engineering practices demonstrating that an increase in base flood elevations during the occurrence of the base flood discharge would not result.

C. A person seeking to do any activity, development, and/or use specified in C.C. Section 3385.07 that would result in an increase in base flood elevations during the occurrence of the base flood discharge shall first submit the following minimum documentation for review and approval before a Certificate of Zoning Clearance is issued:

1. Documentation that the activity, development, and/or use, has been approved by the Federal Emergency Management Agency when required. Such requests and associated documentation shall also be submitted to the Director. All requests shall be submitted in the manner prescribed by the Federal Emergency Management Agency and shall meet requirements of the National Flood Insurance Program;
2. A hydrologic and hydraulic analysis performed by a certified or registered professional engineer in accordance with standard engineering practices demonstrating what increase in base flood elevations during the occurrence of the base flood discharge would result;

3. An evaluation of alternatives which would not result in increased base flood elevations and an explanation why these alternatives are not feasible and a certification that no structures are located in areas which would be impacted by the increased base flood elevation.

~~Within the floodway no building, structure or premises shall be used, and no building or structure shall be erected which is designed to be used for overnight accommodations by human habitants.~~

~~Any alteration of the terrain through the shifting, addition, or removal of material is prohibited.~~

Section 19. That the existing Section 3385.09 of the Columbus City Codes, 1959, is hereby amended to read as follows:

3385.09 **Standards and requirements for activities, development, and uses** ~~Uses permitted in the floodway fringe.~~

A. Any activity, development, and/or use expressly permitted by the underlying zoning district is also permitted in the floodway fringe provided it complies with all standards of the Columbus City Codes. In floodway fringe areas where base flood elevation data are not available from any source, identified as Zone AO on the Flood Insurance Rate Map, the lowest floor of any new construction or substantial improvement of any building or structure shall be elevated at least 2 feet above the highest adjacent natural grade.

~~B. Any existing or new building, structure or development that is entirely within or partially within the floodway fringe shall be erected, arranged, or designed to be used as specified by the underlying zoning district and in accordance with the following specifications:-~~

~~(A)1. Residential. Each new construction, of a residential building or substantial improvement of an existing residential building shall be elevated such that the lowest floor is equal to or above the flood protection elevation for the site. A residential building shall have a means of ingress and egress to land outside the flood plain that is equal to or above the flood protection base flood elevation and substantial enough for pedestrian access during a base flood within the subject site.~~

~~(B)2. Commercial, manufacturing, and other new Manufacturing, and Other. New construction of, or substantial improvement to, of any building, structure, or appurtenant work shall:~~

~~a. Be elevated such that the lowest floor or level is equal to or above the flood protection elevation for the site; be as provided for in (A) hereinabove or~~

~~b. Together together with attendant utility and sanitary facilities, shall be flood proofed as provided in C.C. Chapter 4175 and C.C. 4113 to a point at equal to or above the flood protection elevation.~~

~~Accessory land uses such as yards, railroad tracks, and parking lots may be at lower elevations.~~

~~(C)3. New public streets Public Streets. Public streets shall be at a point equal to or above the flood protection elevation, or in developed areas shall meet the maximum elevation already established. Resurfacing and replacement of pavement sections is permitted to maintain the existing elevations.~~

~~(D)4. Pipes, railroads, transmission lines, pipes, well fields and related facilities Railroads, Transmission Lines, Pipes, Well Fields and Related Facilities. Protection must be elevated to a point equal to or above the flood protection elevation shall be provided where failure or interruption of these public facilities would result in danger to~~

the public health or safety or where such facilities are essential to the orderly functioning of the area.

~~(E)5.~~ Storage of material ~~Material~~. ~~Material~~ that, in time of flooding, is buoyant, flammable, explosive, or could be injurious to human, animal or plant life shall be stored at or above the flood protection elevation, flood proofed, or protected by structural measures consistent with the standards set forth in **C.C. Chapter 4175** and ~~C.C. 4113~~.

~~(F)6.~~ Utilities. ~~Any new or replacement~~ water supply system or sanitary sewage system shall be designed to minimize or eliminate infiltration of flood waters into the system. Any new or replacement sanitary sewage system shall also be designed to minimize discharge from the system into flood waters. An on-site waste disposal system shall be located so as to avoid impairment to it or contamination from it during flooding.

