

## **TITLE 12.F. - FLOOD PLAIN MANAGEMENT**

### **CHAPTER 12F-100. FLOOD PLAIN MANAGEMENT.**

12F-101. Definitions. Unless specifically defined below words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

- (1) Areas of special Flood Hazard. The land in the flood- plain within the subject area to a one percent or greater chance of flooding in any given year.
- (2) Base Flood. The flood having a one percent chance of being equaled or exceeded in any given year.
- (3) Development. Any man-made change to improved or unimproved real estate including but not limited to buildings or other structures, mining, dredging, bridging, filling, fencing grading, rip-rapping, paving, excavation or drilling operations located within the area of special flood hazard.
- (4) Flood or Flooding. A general and temporary condition of partial or complete inundation of normally dry land areas from:
  - (A) The overflow of inland or tidal waters and/or
  - (B) The unusual and rapid accumulation of runoff of surface waters from any source.
- (5) Flood Hazard Boundary Map (FHBM). The official map issued by the Federal Emergency Management Agency where the areas of special flood hazard have been designated Zone A.
- (6) Manufactured Home. This means a structure, transportable in one or more sections, which is built on a permanent foundation and is designed for use with or without a permanent foundation when connected to the required utilities. For flood plain management purposes the term "manufactured home" also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 days. For insurance purposes the term "manufactured home" does not include park trailers, travel trailers, and other similar vehicles. (Amended by Ord. 89-4, passed June 15, 1989.)
- (7) Structure. A walled and roofed building or mobile that is principally above ground.

## TITLE 12.F. - FLOOD PLAIN MANAGEMENT

### B.

- (1) Substantial Improvements. Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either:
  - (A) Before the improvement or repair is started, or
  - (B) If the structure has been damaged and is being restored before the damage occurred. For the purpose 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.

The term does not, however, include either:

- (A) Any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions, or
  - (B) Any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Place.
- (9) 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.

## **TITLE 12.F. - FLOOD PLAIN MANAGEMENT**

### **CHAPTER 12F-200. General Provisions.**

12F-201. Lands to Which this Ordinance Applies. This ordinance shall apply to all areas of special flood hazards within the jurisdiction of the City of North Logan.

12F-202. Basis for Establishing the areas of Special Flood Hazard. The areas of special flood hazard identified by the Federal Emergency Management Agency in its Flood Insurance Rate Map (FIRM), dated March 18, 1986, are adopted by reference and declared to be a part of this ordinance. The FIRM is on file at the City Office, 2076 North 1200 East, North Logan, Utah. (Amended by Ord. 89-4. June 15, 1989.)

12F-203. Compliance. No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations.

12F-204. Abrogation and Greater Restrictions. This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

12F-205. Interpretation. In the interpretation and application of this ordinance 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.

12F-206. Warning and Disclaimer of Liability. The degree of flood protection required by this ordinance is considered reasonable regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or rare natural causes. This ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the City of North Logan, any officer or employee thereof, or the Federal Insurance Administration, for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made thereunder.

## **TITLE 12.F. - FLOOD PLAIN MANAGEMENT**

### **CHAPTER 12F-300. Administration.**

12F-301. Establishment of Development Permit. A Development Permit shall be obtained before construction or development begins within any area of special flood hazard established in Section 12F-202. Application for a Development Permit shall be made on forms furnished by the City Recorder and may include, but not 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.

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 flood-proofed;
- (C) Certification by a registered professional engineer or architect that the flood-proofing methods for any non- residential criteria in Section 12F-402 have been met; and
- (D) Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

12F-302. Designation of the Local Administrator. The City Recorder is hereby appointed to administer and implement this ordinance by granting or denying development permit applications in accordance with its provisions.

12F-303. Duties and Responsibilities of the Local Administrator. Duties of the City Recorder, under this ordinance shall include but not be limited to:

- (A) Permit Review.
  - (1) Review all development permits to determine that the permit requirements of this ordinance have been satisfied.
  - (2) 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.
  - (3) Review all development permits to determine if the proposed development adversely affects the flood carrying capacity of the area of special flood hazard. For the purposes of this ordinance, "adversely affects" means damage to adjacent properties because of rises in flood states attributed to physical changes of the channel and the adjacent over-bank areas.

