

**NOTICE OF WORK MEETING OF THE
CITY COUNCIL OF THE CITY OF ST. GEORGE,
WASHINGTON COUNTY, UTAH**

Public Notice

Public notice is hereby given that the City Council of the City of St. George, Washington County, Utah, will hold a work meeting in the Administrative Conference Room at the St. George City Offices located at 175 East 200 North, St. George, Utah, on Thursday, February 29, 2024 commencing at 4:00 p.m.

The agenda for the meeting is as follows:

Call to Order
Invocation
Flag Salute

- 1. Read a Proclamation proclaiming February, 2024 as Black History Month.**
- 2. Discussion regarding Washington County Transportation.**
- 3. Discussion regarding the City's wellness program.**
- 4. Update regarding managed competition.**
- 5. Move into a joint work meeting of the City Council and Planning Commission.**

**** THE COUNCIL WILL REMAIN IN THE
ADMINISTRATIVE CONFERENCE ROOM FOR
THE JOINT WORK MEETING OF THE CITY COUNCIL
AND PLANNING COMMISSION****

**NOTICE OF JOINT WORK MEETING OF THE
CITY COUNCIL AND THE PLANNING COMMISSION
OF THE CITY OF ST. GEORGE,
WASHINGTON COUNTY, UTAH**

Public Notice

Public notice is hereby given that the City Council and the Planning Commission of the City of St. George, Washington County, Utah, will hold a work meeting in the Administrative Conference Room at the St. George City Offices located at 175 East 200 North, St. George, Utah, on Thursday, February 29, 2024 commencing at approximately 5:00 p.m.

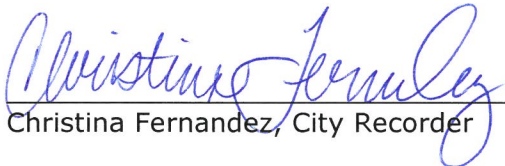
The agenda for the meeting is as follows:

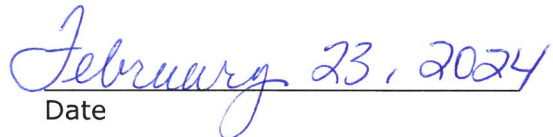
1. **Discussion regarding proposed changes to City Code 10-18A: Rockery Walls.**
2. **Discussion regarding proposed changes to City Code 10-13C: Development in Flood and Erosion Hazard Overlay Zone.**
3. **Adjourn from the joint work meeting of the City Council and Planning Commission and reconvene in the work meeting of the City Council.**

**** THE COUNCIL WILL REMAIN IN THE
ADMINISTRATIVE CONFERENCE ROOM FOR
THE CITY COUNCIL WORK MEETING****

The agenda for the remainder of the City Council work meeting is as follows:

6. **Reports and updates from the Mayor, Councilmembers, City Manager, and City staff.**
7. **Request a closed meeting to discuss litigation, security, property acquisition or sale, or the character and professional competence or physical or mental health of an individual.**


Christina Fernandez, City Recorder


Date

REASONABLE ACCOMMODATION: The City of St. George will make efforts to provide reasonable accommodations to disabled members of the public in accessing City programs. Please contact the Human Resources office at 435-627-4674, at least 24 hours in advance if you have special needs.

PROCLAMATION

WHEREAS, During Black History Month, we celebrate the many achievements and contributions made by African Americans in our community to our economic, cultural, spiritual, and political development achieving exceptional success in all aspects of society including business, education, politics, science, and the arts; and

WHEREAS, Much of the honor, strength, and distinction in the City of St. George can be attributed to the diversity of cultures and traditions that are celebrated by our residents; and

WHEREAS, After the Civil War, many black Americans sought a better life, free from oppression and in search of new economic opportunities, and the liberty to create their own lives; and

WHEREAS, In 1915, Dr. Carter Godwin Woodson, noted Black scholar and son of former slaves, founded the Association for the Study of African American Life and History and initiated Black History Week on February 12, 1926. For many years, the second week of February, chosen to coincide with the birthdays of Frederick Douglas and Abraham Lincoln, was celebrated by African Americans in the United States; and

WHEREAS, In 1976, as part of the nation's bicentennial, Black History Week was expanded and became established as Black History Month, and is now celebrated all over North America; and

WHEREAS, Black History is American History, we call upon our Nation to confront racism and to build a society that lives up to its democratic ideals.

NOW, THEREFORE, I, Michele Randall, Mayor, along with the City Council of the City of St. George, Utah, do hereby proclaim February, 2024 and each February hereafter as:

BLACK HISTORY MONTH

in the City of St. George and invite everyone to recognize and celebrate the diversity and character of our community and highlight the importance of sharing our culture, customs, and traditions with those around us throughout the year.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Seal of the City of St. George, Utah this 29th day of February, 2024.



Michele Randall, Mayor



Northern Corridor Update

February 2024

Adam Snow, Washington County Commissioner

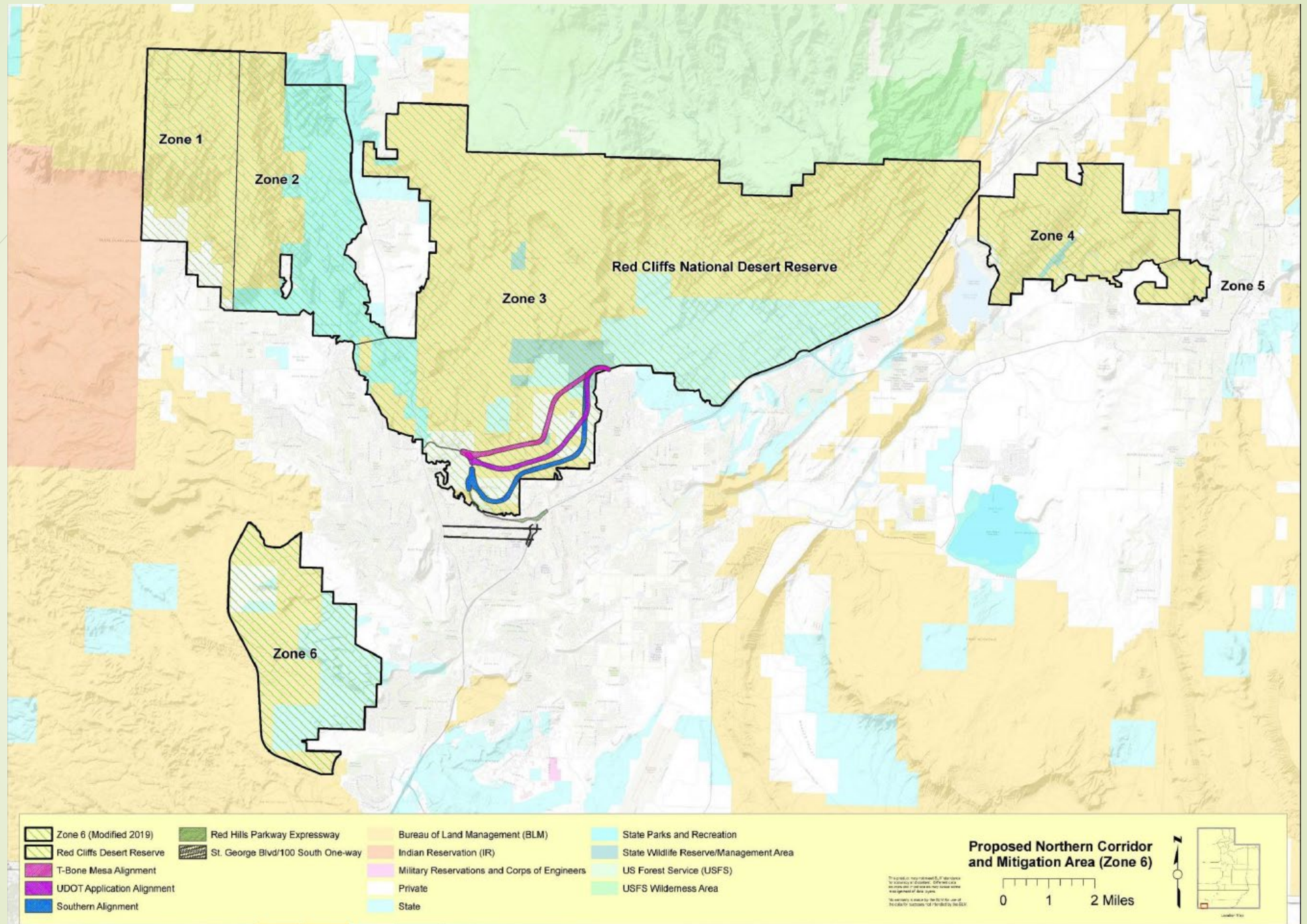
Eric Clarke, Washington County Attorney

Cameron Rognan, Washington County Habitat Conservation Plan Administrator

2009 Lands Bill

- In developing the [countywide] travel management plan, the Secretary [of the Interior] shall—(A) in consultation with appropriate Federal agencies, State, tribal, and local governmental entities (including the County and St. George City, Utah), and the public, identify 1 or more alternatives for a northern transportation route in the County.







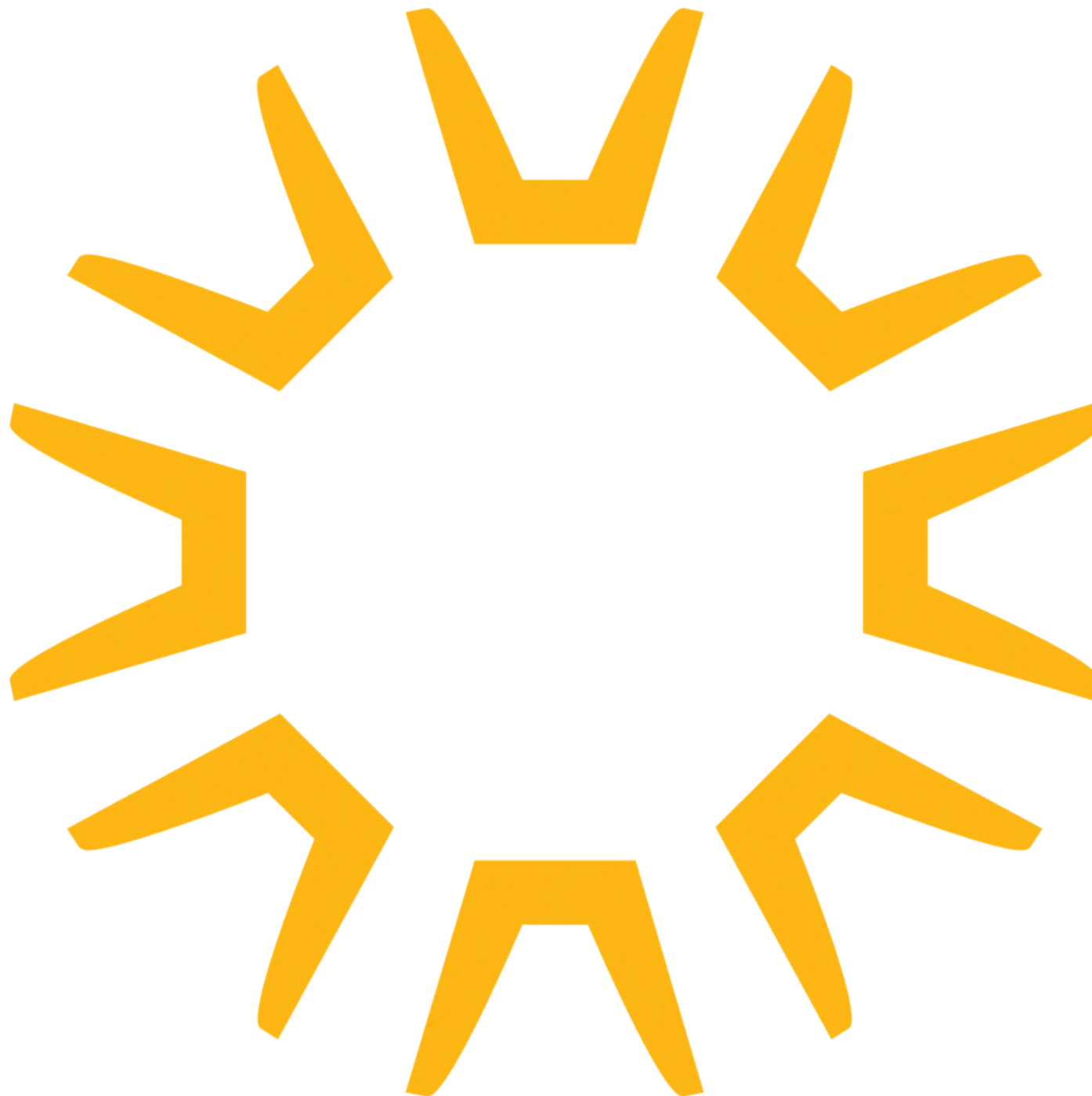
The map shows a geographical area with a yellow-shaded region labeled 'Northern Corridor' and a red-outlined area labeled 'Red Cliffs Desert Reserve'. Black tortoise icons are placed throughout the map. A small cluster of about 10 tortoises is in the top-left yellow area. A line of about 6 tortoises runs diagonally from the top-right towards the center. A large, dense group of approximately 50 tortoises is located in the bottom-left, mostly within the red-outlined reserve area.