C. An accessory structure, including but not limited to a garage, storage building, or deck may be constructed in the floodway fringe below the flood protection elevation and without dry flood proofing provided the accessory structure:

1. Is in compliance with the provisions of the underlying zoning district;
2. Is constructed of flood resistant materials;
3. Is constructed with approved openings and located to minimize resistance to floodwater flow;
4. Is firmly anchored to prevent flotation;
5. Is designed in accordance with **C.C. Chapter 4175**;
6. Is not used for human habitation;
7. Does not contain more than 720 square feet of gross floor area; and
8. Has all service facilities including electrical, heating and mechanical equipment elevated or flood proofed to or above the base flood elevation.

Section 20. That the existing Section 3385.10 of the Columbus City Codes, 1959, is hereby amended to read as follows:

3385.10 Fill and Grading Prohibited uses in the floodway fringe.

Filling may be allowed in the floodway fringe only if associated with a grade and fill plan. The grade and fill plan shall be fully detailed and submitted as part of an application for a Certificate of Zoning Clearance. Fill shall not be placed until after the Certificate of Zoning Clearance has been issued for grading and filling.

Regardless of any determination issued by FEMA to remove an area filled as permitted and approved from the designated Special Flood Hazard Area (SFHA), development within that area of fill shall be constructed with the lowest floor level, excluding a basement or crawl space, at or above the Flood Protection Elevation.

The lowest grade adjacent to a building or structure to be constructed within the designated fill area shall be at or above the flood protection elevation, with that grade elevation to extend at least 20 feet from the proposed building towards the floodway or flooding source.

In addition, a residential dwelling within the designated fill area must have a means of ingress and egress at or above the base flood elevation that extends continuously from the dwelling to a location outside the special flood hazard area within the subject site.

~~Landfill is prohibited in the floodway fringe unless associated with a specific site development the extent of which shall be fully detailed on the application for a Certificate of Zoning Clearance and the certificate issued therefor.~~

Section 21. That the existing Section 3385.11 of the Columbus City Codes, 1959, is hereby amended to read as follows:

3385.11 Certificate of Zoning Clearance required for development in Special Flood Hazard Areas the flood plain.

A certificate of zoning clearance is required prior to the commencement of any activity, development and/or use in Special Flood Hazard Areas.

~~Within the floodway or floodway fringe, no building or structure shall be erected, newly constructed, substantially improved, altered or enlarged and no development or placement of use shall occur except upon the issuance of a Certificate of Zoning Clearance by the Administrator.~~

Section 22. That the existing Section 3385.12 of the Columbus City Codes, 1959, is hereby amended to read as follows:

3385.12 Application for a Certificate of Zoning Clearance, zoning clearance.

An application for a certificate of zoning clearance shall be submitted to the ~~administrator~~ Department. The application shall contain at least the following information documentation, certified by a professional engineer or architect registered in the state of Ohio, in addition to that required by C.C. 3305.02:

A. (A) Four (4) copies of a A current survey of the property with a maximum contour interval of two (2) feet, which shall be submitted on a base map plotted at the same scale as the site plan. A smaller contour interval may be required to accurately delineate delimit the floodway and floodway fringe boundaries and base flood elevation data with direction to flooding source;

B. (B) In addition to the information provided for the a building permit, the following information shall be provided where base flood elevation data are utilized within areas of special flood hazard areas designated on the Flood Insurance Rate Maps zoning map as a flood hazard district, regardless of the data source of such data:

1.-(1) The area, depth, location and quantity location and quantity as to area covered and depths of all proposed fill and/or excavation;

2.-(2) The actual elevation in relation to mean sea level of the lowest floor of each new construction or substantial improvement of a building or structure, and whether or not such building or structure contains a basement all proposed buildings and structures located in special flood hazard areas;

3.-(3) Specifications for building construction and materials and flood proofing procedures as required by C.C. 4113 the Columbus City Codes;

4.-(4) The location and description of existing or proposed storage of materials;

5.-(5) The location and description of existing and proposed drainage facilities;

6.-(6) For each new construction or substantial improvement of a floodproofed building or structure, verify and record the actual elevation (in relation to mean sea level) to which the building or structure is to be flood proofed and maintain the flood proofing certification required;

~~(7) The site survey and site plan shall be submitted on base maps of the same scale, which must be a minimum of one (1) inch equals two hundred (200) feet.~~

7. Certification by a registered professional engineer or architect that the proposed flood proofing methods for any building or structure meets meet the flood

proofing criteria of ~~Chapters 3385 and 4175 and of C.C. 4113~~ shall accompany the application. ~~the Columbus City Codes,~~

8. Description of the extent to which any watercourse shall be altered or relocated as a result of the proposed development and certification by a registered professional engineer that the flood carrying capacity of the watercourse shall not be diminished,

9. Any additional information deemed necessary for the project review.

C. ~~(C)~~ For development proposed within the floodway, ~~The the~~ following additional information may be requested by the Director administrator for review by an approved technical institute or other governmental agency as set forth in C.C. 3385.13 for development proposed within the floodway:

