



FLOOD PLAIN FREQUENTLY ASKED QUESTIONS

What is a floodplain?

The floodway is an area where the risk of flood damage is from moving floodwater in a channel. No filling or new construction is allowed in the floodway that would create a new obstruction or cause an increase in the elevation of floodwaters. Floodway locations in Salina are adjacent to the channels of the Smoky Hill River, Mulberry Creek and Dry Creek. The floodway fringe is an area where there is localized, shallow flooding caused by pooled or backed up water that has no place to drain. Under Salina's current regulations, new construction is allowed in the floodway fringe provided that the lowest floor and lowest adjacent grade of the structure are at or above the 100 year flood elevation. The updated flood plain management regulations under consideration by the City Commission would increase the building elevation requirement to one (1) foot above the 100 year flood elevation.

What is a Floodway Fringe lot?

A Floodway Fringe lot is a lot in a residential subdivision where it is not clear from the flood plain map whether it is in or out of the flood plain. It may be located on the edge of the flood plain. In these cases, the owner or contractor may submit a grid elevation survey to the Building Services Department to prove that based on its elevation, the lot is not within the 100 year flood plain. If the grid survey shows that all points on the lot are above the 100 year flood plain then Building Services may issue a building permit for a home with a basement. In these cases the contractor needs to follow up with a LOMA application to make sure the owner or future buyer does not have to pay flood insurance based solely upon a local interpretation of the flood map.

What is the 50% rule?

All new construction and substantial improvement and substantial repair of damage to existing buildings must comply with the elevation requirements of the flood plain regulations. "Substantial improvement" means any rehabilitation, addition, or other improvement of a building when the cost of the improvement equals or exceeds 50% of the market value of the building before start of construction of the improvement. This term also includes buildings that have incurred "substantial damage". "Substantial damage" means damage of any origin sustained by a building when the cost of restoring the building to its pre-damaged condition would equal or exceed 50% of the market value of the building before the damage occurred. For example, if an owner or contractor wishes to construct a bedroom addition on an existing home located in the 100 year flood plain, the addition does not have to be elevated as long as the cost of the addition is less than 50% of the value of the home. Conversely, if a \$100,000 home in the flood plain is damaged by fire and it will cost \$75,000 to repair and restore the home then it must be modified to conform to the flood plain regulations.

What is a Flood Plain Development Permit?

You must obtain a flood plain development permit prior to commencing any work in the 100 year flood plain. This includes grading, excavation, filling, residential construction and new construction. To obtain a permit you must complete a permit application. Applications are available at the Planning Department in Room 201 of the City-County Building.

Why was the floodplain map updated by FEMA?

FEMA has embarked on a Flood Map Modernization program, a nationwide effort to update each state's flood hazard maps. The program's goal is to transform the way flood maps are created and accessed by providing flood maps and data for communities nationwide that are more accurate, easier-to-use and readily available. Because Salina's maps are so outdated and because over 2,100 individual map amendments have been issued for Salina, remapping the city and surrounding fringe areas was one of FEMA's top priorities in Kansas. Through a cooperative agreement with the Kansas Department of Agriculture, FEMA initiated a project to update the FIRM for Saline County, Kansas using aerial laser surveys (LIDAR). Consequently, the elevation information on the new maps is much more accurate than the original 1986 maps.

Why does the City Commission have to adopt floodplain management regulations?

Adopting and enforcing floodplain management regulations are a condition of Salina's participation in the National Flood Insurance Program. All text amendments to the Salina Zoning Ordinance are required to be initiated by either the City Commission or the Planning Commission. Then the ordinance must go through the proper public process and be adopted by the City Commission. As the floodplain regulations are a part of the City Code they must be adopted by the City Commission. The Planning Commission initiated the process on January 16, 2018. The Planning Commission, as an advisory body to the City Commission, will review and hold a public hearing for the newly revised floodplain maps and regulation on March 6, 2018. The City Commission is scheduled to take up the issue March 26, 2018 and April 9, 2018. Following final adoption by the City Commission FEMA is notified that the regulations and maps have been adopted.

What are my options if my property has been newly added to the floodplain?