Northern Corridor
Red Cliffs Desert Reserve

**How Many Tortoises are
in the Northern Corridor
vs Zone 6?**

Northern Corridor = 50
tortoises

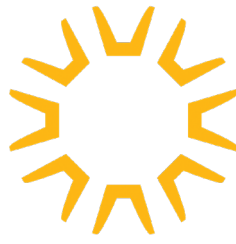
Zone 6 = 500 tortoises



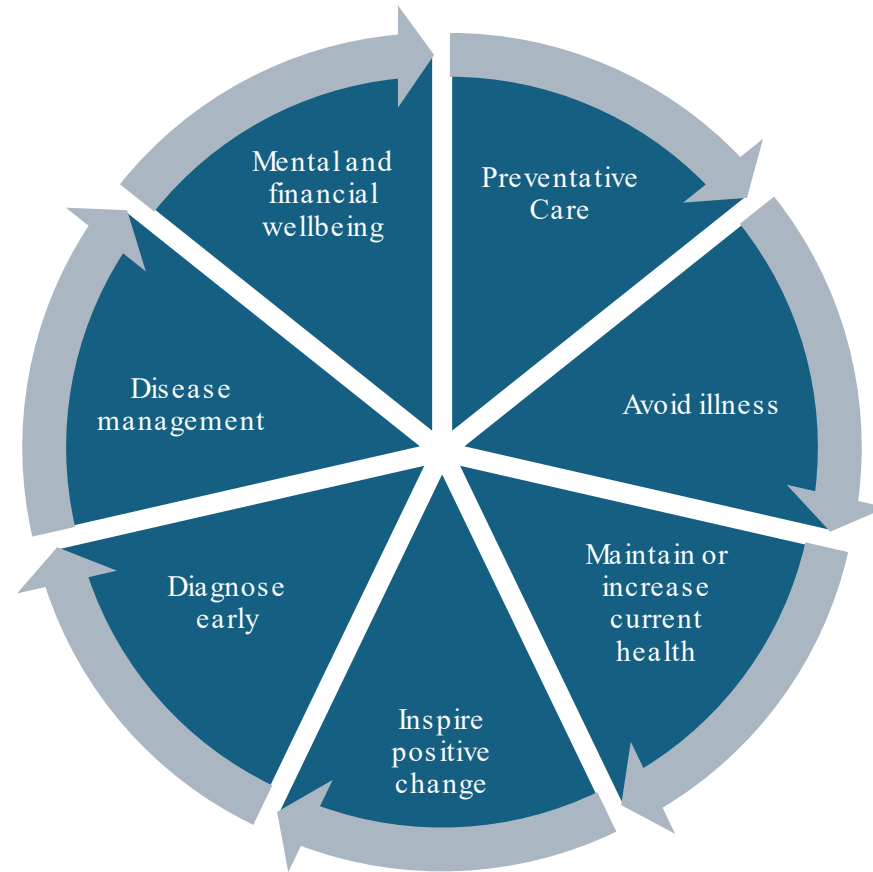


Discussion Regarding Changes to Wellness Program

City Council Work Meeting
February 29, 2024



What is a Wellness Program?



Why is an Employee Wellness Program important for the City of St. George?



Employee happiness



Decreased sick days



Reduce cost of
claims



Incentivize
recruitment and
retention



Risk Management

Cities that offer a Wellness Benefit

- Layton (83,291)
- Sandy (95,050)
- Ogden (86,798)
- Lehi (79,978)
- Draper (51,749)
- Logan (54,436)
- Orem (97,861)
- South Jordan (80,139)
- Salt Lake City (200,478)
- Washington County (191,226)

*denotes self funding



Our current program



Health Engagements

Journeys

Health Check Health Assessment (Surveys)

Annual Health Screening (physician
physical/biometric screening)



Activity Campaigns (must complete 2 of the following)

7,000 Steps Campaign

Quarterly Team Challenge

Four of the promoted Healthy Habits Challenges

Pros and Cons

Pros:

- Cost
- Minimal participation
- Possibility of incentive
- Focus on activity and physician physicals

Cons:

- Program is confusing or unclear
- Zero ability to customize the program
- No guaranteed incentive
- Substandard reporting
- Minimal participation
- Communicating the program to employees

Navigate Wellness



Customizable



Employee tracking
(app)



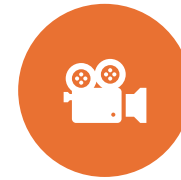
Surveys



Dashboard for real
time reporting



Marketing
campaign



Video library



Find Help Tool








Welcome, Rachel!

This platform is here to help you achieve your unique health goals. Use the tabs above to access everything at your fingertips and create a personal roadmap to better health!

Want to learn how to download the Navigate app? [Click here!](#)

2024 Demo Incentive Tracker

Previous Results ▾

Name	Status	Points	
Physical			
 Annual Physical	Not Complete	15	Complete This
 Biometric Screening	Not Complete	20	More Info
 Tobacco Affidavit	Not Complete	10	Complete This
Balance			
 Personal Challenge	Not Complete	0 / 20	More Info
 Video Learning	Not Complete	15	More Info



Rachel

[View Public Profile >](#)

0

You've earned 0 out of 100 Points from your 2024 Demo Incentive Tracker

[> Program Overview](#)














Find Local Assistance

Enter your zip code



Search

After entering your ZIP code, you will be

Balance			
 Personal Challenge	Not Complete	0 / 20	More Info
 Video Learning	Not Complete	15	More Info
Purpose			
 Wellbeing Survey	Not Complete	15	Complete This
Community			
 Blood Drive/Community Give Back	Not Complete	5	Complete This
 Community 5K or Road Race	Not Complete	5	More Info
 Volunteer	Not Complete	0 / 5	Complete This
 Access the FindHelp.org Resource	Not Complete	5	More Info
Mindfulness			
 Diversity and Inclusion Survey	Not Complete	10	Complete This
 Diversity and Inclusion Course	Not Complete	15	More Info
Social			
 Complete the Navigate YOU Assessment	Not Complete	15	Complete This
 Group Challenge	Not Complete	0 / 80	More Info
Financial			
 Your Money Line	Not Complete	10	More Info
 Your Financial Present - Calculating Power Percentage	Not Complete	10	More Info

Find Local Assistance

Enter your zip code [Search](#)

After entering your ZIP code, you will be directed to resources and essential social services available in your area.



Lifetime Stats

Cumulative overview

[View your stats ^](#)



Your Rewards



Current balance: 0

[Redeem rewards >](#)



YOUR MONEY LINE!



Nutrition			
 Healthy Recipe	Not Complete	5	Complete This
 Nutrition and Mental Health Course	Not Complete	15	More Info
Total Points: 0/100			
PROGRAM OVERVIEW >		18 TOTAL ACTIVITIES	

Recommended Resources

Resources



Fitness Reimbursement
Form



Off Site Screening Form



Financial Resources

MONEY LINE

CONTACT US

Contact Us

info@navigatewell.com
1-888-282-0822

SCREENING

eHealthScreenings
A Premise Health[®] company

Is attracting and retaining top talent keeping you up at night?



Business with engaged employees

Show better business outcomes



Caring about wellbeing in the workplace is no longer a nice to have

92%



More likely to feel engaged at work

65%



More likely to be loyal

56%



More productive at work

Connecting you to what matters

Platform Features

- Wellbeing resources
- One-stop-shop hub
- Marketplace partners and integrations
- Rewards and incentives
- Reporting and analytics
- Communications and marketing

Engagement Activation

- Physical wellbeing
- Financial certainty
- Community & social engagement
- Mental health & balance
- Purpose & career



What will the program cost?

- Program:\$2.57 PEPM(\$24,672) (SP included with no fee)
- Upload fee: \$8.00 PEPY(\$6400)
- Implementation fee: \$3000.00 for first year

Bottom line: \$34,072 first year, \$31,072 subsequent year

Let's talk incentive



Using extrinsic reward to
build intrinsic reward



Boost participation rates



Promote lifelong habits
for healthier employees



Decreased claim costs

How much
are other
Cities
incentivizing?

Layton-\$260 per year and 2 additional days of vacation

Ogden-\$188.40 per quarter (\$753.60 per year)

Draper-\$50.00 per month (\$600 per year)

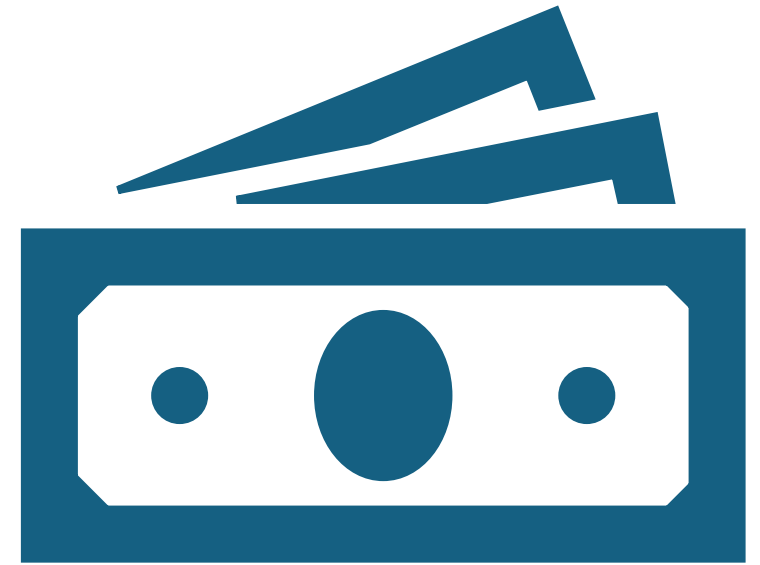
Logan-\$60.00 per month for each employee and spouse (\$720 per year, \$1440 with spouse)

Incentive request:

- \$250 per employee per year (\$200,000)
 - Expected level of participation 50-75%

Cost vs ROI

- 100%-\$200,000 ROI up to \$700,000
- 75%-150,000 ROI up to \$525,000
- 50%-\$100,000 ROI up to \$350,000





Questions?

FY 2024 Managed Competition Process

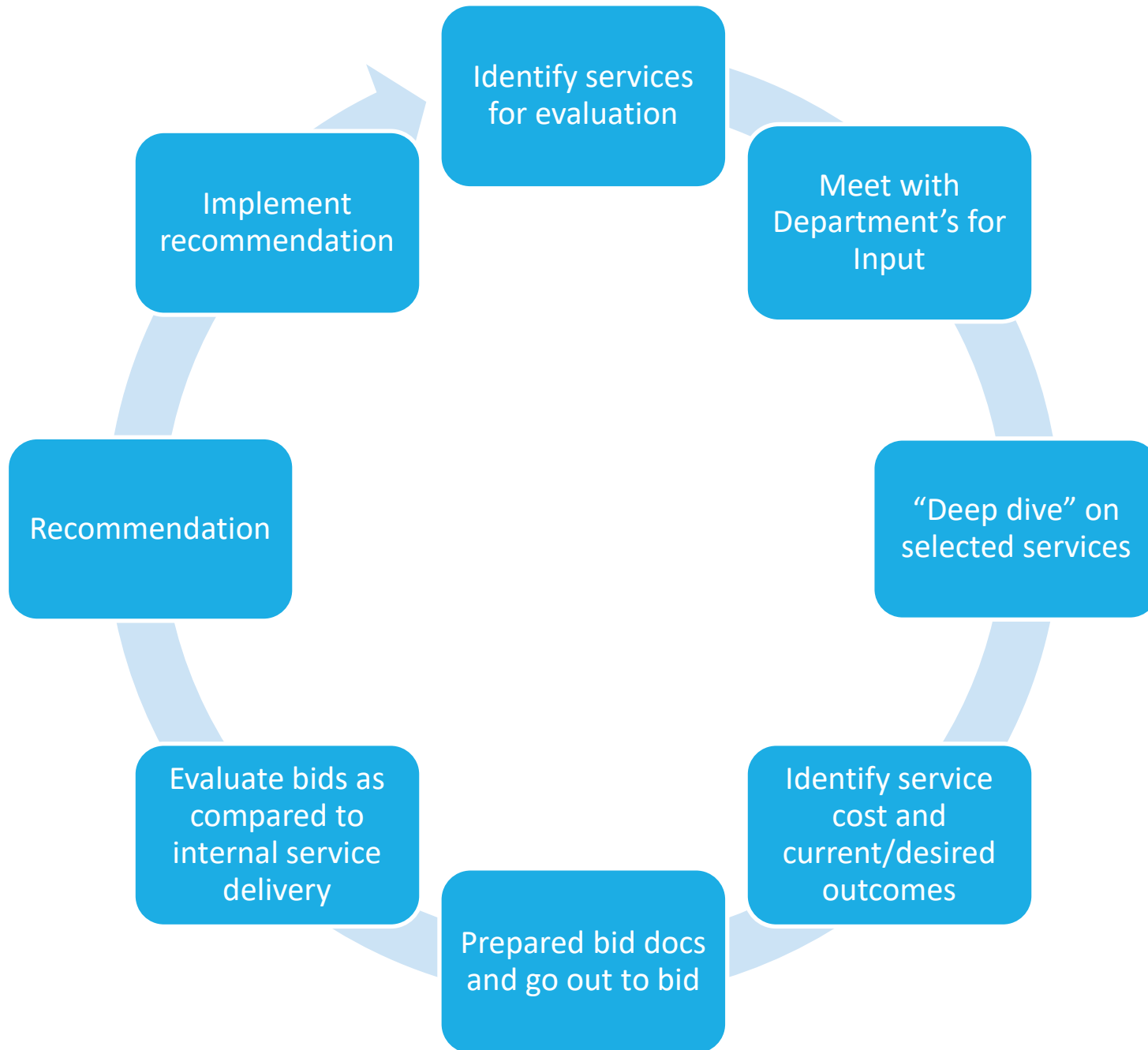
COUNCIL WORK
SESSION – FEBRUARY
29, 2024

A photograph of a blue running track with white lane markings. A measuring tape is laid out on the track surface, showing measurements from 10 to 55 meters. The tape is yellow with black markings and numbers.