1. ~~(1)~~ A representative cross-section of the flood plain perpendicular to the direction of flow, showing the usual channel of the watercourse and the elevation of land areas adjoining each side of the channel of the watercourse within the designated flood plain;

2. ~~(2)~~ Photographs of the site topography, looking both upstream and downstream from the development site, which show the usual channel and adjacent areas within the flood plain;

3. ~~(3)~~ Locations ~~The locations~~ and descriptions of any existing or proposed floodway obstruction in the vicinity of the site

4. Any additional information deemed necessary for the project review.

~~(D)~~ ~~Statement that applicant has obtained or will obtain all necessary permits required by state or federal law.~~

Section 23. That the existing Section 3385.13 of the Columbus City Codes, 1959, is hereby amended to read as follows:

3385.13 Information to be obtained and maintained by the Department Review by an approved technical institute or governmental agency.

Where base flood elevation data are utilized within special flood hazard areas on the City of Columbus' Flood Insurance Rate Map, regardless of the data source, the Director shall maintain records submitted by the applicant as follows:

A. For all new or substantially improved residential structures, obtain and record the actual elevations in relation to mean sea level of the lowest floor, including basement and record whether or not such structures contain an enclosure below the lowest floor;

B. For all new or substantially improved nonresidential structures:

1. Verify and record the actual elevation (in relation to mean sea level) to which the structure was flood proofed; and,

2. Maintain the flood proofing certificates required by City Code; and

C. For all structures, maintain all records pertaining to the provisions of this Chapter, including Flood Insurance Rate Maps and Flood Boundary and Floodway Maps, Conditional Letters of Map Revision, Letters of Map Revision, Letters of Map Amendment, as-built elevations, base flood elevation data, exemptions and variance documentation.

~~Where an application for a Certificate of Zoning Clearance is for construction or substantial improvement of a new building or structure or an enlargement of an existing building or structure in the floodway, the Administrator, when necessary, may submit a copy of the accompanying site plan~~

~~and specifications to a technical institute or other governmental agency approved by the Administrator as competent to analyze and evaluate the impact of the proposed building or structure on the floodway. The technical institute or governmental agency shall make an analysis and report on the increase in the flood water surface elevation as a result of the proposed building or structure and means by which the impact of the building or structure could be minimized. Where there is a fee required by the aforementioned technical institute or governmental agency, the analysis and report shall be made at the expense of the applicant. The report and recommendations for or against approval of the site plans and specifications or for modification thereof shall be submitted to the Administrator.~~

Section 24. That the existing Section 3385.14 of the Columbus City Codes, 1959, is hereby amended to read as follows:

3385.14 Computation of density.

~~Dwelling units shall not be permitted in the floodway. However, in any residential, apartment residential or mobile home park district, or in any residential portion of a planned district, That that portion of a parcel located in the floodway and any undeveloped portions of the floodway and/or floodway fringe may be included in computing the density permitted by the particular underlying residential, apartment residential, mobile home park or any residential portion of a planned zoning district, subject to any other zoning district and/or overlay provision. The resulting increase in density permitted on that portion of the parcel located outside of the floodway or floodway fringe shall be limited by all other requirements for the underlying zoning district.~~

Section 25. That the existing Section 3385.15 of the Columbus City Codes, 1959, is hereby amended to read as follows:

3385.15 Exemptions in the Floodway fringe ~~Actions on application.~~

An exemption may be issued by the Director for the reconstruction, rehabilitation or restoration to improve an existing building or structure in the floodway fringe if:

A. The project cost is less than 50% of the market value of the structures as documented by submission of a licensed contractor's or occupying home owner's written estimate for the project's cost and either a certified appraisal by a licensed appraiser of the market value of the structure or the appropriate County Auditor's Office market figure.

B. The project is being undertaken to correct existing violations of state or local health, sanitary, safety, and building codes as identified by the Department, prior to the development permit application and which are the minimum necessary to assure safe living conditions. This requires submission of:

1. The documentation required in part A. of this section; and
2. A copy of the applicable code order.

C. The project involves reconstruction, rehabilitation, or restoration of a designated historic structure. This requires the submission of:

1. The documentation required in part A. of this section; and
2. A statement from the City of Columbus Historic Preservation Office that the structure is listed on the Columbus Register of Historic Properties or a statement from the Ohio Historic Preservation Office that the structure is listed on the National Register of Historic Places, State Registry of

Archaeological Landmarks, State Registry of Architectural Landmarks, or
State Inventory of Historic Places.