If your property has been newly added to a Special Flood Hazard Area (A Zone) on the new map you must wait until the new maps become effective on April 18, 2018. At that point, if you believe your property has been incorrectly shown in an A Zone, you have the option of hiring a Kansas licensed land surveyor to prepare an elevation survey of your property. If an actual field survey of your property shows that the lowest adjacent grade next to your home is above the Base (100 year) flood elevation shown on the FIRM map you can apply for a Letter of Map Amendment (LOMA) under the new map.

I have a LOMA letter. How can I find out if it will still be valid?

The LOMC Database (Summary of Letters of Map Change) is a listing of all properties with LOMA or LOMRs in the city limits of Salina, and by color code indicates whether or not the LOMA or LOMR has been revalidated on the new FEMA floodplain map. Further information on how to search for a property can be found at <http://salina.govbuilt.us/floodplain>.

How do I know if my property is in a FEMA floodplain?

The Flood Insurance Rate Maps (FIRMS's) produced by FEMA are the most common tool used to identify FEMA floodplain areas. Several areas of flood hazards are identified on the FIRM, including the SFHA. The new FIRM maps adopted in 2018 are available in a digital format. Using this map, a property can be located and floodplain status determination can be made. FEMA maps are kept on file at the City-County Building, Room 205, and may be viewed online.

How does the map work?

The map works much like Google maps. The basic navigational steps are: 1. Visit <http://gis2.kda.ks.gov/gis/saline/>. Once the map comes up on your screen, locate the "Find" box at the top of the screen. 3. Enter the address for the property in question in the find box (example: 1613 Kaci Cir.) 4. If you get more than one result, look closely to be sure you select the correct address. 5. Once the map changes to the location you selected, you can apply the satellite (aerial) layer. In the upper right of your screen is a small box titled "Base maps". Click on the arrow to see the drop down list of items and select (check) "Satellite". Your map will then change to satellite/aerial view. Note the other layer options in this drop down menu. 6. Hover the mouse over the property and then left click the mouse to see Flood Zone Designation. Right click the mouse to see the address, and other information.

Is a FEMA floodplain the only type of floodplain?

No. FEMA only regulates the 100-year floodplain for channels that have watershed (area that drains to them) greater than 1 square mile. Smaller channels, as well as storm sewer systems, also have the potential to cause localized flooding.

If my property isn't in any type of 100-year floodplain, could it still flood?

Yes. Open channels, natural streams and enclosed storm sewer systems might become clogged. Other obstructions, such as landscaping and fences, might change the direction of flow, causing it to be collected into a portion of a system undersized for that flow.

How are flood hazard areas and flood levels determined?

They are determined using statistical analyses of records of river flow and rainfall; information obtained through consultation with the community; topographic surveys; and hydrologic and hydraulic analyses using computer models.

Can the floodplain location change?

Yes. Often the floodplain changes because of development upstream. Sometimes errors are found on the FEMA maps and a revision can change the floodplain boundary. Sometimes drainage way alignments shift, either naturally or by development activities, changing the floodplain boundary. The current FIRM designates the official FEMA floodplain boundary for insurance purposes based on an updated 2017 flood study, but changes to the floodplain map may be made to it in the future.

Does the City require floodplain insurance?

No. It is a federal requirement. The U.S. Congress established the National Flood Insurance Program (NFIP) in 1968. Participation in the NFIP is based on an agreement between local communities and the Federal Government that states if a community will adopt and enforce a floodplain management ordinance to reduce future flood risks to new construction in Special Flood Hazard Areas, the Federal Government will make flood insurance available within the community as a financial protection against flood losses. Flood insurance is usually required by a lender if the borrower has a federally insured mortgage.

What if my lender requires flood insurance but I don't think my property is in the SFHA?

A lender may set requirements for flood insurance that are more stringent than those set by FEMA. If the lender is requiring the insurance to meet mandatory flood insurance purchase requirements, then the property owner and the lender may jointly request that FEMA review the lender's determination. In response, FEMA will issue a Letter of Determination Review (LODR).

When do I need an Elevation Certificate?

The City may require an Elevation Certificate prior to obtaining a Certificate of Occupancy on a new home or commercial building due to floodplain management ordinances, or when an egress window is installed below grade. You may need one if you feel that the flood insurance premium you're given is incorrect. You also may need one if you intend to provide FEMA with documentation showing that the FIRM is incorrect.