Managed Competition Purpose

Process designed to evaluate the most cost-effective method for quality service delivery. It calls for carefully comparing the costs and benefits of contracting with private business or another government entity against the costs and benefits of providing the service in-house.

FY 2024 Managed Competition Process



FY 2024 Services Evaluated



Tree Trimming for Utility Line Clearance



Carpet Cleaning at select city facilities



Window Cleaning at select city facilities



Concession services at Thunder Junction, the SHAC, and outdoor swimming pool

☐ **Tree Trimming – Utility Line Clearance**

- ☐ (4 FT & 1 PT) + (1 FT Energy)
- ☐ Clearing tree limbs, brush, etc.. around powerlines and remove trees when necessary.
- ☐ Crew spends on average 70 days per year working on utility line clearance
- ☐ Thousands of trees are trimmed each year.

☐ **Concessions at Select Park Facilities**

- ☐ Thunder Junction, City Pool, SHAC
- ☐ (1 PT) – Thund-Junc, (1 PT) SHAC, (1 PT) Pool
- ☐ Concession shops that offers drinks and snacks to patrons, SHAC & Pool also handle birthday parties.
- ☐ Service is provided Monday-Saturday with hours varying by facility.
- ☐ Thousands of patrons served each year.

Service Overview –
Parks & Community Services

☐ Carpet Cleaning – Airport, Golf Courses, and Fire Stations

- ☐ 1FT and 1PT
- ☐ The frequency of carpet cleaning:
 - ☐ Airport – 4 times per year
 - ☐ Golf courses – 2 times per year
 - ☐ Fire stations – 1 time per year
- ☐ Roughly 151 work hours per year (combined)
- ☐ Facilities cleans over 31,000 square feet of carpet across these facilities

*Does not include station 1 or 10 as under construction. Red Hills not included due to minimal carpeting.

☐ Window Cleaning – City Hall, City Commons, Police, Suntran, Airport and Energy

- ☐ 1FT and 1PT
- ☐ All facilities exterior windows are cleaned once annually. The Airport's windows are cleaned on the interior and exterior twice per year.
- ☐ Roughly 52 work hours per year (combined)
- ☐ Facilities cleans 1,667 window surfaces across these facilities.

Service Overview – Operations

City Cost Overview

☐ Tree Trimming

- ☐ Service Cost: \$91,751.83
- ☐ Admin & Overhead: \$9,438.69
- ☐ **Total Cost: \$105,740.51**

☐ Concession Services

- ☐ Service Cost: \$70,853.53
- ☐ Admin & Overhead: \$7,709.86
- ☐ **Total Cost: \$78,563.38**
- ☐ Total Revenue: \$102,574.75
- ☐ **Profit/(Loss): \$24,011.37**

☐ Carpet Cleaning

- ☐ Service Cost: \$3,838.83
- ☐ Admin & Overhead: \$476.57
- ☐ **Total Cost: \$4,315.40**

☐ Window Cleaning

- ☐ Service Cost: \$2,467.83
- ☐ Admin & Overhead: \$306.37
- ☐ **Total Cost: \$2,774.20**

Bid Process Overview

☐ **Tree Trimming**

- ☐ Bid ran from January 4th to January 25th
- ☐ In addition to posting on the city and state website we reached out directly to 2 known companies to let the know about the opportunity
- ☐ 2 bids received back

☐ **Bids received**

- ☐ Asplundh - \$118,742.40
- ☐ Peterson - \$199,381.00

*Bids received based on 3-man crew staffing

☐ **Concession Services**

- ☐ Bid ran from February 2nd to February 22nd
- ☐ In addition to posting on the city and state website we reached out directly to 2 known companies to let them know about the opportunity
- ☐ No bids received back

☐ **Bids received**

- ☐ No bids received

Bid Process Overview

☐ Carpet Cleaning

- ☐ Bid ran from January 17th to January 30th
- ☐ In addition to posting on the city and state website we reached out directly to 3 known companies to let them know about the opportunity
- ☐ 2 bids received back

☐ Bids received

- ☐ Ecobrite Services - \$9,952.96
- ☐ Jdog - \$19,268.00

☐ Window Cleaning

- ☐ Bid ran from February 9th to February 22nd
- ☐ In addition to posting on the city and state website we reached out directly to 4 known companies to let them know about the opportunity
- ☐ 2 bids received back

☐ Bids received

- ☐ Blue Ribbon Window Cleaning - \$1,819.29 (partial bid)
- ☐ Zing Services - \$10,675.00

☐ Tree Trimming

☐ City – \$105,740.51

☐ Asplundh - \$118,742.40

☐ Peterson - \$199,381.00

☐ Concessions

☐ City – \$24,011.37 (Net)

☐ No comparisons

☐ Carpet Cleaning

☐ City - \$4,315.40

☐ Ecobrite - \$9,952.96

☐ Jdog - \$19,268.00

☐ Window Cleaning

☐ City – \$2,774.20

☐ Zing - \$10,675.00

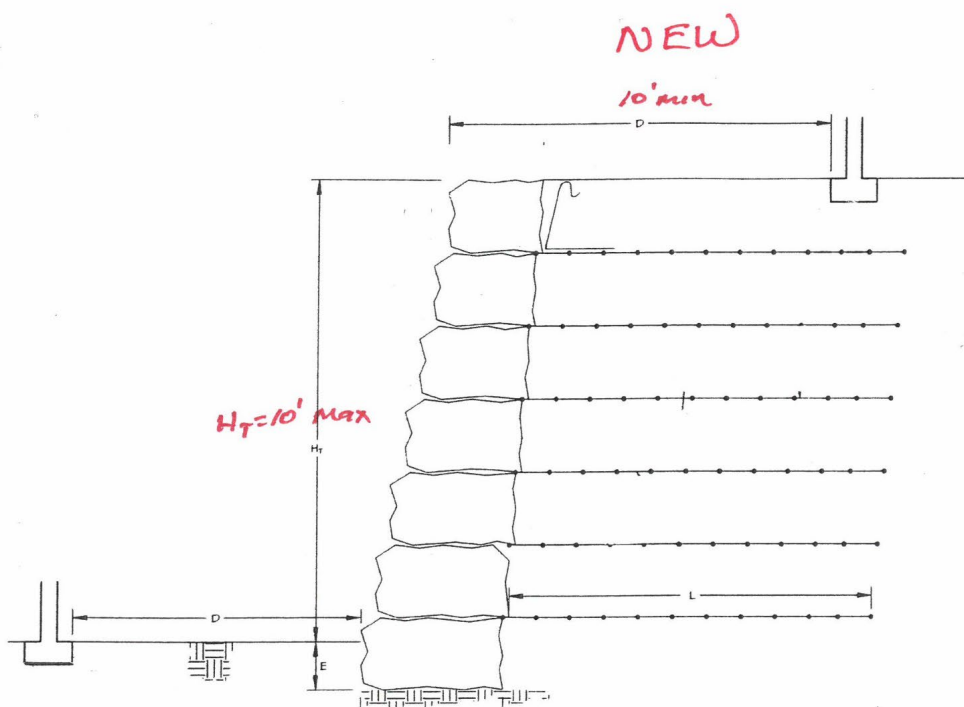
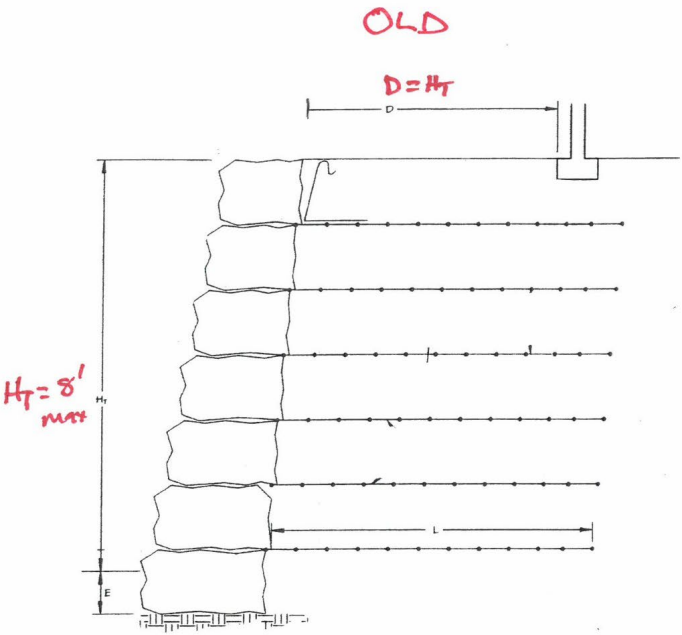
☐ Blue Ribbon - \$1,819.29 (partial bid)
– did not bid Airport or City
Commons – price per facility bid was
higher than city price