Written notice shall be given to an applicant to whom an exemption is granted stating that the project shall be permitted but the cost of flood insurance shall be commensurate with the increased risk resulting from the reduced floor elevation.

~~The Administrator shall administer and implement this chapter by receiving and reviewing each properly prepared application for a certificate, by applying the provisions of this chapter thereto, and by granting or denying same. The Administrator shall request that the building inspector review the site plan submitted with each application to determine whether a proposed building, structure or alteration to a building or structure complies with Chapter 4175 and C.C. 4113. After receipt of the building inspector's approval and any recommendation of a technical institute or other governmental agency, when applicable, if the Administrator finds that the proposal meets the requirements of this chapter as to flood plain development and of this Zoning Code as to the district in which it is located, then he shall issue a certificate of zoning clearance therefor. The Administrator shall maintain a record of all information obtained regarding uses and elevations in the flood plain.~~

Section 26. That the existing Section 3385.16 of the Columbus City Codes, 1959, is hereby amended to read as follows:

3385.16 **Variances to the required flood protection elevation. Exceptions to the floodway fringe**

~~An exception shall not be issued within any designated floodway if an increase in flood levels during the base flood discharge would result.~~

~~Generally, an exception may be issued for new construction or substantial improvements to be erected on a lot of one-half (1/2) acre or less in size contiguous to and surrounded by lots with existing buildings constructed below the flood protection elevation, providing all items (A) through (K) below have been fully considered. As the lot size increases beyond one-half (1/2) acre, the technical justification required for issuing the exemption increases.~~

~~The Administrator shall hear and decide requests for exception from the provisions of this chapter for sites located within the floodway fringe.~~

~~In passing upon a request for an exception, the Administrator shall consider all technical evaluations, relevant factors and standards specified in this Zoning Code together with:~~

The Columbus Board of Zoning Adjustment is empowered to hear and decide requests for variances to the provisions of the Zoning Code for a site located within a Special Flood Hazard Area and may grant a variance for construction below the flood protection elevation only upon determination that:

- A.** For variance requests in the floodway fringe:
 1. The variance is the minimum necessary to afford relief,
 2. There is good and sufficient cause for the variance,
 3. The failure to grant a variance would result in an unusual hardship to the applicant,
 4. The variance shall not result in increased base flood levels,
 5. The variance shall not result in any additional threat to public safety, extraordinary public expense, creation of a nuisance, create fraud on or victimize the public, or conflict with existing city codes or ordinances,
 6. The activity, development, and/or use is protected by methods to minimize flood damage,
 7. All conditions listed in part C. of this section are addressed.

B. For variance requests in the floodway:

- 1.** All conditions listed in parts A. and C. of this section are addressed; and
- 2.** Prior approval by FEMA is included if the activity, development, and/or use would result in an increase in base flood levels.

C. All required technical evaluations, relevant factors, and standards specified in this Zoning Code are submitted in a report form to address:

- (A) **1.** The danger that materials may be swept onto other lands,
- (B) **2.** The danger to life and property due to flooding or erosion damage,
- (C) **3.** The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner,
- (D) **4.** The safety of vehicular access to the property in times of flood for ordinary and emergency vehicles,
- (E) **5.** The costs of providing governmental services during and after floods including maintenance and repair of public utilities and facilities such as electrical, gas, sewer, and water systems; streets and bridges,
- (F) **6.** The availability of alternative locations for the proposed use, which are not subject to flooding or erosion damage,
- (G) **7.** The compatibility of the proposed use with existing and anticipated development,
- (H) **8.** The relationship of the proposed use to the city-sanctioned plans and flood plain management programs for that area;
- (I) **9.** The importance of the services provided by the proposed facility to the city,
- (J) **10.** The necessity to the facility of a waterfront location, where applicable; and
- (K) **11.** The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effect of wave action, if applicable, expected at the site.

~~Conditions deemed necessary to further the purpose of this chapter may be attached to any exception so granted.~~

~~An exception may be issued for the reconstruction, rehabilitation or restoration of a building or structure listed on the National Register of Historic Places, the State Registry of Archaeological Landmarks, the State Registry of Architectural Landmarks, the State Inventory of Historic Places, or the Columbus Register of Historic Properties without regard to the procedures set forth in this section. An exception shall only be issued upon:~~

- ~~(1) a determination that the exception is the minimum necessary, considering the flood hazard, to afford relief;~~
- ~~(2) a showing of good and sufficient cause;~~
- ~~(3) a determination that failure to grant the exception would result in unusual hardship to the applicant; and~~

~~(4) a determination that the granting of an exception will not result in increased flood height beyond that which is allowed in this chapter, additional threat to public safety, extraordinary public expense, creation of a nuisance, or the causing of fraud on or victimization of the public or conflict with existing city codes or ordinances.~~

~~Any applicant to whom an exception is granted shall be given written notice that the building or structure construction will be permitted to be built with a lowest floor elevation below the flood protection elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.~~

~~The Administrator shall maintain a record of all exceptions issued hereunder and report same to the Federal Emergency Management Agency upon request.~~

The Director may request other data and documentation as a condition to the granting of a variance to flood plain development regulations, as he deems necessary to further the purpose of this Chapter and to assure compliance with other City Codes.