I own a residential lot that is in the Floodway Fringe (100 year floodplain). What are my options?

- Option #1.** If you want to build a slab on grade home or home with a crawl space you may apply for and obtain a building permit subject to the condition that the lowest floor and lowest grade next to the foundation is at or above the 100 year flood elevation. An "Elevation Certificate" prepared by a licensed surveyor verifying these elevations must be furnished to the Building Services Department prior to issuance of a Certificate of Occupancy for the dwelling. The updated regulations under consideration by the City Commission would increase the building elevation requirement to one (1) foot above the 100 year flood elevation.
- Option #2.** On lots that are shown to be in the flood plain on the map but are naturally high enough to qualify for a Letter of Map Amendment (LOMA) or can easily be filled in order to qualify for a Letter of Map Revision (LOMR) based on fill, you may construct a home with a basement once the property has been officially removed from the 100 year plain. That means the owner or contractor must apply for and receive a LOMA or LOMR before a permit can be issued for a dwelling with a basement. The Building Services Department cannot issue a building permit for a home with a basement on a flood plain lot until and unless a LOMA or LOMR has been issued. The entire lot must be above the 100 year flood elevation in order to have to basement. LOMA's and LOMR's take 4-6 weeks to process and if an owner or contractor does not wish to wait then a permit can be issued for a home without a basement.
- Option #3.** On lots where there is a defined drainage easement or drainage channel in the backyard that would prevent the entire lot from being removed from the flood plain, the owner may create a separate lot within the lot by legal description and ask that that portion of the lot be removed from the 100 year flood plain. Once a LOMA or LOMR has been received on that portion of the lot, a conventional basement may be constructed on the property. Salina's current flood plain management regulations included an option to construct a floodproofed residential basement. The standard for such a basement were very stringent and this basement exception was never utilized by any builder or property owner. The updated regulations being considered by the City Commission do not include a residential basement exception.

My house has never flooded; why do I have to buy flood insurance?

FEMA maps large floods. It could be that you have not seen this level of flooding yet, but the insurance is designed to protect you in the event that this level of flooding occurs.

What are the rules for detached garages?

Detached garages and other accessory buildings used exclusively for the storage of motor vehicles, and storage of other items readily removable in the event of a flood warning, may have their lowest floor below the base flood elevation provided the structure is designed and constructed to meet the following requirements:

1. Use of the structure must be limited to parking or limited storage and not used for human habitation.
2. The structure must be built using unfinished and flood damage resistant materials.
3. The structure must be adequately anchored to prevent flotation, collapse or lateral movement which may result in damage to other structures.
4. Any mechanical and utility equipment in the structure must be elevated to one (1) foot above the base flood elevation or flood-proofed.
5. The structure shall be constructed and placed on the building site so as to offer the minimum resistance to the flood (flow) of floodwaters.
6. The structure shall not exceed seven hundred twenty (720) square feet. The updated flood plain management regulations under consideration by the City Commission eliminate this exception and would require detached garages to be elevated to one (1) foot above the 100 year flood elevation.

What can I do to get out of the floodplain?

That depends upon the situation. Sometimes nothing can be done. We can check on the LIDAR, which is available in the Desktop GIS to compare to the base flood elevation from the water surface elevation grids or cross sections to see if the property looks like a good candidate for a Letter of Map Amendment. The LIDAR is accurate to plus or minus a foot, so if it is within a foot it is a possibility. The Lowest Adjacent Grade of the home needs to be at or above the base flood elevation to qualify for a LOMA. If there is an elevation certificate, that could be a source of the LAG; if not, the property owner would need to hire a surveyor. Find a surveyor: <http://www.ksls.com>

When is flood insurance required?

Flood insurance is required for structure in high risk zones (starts with A) in the Special Flood Hazard Area for properties with federally backed mortgages.

If the floodplain touches my land but not my structure (house), am I in the floodplain, meaning do I have to buy flood insurance?

No, flood insurance is only required if the floodplain is touching the structure. It is not required if it is only the land. If the lender tries to require flood insurance in this situation, the property owner should tell the lender there is a dispute and ask that it be rechecked. We can provide a map in this situation to help them should this occur. If things cannot be straightened out by this method, the owner can file for a LOMA Out as Shown.