Comparison & Recommendation

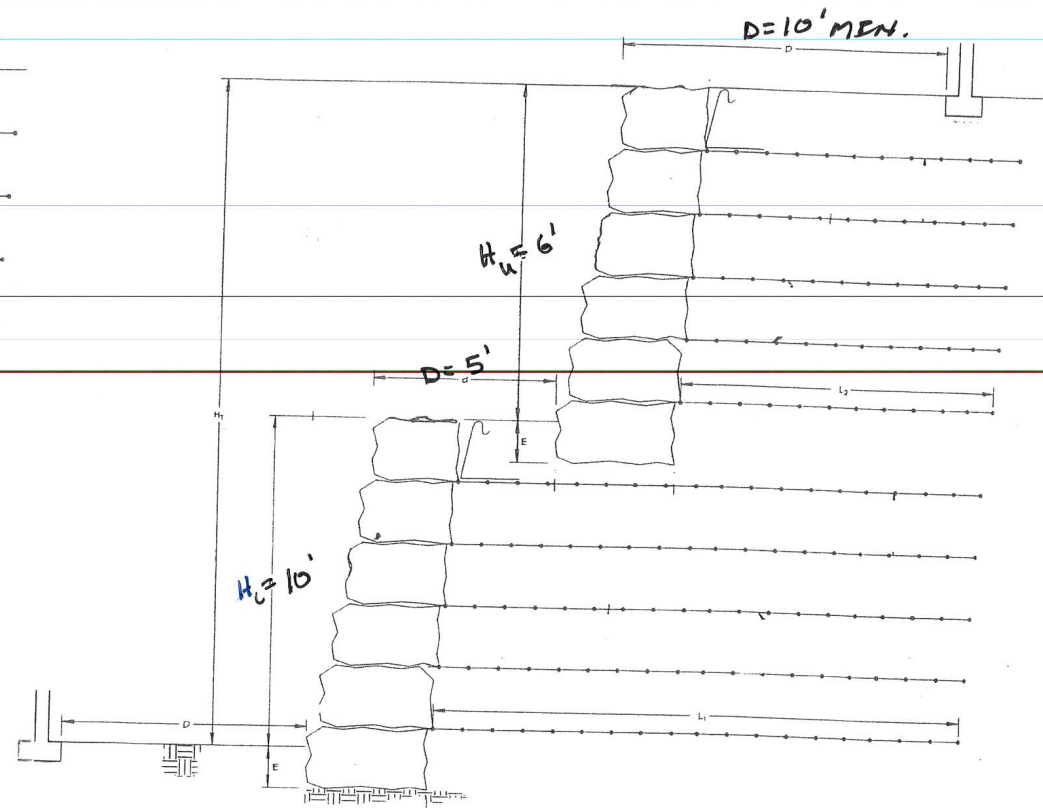
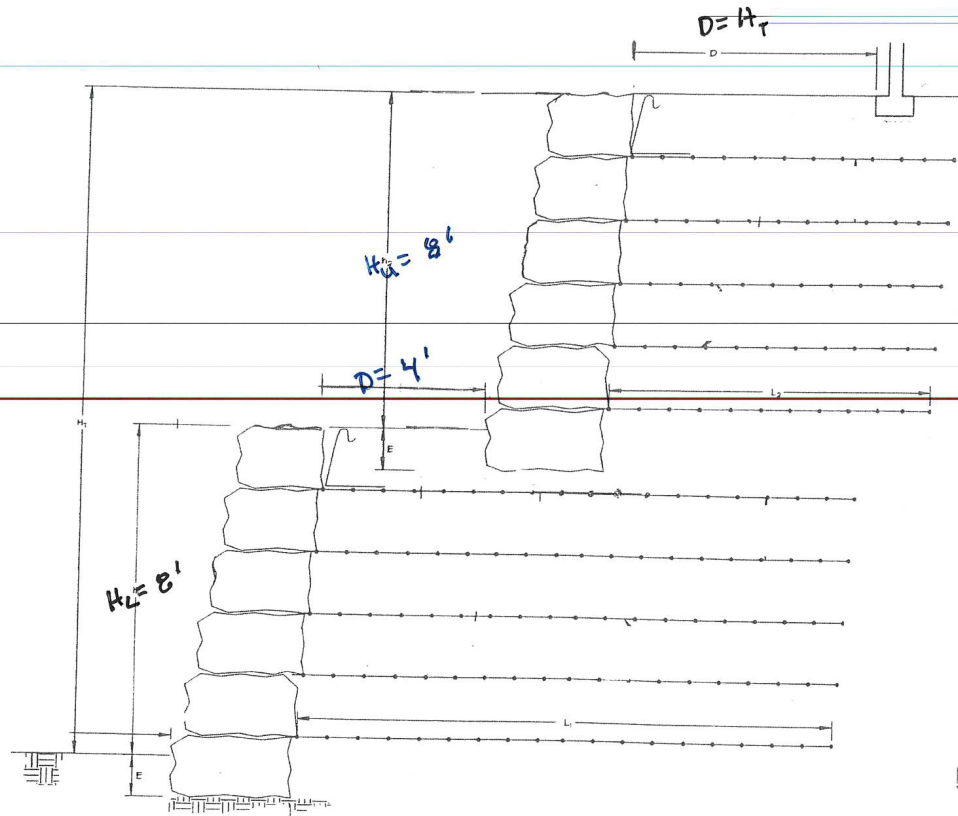
Thank you!

Questions?

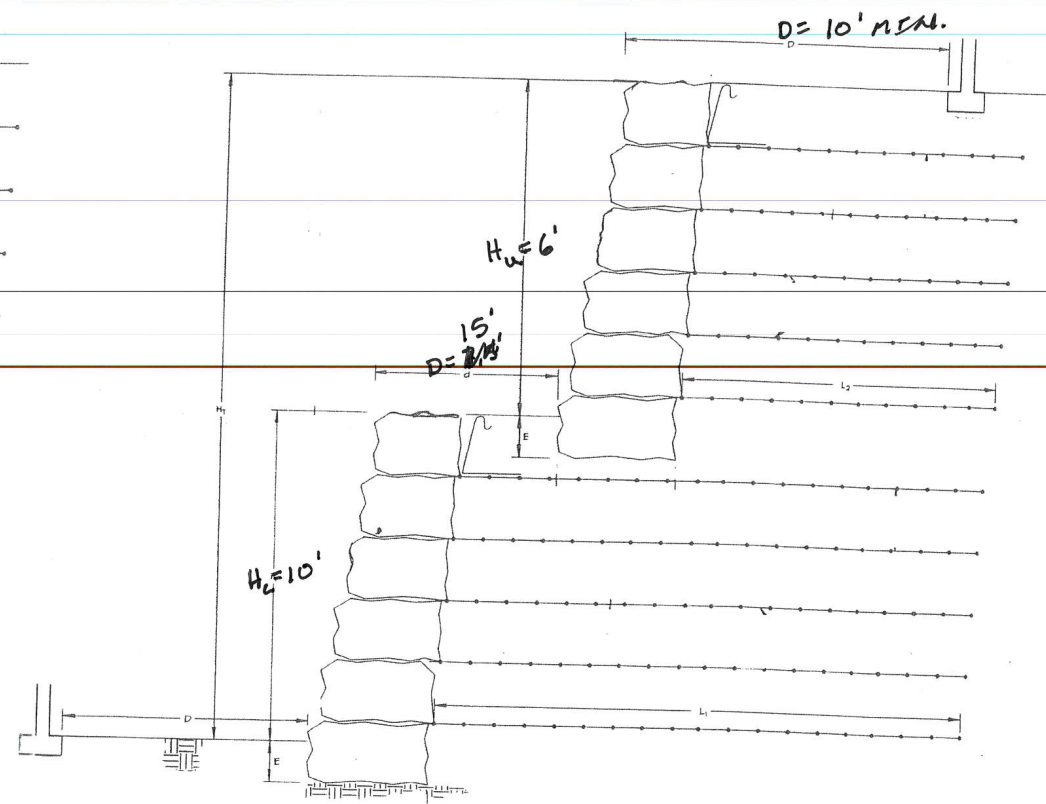
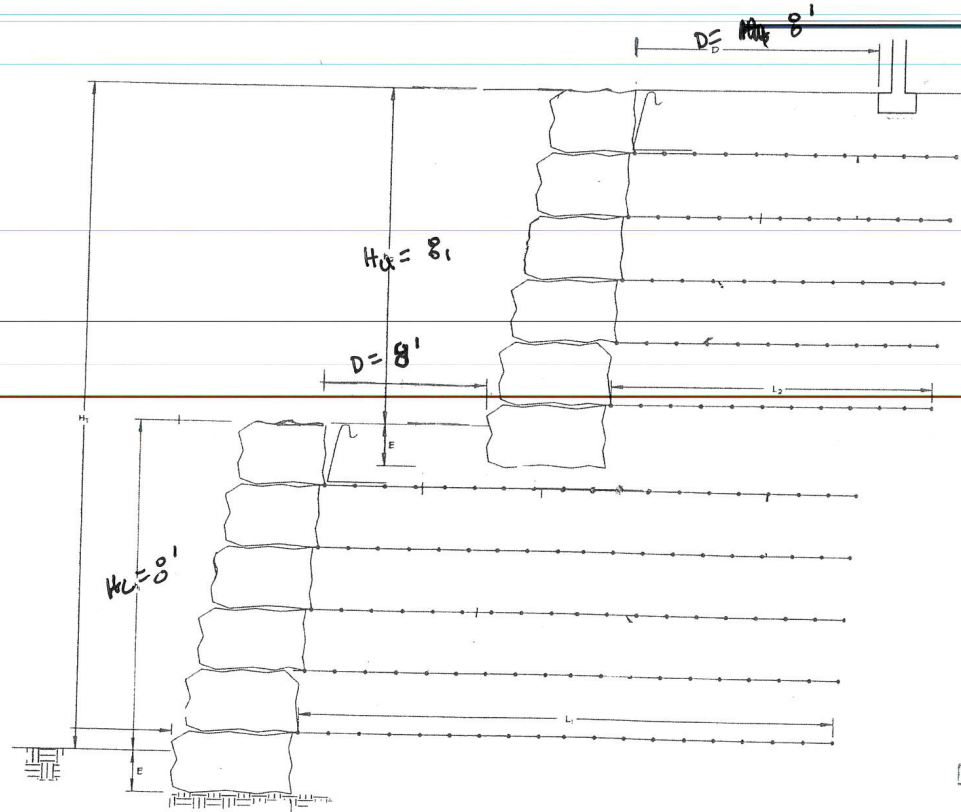
SINGLE-TIER ROCKERY RETAINING WALL DETAIL



TERRACED ROCKERY RETAINING WALL DETAIL
ONE WALL

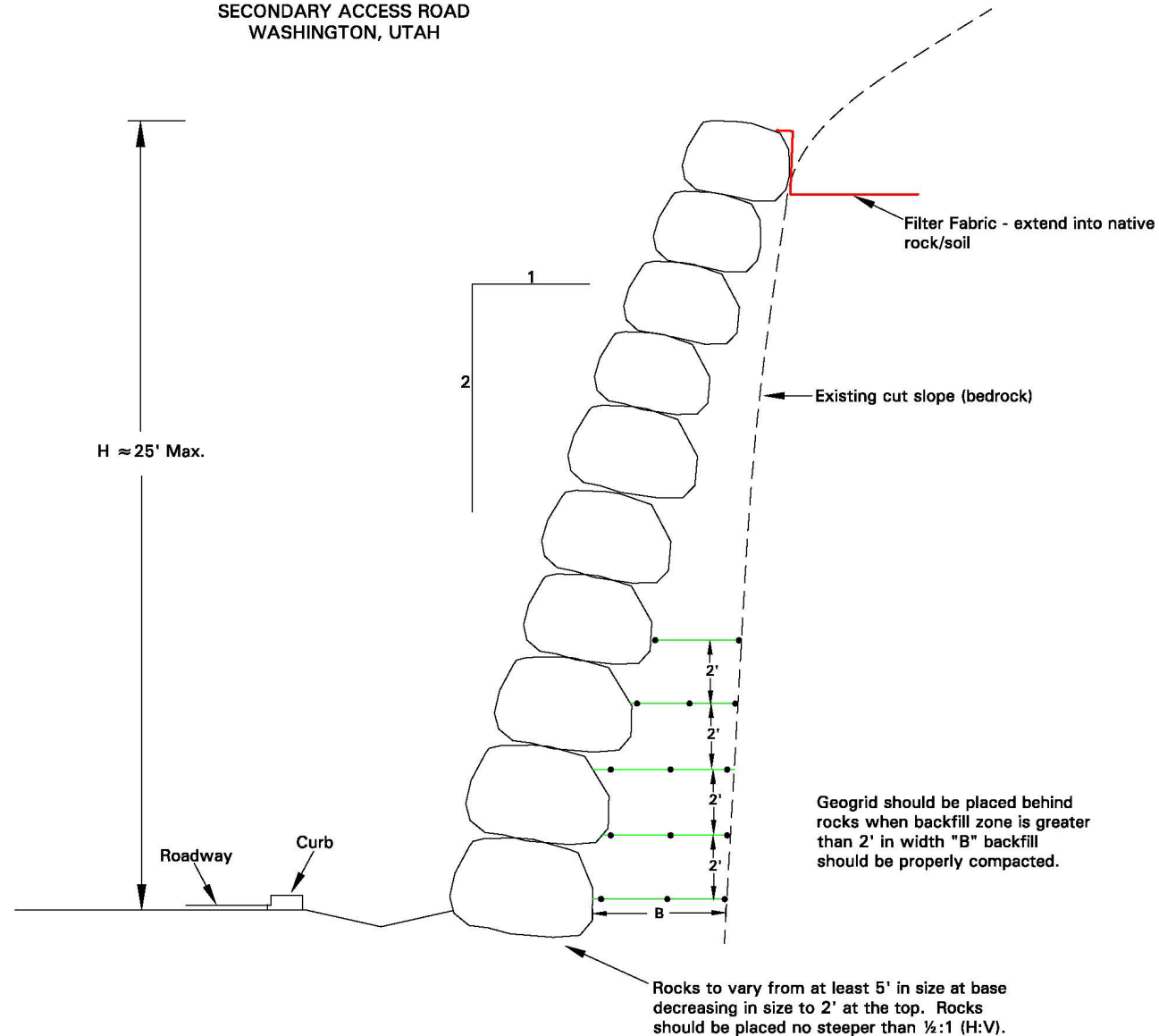


TERRACED ROCKERY RETAINING WALL DETAIL
SEPARATE WALLS





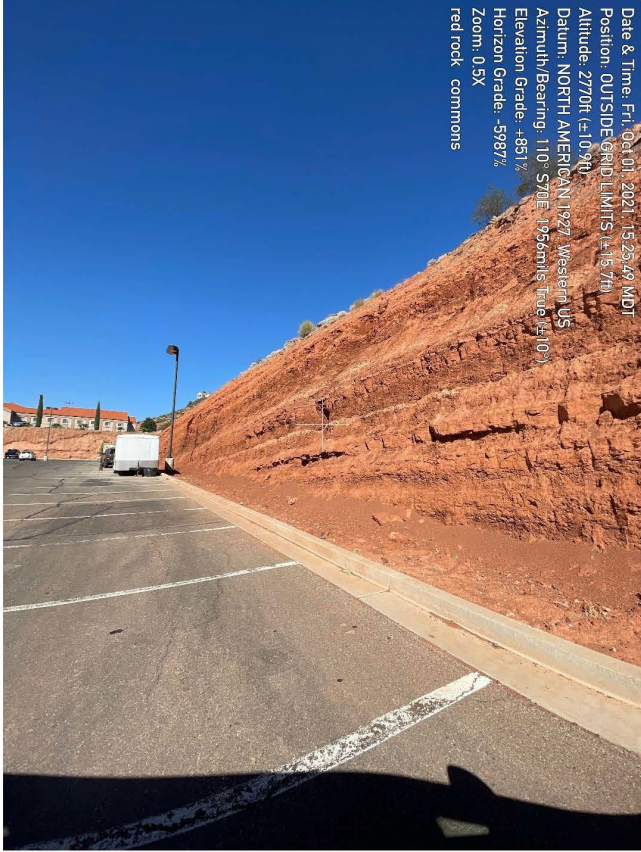
SOLIS AT CORAL CANYON
SECONDARY ACCESS ROAD
WASHINGTON, UTAH



By: G. Wayne Rogers, P.E.