## TITLE 12.F. - FLOOD PLAIN MANAGEMENT

- (a) If it is determined that there is no adverse effect and the development is not a building, then the permit shall be granted without further consideration.
  - (b) If it is determined that there is an adverse effect, then technical justification (i.e., a registered professional engineer) for the proposed development shall be required.
  - (c) If the proposed development is a building, the provisions of this ordinance shall apply.
  
- (B) Obtain Other Base Flood Data. When base flood elevation data has not been provided in accordance with Section 12F-202, Basis for Establishing The Areas of Special Flood hazard, the City Engineer shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a Federal, State, or other source as criteria for requiring that new construction, substantial improvements, or other development in Zone A meet the requirements of Section 12F-402(G) of this ordinance. (Amended by Ord. 89-4, dated June 15, 1989.)
  
- (C) Information to be Obtained and Maintained.
  - (1) Obtain and record the actual elevation (in relation to mean sea level) of the lowest floor (including Basement) of all new or substantially improved structures and if they contain a basement;
  - (2) For all new or substantially improved flood proofed structures:
    - (a) Obtain and record the actual elevation (in relation to mean sea level) to which the structure has been flood-proofed.
    - (b) Maintain the flood-proofing certifications required in 12F-301.
  - (3) Maintain for public inspection all records pertaining to the provisions of this ordinance.
  
- (D) Alteration of Watercourses.
  - (1) Notify adjacent communities, the Division of Water Rights and the Corps of Engineers prior to any alteration or relocation of a water-course, and submit evidence of such notification to the Federal Emergency Management Agency.
  - (2) Require that maintenance is provided within the altered or relocated portion of said water-course so that the flood carrying capacity is not diminished.

## **TITLE 12.F. - FLOOD PLAIN MANAGEMENT**

- (E) Interpretation of FHBM Boundaries. Make interpretations where needed, as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions).

### **CHAPTER 12F-400. Provisions for Flood Hazard Reduction.**

12F-401. General Standards. In all areas of special flood hazards the following standards are required.

#### 12F-402. Anchoring.

- (A) All new construction and substantial improvements shall be anchored to prevent floatation, collapse, or lateral movement of the structure.
- (B) All mobile homes shall be anchored to resist floatation, collapse, or lateral movement by providing over-the-top and frame ties to ground anchors. Specific requirements shall be that:
  - (1) Over-the-top ties be provided at each of the four corners of the mobile home, with two additional ties per side at intermediate locations, with mobile homes less than 50 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 mobile homes less than 50 feet long requiring four additional ties per side;
  - (3) All components of the anchoring system be capable of carrying a force of 4,800 pounds; and
  - (4) Any additions to the mobile home be similarly anchored.
- (C) Construction Materials and Methods.
  - (1) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
  - (2) All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.
  - (3) 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.
- (D) Utilities.

## TITLE 12.F. - FLOOD PLAIN MANAGEMENT

- (1) All new and replacement water supply systems shall be designed to eliminate infiltration of flood waters into the system;
- (2) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters; and
- (3) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

(E) Subdivision Proposals.

- (1) All subdivision proposals shall be consistent with the need to minimize flood damage;
- (2) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;
- (3) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage; and
- (4) Base flood elevation data shall be provided for subdivision proposals and other proposed development which contain at least 50 logs or 5 acres (whichever is less).

(F) Encroachments. Encroachments, including fill, new construction, substantial improvements, and other development shall be prohibited in any floodway unless a technical evaluation demonstrates that the encroachments will not result in any increase in flood levels during the occurrence of the base flood discharge. (Amended by Ord. No. 89-4, dated June 15th 1989).

(G) Specific Standards. In all areas of special flood hazards where base flood elevation data has been provided as set forth in Section 12F-303, the following standards are required.

- (1) Residential Construction. New construction and substantial improvement of any residential structure shall have the lowest floor including basement elevated to or above base flood elevation.
- (2) Nonresidential Construction. New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor elevated to the level of the base flood elevation; or, together with attendant utility and sanitary facilities, shall:
  - (a) Be flood-proofed so that below the base flood level the structure is water-tight with walls substantially impermeable to the passage of water;

## **TITLE 12.F. - FLOOD PLAIN MANAGEMENT**

- (b) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and
- (c) Be certified by a registered professional engineer or architect that the standards of this subsection are satisfied. Such certifications shall be provided to the official as set forth in Section 12F-303.