

Amendments to Chapter 1103 Definitions including additions, deletions and modifications required by FEMA.

CHAPTER 1103 Definitions

1103.01 Definitions

“Appeal.” A request for review of the interpretation of any provisions of these regulations or request a variance.

“Base Flood.” 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 percent (1%) chance annual flood or the one hundred (100) year flood.

“Base (100-year) Flood Elevation (BFE).” The water surface elevation of the BASE FLOOD in relation to a specified datum, usually the National Geodetic Vertical Datum of 1929 or the North American Vertical Datum of 1988, and usually expressed in feet mean sea level (MSL). In Zone AO areas, the base flood elevation is the **lowest adjacent** natural GRADE elevation plus the depth number (from 1 to 3 feet).

“Enclosure Below the Lowest Floor.” See “Lowest Floor.”

“FEMA.” **“Federal Emergency Management Agency (FEMA).” The agency with the overall responsibility for administering the National Flood Insurance Program.**

“Flood Hazard Boundary Map (FHBM).” Usually the initial map, produced by the Federal Emergency Management Agency, or U.S. Department of Housing and Urban Development, for a community depicting approximate special flood hazard areas.

“Flood Insurance Risk Zones.” Zone designations on FHBMs and FIRMs that indicate the magnitude of the flood hazard in specific areas of a community. Following are the zone definitions:

- (a) Zone A - SPECIAL FLOOD HAZARD AREAS inundated by the 100-year flood **in any given year**; BASE FLOOD ELEVATIONS are not determined.
- (b) Zones A1-30 and Zone AE - SPECIAL FLOOD HAZARD AREAS inundated by the 100-year flood **in any given year**; BASE FLOOD ELEVATIONS are determined.
- (c) Zone AO - SPECIAL FLOOD HAZARD AREAS inundated by the 100-year flood with flood **in any given year**; depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths are determined.
- (d) Zone AH - SPECIAL FLOOD HAZARD AREAS inundated by the 100-year flood **in any given year**; flood depths of 1 to 3 feet (usually areas of ponding); BASE FLOOD ELEVATIONS are determined.
- (e) Zone A99 - SPECIAL FLOOD HAZARD AREAS inundated by the 100-year flood to be protected from the 100-year flood by a Federal flood protection system under CONSTRUCTION; no BASE FLOOD ELEVATIONS are determined.
- (f) Zone B and Zone X (shaded) - Areas of 500-year flood; areas subject to the 100-year flood with average depths of less than 1 foot or with contributing drainage area less than 1 square mile; and areas protected by levees from the BASE FLOOD.
- (g) Zone C and Zone X (unshaded) - Areas determined to be outside the 500-year floodplain.

“Flood Insurance Study (FIS).” 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 (sometimes shown on FLOOD HAZARD BOUNDARY AND FLOODWAY MAPS), and the water surface elevations of the BASE FLOOD.

“Floodplain.” SPECIAL FLOOD HAZARD AREAS that are subject to periodic inundation. CONSTRUCTION and DEVELOPMENT within the Floodplain requires a Floodplain Development Permit.

“Floodplain Overlay Map or Flood Hazard Boundary Map (FHBM).” Usually the initial map, produced by FEMA or the U.S. Department of Housing and Urban Development (HUD) for a community depicting approximate SPECIAL FLOOD HAZARD AREAS; the City's Floodplain Overlay District Map, as included in the UDO.

“Floodproofing.” Any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structure and their contents.

“Flood Protection Elevation.” The Flood Protection Elevation, or FPE, is the BASE FLOOD ELEVATION plus **one foot** of FREEBOARD. In areas where no BASE FLOOD ELEVATIONS exist from any authoritative source, the flood protection elevation can be historical flood elevations, or BASE FLOOD ELEVATIONS determined and/or approved by the Floodplain Administrator.

“Historic structure.” 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; or**
- (c) **Individually listed on the State of Ohio's inventory of historic places maintained by the Ohio Historic Preservation Office.**
- (d) **Individually listed on the inventory of historic places maintained by the City of Franklin's historic preservation program, which program is certified by the Ohio Historic Preservation Office.**

“Letter of Map Change (LOMC).” A Letter of Map Change is an official FEMA determination, by letter, to amend or revise effective FLOOD INSURANCE RATE MAPS, FLOOD HAZARD BOUNDARY AND FLOODWAY MAPS, and FLOOD INSURANCE STUDIES. LOMC's are broken down into the following categories:

- (a) Letter of Map Amendment (LOMA): A revision based on technical data showing that a property was incorrectly included in a designated SPECIAL FLOOD HAZARD AREA. A LOMA amends the current effective FLOOD INSURANCE RATE MAP and establishes that a specific property is not located in a SPECIAL FLOOD HAZARD AREA.
- (b) Letter of Map Revision (LOMR): A revision based on technical data that, usually due to manmade changes, shows changes to flood zones, flood elevations, floodplain and FLOODWAY delineations, and planimetric features. One common type of LOMR, a LOMR-F, is a determination concerning whether a STRUCTURE or PARCEL has been elevated by FILL above the BASE FLOOD ELEVATION and is, therefore, excluded from a SPECIAL FLOOD HAZARD AREA.
- (c) Conditional Letter of Map Revision (CLOMR): **A comment by FEMA regarding a proposed project that would, upon construction, affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective base flood elevations, or the special flood hazard area.** ~~A formal review and comment by FEMA as to whether a proposed project complies with the minimum NATIONAL FLOOD INSURANCE PROGRAM floodplain management criteria. A CLOMR does not amend or~~

revise effective FLOOD INSURANCE RATE MAPS, FLOOD ~~HAZARD~~ BOUNDARY AND FLOODWAY MAPS, or FLOOD INSURANCE STUDIES.