Solic at Coral Canyon – Washington, stable slope- city wanted to match adjacent slope color and required rock facing see photos below.



Date & Time: Fri, Oct 01, 2021, 13:25:49 MDT
Position: OUTSIDE GRID LIMITS ±15.7m
Altitude: 2770ft (±10.9ft)
Datum: NORTH AMERICAN 1927, Western US
Azimuth/Bearing: 110° S70E, 1956m/s True (±10°)
Elevation Grade: +85.1%
Horizon Grade: -59.87%
Zoom: 0.5X
red rock commons

Dicks Sporting





Date & Time: Tue, Oct 05, 2021, 15:01:23 MDT
Position: OUTSIDE GRID LIMITS (+15.6ft)
Altitude: 2711ft (+11.0ft)
Datum: NORTH AMERICAN 1927, Western US
Azimuth Bearing: 264° S84W 4693mils True (+16°)
+00 3/4
+00 3/4
Zoom: 0.5X
monster storage



Solic at Coral Canyon – after facing slope.

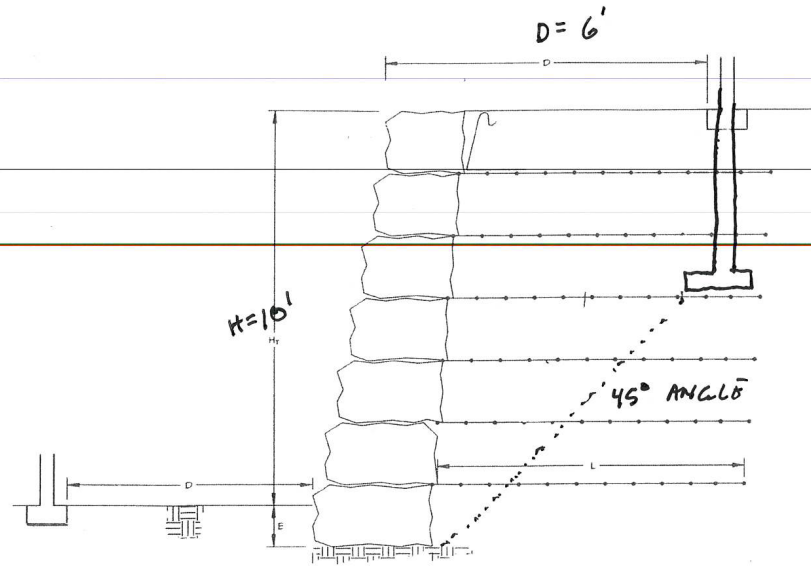
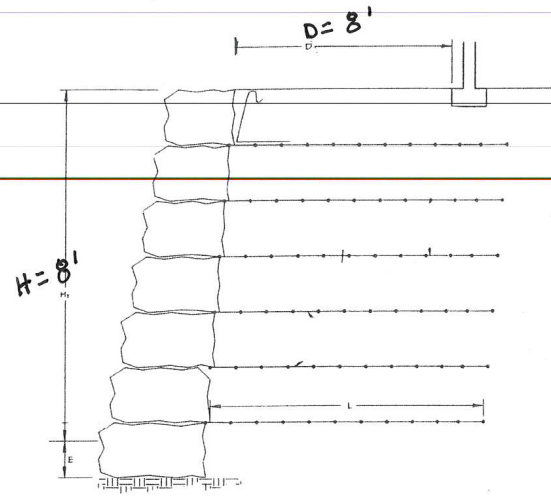
Date & Time: Fri, Oct 13, 2023 at 12:17:30 MDT
Position: OUTSIDE GRID LIMITS (±88.6ft)
Altitude: 3132ft (±19.7ft)
Datum: NORTH AMERICAN 1927, Western US
Azimuth/Bearing: 072° N72E 1280mils True (±10°)
Elevation Grade: +007%
Horizon Grade: -004%
Zoom: 0.5X
solic



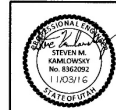
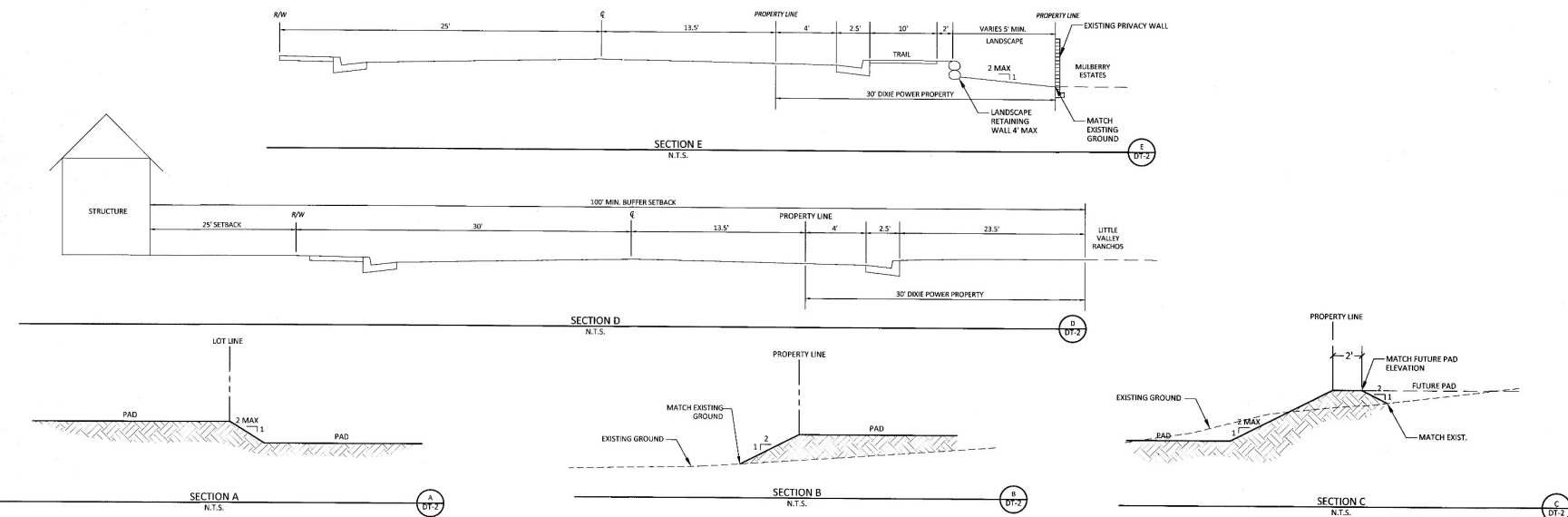
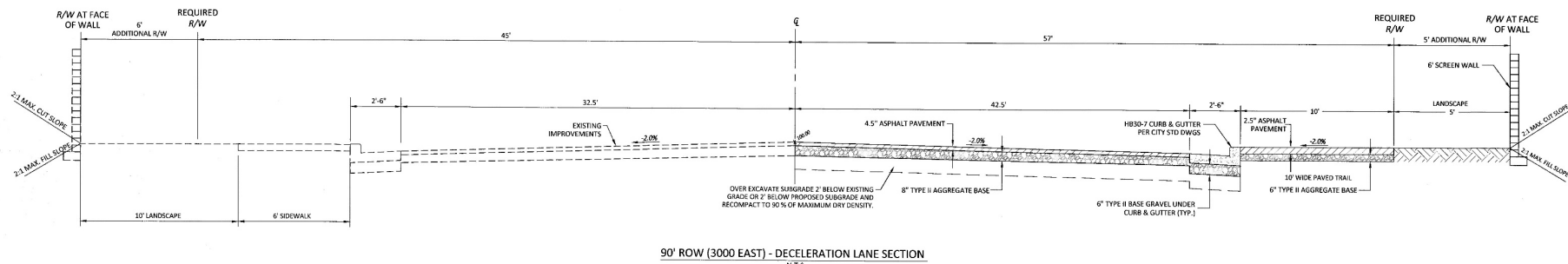
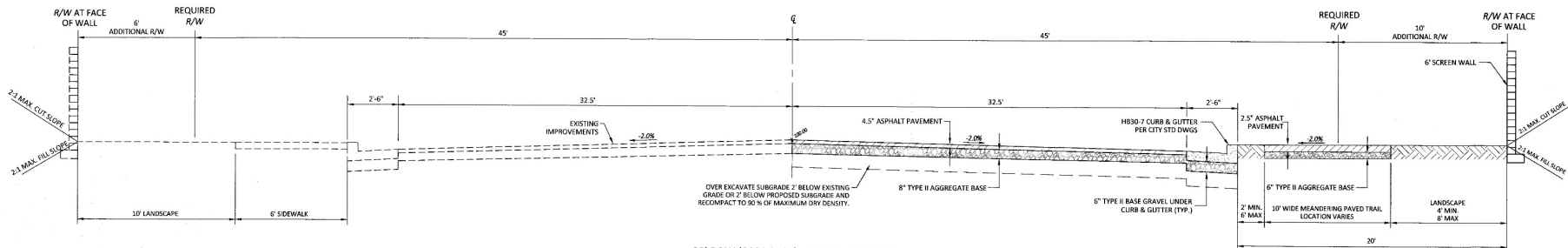
Solic at coral Canyon - after facing slope

SINGLE-TIER ROCKERY RETAINING WALL DETAIL

R-1-7 ZONE SIDYARD SETBACK = 6'



5/3/2015 Project: 15-024 The Arbors/15-024 CD.dwg 11/2/2016 4:48:05 PM 1:1 1:1



DATE	REVISION	NO.

THE ARBORS
PHASE 1
LOCATED IN ST. GEORGE, UTAH
SECTIONS AND DETAILS

DEVELOPMENT SOLUTIONS, INC.
LAND PLANNERS, CIVIL ENGINEERS
120 East St. George Blvd Suite #301
St. George, UT 84770-6700
Office (435) 638-5533
www.developmentsolutions.co



DATE:	7/28/16
PK:	SK
DRAWN BY:	TM
DESIGNED BY:	SK
CHECKED BY:	SK
PROJECT NO.:	13-004
SCALE:	NTS

SHEET NUMBER:
DT-2
24 OF 29 TOTAL

NATIONAL FLOOD INSURANCE PROGRAM COMMUNITY FLOODPLAIN MANAGEMENT REGULATIONS REVIEW CHECKLIST

Community St. George City C.I.D. 490177 State UT

Reviewed by: McKenzie Goodenough Date of Review: _____

Community Floodplain Management Regulations Reviewed by (circle one): FEMA State Other: (Agency Name) _____

Reviewer's Determination: / / The floodplain management regulations are compliant. / / The floodplain management regulations are not compliant.

Approved by: _____ (FEMA only) Date of Approval: / / /

The "Item Description" is a synopsis of the regulatory requirement and should not be construed as a complete description. Refer to the actual language contained in the National Flood Insurance Program Floodplain Management Regulations at Title 44 Code of Federal Regulations (CFR) Part 59 and 60 for the complete description of the required minimum criteria. Below the "Level of Regulations" column, you can indicate whether the community ordinance meets or exceeds the respective provision in the non-shaded areas.