Written notice shall be given to an applicant to whom a variance is granted stating that construction shall be permitted with a lowest floor elevation below the flood protection elevation but the cost of flood insurance shall be commensurate with the increased risk resulting from the reduced floor elevation.

Section 27. That the existing Section 3385.165 of the Columbus City Codes, 1959, is hereby amended to read as follows:

3385.165 Manufactured homes and recreational vehicles Accessory structures

The following standards apply to all new and substantially improved manufactured homes not subject to the manufactured home park requirements of Section 3733.01 of the Ohio Revised Code and all recreational vehicles that are either located on sites for 180 days or more, or are not fully licensed and ready for highway use, that are located in a special flood hazard area:

A. Shall be permitted and anchored in accordance with the provisions of the Columbus Building Code, Flood Plain Construction Chapter.

B. Shall be elevated on a permanent foundation such that the lowest floor is at or above the flood protection elevation.

~~An exemption to the elevation or dry floodproofing standards may be granted for accessory structure (e.g., sheds, detached garages) containing 576 square feet or less in gross floor area. Such structures must meet the provisions of C.C. 3385.07 and following additional standards:~~

~~(A) — It shall not be used for human habitation;~~

~~(B) — It shall be designed to have low flood damage potential;~~

~~(C) — It shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of flood waters;~~

~~(D) — It shall be firmly anchored to prevent flotation;~~

~~(E) — Service facilities such as electrical and heating equipment shall be elevated or flood proofed.~~

Section 28. That the existing Section 3385.17 of the Columbus City Codes, 1959, is hereby amended to read as follows:

3385.17 Warning and disclaimer of liability.

The degree of flood protection required by ~~this chapter~~ the Columbus City Codes is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can ~~and will~~ occur on rare occasions. Flood height may be increased by man-made or natural causes. This chapter does not imply that land outside the ~~flood plain special flood hazard areas or activities, development and/or uses permitted within such areas~~ shall will be free from flooding or flood damage. This chapter ~~shall~~ does not create ~~no~~ liability on the part of the City, any officer or employee thereof or the Federal Insurance Administration, for any flood damage that results from reliance on this chapter or any lawfully made administrative decision or variance granted by the Board of Zoning Adjustments lawfully made thereunder.

Section 29. That the existing Section 3385.18 of the Columbus City Codes, 1959, is hereby amended to read as follows:

3385.18 Enforcement.

The Director Administrator shall investigate all complaints, issue notices of violation and orders for relief, and enforce the provisions of this chapter.

The Director Administrator may, at any time, during or after action on application for a certificate of zoning clearance, physically examine the site and any building, structure or development in the flood plain for compliance with this chapter.

~~Violation is described and prohibited at C.C. 3305.09. Penalties are prescribed at C.C. 3305.99.~~

Section 30. That the existing Section 4175.01 of the Columbus City Codes, 1959, is hereby amended to read as follows:

4175.01 Scope.

This chapter of the Columbus Building Code shall include in its entirety and as changed from time to time, ~~OBBC Section 1313.0, "Flood resistant construction."~~ Ohio Building Code (OBC) Section 1612 FLOOD LOADS. The following revisions and additions apply to this chapter.

Section 31. That the existing Section 4175.02 of the Columbus City Codes, 1959, is hereby amended to read as follows:

4175.02 Definitions.

For the purpose of Flood Plain Development only, the following terms, phrases, words and their derivations shall have the meaning given herein. Other terms used in this Chapter may be defined in C.C. Chapters 3303, 3311, 3385, and 4101. For the purpose of flood plain development only, where a conflict occurs, the most restrictive definition takes precedence.

Where not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular include the plural number.

(A) "Area of shallow flooding" means a designated AO or AH zone on a community's Flood Insurance Rate Map (FIRM) with a one percent 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.

(B) "Area of Special Flood Hazard" [See: "Special Flood Hazard Area".]

(C) "Base flood" means the flood having a one percent (1%) chance of being equaled or exceeded in any given year. The base flood may also be referred to as the one hundred (100) year flood

(D) "Base flood elevation" means the projected water surface level, measured from mean sea level, at any given point in a base flood.

