

Division II. Flooding

Chapter 17.54

DEFINITIONS

Albany County

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17.54.010 In general.

Unless specifically defined in this chapter, words or phrases used in this division shall be interpreted so as to give them the meaning they have in common usage and to give this division its most reasonable application. (Ord. 585 § 1 (part), 1979).

17.54.020 Area of shallow flooding.

"Area of shallow flooding" means a designated AO zone on the Flood Insurance Rate Map (FIRM). The base flood depths range from one to three feet; a clearly defined channel does not exist; the path of flooding is unpredictable and indeterminate; and velocity flow may be evident. (Ord. 585 § 1(a), 1979).

17.54.030 Area of special flood hazard.

"Area of special flood hazard" means the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. (Ord. 585 § 1(b), 1979).

17.54.040 Base flood.

"Base flood" means the flood having a one percent chance of being equalled or exceeded in any given year. (Ord. 585 § 1(c), 1979).

17.54.050 Building official.

"Building official" means the city manager or his designated representative. (Ord. 585 § 1(d), 1979).

17.54.060 Code.

"Code" means the Laramie Municipal Code. (Ord. 890 § 1, 1987; Ord. 585 § 1(e), 1979).

17.54.070 Development.

"Development" means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations located within the area of special flood hazard. (Ord. 585 § 1(f), 1979).

17.54.080 Flood or flooding.

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

A. The overflow of waters from existing channels or watercourses;

B. The unusual and rapid accumulation or runoff of surface waters from any source. (Ord. 585 § 1(g), 1979).

17.54.090 Floodway.

"Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot. (Ord. 585 § 1(h), 1979).

17.54.095 Lowest floor.

"Lowest floor" means 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 base-

ment area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable nonelevation design requirements of this division. (Ord. 890 § 2, 1987; Ord. 585 § 1(i), 1979).

17.54.100 Manufactured home.

"Manufactured home" means 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. For floodplain management purposes, "manufactured home" also includes park trailers, travel trailers and similar vehicles placed on a site for greater than one hundred eighty consecutive days. For insurance purposes, "manufactured home" does not include park trailers, travel trailers and other similar vehicles. (Ord. 890 § 4, 1987; Ord. 585 § 1(k), 1979).

17.54.105 Manufactured home park or subdivision.

"Manufactured home park or subdivision" means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale. (Ord. 890 § 6, 1987; Ord. 585 § 1(m), 1979).

17.54.110 Map.

"Map" means the official map of which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community. (Ord. 585 § 1(j), 1979).

17.54.120 Mean sea level.

"Mean sea level" means, for the 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. (Ord. 890 § 3, 1987).

17.54.150 New construction.

"New construction" means structures for which the "start of construction" commenced on or after the effective date of the ordinance codified in this division. (Ord. 585 § 1 (n), 1979).

17.54.160 Start of construction.

"Start of construction" includes substantial improvement and 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 days of the permit date. The actual start means either the first placement or 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 state 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. (Ord. 890 § 7, 1987; Ord. 585 § 1(o), 1979).

17.54.170 Structure.

"Structure" means a walled and roofed building, a manufactured home or a gas or liquid storage tank, that is principally above ground. (Ord. 890 § 8, 1987; Ord. 585 § 1 (p), 1979).

17.54.180 Substantial improvement.

A. "Substantial improvement" means any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds fifty percent of the market value of the structure either:

1. Before the improvement or repair is started; or

2. If the structure has been damaged and is being restored, before the damage occurred.

B. 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.

C. The term does not, however, include either:

1. Any project for improvement of a structure to comply with existing state or local health, fire, 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 or a State Inventory of Historic Places. (Ord. 585 § 1 (q), 1979).

Chapter 17.56**GENERAL PROVISIONS****Sections:**

- 17.56.010 Floodways.
- 17.56.020 Applicable lands.
- 17.56.030 Area determination.
- 17.56.040 Violation—Penalty.
- 17.56.050 Conflicting ordinances.
- 17.56.060 Interpretation.