Item Description (Section reference to the NFIP Regulations follows)	Level of Regs					Applicable Ordinance Section/Comments
	a	b	c	d 1	e ¹	
ORDINANCES MUST CONTAIN THE FOLLOWING PROVISIONS:						
1. Citation of Statutory Authority						Missing
2. Framework for administering the ordinance (including permit system, establishment of the office for administering the ordinance, record keeping, etc.).						10-13C-3 (C)(1) & (2) 10-13C-7
3. Adequate enforcement provisions (including a violation and penalty section specifying actions the community will take to assure compliance).						10-13C-10
4. Variance section with evaluation criteria and insurance notice. [60.6(a)]						Missing
5. Effective Date: Adoption Date:						Missing but might be on your official signed copy
6. Signature of Appropriate Official and Certification Official.						Missing but might be on your official copy

¹ If a community has both floodways and coastal high hazard areas, it must meet the requirements of both level 60.3(d) and 60.3(e).

NATIONAL FLOOD INSURANCE PROGRAM COMMUNITY FLOODPLAIN MANAGEMENT REGULATIONS REVIEW CHECKLIST

Community _____ C.I.D. _____ State _____

Reviewed by: _____ Date of Review: _____

Item Description <i>(Section reference to the NFIP Regulations follows)</i>	Level of Regs					Applicable Ordinance Section/Comments
	a	b	c	d 1	e ¹	
OTHER PROVISIONS AND ACTIONS THAT MAY BE NECESSARY TO MAKE THE ORDINANCE LEGALLY ENFORCEABLE AND ENSURE THAT IT CAN BE PROPERLY ADMINISTERED:						
7: Purpose section citing health, safety, and welfare reasons for adoption.						Missing
8: Disclaimer of Liability section advising that the degree of flood protection required by the ordinance is considered reasonable but does not imply total flood protection.						Missing
9. Abrogation and Greater Restriction section. (e.g., This Ordinance shall not in any way impair/remove the necessity of compliance with any other applicable laws, ordinances, regulations, etc. Where this Ordinance imposes a greater restriction, the provisions of this Ordinance shall control.)				X		10-13C-2 (B)
10. Severability section. (e.g., If any section, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court, the remainder of the ordinance shall not be affected.)				X		10-13C-9
11. Public hearing (State/local laws may require hearings)						Missing: This may be in your General Municipal code, but we couldn't find the reference.
12. Publication (State/local laws may require public notices)						Missing: This may be in your General Municipal code,

NATIONAL FLOOD INSURANCE PROGRAM COMMUNITY FLOODPLAIN MANAGEMENT REGULATIONS REVIEW CHECKLIST

Community _____ C.I.D. _____ State _____

Reviewed by: _____ Date of Review: _____

Item Description (Section reference to the NFIP Regulations follows)	Level of Regs					Applicable Ordinance Section/Comments
	a	b	c	d 1	e ¹	
						but we couldn't find the reference.
MINIMUM NFIP CRITERIA:						
13. Definitions: [59.1] __ Base Flood; __ Base Flood Elevation; __ Development; __ Existing manufactured home park or subdivision; __ Expansion to an existing manufactured home park or subdivision; __ Flood Insurance Rate Map; __ Flood Insurance Study; __ Floodway; __ Lowest Floor; __ Manufactured Home; __ Manufactured Home Park or Subdivision; __ New Construction; __ New Manufactured Home Park or Subdivision; __ Recreational Vehicle; __ Special Flood Hazard Area; __ Start of Construction; __ Structure; __ Substantial Damage; __ Substantial Improvement; __ Violation; Other Definitions as appropriate such as __ Floodproofing; __ Highest adjacent grade for community's with mapped AO Zones; __ Historic Structures						Missing
14. Adopt or reference correct Map and date. [60.3(b)] (If the community has an automatic adoption provision				X		10-13C-1 Missing correct date of 4/2/2009

NATIONAL FLOOD INSURANCE PROGRAM COMMUNITY FLOODPLAIN MANAGEMENT REGULATIONS REVIEW CHECKLIST

Community _____ C.I.D. _____ State _____

Reviewed by: _____ Date of Review: _____

Item Description (Section reference to the NFIP Regulations follows)	Level of Regs					Applicable Ordinance Section/Comments
	a	b	c	d 1	e ¹	
in its ordinance, is it valid?)						
15. Adopt or reference correct Flood Insurance Study and date. [60.3(c), (d), and/or (e)] (If the community has an automatic adoption provision in its ordinance, is it valid?)				X		10-13C-1 Missing correct date of 4/2/2009
16. Require permits for all proposed construction or other development including placement of manufactured homes to determine whether such construction or development is in a floodplain. [60.3(a)(1)]						
17. Require permits for all proposed construction and other development within SFHAs. [60.3(b)(1)]				X		10-13C-3 (B)
18. Assure that all other State and Federal permits are obtained. [60.3(a)(2)]				X		10-13C-3 (C)(2)(a)
19. Review permits to assure sites are reasonably safe from flooding and require for new construction and substantial improvements in flood-prone areas [60.3(a)(3)]: (a) Anchoring (including manufactured homes) to prevent flotation, collapse, or lateral movement of the structure. [60.3(a)(3)(i)]				X		10-13C-4 (B)(1)

NATIONAL FLOOD INSURANCE PROGRAM COMMUNITY FLOODPLAIN MANAGEMENT REGULATIONS REVIEW CHECKLIST

Community _____ C.I.D. _____ State _____

Reviewed by: _____ Date of Review: _____

Item Description (Section reference to the NFIP Regulations follows)	Level of Regs					Applicable Ordinance Section/Comments
	a	b	c	d 1	e ¹	
(b) Use of flood-resistant materials. [60.3.(a)(3)(ii)]				X		10-13C-4 (B)(3)(a)
(c) Construction methods and practices that minimize flood damage. [60.3(a)(3)(iii)]				X		10-13C-4 (B)(3)(b)
(d) Electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities designed and/or located to prevent water entry to accumulation. [60.3(a)(3)(iv)]				X		10-13C-4 (C)
20. Review subdivision proposals and other development, including manufactured home parks or subdivisions, to determine whether such proposals will be reasonably safe from flooding [60.3(a)(4)]. If a subdivision or other development proposal is in a flood-prone area, assure that: (a) Such proposals minimize flood damage. [60.3(a)(4)(i)]						Missing
(b) Public utilities and facilities are constructed so as to minimize flood damage. [60.3(a)(4)(ii)]				X		10-13C-4 (D)(5)
(c) Adequate drainage is provided. [60.3(a)(4)(iii)]				X		10-13C-4 (D)(6)
21. Require new and replacement water supply and sanitary sewage systems to be designed to minimize or eliminate infiltration. [60.3(a)(5) and 60.3(a)(6)]				X		10-13C-4 (D)(2)
22. Require onsite waste disposal systems be designed to				X		10-13C-4 (D)(3)

NATIONAL FLOOD INSURANCE PROGRAM COMMUNITY FLOODPLAIN MANAGEMENT REGULATIONS REVIEW CHECKLIST

Community _____ C.I.D. _____ State _____

Reviewed by: _____ Date of Review: _____

Item Description (Section reference to the NFIP Regulations follows)	Level of Regs					Applicable Ordinance Section/Comments
	a	b	c	d 1	e ¹	
avoid impairment or contamination. [60.3(a)(6)(ii)]						
23. Require base flood elevation data for subdivision proposals or other developments greater than 50 lots or 5 acres. [60.3(b)(3)]				X		10-13C-4 (D)(7)
24. In A Zones, in the absence of FEMA BFE data and floodway data, obtain, review, and reasonably utilize other BFE and floodway data as a basis for elevating residential structures to or above the base flood level, and for floodproofing or elevating non-residential structures to or above the base flood level. [60.3(b)(4)]				X		10-13C-3 (D) Not exact language, but is there.
25. Where BFE data are utilized in Zone A, obtain and maintain records of the lowest floor and floodproofing elevations for new and substantially improved construction. [60.3(b)(5)]				X		10-13C-3 (D)(1)(a)
26. In riverine areas, notify adjacent communities of watercourse alterations and relocations. [60.3(b)(6)]				X		10-13C-3 (D)(3)(a) Missing adjacent
27. Maintain the carrying capacity of an altered or relocated watercourse. [60.3(b)(7)]				X		10-13C-3 (D)(3)(b)
28. Require all manufactured homes to be elevated and anchored to resist flotation, collapse, or lateral				X		10-13C-4 (B)(2)

1/31/2024

NATIONAL FLOOD INSURANCE PROGRAM COMMUNITY FLOODPLAIN MANAGEMENT REGULATIONS REVIEW CHECKLIST

Community _____ C.I.D. _____ State _____

Reviewed by: _____ Date of Review: _____

Item Description (Section reference to the NFIP Regulations follows)	Level of Regs					Applicable Ordinance Section/Comments
	a	b	c	d 1	e ¹	
movement. [60.3(b)(8)]						
29. Require all new and substantially improve <u>residential</u> structures within A1-30, AE, and AH Zones have their lowest floor (including basement) elevated to or above the Base Flood Elevation. [60.3(c)(2)]				X		10-13C-4 (D)(9)(a)
30. ² In AO Zones, require that new and substantially improved <u>residential</u> structures have their lowest floor (including basement) to or above the highest adjacent grade at least as high as the FIRM's depth number. [60.3(c)(7)]				X		10-13C-4 (D)(9)(b)
31. Require that new and substantially improved <u>non-residential</u> structures within A1-30, AE, and AH Zones have their lowest floor elevated or floodproofed to or above the Base Flood Elevation. [60.3(c)(3)]				X		10-13C-4 (D)(8)
32. ² In AO Zones, require new and substantially improved <u>non-residential</u> structures have their lowest floor elevated or completely floodproofed above the highest adjacent grade to at least as high as the depth number on the FIRM. [60.3(c)(8)]				X		10-13C-4 (D)(8)(d)(1)

² Item 30 and 32 are not required if the community has no AO Zones.

NATIONAL FLOOD INSURANCE PROGRAM

COMMUNITY FLOODPLAIN MANAGEMENT REGULATIONS REVIEW CHECKLIST

Community _____ C.I.D. _____ State _____

Reviewed by: _____ Date of Review: _____

Item Description (Section reference to the NFIP Regulations follows)	Level of Regs					Applicable Ordinance Section/Comments
	a	b	c	d 1	e ¹	
33. Require that for floodproofed non-residential structures, a registered professional engineer/architect certify that the design and methods of construction meet requirements at 60.3(c)(3)(ii). [60.3(c)(4)]				X		10-13C-4 (D)(8)(c)
34. Require, for all new construction and substantial improvements, that fully enclosed areas below the lowest floor that are used solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing the entry and exit of floodwaters in accordance with the specifications in 60.3(c)(5). (Openings requirement)						Missing
35. ³ Until a regulatory floodway is designated, no encroachment may increase the Base Flood level more than 1 foot. [60.3(c)(10)]						Missing

³ Item 35 is not required if all streams have floodways designated.

NATIONAL FLOOD INSURANCE PROGRAM COMMUNITY FLOODPLAIN MANAGEMENT REGULATIONS REVIEW CHECKLIST

Community _____ C.I.D. _____ State _____

Reviewed by: _____ Date of Review: _____

Item Description (Section reference to the NFIP Regulations follows)	Level of Regs					Applicable Ordinance Section/Comments
	a	b	c	d 1	e ¹	
36. ⁴ In Zones AO and AH, require drainage paths around structures on slopes to guide water away from structures. [60.3(c)(11)]				X		10-13C-4 (D)(8)(e) 10-13C-4 (D)(9)(e)
37. Require that manufactured homes placed or substantially improved within A1-30, AH, and AE Zones, which meet one of the following location criteria, to be elevated such that the lowest floor is to or above the Base Flood Elevation and be securely anchored: (i) outside a manufactured home park or subdivision; (ii) in a new manufactured home park or subdivision; (iii) in an expansion to an existing manufactured home park or subdivision; iv) on a site in an existing park which a manufactured home has incurred substantial damage as a result of a flood. [60.3(c)(6)]				X		10-13C-4 (D)(9)(g)(1)
38. In A-1-30, AH, and AE Zones, require that manufactured homes to be placed or substantially improved in an <u>existing</u> manufactured home park to be elevated so that (i) the lowest floor is at or above the Base Flood				X		10-13C-4 (D)(9)(g)(2)

⁴ Item 36 is not required if the community has no AO or AH Zones.