(E) "Basement" means any area of the building having its floor sub grade (below ground level) on all sides.

(F) "Development" means any man-made change to improved or unimproved real estate, including but not limited to buildings or structures, mining, dredging, filling, grading, paving, excavating or drilling operations or storage of equipment or materials.

(G) "Federal Emergency Management Agency" or "FEMA" means the agency with the overall responsibility for administering the National Flood Insurance Program.

(H) "Fill" means a deposit of earth material placed by artificial means.

(A) "Flood or flooding" means a general and temporary condition of partial or complete inundation of normally dry areas from:

- (1) The overflow of a watercourse; and/or
- (2) The unusual and rapid accumulation or runoff of surface waters from any source.

~~"Base flood" means the 100-year recurrence interval flood as shown on the flood profile and the Flood Boundary and Floodway Map; that flood, having a one percent (1%) chance of being equaled or exceeded in any given year, which defines the flood plain.~~

~~(BJ) "Flood plain" or "100-year flood plain [See: "Special Flood Hazard Area".] means a watercourse and its adjacent area subject to inundation by the base flood. The flood plain is composed of the floodway and the floodway fringe, and is the total area subject to Flood Plain Development Regulations.~~

~~(GK) "Flood profile" means any one or all of the cross-sectional profiles of the flood water surface elevations for the base flood (base flood elevations) along the watercourses in the City of Columbus for the base flood, the 100-year recurrence interval flood, as furnished in the Flood Study as amended from time to time and as the same exists at the time application is received, as delineated on the Flood Insurance Rate Map and the Flood Insurance Study.~~

~~(L) "Flood Insurance Rate Map" or "FIRM" means an official map on which the Federal Emergency Management Agency or the U. S. Department of Housing and Urban Development has delineated the area of special flood hazard.~~

~~(M) "Flood Insurance Study" or "FIS" means the official report in which the Federal Emergency Management Agency or the U. S. Department of Housing and Urban Development has provided flood profiles, floodway boundaries, and the water surface elevations of the base flood.~~

~~(DN) "Flood proof" means any structural feature, addition, change or adjustment to a building, structure or property primarily for the reduction or elimination of flood damage to properties, water and sanitary facilities, buildings, structures and contents of buildings.~~

~~(EQ) "Flood protection elevation" means that elevation not less than one and one-half (1 1/2) 1½ feet above the base flood elevation to which uses regulated by the flood plain development regulations Flood Plain Development Regulations are required to be elevated or flood proofed to compensate for the many unknown factors that could contribute to flood elevations greater than that calculated for a base flood.~~

~~(P) "Floodway" means that portion of the "Special Flood Hazard Area," excluding the "floodway fringe," which is the channel of a river or other watercourse and the adjacent land areas that shall be reserved in order to discharge the "base flood" without cumulatively increasing the water surface elevation by more than one-half (½) foot.~~

~~(PQ) "Floodway fringe" means that portion of the "Special Flood Hazard Area," excluding the "floodway," which is subject to inundation by the "base flood" in which development may occur.~~

~~(R) "Floodway obstruction" means any object in, along, across, or projecting into any portion of the floodway which may impede, retard, or change the direction of the flow of~~

water, either in and of itself or by catching or collecting waterborne debris, or that is placed where the flow of water would carry the same downstream to the damage or detriment of life or property.

(S) “Historic Structure” any structure that is:

(1) Listed individually in the National Register of Historic Places (a listing maintained by the U. S. Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listings 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 the State of Ohio’s inventory of historic places maintained by the Ohio Historic Preservation Office; or

(4) Individually listed on the inventory of historic places maintained by the Columbus Register of Historic Properties whose historic preservation program has been certified by the Ohio Historic Preservation Office.

(FT) “Lowest floor” means the lowest floor of the lowest enclosed area (including basement or crawlspace) of a building or structure. 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 built in accordance with the applicable design requirements specified in the Columbus City Codes for enclosures below the lowest floor.

(GU) “New construction” means a structure for which the “start of construction” occurred ~~commenced~~ on or after the initial effective date of ~~this ordinance~~ the City of Columbus’ Flood Insurance Rate Map, and includes any subsequent improvements to such structures.

(V) “Recreational vehicle” means a vehicle that:

(1) Is built on a single chassis; and

(2) Is 400 square feet or less when measured at the largest horizontal projection; and

(3) Is designed to be self-propelled or permanently towable by a light duty truck; and

(4) Is designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

(W) “Special Flood Hazard Area” means a river or other watercourse and its adjacent area subject to inundation by the “base flood.” A “Special Flood Hazard Area” is also known as a “flood plain” or “100-year flood plain” and is composed of the “floodway” and the “floodway fringe.” Special Flood Hazard Areas are designated by the Federal Emergency Management Agency as either Zone A, AE, AH, AO, A1-30, and or A99.

