

ORDINANCE NO. 2351

AMENDING THE FLOOD PLAIN REGULATIONS AND AMENDING OR PROVIDING CERTAIN DEFINITIONS IN CONJUNCTION WITH THOSE REGULATIONS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION:

That the following sections of Chapter 32 of the Code of Ordinances of the City of Grand Junction be amended as indicated:

1. Section 5-8-4-A-1 is amended to read:

"1. Floodplain Development Permit applications shall be reviewed by staff based on criteria established in this regulation and by any flood-RELATED evaluation data available from Federal, State or other professional sources. Staff shall ensure that building permits issued comply with this regulation and the other necessary permits required by Federal or State law."

2. Section 5-8-4-B is amended to read:

"B. Validity: A Floodplain Development Permit shall be valid for a period of SIX MONTHS from the date of issue. If START OF CONSTRUCTION ON original purpose of the permit has not begun at that time, the permit shall become invalid."

3. Section 5-8-4-C is amended to read:

"Liability: The degree of flood protection intended to be provided by this regulation is considered reasonable for regulatory purposes and is based on engineering and scientific methods of study. Larger floods may occur or the flood height may be increased by manmade or natural causes, such as ice jams and bridge openings restricted by debris. This regulation does not imply that the areas outside floodplain area boundaries or land uses permitted within such areas will always be totally free from flooding or flood damages. This regulation shall not create any liability on the part of, or cause an action against, the Governing Body or any officer or employee thereof, or the FEMA, for any flood damages that may result from reliance on this regulation."

4. Section 5-8-4-D-2 is amended to read:

"2. The official floodplain maps define only approximate boundaries of the floodplain. Precise determination of boundaries can only be made by a comparison of flood water elevation with ground elevation at a particular site. Projected flood water elevation data is normally obtained from the FEMA Flood Profiles data, or from information determined by a qualified engineering study. If new or additional flood or ground elevation data becomes available, that data will take precedence over boundaries shown on the floodplain maps AFTER FEMA APPROVAL."

5. Section 5-8-5-B-e is repealed and section 5-8-5-B-f is renumbered to become 5-8-5-B-e.

6. Section 5-8-5-B-2-c is amended to read:

"c. Habitable dwellings, including MANUFACTURED homes. Dwellings and MANUFACTURED homes existing prior to the considered non-conforming uses subject to provisions of section 5-8-3 of this Code."

7. Section 5-8-5-C-1 is amended by the addition of a section e reading as follows:

"e. Subdivision of land. Staff shall review subdivision proposals and other proposed new development in a flood prone area, any such proposals shall be reviewed to assure that all such proposals are consistent with the need to minimize flood damage within the flood prone area; all public utilities and facilities, such as sewer, gas, electrical and water systems are located and constructed to minimize or eliminate flood damage, and adequate drainage is provided to reduce exposure to flood hazards."

8. Section 5-8-5-C-2-a-(1) is amended to read:

"(1) Any residential structure in which the lowest floor, including basement, is LESS than one foot above the elevation of the one hundred year flood."

9. The opening paragraph of Section 5-8-6-B is amended to read:

"B. Submittal Requirements: Exact submittal requirements shall be determined at the preapplication conference. The type of information which may be requested AND CONSIDERED is as follows:"

10. Section 5-8-6-B-2 is amended to read:

"2. Elevations of the stream channel, land areas occupied by the proposed use, one hundred year flood, lowest floor, INCLUDING BASEMENT, of all proposed structures, streets, areas to be filled, proposed water and wastewater treatment facilities, storage areas, THE ELEVATION and the extent of floodproofing measures of all structures. All elevations shall be at two-foot intervals, submitted on U.S. Geological Survey data, tied to flood hazard information prepared by the Army Corps of Engineers, OR THE FEMA FLOOD INSURANCE STUDY, and certified by a registered professional engineer."

11. Section 5-8-6-B-6 is renumbered 5-8-6-B-5.

12. Section 5-8-6-B-5 is renumbered 5-8-6-B-6 and is amended to read:

"6. Any additional information required by the FEDERAL OR State GOVERNMENT in order FOR THE LOCAL ADMINISTRATOR to determine if

the proposed development design features are adequate to mitigate the potential flood hazard, FOR ANY NEW CONSTRUCTION, SUBSTANTIAL IMPROVEMENTS OR OTHER DEVELOPMENT IN ZONE A."

13. Section 5-8-6-C-1-a is amended to read:

"a. New construction and improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure, be constructed with materials and utility equipment resistant to flood damage, and be constructed by the methods and practices that PREVENT flood damage. 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 FLOOD CONDITIONS."

14. Section 5-8-6-C-1-b is amended to read:

"b. ALL MANUFACTURED HOMES TO BE PLACED WITHIN ZONE A SHALL BE INSTALLED USING METHODS AND PRACTICES WHICH MINIMIZE FLOOD DAMAGE. FOR THE PURPOSES OF THIS REQUIREMENT, MANUFACTURED HOMES MUST BE ELEVATED TO AT LEAST ONE FOOT ABOVE THE BASE FLOOD ELEVATION AND ANCHORED TO RESIST FLOTATION, COLLAPSE OR LATERAL MOVEMENT. METHODS OF ANCHORING MAY INCLUDE, BUT ARE NOT LIMITED TO, USE OF OVER-THE-TOP OR FRAME TIES TO GROUND ANCHORS. All components of the anchoring system shall be capable of carrying a force of 4,800 pounds; and any additions to the MANUFACTURED home be similarly anchored. In lieu of the specific requirements of this paragraph, an alternative anchoring system may be used if a licensed professional engineer certifies that such a system will adequately anchor the MANUFACTURED home with respect to the base flood discharge. THIS REQUIREMENT IS IN ADDITION TO APPLICABLE STATE AND LOCAL ANCHORING REQUIREMENTS FOR RESISTING WIND FORCES."