17.56.010 Floodways.

Located within areas of special flood hazard established in Section 17.56.030 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles and erosion potential, the following provisions apply:

A. Prohibit encroachments, including fill, new construction, substantial improvements and other development unless a technical evaluation

demonstrates that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge;

B. If subsection A is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Chapter 17.64;

C. Prohibit the placement of any manufactured home. (Ord. 899 § 1, 1987; Ord. 890 § 9, 1987; Ord. 585 § 12, 1979).

17.56.020 Applicable lands.

This division shall apply to all areas of special flood hazards within the jurisdiction of the city. (Ord. 585 § 2, 1979).

17.56.030 Area determination.

The areas of special flood hazard identified by the Federal Insurance Administration in a scientific and engineering report entitled "The Flood Insurance Study for the City of Laramie," dated January, 1979, and any amendments thereto, with accompanying Flood Insurance Rate Maps and Flood Boundary-floodway Maps is adopted by reference and declared to be a part of this division. The Flood Insurance Study is on file in the city manager's office, City Hall, Laramie. (Ord. 585 § 3, 1979).

17.56.040 Violation—Penalty.

No structure or land shall hereafter be constructed, located, extended, converted or altered without full compliance with the terms of this division and other applicable regulations. Violation of the provisions of this division by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Any person who violates this division or fails to comply with any of its requirements shall upon conviction be punished as provided in Chapter 1.28, or in the alternative the city may commence such legal action as is necessary to prevent or abate such violation. (Ord. 585 § 4, 1979).

17.56.050 Conflicting ordinances.

This division is not intended to repeal, abrogate or impair any existing easements, covenants or deed restrictions. However, where this division and other ordinance, easement, covenant or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail. (Ord. 585 § 5, 1979).

17.56.060 Interpretation.

In the interpretation and application of this division, all provisions shall be:

- A. Considered as minimum requirements;
- B. Liberally construed in favor of the governing body; and
- C. Deemed neither to limit nor repeal any other powers granted under state statutes. (Ord. 585 § 6, 1979).

Chapter 17.58**DEVELOPMENT PERMIT****Sections:**

- 17.58.010 In general.
- 17.58.020 Application—Contents.

17.58.010 In general.

A development permit shall be obtained before construction or development begins within any area of special flood hazard established in Section 17.56.030. Application for a development permit shall be made to and on forms furnished by the building official and may include, but not be limited to: plans in duplicate drawn to scale showing the nature, location, dimensions and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities; and the location of the foregoing. (Ord. 585 § 7 (part), 1979).

17.58.020 Application—Contents.

Specifically, the following information is required:

- A. Elevation in relation to mean sea level, of the lowest floor (including basement) of all structures;
- B. Elevation in relation to mean sea level to which any structure has been floodproofed;
- C. Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet

the floodproofing criteria in Section 17.64.010 (B); and

- D. Description of the extent to which any channel or watercourse will be altered or relocated as a result of proposed development. (Ord. 585 § 7 (part), 1979).

Chapter 17.60**BUILDING OFFICIAL****Sections:**

- 17.60.010 Duties and responsibilities.

17.60.010 Duties and responsibilities.

Duties of the building official shall include, but not be limited to:

- A. Review all development permits to determine that the permit requirements of this division have been satisfied;
- B. Review all development permits to determine that all necessary permits have been obtained from those federal, state or local governmental agencies from which prior approval is required;
- C. Review all development permits to determine if the proposed development is located in the floodway. If located in the floodway, assure that the encroachment provisions of Section 17.56.010 (A) are met;
- D. In addition to base flood elevations, the building official shall obtain, review and reasonably utilize floodway data to ensure that new or substantially improved structures are not only elevated but meet the floodway development criteria, if applicable.
- E. Obtain and record the actual elevation (in

relation to mean sea level) of the lowest habitable floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement;

