



**December 10, 2010**

*(This is the twenty-third in a series of updates on zoning in Kenton County. The series is intended to keep city and county elected officials abreast of issues being addressed by NKAPC in the **2020 Sourcebook**, new model zoning provisions for Kenton County's local jurisdictions. We hope you find it timely and thought provoking and encourage you to contact us using the link below if we can provide more information or answer any questions.)*

## **Updated flood protection development controls are critical**

Flooding causes more damage in terms of lives lost and property damage than any other type of natural disaster in the United States.

In Kenton County, flood hazard areas are subject to periodic inundations which result in:

- loss of life and property, health and safety hazards;
- disruption of commerce and governmental services;
- extraordinary public expenditures for flood protection and relief; and
- impairment of the tax base—all of which adversely affect the public health, safety, and general welfare.

These flood losses are caused by the cumulative effect of locating obstructions and uses vulnerable to floods in floodways.

### **THE 2020 SOURCEBOOK**

In 2007, Kentucky's Division of Water evaluated Kenton County's floodplain regulations as well as its jurisdictions' enforcement of National Flood Insurance Protection criteria. Based on that evaluation, Division of Water personnel recommended several changes to those regulations to provide consistency with FEMA's recommended Model Flood Damage Prevention Ordinance. Based on that evaluation, the Kenton County Planning Commission recommended proposed changes to the zoning ordinances of all Kenton County jurisdictions.

The *2020 Sourcebook* incorporates this most recent text to remain consistent with FEMA's model. The purposes of the flood protection development controls within the *2020 Sourcebook* are to:

- restrict or prohibit uses which are dangerous to health, safety, and property due to water erosion hazards, or which result in damaging increases in erosion or in flood height or velocity;
- require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- control the alteration of natural floodplains, stream channels, and natural protective barriers which accommodate or channel flood waters;
- control filling, grading, dredging, and other development which may increase erosion or flood damage; and

- prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other areas.

These regulations apply to all special flood hazard areas, areas applicable to KRS 151.250 and, as determined by the local floodplain administrator, areas within the jurisdiction which may be subject to periodic inundation by floodwaters that can adversely affect the public health, safety, and general welfare.

The *2020 Sourcebook* clearly articulates the purpose of the floodplain regulations, provides for a specific permit process, identifies the duties and responsibilities of the local floodplain coordinator, and provides for an appeal procedure.

The ultimate purpose of the *2020 Sourcebook's* floodplain regulations is to allow communities to be eligible for participation/continued participation in the National Flood Insurance Program, and to allow communities to gain a higher Community Service Rating which will allow property owners to get flood insurance at a lower rate.

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To contact a staff member who can answer your questions about the issues covered in this update or on the *2020 Sourcebook* in general, click [here](#).

To view past editions of this update series, click [here](#).