(WX) “Start of construction” means 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 a 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 as 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 a building.

~~(H) — "Structure" for purposes of this chapter only includes a vehicle defined as "manufactured home," "motor home," "recreational vehicle," "travel trailer," or "truck camper" in Revised Code Section 4501.01, when placed on a site for greater than one hundred eighty (180) consecutive~~

(Y) "Substantial damage" means 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 % of the "fair market value" of the structure before the damage occurred. Substantial damage also means flood related damage sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25 % of the "fair market value" of the structure before the damage occurred.

~~(I) "Substantial improvement" means any repair, reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the "fair market value" of the structure either (1) before the "start of construction" of the improvement or repair is started, or (2) if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either (1) any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions, or (2) any alteration of a structure listed on the National Register of Historic Places, the State Registry of Archaeological Landmarks or of Architectural Landmarks, the State Inventory of Historic Places, or the Columbus Register of Historic Properties. This term includes structures that have incurred "substantial damage," regardless of the actual repair work performed. The term "substantial damage," does not include:~~

~~(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 code enforcement official prior to the application for a development permit and which are the minimum necessary to assure safe living conditions;~~

~~(2) Any alteration of a "historic structure" provided that the alteration shall not preclude the structure's continued designation as a "historic structure"; or~~

~~(3) Any improvement to a structure, which is considered new construction.~~

Section 32. That the existing Section 4175.03 of the Columbus City Codes, 1959, is hereby amended to read as follows:

4175.03 Construction documents Plans and permits.

Construction documents (Plans and specifications) and permits for a structure to be located in the special flood hazard area flood plain shall comply with C.C. 4113 in addition to the provisions of this chapter. Permits therefor shall comply with the provisions of C.C. 4113.06 as well as to those of this chapter.

Section 33. That the existing Section 4175.04 of the Columbus City Codes, 1959, is hereby amended to read as follows:

4175.04 Anchoring.

All structures so located that they are exposed to part or all of the flood induced structural hazards that exist within the flood plain shall be designed to withstand the lateral and uplift forces induced by the base flood. The computed uplift pressure shall be resisted by a force exceeding it by one-third (1/3). This stabilizing force may consist wholly of the structure's dead load; supplemented if necessary by earth anchors consisting of piles, caissons, or other methods.

All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.

All manufactured homes, not otherwise regulated by the Ohio Revised Code pertaining to manufactured home parks, shall be anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors.

Where a structure, including its foundation members, is elevated on FEMA approved, compacted fill to or above the flood protection level, the requirements of this Section are satisfied.

Section 34. That the Columbus City Codes, 1959, is hereby supplemented by the enactment of a new Section 4175.041 that reads as follows:

4175.041 Construction materials and methods

All new construction and substantial improvements shall be:

- (A) Constructed with materials resistant to flood damage.
- (B) Constructed using methods and practices that minimize flood damage.
- (C) Constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities designed and/or elevated to prevent water from entering or accumulating within the components during conditions of flooding.

Where a structure, including its foundation members, is elevated on FEMA approved, compacted fill to or above the flood protection elevation, the requirements of this Section are satisfied.

Section 35. That the Columbus City Codes, 1959, is hereby supplemented by the enactment of a new Section 4175.043 that reads as follows:

4175.043 Utilities

The following standards apply to all water supply, sanitary sewerage and waste disposal systems not otherwise regulated by the Ohio Revised Code:

(A) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems.

(B) All new and replacement sanitary sewerage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharge from the systems into floodwaters.

(C) On site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

Section 36. That the existing Section 4175.05 of the Columbus City Codes, 1959, is hereby amended to read as follows:

4175.05 Residential buildings and structures.

~~New construction and substantial improvement of any Residential structures and new buildings, structures or additions to existing buildings, which are intended to provide sleeping accommodations for overnight or longer periods of time,~~ shall comply with the following provisions:

~~(A) Elevation of lowest floor. The elevation of the lowest floor, including basement, shall be no less than the flood protection elevation for the subject building site unless an exception has been issued pursuant to C.C. 3385.16 elevated to or above the flood protection elevation. In Zone AO areas with no elevations specified, the structure shall have the lowest floor, including basement, elevated at least two feet above the highest adjacent natural grade. Adequate drainage paths shall be provided around structures on slopes, to guide flood waters around and away from proposed structures.~~