F. For all new substantially improved flood-proofed structures:

1. Verify and record the actual elevation (in relation to mean sea level), and

2. Maintain the floodproofing certifications required in Section 17.58.020 (C);

G. Maintain for public inspection all records pertaining to the provisions of this division;

H. Notify adjacent communities and the state coordinating agency prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration;

I. Require that maintenance is provided within the altered or relocated portion of the watercourse so that the flood carrying capacity is not diminished;

J. Make interpretations where needed, as to the exact location of the boundaries of the areas of special flood hazard. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in Chapter 17.62. (Ord. 899 § 2, 1987; Ord. 585 § 8, 1979).

Chapter 17.62

VARIANCE PROCEDURE

Sections:

- 17.62.010 Appeal board.
- 17.62.020 New construction and major improvements on small lots.
- 17.62.030 Historic places.
- 17.62.040 Increased baseflood discharge—Prohibited.
- 17.62.050 Variance determination to be minimum necessary for relief.
- 17.62.060 Required conditions.
- 17.62.070 Notice of more expensive flood insurance.

17.62.010 Appeal board.

A. The Laramie board of adjustment shall hear and decide appeals and requests for variances from the requirements of this division. The board shall hear and decide appeals when it is alleged there is an error in any requirement, decision or determination made by the building official in the enforcement or administration of this division. Those aggrieved by the decision of the building official, or any taxpayer, may appeal such decision in accordance with the provisions of the Administrative Procedures Act of the state of Wyoming. In passing upon such applications, the board shall consider all technical evaluations, all relevant factors, standards specified in other sections of this division and:

1. The danger that materials may be swept into other lands to the injury of others;

2. The danger of life and property due to flooding or erosion damage;

3. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;

4. The importance of the services provided by the proposed facility to the city;

5. The necessity to the facility of a waterfront location, where applicable;

6. The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;

7. The compatibility of the proposed use with existing and anticipated development;

8. The relationship of the proposed use to the comprehensive plan and floodplain management program of that area;

9. The safety of access to the property in times of flood for ordinary and emergency vehicles;

10. The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and

11. The costs of providing city services during and after flood conditions, including maintenance and repair of public utilities and

facilities such as sewer, gas, electrical and water systems, and streets and bridges.

B. Upon consideration of the factors of subsection A and the purposes of this division, the board may attach such conditions to the granting of variances as it deems necessary to further the purposes of this division.

C. The building official shall maintain the records of all appeal actions, including technical information, and report any variances to the Federal Insurance Administration upon request. (Ord. 585 § 9 (a), 1979).

17.62.020 New construction and major improvements on small lots.

Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the items of Section 17.62.010 (A) have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases. (Ord. 585 § 9 (b), 1979).

17.62.030 Historic places.

Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this chapter. (Ord. 585 § 9 (c), 1979).

17.62.040 Increased baseflood discharge—Prohibited.

Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result. (Ord. 585 § 9 (d), 1979).

17.62.050 Variance determination to be minimum necessary for relief.

Variances shall only be issued upon a determination that the variance is the minimum neces-

sary, considering the flood hazard, to afford relief. (Ord. 585 § 9 (e), 1979).

17.62.060 Required conditions.

Variances shall only be issued upon:

A. A showing of good and sufficient cause;

B. A determination that failure to grant the variance would result in exceptional hardship to the applicant; and

C. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public as identified in Section 17.12.010 (A), or conflict with existing laws or ordinances. (Ord. 585 § 9 (f), 1979).

17.62.070 Notice of more expensive flood insurance.

Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation. (Ord. 585 § 9 (g), 1979).