NATIONAL FLOOD INSURANCE PROGRAM COMMUNITY FLOODPLAIN MANAGEMENT REGULATIONS REVIEW CHECKLIST

Community _____ C.I.D. _____ State _____

Reviewed by: _____ Date of Review: _____

Item Description (Section reference to the NFIP Regulations follows)	Level of Regs					Applicable Ordinance Section/Comments
	a	b	c	d 1	e ¹	
Elevation; OR (ii) the chassis is supported by reinforced piers no less than 36 inches in height above grade and securely anchored. [60.3(c)(12)]						
39. In A1-30, AH, and AE Zones, all recreational vehicles to be placed on a site must (i) be elevated and anchored; OR (ii) be on the site for less than 180 consecutive days; OR (iii) be fully licensed and highway ready. [60.3(c)(14)]				X		10-13C-4 (D)(10)
40. Designate a regulatory floodway which will not increase the Base Flood level more than 1 foot. [60.3(d)(2)]						Missing
41. In a regulatory floodway, prohibit any encroachment, unless hydrologic and hydraulic analyses prove that the proposed encroachment would not cause an increase in flood levels during the Base Flood discharge. [60.3(d)(3)]				X		10-13C-7 (A)
42. In V1-30, VE, and V Zones, obtain and maintain the elevation of the bottom of the lowest horizontal structural member of the lowest floor of all new and substantially improved structures. [60.3(e)(2)]						
43. In V1-30, VE, and V Zones, require that all new construction and substantial improvements: (a) Are elevated and secured to anchored pilings or columns so that the bottom of the lowest horizontal structural member is at or above the Base Flood						

NATIONAL FLOOD INSURANCE PROGRAM COMMUNITY FLOODPLAIN MANAGEMENT REGULATIONS REVIEW CHECKLIST

Community _____ C.I.D. _____ State _____

Reviewed by: _____ Date of Review: _____

Item Description (Section reference to the NFIP Regulations follows)	Level of Regs					Applicable Ordinance Section/Comments
	a	b	c	d 1	e ¹	
Elevation. [60.3(e)(4)]						
(b) A registered professional engineer/architect certify that the design and methods of construction meet elevation and anchoring requirements at 60.3(e)(4)(i) and (ii). [60.3(e)(4)]						
(c) Have the space below the lowest floor either free of obstruction or constructed with breakaway walls. Any enclosed space shall be used solely for parking, building access, or storage. [60.3(e)(5)]						
(d) All new construction must be landward of mean high tide. [60.3(e)(3)]						
(e) Prohibit use of fill for structural support. [60.3(e)(6)]						
(f) Prohibit alterations of sand dunes and mangrove stands, which would increase potential flood damage. [60.3(e)(7)]						
44. Require that manufactured homes placed or substantially improved within V1-30, VE, and V Zones, which meet one of the following location criteria, meet the V Zone standards in 60.3(e)(2) through (e)(7): (i) outside a manufactured home park or subdivision; (ii) in a new manufactured home park or subdivision; (iii) in an expansion to an existing manufactured home park or subdivision; (iv) on a site in an existing park which a manufactured						

NATIONAL FLOOD INSURANCE PROGRAM COMMUNITY FLOODPLAIN MANAGEMENT REGULATIONS REVIEW CHECKLIST

Community _____ C.I.D. _____ State _____

Reviewed by: _____ Date of Review: _____

Item Description <i>(Section reference to the NFIP Regulations follows)</i>	Level of Regs					Applicable Ordinance Section/Comments
	a	b	c	d 1	e ¹	
home has incurred substantial damage as a result of a flood. [60.3(e)(8)]						
45. In V1-30, VE, and V Zones, require that manufactured homes to be placed or substantially improved in an <u>existing</u> manufactured home park to be elevated so that (i) the lowest floor is at or above the Base Flood Elevation; OR (ii) the chassis is supported by reinforced piers that are not less than 36 inches in height above grade and securely anchored. [60.3(e)(8)(iv)]						
46. In V1-30, VE, and V zones, all recreational vehicles to be placed on a site must (i) be elevated and anchored; OR (ii) be on the site for less than 180 consecutive days; OR (iii) be fully licensed and highway ready. [60.3(e)(9)]						

Comments

ARTICLE C. DEVELOPMENT IN FLOOD AND EROSION HAZARD OVERLAY ZONE (FLOODPLAIN REGULATIONS)

~~10-13C-1: Special Flood Hazard Areas~~

~~10-13C-2: Requirements~~

~~10-13C-3: Additional Requirements for Development in the Flood Hazard
Area – Flood Hazard Development Permit~~

~~10-13C-4: Additional Requirements for Development in the Flood Hazard
Area – Provisions for Flood Hazard Reduction~~

~~10-13C-5: Building Permit Requirements~~

~~10-13C-6: Drainage Encroachment~~

~~10-13C-7: Floodways~~

10-13C-1: STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND METHODS

10-13C-2: DEFINITIONS

10-13C-3: GENERAL PROVISIONS

10-13C-4: ADMINISTRATION

10-13C-5: PROVISIONS FOR FLOOD HAZARD REDUCTION

10-13C-6: BUILDING PERMIT REQUIREMENTS

10-13C-7: STANDARDS FOR AREAS OF SHALLOW FLOODING

10-13C-8: DRAINAGE ENCROACHMENT

10-13C-9: FLOODWAYS

10-13C-10: ENFORCEMENT

10-13C-1:

~~SPECIAL FLOOD HAZARD AREAS:~~

STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND METHODS

A. Statutory Authorization: The Legislature of the State of Utah has delegated to
local governmental units the responsibility to adopt regulations designed to

minimize flood losses. See Utah Code Annotated 10-3-701. Therefore, the city of St. George (City) does ordain as follows:

The City elects to comply with the requirements of the National Flood Insurance Act of 1968 (P.L. 90-488, as amended). The National Flood Insurance Program (NFIP) is a voluntary program administered by the Federal Emergency Management Agency (FEMA) The National Flood Insurance Program, established in the aforesaid act, provides that areas of the city having a special flood hazard be identified by the Federal Emergency Management Agency and that floodplain management measures be applied in such flood hazard areas. The National Flood Insurance Reform Act of 1994. The National Flood Insurance Program is administered by the Federal Emergency Management Agency, a component of the U.S. Department of Homeland Security.

B. Findings of Fact: The flood hazard areas of the City are subject to periodic inundation by flood waters, which results in possible loss of life and property, health and safety hazards, disruption of commerce and governmental services, and extraordinary public expenditures for flood protection and relief, all of which adversely affect the public health, safety, and general welfare.

These potential flood losses are caused by:

1. The cumulative effect of obstructions in floodplains that are known to cause increases in flood heights and velocities.
2. The occupancy of flood hazard areas by structures vulnerable to floods because they are inadequately elevated, or otherwise unprotected from flood damages; and
3. Uses deemed unsuitable for floodplain areas or that do not account for the increased flood risk.

C. Statement of Purpose: It is the purpose of this chapter to promote the public health, safety, and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

1. Protect human life and health.
2. Minimize damage to public infrastructure, including but not limited to utilities, streets, and bridges that are susceptible to flooding.
3. Minimize prolonged business interruptions caused by flooding.
4. Minimize public expenditures on flood control projects.

5. Minimize the need for rescue and relief efforts associated with flooding that are generally undertaken at the expense of the general public.
 6. Protect and safeguard the welfare and safety of first responders should an emergency response be needed.
 7. Help maintain a stable tax base by providing for the sound use and development of flood-prone areas in such a manner as to minimize future blight areas; and
 8. Promote that potential buyers are notified if properties are in a flood area.
- D. *Methods of reducing flood losses:* To accomplish the purposes outlined in Title 10, Chapter 13 Article C, Section 1.C statement of purpose, this chapter applies the following methods:
1. Restricts or prohibits land uses that are dangerous to health, safety, or property in times of flooding, or cause excessive increase in flood heights or velocities.
 2. Require that land uses vulnerable to floods, including facilities which serve such uses, be protected, against flood damage at the time of initial construction.
 3. Controls the alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accommodation of flood waters.
 4. Control filling, grading, dredging and other development that may increase flood damage; and
 5. Prevents or regulates the construction of flood barriers that will unnaturally divert flood waters or may increase flood hazards to other lands.

10-13C-2:(FEMA) in_

DEFINITIONS

Unless specifically defined below, words or phrases used in this chapter shall be interpreted to give them the meaning they have in common usage and to give this chapter its most reasonable application.

For the purpose of this chapter, the definitions in section 10-2-1 shall apply in this chapter as well as the following definitions:

100-YEAR FLOOD means a flood having a recurrence interval that has a 1-percent chance of being equaled or exceeded during any given year (1-percent-annual-chance flood). The terms “100- hundred-year flood” and “1-percent-annual-chance flood” are synonymous. The term does not imply that the flood will necessarily happen once every 100 hundred years. Mandatory flood insurance requirements may apply.

100-YEAR FLOODPLAIN means the area of land susceptible to being inundated due to the occurrence of a 1-percent-annual-chance flood. The term does not imply that the flood will necessarily happen once every 100 years.

500-YEAR FLOODPLAIN means the area of land susceptible to being inundated due to the occurrence of a 0.2-percent-annual-chance flood. The term does not imply that the flood will necessarily happen once every 500 years and mandatory flood insurance requirement generally does not apply.

ACCESSORY STRUCTURE is a structure that is on the same parcel of property as a principal structure. Its use is incidental to the use of the principal structure; the ownership of the accessory structure is the same owner as of the principal structure. An accessory structure is a non-residential structure. No human habitation is allowed within an accessory structure.

ADDITION is any improvement that expands the enclosed footprint or increases the square footage of an existing structure. This includes lateral additions added to the side, front, or rear of a structure; vertical additions added on top of a structure; and enclosures added underneath a structure.

ALLUVIAL FAN FLOODING means flooding occurring on the surface of an alluvial fan or similar landform that originates at the apex. It is characterized by high-velocity flows; active processes or erosion, sediment transport, and deposition; and unpredictable flow paths.

APPURTENANT STRUCTURE—see Accessory Structure.

AREA OF SHALLOW FLOODING means a designated AO, AH, AR/AO, or AR/AH zone on the City's Flood Insurance Rate Map (FIRM) with a 1 percent or greater annual chance of flooding to an average depth of 1 to 3 feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

AREA OF FUTURE-CONDITIONS FLOOD HAZARD means the land area that would be inundated by the 1-percent -annual-chance (100-year) flood, based on future-conditions hydrology.

AREA OF SPECIAL FLOOD-RELATED EROSION HAZARD is the land within the City that is most likely to be subject to severe flood-related erosion losses. The area may be designated as Zone E on the Flood Hazard Boundary Map (FHBM). After the detailed evaluation of the special flood-related erosion hazard area, in preparation for publication of the FIRM, Zone E may be further refined.

AREA OF SPECIAL FLOOD HAZARD is the land within the flood plain within a community subject to a 1 percent or greater chance of flooding in any given year. The area may be designated as Zone A on the FHBM. After detailed ratemaking has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zone A, AO, AH, A1-30, AE, A99, AR, AR/A1-30, AR/AE, AR/AO, AR/AH, AR/A or V1-30, VE or V. For the purposes of these regulations, the term “special flood hazard area” is synonymous in meaning with the phrase “area of special flood hazard”.

BASE FLOOD means the flood having a 1-percent chance of being equaled or exceeded in any given year.

BASE FLOOD ELEVATION (BFE) is the water surface elevation of the 1-percent-annual-chance flood event. It is the height in relation to mean sea level expected to be reached by the waters of the base flood at pertinent points in the floodplains of coastal and riverine areas. It is also the elevation shown on the FIRM and found in the accompanying Flood Insurance Study (FIS) for Zones A, AE, AH, A1-A30, AR, V1-V30, or VE that indicates the water surface elevation resulting from the flood that has a 1-percent chance of equaling or exceeding that level in any given year.

BASE LEVEL ENGINEERING (BLE) generates watershed-wide flood hazard information built from foundation level hydrologic and hydraulic engineering models – providing floodplain boundaries, flood depth and water surface elevation grids in areas not included in the FIRM data coverage.

BASEMENT means any area of the building having its floor subgrade (below ground level) on all sides. A walkout basement that does not require a step up to grade is not considered a basement.

BEST AVAILABLE DATA is existing flood hazard information adopted by a community and reflected on an effective FIRM, FBFM, and/or within an FIS report; or draft or preliminary flood hazard information supplied by FEMA or from another source. Other sources may include, but are not limited to, the state, other federal agencies, or local studies, the more restrictive of which would be reasonably used by the city.ch standard in accordance with State law.

BREAKAWAY WALL means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

BUILDING—see Structure.

CHANNELIZATION means the artificial creation, enlargement, realignment, or alteration of a stream channel's slope, shape, or alignment. Streambank restoration may be deemed as channelization.

CODE OF FEDERAL REGULATIONS (CFR) is the codification of the general and permanent rules published in the Federal Register by the executive departments and agencies of the Federal Government.