“Manufactured Home.” A building unit or assembly of closed construction that is fabricated in an off-site facility and constructed in conformance with the federal construction and safety standards established by the secretary of housing and urban development pursuant to the Manufactured Housing Construction and Safety Standards Act of 1974, 88 Stat. 700, 42 USCA 5401, 5403, and that has a permanent label or tag affixed to it, as specified in 42 USCA 5415, certifying compliance with all applicable federal construction and safety standards. **(PER FEMA: A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle". For the purposes of these regulations, a manufactured home includes manufactured homes and mobile homes as defined in Chapter 4781 of the Ohio Revised Code.)**

“Manufactured or Mobile Home Park.” As specified in the Ohio Administrative Code 4781-12-01(K), a manufactured or mobile home park means any tract of land upon which three or more MANUFACTURED HOMES or MOBILE HOMES, used for habitation are parked, either free of charge or for revenue purposes, and includes any roadway, BUILDING, STRUCTURE, VEHICLE, or enclosure used or intended for use as part of the facilities of the park. **A tract of land that is subdivided and the individual lots are not for rent or rented, but are for sale or sold for the purpose of installation of manufactured homes on the lots, is not a manufactured home park, even though three or more manufactured homes are parked thereon, if the roadways are dedicated to the local government authority. Manufactured home park does not include any tract of land solely for the storage or display for sale of manufactured homes.** Manufactured Home Parks and Mobile Home Parks are not permitted under this UDO.

“Mean sea level” For purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

“New Construction.” ~~STRUCTURES for which the START OF CONSTRUCTION commenced on or after the initial effective date of the City of Franklin Flood Insurance Rate Map, effective as of November 5, 1980, and any subsequent amendments thereto, and includes any subsequent improvements to such STRUCTURES.~~ **STRUCTURES for which the "START OF CONSTRUCTION" commenced on or after the effective date of a floodplain regulation adopted by City of Franklin and includes any subsequent improvements to such structures.**

For the purposes of determining insurance rates, structures for which the “start of construction” commenced on or after the effective date of an initial FIRM November 5, 1980 or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures.

“Person.” Any person, firm, partnership, association, corporation, company, or other legal entity, private or public, whether for profit or not-for-profit, including State and local governments and agencies. An agency is further defined **in the Ohio Rev. Code §111.15(A)(2)** as any governmental entity of the State and includes, but is not limited to, any board, department, division, commission, bureau, society, council, institution, State COLLEGE or university, community COLLEGE district, technical COLLEGE district, or State community COLLEGE. Agency does not include the Ohio General Assembly, the State Controlling Board, the Adjutant General's Department or any court (ORC 111.15).

“Registered Professional Architect.” A person registered to engage in the practice of architecture pursuant to Ohio Rev. Code §4703.01 and 4703.19.

“Registered Professional Engineer.” A person registered as a professional engineer pursuant to Ohio Rev. Code Chapter 4733.

“Registered Professional Surveyor.” A person registered as a professional surveyor pursuant to Ohio Rev. Code Chapter 4733.

“Special Flood Hazard Area.” Also known as “Areas of Special Flood Hazard,” it is the land in the floodplain subject to a one percent or greater chance of FLOODING in any given year. Special flood hazard areas are designated by the Federal Emergency Management Agency on FLOOD INSURANCE RATE MAPS, FLOOD INSURANCE STUDIES and FLOOD ~~HAZARD~~ BOUNDARY AND FLOODWAY MAPS as Zones A, AE, AH, AO, A1-30, and A99. Special flood hazard areas may also refer to areas that are flood prone and designated from other federal state or local sources of data including but not limited to historical flood information reflecting high water marks, previous flood inundation areas, and flood prone soils associated with a WATERCOURSE.

“Substantial Damage.” Damage, of any origin, sustained by a STRUCTURE whereby the cost of restoring the STRUCTURE to its “before-damaged” condition would equal or exceed fifty percent (50%) of the **REPLACEMENT COST market value** of the STRUCTURE before the damage occurred.

“Substantial Improvement.” Any reconstruction, rehabilitation, addition, or other improvement of a STRUCTURE, the cost of which equals or exceeds fifty percent (50%) of the **REPLACEMENT COST market value** of the STRUCTURE before the START OF CONSTRUCTION of the improvement. This term includes structures, which have incurred SUBSTANTIAL DAMAGE, regardless of the actual repair work performed. The term does not, however, include:

- (a) ~~Any improvement to a STRUCTURE that is considered NEW CONSTRUCTION;~~
- (b) (a) 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 ~~prior to the APPLICATION for a DEVELOPMENT permit~~ by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
- (c) (b) Any ALTERATION of a HISTORIC STRUCTURE, provided that the ALTERATION would not preclude the structure's continued designation as a HISTORIC STRUCTURE.

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

HISTORY

Amended by Ord. [2018-08](#) on 5/21/2018
Amended by Ord. [2018-19](#) on 11/5/2018
Amended by Ord. [2021-04](#) on /5/2021
Amended by Ord. [2021-06](#) on 5/3/2021
Amended by Ord. [2021-29](#) on 12/6/2021
Amended by Ord. [2022-12](#) on 5/2/2022
Amended by Ord. [2023-01](#) on 3/7/2023
Amended by Ord. [2023-20](#) on 10/9/2023
Amended by Ord. 2024-02 on 3/18/2024
Amended by Ord. 2025-03 on 2/3/2025
Amended by Ord. 2025-06 on 3/17/2025