

- Add “No New Construction in the Special Flood Hazard Areas” somewhere. “New construction” is still scattered throughout the ordinance.

SECTION 5-6 - DEVELOPMENT STANDARDS

I. **Non-Residential** - New construction or substantial improvement of any non-residential structure located within:

1. Zone AE shall have the lowest floor (including basement) elevated to at least one foot above the base flood elevation, or together with attendant utility and sanitary facilities shall:
 - a. be floodproofed to at least one foot above the base flood elevation so that below that elevation the structure is watertight with walls substantially impermeable to the passage of water;
 - b. have structural components capable of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy; and,
 - c. be certified by a registered professional engineer or architect that the floodproofing design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this section. Such certification shall be provided with the application for a Flood Hazard Development Permit, as required by Article III.K. and shall include a record of the elevation above mean sea level to which the structure is floodproofed.
2. Zone A shall have the lowest floor (including basement) elevated:

You have this as a new section, J., but it refers to Non-Residential uses, so needs to be 2. This throws off the sections and citations below it.

- a. to at least one foot above the base flood elevation utilizing information obtained pursuant to Article III.H.1.b.(1); Article V.B.; Article VIII.D.; or,

This section, a., has been included in the main section. It should be it's own section.

- b. in the absence of all data described in Article VI.I.2.a., to at least two feet above the highest adjacent grade to the structure; or,
- c. together with attendant utility and sanitary facilities meet the floodproofing standards of Article VI.I.1.a., b., and c.

- Q. **Wharves, Piers, and Docks** - New construction or substantial improvement of wharves, piers, and docks are permitted in Zones A and AE in and over water and shall comply with all applicable local, state, and federal regulations.

This section can be consolidated in your ordinance.

SECTION 5-9 - APPEALS AND VARIANCES

- E. Variances may be issued ~~by the Town~~ for substantial improvements or other development for the conduct of a functionally dependent use, provided that:
- a. Other criteria of Section 5-9 A through C. and **Section 5-6.MK.** are met; and,
 2. The structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.

Note the outline format: a. and 2., should be 1. and 2.

- H. Appeal Procedure for Administrative and Variance Appeals Any applicant who meets the criteria of this Section, paragraphs A through ~~HF~~, shall be notified by the Board of Appeals in writing over the signature of the ~~Chairman~~ of the Board of Appeals that:

This section is still not correct.

SECTION 5-13 - DEFINITIONS APPLICABLE TO CHAPTER

"Floodplain" or "Flood-prone Area" - ~~means~~ any land area susceptible to being inundated by water from any source (see definition of "Flood" or "Flooding").
(see **Flood or Flooding**)