~~(B) Ingress and egress. All structures shall provide a means of ingress to and egress from land that is at or above the flood protection elevation which shall consist of a walkway connecting all exits from the building and which shall be at or above the flood protection elevation unless an exception has been issued pursuant to C.C. 3385.16. The walkway shall be at least as wide as the total required width of all exits from the building but in no case less than five (5) feet wide. The outside edge of the walkway shall be protected with a handrail or at least an additional fifteen (15) feet of ground surface at or above the flood protection elevation.~~

~~(C) Anchor required. All new construction and substantial improvement shall be anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.~~

~~(D) Flood resistant materials and equipment. All new construction and substantial improvement shall be constructed with materials and utility equipment resistant to flood damage.~~

~~(E) Minimize flood damage. All new construction and substantial improvement shall be constructed using methods and practices that minimize flood damage.~~

~~(F) Service facilities. All new construction and substantial improvement 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.~~

Section 37. That the existing Section 4175.06 of the Columbus City Codes, 1959, is hereby amended to read as follows:

4175.06 Enclosure below ~~base flood elevation~~ the lowest floor.

The following ~~provisions~~ standards apply to any all new or and substantially improved residential and nonresidential, non-basement structures which is are elevated to or above flood protection the flood protection elevation using pilings, columns, or posts or which contains a crawl space. ~~Such structure may enclose the area below the flood protection elevation provided the following conditions are met~~ solid foundation perimeter walls with openings sufficient to allow unimpeded movement of floodwaters. Fully enclosed areas below the lowest floor that are useable 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 shall:

~~(A) — Each fully enclosed area below the flood protection elevation 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 shall:~~

~~(A) (1) Be~~ be certified by a registered professional engineer or architect; or

~~(B) (2) Meet~~ meet or exceed the following criteria:

~~(1) (a) provide a~~ A minimum of two openings is provided having a total net area of not less than one square inch for every square foot of enclosed area that would be subject to flooding; and

~~(2) (b) provide that~~ The bottom of all openings shall be is no higher than one foot above grade; and

~~(3) (c) provide that~~ Openings may be equipped with screens, louvers, valves, or other coverings or devices must permit only if they permit the automatic entry and exit of flood waters.

~~(B) — Any enclosure which meets the above criteria shall be considered as having met the requirements of C.C. 4175.04, Anchoring.~~

Section 38. That the existing Section 4175.07 of the Columbus City Codes, 1959, is hereby amended to read as follows:

4175.07 Nonresidential buildings and structures construction.

~~In addition to the anchoring requirements specified in C.C. 4175.04, all structures so located that they are exposed to part or all of the flood-induced structural hazards that exist within the flood plain together with attendant utility and sanitary facilities shall either have the lowest floor elevated to the flood protection elevation; or comply with the following floodproofing procedures:~~

~~(A) — Protection against scour. Foundations of all structures submerged in flood water shall be protected against scour;~~

~~(B) — Walls. At the flood protection elevation and below, walls shall be watertight and substantially impermeable to the passage of water with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;~~

~~(C) — Protection of electric. The location of all electrical equipment, circuits, and installed electrical appliances shall be protected to the flood protection elevation;~~

~~(D) — Toxic storage. The location of any structural storage facilities for chemicals, explosives, buoyant materials, flammable liquids, or other toxic materials which could be hazardous to public health, safety, and welfare shall be above the flood protection elevation or adequately floodproofed to prevent flotation of storage containers, or damage to storage containers which could result in the escape of toxic material into flood waters.~~

~~(E) — The design and methods of construction shall be certified as in accordance with accepted standards of practice for meeting the standards of this section by a registered professional engineer or architect. Such certification shall be provided to the Administrator.~~
New construction and substantial improvement of any commercial, industrial or other nonresidential structure located in Special Flood Hazard Areas shall either have the lowest floor, including basement, elevated to or above the level of the flood protection elevation; or together with attendant utility and sanitary facilities shall:

(A) Be flood proofed so the structure is watertight with walls substantially impermeable to the passage of water to the level of the flood protection elevation; and

(B) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and

(C) Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the standards of this subsection. Such certification shall be provided to the Director.

In Zone AO areas with no elevations specified, the structure shall have the lowest floor, including basement, elevated at least two feet above the highest adjacent natural grade. Adequate drainage paths shall be provided around structures on slopes, to guide flood waters around and away from proposed structures. Adequate drainage paths shall be provided around structures on slopes, to guide floodwaters around and away from proposed structures.

Section 39. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and immediately after its passage and approval by the Mayor, or ten days after passage if the mayor neither approves nor vetoes the same.