

SECTION 5.0

STANDARDS FOR FLOODPLAIN DEVELOPMENT

5.1 GENERAL PROVISIONS

A. Alteration or Relocation of a Watercourse

- i. A watercourse or drain way shall not be altered or relocated in any way that in the event of a base flood or more frequent flood will alter the flood carrying characteristics of the watercourse or drain way to the detriment of upstream, downstream, or adjacent locations.
- ii. No alteration or relocation shall be made until all adjacent communities that may be affected by such action and the Nebraska Department of Natural Resources have been notified and all applicable permits obtained. Evidence of such notification shall be submitted to the Federal Emergency Management Agency.

B. Encroachments

- i. When proposing to permit any of the following encroachments, the standards in Section 5.1 (B) (ii) shall apply:
 - a. Any development that will cause a rise in the base flood elevations within the floodway; or
 - b. Any development in Zones A, A1-30, and Zone AE without a designated floodway that will cause a rise of more than one foot in the base flood elevation; or
 - c. Alteration or relocation of a stream; then
- ii. The applicant shall:
 - a. Apply to FEMA for conditional approval of such action via the Conditional Letter of Map Revision process (as per Title 44 of the Code of Federal Regulations, Chapter 1, Part 65.12) prior to the permit for the encroachments; and
 - b. Supply the fully approved package to the floodplain administrator including any required notifications to potentially affected property owners.

C. Floodway Overlay District

- i. Standards for the Floodway Overlay District
 - a. New structures for human habitation are prohibited.
 - b. All encroachments, including fill, new construction, substantial improvements, and other development must be prohibited unless certification by a registered professional engineer or architect is provided demonstrating that the development shall not result in any increase in water surface elevations along the floodway profile during the occurrence of the base flood discharge. These developments are also subject to all the standards of Section 5.