15. Section 5-8-6-C-1-e is amended to read:

"e. Individual MANUFACTURED homes which are to be elevated TO ONE FOOT ABOVE THE BASE FLOOD ELEVATION on pilings shall have the piling foundations placed in stable soil no more than ten feet apart, and reinforcement shall be provided for any piers more than six feet above ground level."

16. Section 5-8-6-C-1-f is amended to read:

"f. All new construction and substantial improvements of residential structures within Zones A-1 - 30 shall have the lowest floor, INCLUDING BASEMENT, elevated to AT LEAST ONE FOOT above the base flood level.

All new construction and substantial improvements of non-residential structures within Zones A1 - 30 shall have the lowest floor elevated to or above the base flood level or, together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with

structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.

Where floodproofing is utilized for a particular structure in accordance with this Section, either a registered professional engineer or architect shall certify that the floodproofing methods are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the base flood, and a record of such certificates indicating the specific elevation (in relation to mean sea level) to which such structures are floodproofed shall be maintained with the permit file FOR PUBLIC INSPECTION.

ALL new and existing MANUFACTURED homes TO BE PLACED, repaired, or SUBSTANTIALLY improved, OR WHERE THE IMPROVEMENT of the streets, utilities and pads equals or exceeds 50% of the value of the streets, utilities and pads before the repair, reconstruction or improvements have commenced, THE stands or lots shall be elevated on compacted fill or pilings so that the lowest floor of the MANUFACTURED home will be at LEAST ONE FOOT above the base flood level AND BE SECURELY ANCHORED TO AN ADEQUATELY ANCHORED FOUNDATION SYSTEM IN ACCORDANCE WITH PROVISIONS OF SECTION 5-8-6C-1A AND B. Adequate surface drainage and access for a hauler shall be provided. In the instance of elevation on pilings, lots shall be large enough to permit steps, piling foundations shall be placed in stable soil no more than ten feet apart, and reinforcement shall be provided for pilings more than six feet above the ground level.

17. Section 5-8-6-C-1-g is amended to read:

"g. Shallow flooding requirements, as revised January 6, 1981, state that within any AO Zone, all new construction and substantial improvements of residential structures have the lowest floor elevated above the highest adjacent grade or at least as high as the depth number specified in feet on community's FIRM (at least two feet if no depth number is specified); and all new construction and substantial improvements of non-residential structures have the lowest floor elevated above the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least two feet if no depth number is specified); or together with attendant utility and sanitary facilities be completely floodproofed to that level to meet the floodproofing standards specified in paragraph 4 above; and require adequate drainage paths around structure on slopes, to guide flood waters around and away from proposed structures."

18. Section 5-8-6-C-2-g is repealed.

19. Section 5-8-6-C is amended by the addition of a section 3 reading:

"3. Floodproofing measures as described in 5-8-6-C-1-f shall be included in the approval of floodplain development permits."

20. The following definitions of Chapter 13 of Chapter 32 are amended as indicated:

"Flood Insurance Rate Map (FIRM): The official map on which the Federal EMERGENCY MANAGEMENT AGENCY has delineated both the areas of special flood hazards and the risk premium zones applicable to the community."

"Flood Insurance Study: An official report provided by the Federal Emergency Management Agency that includes profiles, the 100-YEAR Floodplain and Flood Boundary FLOODWAY Maps, and the water surface elevation of a one hundred year flood."

"Manufactured Home Park: A PARCEL OR CONTIGUOUS PARCELS OF LAND DIVIDED INTO TWO OR MORE MANUFACTURED homes LOTS FOR RENT OR SALE for living purposes, including accessory structures and uses."

21. The definitions for Habitable Floor and Mobile Home are deleted from Chapter 13 of said Chapter 32.

22. The following definitions are added to Chapter 13 of said Chapter 32.

"Lowest Floor: 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 basement 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 non-elevation design requirements of this ordinance."

"Manufactured Housing: 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, the term 'manufactured home' also includes park trailers, travel trailers and other similar vehicles placed on a site for greater than 180 consecutive days. For insurance purposes, the term 'manufactured home' does not include park trailers, travel trailers and other similar vehicles."

"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 improvements was within 180 days of the permit date. The actual start means the first placement of 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 stage 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."

PASSED and ADOPTED this 15th day of July, 1987.

O.F. Ragsdale

President of the Council

Attest:

Neva B. Lockhart, CMC

City Clerk

I HEREBY CERTIFY that the foregoing ordinance, being Ordinance No. 2351, was introduced, read, and ordered published by the City Council of the City of Grand Junction, Colorado, at a regular meeting of said body held on the 1st day of July, 1987, and that the same was published in The Daily Sentinel, a newspaper published and in general circulation in said City, at least ten days before its final passage.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 16th day of July, 1987.

Neva B. Lockhart, CMC

Neva B. Lockhart, CMC
City Clerk

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