Chapter 17.64

STANDARDS

Sections:

17.64.010 In general.

17.64.020 Required specifications.

17.64.030 Residential structures—Minimum elevation.

17.64.040 Nonresidential structures—Specific requirements.

17.64.050 Manufactured homes—Specific requirements.

17.64.060 Manufactured homes—Location restriction.

17.64.010 In general.

In all areas of special flood hazards the following standards are required:

A. All new construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure.

B. All manufactured homes shall be anchored to resist flotation, collapse or lateral movement by providing over-the-top and frame ties to ground anchors. Special requirements shall be that:

1. Over-the-top ties provided at each of the four corners of the manufactured home, with two additional ties per side at intermediate locations, with manufactured homes less than fifty feet long requiring one additional tie per side;

2. Frame ties be provided at each corner of the home with five additional ties per side at intermediate points, with manufactured homes less than fifty feet long requiring four additional ties per side;

3. All components of the anchoring system be capable of carrying a force of four thousand eight hundred pounds; and

4. Any additions to the manufactured home be similarly anchored.

C. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.

D. All new construction and substantial improvements shall be constructed using methods and practices which minimize flood damage. For all new construction and substantial improvements, fully enclosed areas below the lowest floor that 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 must either be certified by a registered professional engineer or architect or must meet or exceed the

following minimum criteria: a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

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

F. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharge from the systems into floodwaters. Electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

G. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

H. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage.

I. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage.

J. Base flood elevation data shall be provided for subdivision proposals and other proposed development which contain at least fifty lots or five acres whichever is less. (Ord. 890 § 10, 1987; Ord. 585 § 10, 1979).

17.64.020 Required specifications.

In all areas of special flood hazards where base flood elevation data have been provided as set forth in Section 17.56.030 or in Section 17.60.010 (D), the standards of Sections

17.64.030 — 17.64.060 are required. (Ord. 585 § 11 (part), 1979).

17.64.030 Residential structures—Minimum elevation.

New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated one foot above base flood elevation. (Ord. 585 § 11(a), 1979).

17.64.040 Nonresidential structures—Specific requirements.

New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement elevated one foot above the level of the base flood elevation; or together with attendant utility and sanitary facilities shall be floodproofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water; where a nonresidential structure is intended to be made watertight below the base flood level, a registered professional engineer or architect shall develop and/or review structural design, specifications and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice. A record of such certificates which includes the specific elevation (in relation to sea level) to which such structures are floodproofed shall be provided to, and maintained by the building official. (Ord. 890 § 11, 1987; Ord. 585 § 11(b), 1979).

17.64.050 Manufactured homes—Specific requirements.

All manufactured homes to be placed or substantially improved within Zones A1-30, AH, and AE shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is at or above the base flood elevation and be securely anchored to an adequately anchored foundation system in accordance with the provisions of the Uniform Building Code, latest edition, as published by the International Conference of Building Officials, or the Guidelines for Manufactured Housing Installations, as published by the International Confer-

ence of Building Officials. (Ord. 890 § 12, 1987; Ord. 585 § 11(c), 1979).

17.64.060 Manufactured homes—Location restriction.

No manufactured home shall be placed in a floodway, except in an existing manufactured home park. (Ord. 890 § 13, 1987; Ord. 585 § 11(c), 1979).

Division III. Airport

Chapter 17.66

GENERAL PROVISIONS

Sections:

- 17.66.010 Short title.**
- 17.66.015 Name change.**
- 17.66.020 Definitions.**
- 17.66.030 Administration and enforcement.**
- 17.66.040 Appeals.**
- 17.66.050 Penalties.**
- 17.66.060 Conflicting provisions.**
- 17.66.070 Severability.**
- 17.66.080 Declaration of emergency.**

17.66.010 Short title.

This division shall be known and may be cited as "Brees Field Airport Zoning Ordinance." (Ord. 315 § 1, 1969).

17.66.015 Name change.

From January 1, 1993, all references in Chapters 17.66, 17.68, 17.70, 17.72 and 17.74 shall be understood to refer to the Laramie Regional Airport. By adoption of this ordinance codified in this section, the council does not intend to make any substantive change in any of those chapters. (Ord. 1094 § 2, 1993).

17.66.020 Definitions.

As used in this division, unless the context otherwise requires: