

**36-533 FH, Flood Hazard District**

(a) *Statutory Authorization. Description and purpose.* The Legislature of the State of Oklahoma has in the Oklahoma Floodplain Management Act, Sections 1601 through 1620.1 of Title 82 of the Oklahoma Statutes, delegated the responsibility, and authorized local governments, to adopt and enforce regulations designed to minimize flood losses within this Flood Hazard District. The FH, Flood Hazard District includes special flood hazard areas which are subject to periodic or occasional flooding during a one-percent chance flood, and for which special regulations are applied in addition to or in combination with other zoning regulations applying to these areas to guide the type and manner of floodplain use so that it is consistent with the land use needs of the City. The City thus declares that it is the purpose of this Flood Hazard District to exercise this delegated authority, to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- (1) Protect human life and health;
- (2) Minimize expenditure of public money for costly flood control projects;
- (3) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (4) Minimize prolonged business interruptions;
- (5) Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;
- (6) Help maintain a stable tax base by providing for the sound use and development of floodprone areas in such a manner as to minimize future flood blight areas;
- (7) Control in special flood hazard areas, uses such as fill dumping, storage of materials, structures, buildings and any other works which, acting alone or in combination with other existing or future uses, would cause damaging flood heights or erosive velocities by obstructing flows and reducing floodplain storage;
- (8) Ensure that potential buyers are notified that property is in a floodprone area;
- (9) Meet the needs of the streams to carry floodwaters and protect the creek channels and floodplains from encroachment so that flood heights and flood damage will not be increased;
- (10) Enhance existing protections for residents, structures, and public facilities from flood damage;
- (11) Preserve floodplain areas for their open space and natural habitat values; and
- (12) Establish provisions and procedures that will provide additional protections for floodplain areas with no net loss of allowable density on affected lots and parcels.

(b) *Methods.* In order to accomplish its purposes, this chapter uses the following methods:

- (1) Restrict or prohibit uses that are dangerous to health, safety or property in times of flood, or cause excessive increases in flood heights or velocities;
- (2) Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- (3) Control the alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accommodation of floodwaters;

- (4) Control filling, grading, dredging and other development which may increase flood damage;
- (5) Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands;
- (6) Require the transfer of structures and buildings from portions of the lot in the floodplain to upland areas out of the floodplain;
- (7) Seek ways to reduce loss of natural floodplain areas and enhance natural and beneficial functions of floodplains in areas facing development.

a. To secure this protection from flooding, the objectives of this section are to ensure the retention of sufficient floodway area to convey flood flows; to designate a minimum flood protection elevation; to reduce the height and violence of floods insofar as such are increased by any artificial obstruction; and to ensure the proper floodproofing of structures subject to flooding. The purpose of the FH, Flood Hazard District is to provide that designated special flood hazard areas are developed only in the interest of the community's general health, safety, and welfare. The FH, Flood Hazard District is not for the purpose of encouraging development in areas of special flood hazard.

b. To further the interest of the community's general health, safety and welfare, any violation of this section shall be deemed to constitute a public nuisance.

c. This chapter is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this chapter and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposed the more stringent restrictions shall prevail.

(c) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

*100-year flood.* (See *One-percent chance flood.*)

*100-year floodplain* means the land area that is inundated by floodwaters during a 100-year flood. See Special flood hazard area.

*500-year flood* means the flood having a 0.2-percent chance of being equaled or exceeded in any given year.

*Accessory structure.* See *Appurtenant structure.*

*Appeal* means a request for a review of the Floodplain Permit Committee's interpretation of any provision of this section, FH, Flood Hazard District.

*Appurtenant structure* means a structure which is on the same parcel of property as the principal structure to be insured and the use of which is incidental to the use of the principal structure.

*Area of shallow flooding* means a designated AO or AH zone on the City's flood insurance rate map (FIRM) with a one-percent chance 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.