CONDITIONAL LETTER OF MAP REVISION (CLOMR) is FEMA's comment on a proposed project that would, upon construction, affect the hydrologic and/or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective BFEs, and/or the SFHA. The letter does not revise an effective map; it indicates whether the project, if built as proposed, would be recognized by FEMA.

CONDITIONAL LETTER OF MAP REVISION BASED ON FILL (CLOMR-F) is FEMA's comment on a proposed structure of property. The letter does not revise an effective map; it indicates whether the project, if built as proposed, would be removed from the floodplain.

CRAWLSPACE means an under-floor space that has its interior floor area (finished or not) no more than 4 feet from the bottom floor joist the next higher floor elevation, designed with proper openings that equalize hydrostatic pressures of flood water, and is not used for habitation. Reference: Article C, Section 5.B.4 CRAWLSPACE

CRITICAL FEATURE – means a facility or building where even a slight chance of flooding is too great a threat. Typical critical facilities include hospitals, fire stations, police stations, schools, storage or critical records, assisted living and similar facilities.

DEED RESTRICTION refers to a clause in a deed that limits the future use of the property in some respect. Deed restrictions may impose a vast variety of limitations and conditions. For example, they may limit the density of buildings, dictate the types of structures that can be erected, or prevent buildings from being used for specific purposes or from being used at all.

DETACHED GARAGE is a building that is used solely for storage of materials or vehicle parking for up to four housing occupants. If a detached garage is designed or used for habitation or conducting business, or has multiple stories, then the building is not considered a detached garage under the NFIP.

DEVELOPMENT means any human-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, demolition, excavation or drilling operations, or storage either temporary or permanent of equipment or materials.

ELEVATED BUILDING is a non-basement building built, in the case of a building in Zone A1-30, AE, A, A99, AR, AO, AH, B, C, X and D, to have the top of the elevated floor above the ground level by means of pilings, columns (post and piers), or shear walls parallel to the flow of the water and adequately anchored so as not to impair the structural integrity of the building during a flood of up to the magnitude of the base flood. In the case of a building in Zone A1-30, AE, A, A99, AR, AO, AH, B, C, X and D, an “elevated building” also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters.

ENCLOSURE refers to an enclosed walled-in area below the lowest floor of an elevated building. Enclosures below the BFE may only be used for building access, vehicle parking and storage.

EROSION means the process of the gradual wearing away of land masses by wind, water, or other natural agents.

EROSION HAZARD OVERLAY ZONE means an area identified by a scientific and engineering report entitled “~~the flood insurance study~~ River Stability Study” for the city of St. George, Utah, dated ~~August 19, 1987~~ January, 1997, with an accompanying ~~flood insurance–rate~~ stability study boundary map (~~FIRM~~), is hereby adopted as an overlay zone by reference and declared to be a part of this chapter, and any amendments, alterations or additions to said study shall immediately and automatically be adopted by reference and, in their amended form, become a part of this chapter. The study and overlay map may be revised from time to time, shall be kept on file at the city office, 175 East 200 North, St. George, Utah.

EXISTING CONSTRUCTION refers to structures for which the “start of construction” commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. It may also be referred to as Existing Structures.

EXISTING MANUFACTURED HOME PARK OR SUBDIVISION means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

EXPANSION TO AN EXISTING MANUFACTURED HOME PARK OR SUBDIVISION means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufacturing homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

FEMA means the Federal Emergency Management Agency.

FHBM means Flood Hazard Boundary Map.

FILL refers to the placement of materials, such as dirt, sand, or rock to elevate a structure, property, or portion of a property above the natural elevation of the site, regardless of where the material was obtained from. The common practice of removing unsuitable material and replacing it with engineered material is not considered fill if the elevations are returned to the existing conditions. Any fill placed or used prior to the area being mapped or remapped as a flood hazard area is not deemed as fill.

FLOOD OR FLOODING means:

1. A general and temporary condition of partial or complete inundation of normally dry land areas from:
 - a. The overflow of inland or tidal waters.
 - b. The unusual and rapid accumulation or runoff of surface waters from any source.
2. Mudslides (i.e., mudflows) that are proximately caused by flooding as defined in this chapter and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water deposited along the path of the current.
3. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in this chapter.

FLOOD INSURANCE RATE MAP (FIRM) means an official map of a community, on which the Administrator has delineated both the SFHAs and the risk premium zones applicable to the City.

FLOOD INSURANCE STUDY (FIS) OR FLOOD ELEVATION STUDY means an examination, evaluation, and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards.

FLOODPLAIN DEVELOPMENT PERMIT is the City issued permit or document that is used for any development that occurs within an SFHA identified by FEMA or the City. It is used to address the proposed development to ensure compliance with this chapter.

FLOODPLAIN or **FLOOD-PRONE AREA** means any land area susceptible to being inundated by water from any source whether or not identified by FEMA (see definition of Flooding).

FLOODPLAIN MANAGEMENT means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, mitigation plans, and floodplain management regulations.

FLOODPLAIN MANAGEMENT REGULATIONS means zoning and subdivision regulations, building codes, health regulations, special purpose regulations (such as a floodplain regulation, grading regulation and erosion control regulation) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for flood damage prevention and reduction.

FLOOD OPENING refers to an opening in the wall of an enclosed structure that allows floodwaters to automatically enter and exit the enclosure. Refer to FEMA Technical Bulletin 1.

FLOOD PROTECTION SYSTEM means those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding, in order to reduce the extent of the area within the City subject to an SFHA and to reduce the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized, flood modifying works are those constructed in conformance with sound engineering standards. FEMA only accredits levees, both private and public, that have been certified by a professional engineer or firm in which the certification shows that the levee has met and continue to meet the minimum regulatory standards cited in Title 44, Chapter 1, Section 65.10 of the Code of Federal Regulations (44 CFR 65.10).

FLOODPROOFING means any combination of structural and non-structural additions, changes, or adjustments to structures that reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents. Floodproofing can either be accomplished in the form of dry floodproofing in which the structure is watertight below the 8 levels that need flood protection, or wet floodproofing in permanent or contingent measures applied to a structure that prevent or provide resistance to damage from flooding, while allowing floodwaters to enter the structure or area.

FLOODWAY— (Regulatory 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 a designated height.

FLOODWAY ENCROACHMENT LINES means the lines marking the limits of floodways on federal, state and local flood plain maps.

FREEBOARD means a factor of safety usually expressed in feet above a flood level for purposes of floodplain management. “Freeboard” tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

FUNCTIONALLY DEPENDENT USE means a development that cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and repair facilities. It does not include long-term storage or related manufacturing facilities.

HIGHEST ADJACENT GRADE (HAG) means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure. In AO Zones, the highest adjacent grade is utilized by comparing the lowest floor elevation to that of the highest adjacent grade and the depth of the AO Zone. Standards for Areas of Shallow Flooding (AO/AH Zones).

HISTORIC STRUCTURE means any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register.
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district.
3. Individually listed on a state inventory of historic places in states with historic reservation programs that have been approved by the Secretary of the Interior or
4. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - a. By an approved state program as determined by the Secretary of the Interior, or
 - b. Directly by the Secretary of the Interior in states without approved programs

LETTER OF MAP AMENDMENT (LOMA) means an official amendment, by letter, to an effective FIRM. A LOMA establishes a property's location in relation to the SFHA. It is usually issued because a property or structure has been inadvertently mapped as being in the floodplain, when the property or structure is actually on natural high ground above the BFE.

LETTER OF MAP REVISION (LOMR) means FEMA's modification or revision to an entire or portion of the effective FIRM, or Flood Boundary and Floodway Map, or both. LOMRs are

generally based on the implementation of physical measures that affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective BFEs, or the SFHA.

LETTER OF MAP REVISION BASED ON FILL (LOMR-F) means FEMA's amendment, by letter, to an effective FIRM where fill was brought in or used to elevate a property, portion of property or structure above the BFE.

LEVEE means a man-made structure usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

LEVEE SYSTEM means a flood protection system that consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

LOWEST ADJACENT GRADE (LAG) means the lowest natural elevation of the ground surface prior to construction next to the proposed walls of a structure. For an existing structure, it means the lowest point where the structure and ground touch, including but not limited to attached garages, decks, stairs, and basement windows.

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 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 Section 60.3.

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 attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle"; however, a manufactured home may be used for both residential and non-residential use.

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.

MAP means the FHBM or the FIRM for the City issued by FEMA.

MEAN SEA LEVEL means, for purposes of the NFIP, the National Geodetic Vertical Datum (NGVD) of 1929, North American Vertical Datum (NAVD) of 1988, or other datum, to which BFEs shown on the unincorporated community FIRM are referenced.

MIXED USE STRUCTURES are structures with both a business and a residential component.

NEW CONSTRUCTION means structures for which the start of construction commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures. For the purposes of determining insurance rates, structures for which the “start of construction” commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures.

NEW MANUFACTURED HOME PARK OR SUBDIVISION means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

NO-RISE CERTIFICATIONS are formal certifications signed and stamped by a professional engineer licensed to practice in the state, demonstrating through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that a proposed development will not result in any increase in flood levels within the community during the occurrence of a base flood event.

PHYSICAL MAP REVISION (PMR) is FEMA’s action whereby one or more map panels are physically revised and republished.

RECREATIONAL VEHICLE means a vehicle which is: (a) Built on a single chassis; (b) 400 square feet or less when measured at the largest horizontal projection; (c) Designed to be self-propelled or permanently towable by a light duty truck; and (d) Designed primarily, not for use as a permanent dwelling but, as temporary living quarters for recreational, camping, travel, or seasonal use.

REGULATORY 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 a designated height.

RIVERINE means relating to, formed by, or resembling a river (including tributaries), stream, brook, creek, etcetera, which can be intermittent or perennial.

SECTION 1316 refers to the section of the National Flood Insurance Act of 1968, as amended, which provides for the denial of flood insurance coverage for any property that the Administrator finds has been declared by a duly constituted State or local authority to be in violation of State or local floodplain management regulations. Section 1316 is issued for a property, not a property owner, and remains with the property even after a change of ownership.

SPECIAL FLOOD HAZARD AREA (SFHA) see **AREA OF SPECIAL FLOOD HAZARD**

START OF CONSTRUCTION (for other than new construction or substantial improvements under the Coastal Barrier Resources Act (Pub. L. 97-348)) includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either 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 cleaning, 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. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

STRUCTURE means, for floodplain management purposes, a walled and roofed building, culvert, bridge, dam, or a gas or liquid storage tank that is principally above ground, as well as a manufactured home.

STRUCTURE, for insurance purposes, means: (1) A building with two or more outside rigid walls and a fully secured roof, which is affixed to a permanent site; (2) A manufactured home; or (3) A travel trailer without wheels built on a chassis and affixed to a permanent foundation, that is regulated under the City's floodplain management and building codes or laws. For purposes of this section, "structure" does not mean a recreational vehicle or a park trailer or other similar vehicle, except as described in paragraph (3) of this definition, or a gas or liquid storage tank.

SUBSTANTIAL DAMAGE means damage of any origin sustained by a structure whereby the cost of restoring the structure to its pre-damaged condition would equal or exceed fifty percent of the market value of the structure only before the damage occurred.

SUBSTANTIAL IMPROVEMENT means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds fifty percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include: 1. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code enforcement official and are the minimum necessary to assure safe living conditions; or 2. Any alteration of a "historic structure", of the alteration will not preclude the structure's continued designation as a "historic structure."

VARIANCE for the purposes of this sections means a grant of relief by the City from the terms of a floodplain management regulation. _____

VIOLATION means the failure of a structure or other development to be fully compliant with the City's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in Sections 44 CFR 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided. _____

WATER SURFACE ELEVATION means the height, in relation to the North American Vertical Datum (NAVD) of 1988, (or other datum, where specified) of floods of various magnitudes and frequencies, such as the 1-percent-annual-chance flood event, in the floodplains of coastal or riverine areas. _____

WATERCOURSE means the channel and banks of an identifiable water in a creek, brook, stream, river, ditch or other similar feature. _____

10-13C-3:

GENERAL PROVISIONS

A. *Lands to which this chapter applies:* The chapter shall apply to all areas of special flood hazard identified by FEMA, and areas of erosion hazard identified by studies commissioned by the City.

B. *Basis for establishing the areas of special flood and erosion hazard:* The areas of special flood hazard identified by the Federal Emergency Management Agency (FEMA) in a scientific and engineering report entitled "the flood insurance study" (FIS) for the city of St. George, Utah dated August 18, 1987, and updated April 2, 2009, with the accompanying flood insurance rate map are effective April 2, 2009 Flood Insurance Rate Maps and Flood Boundary-Floodway Maps (FIRM and FBFM) or Digital Flood Insurance Rate Maps (DFIRM), and other supporting data, are hereby adopted as an overlay zone by reference and declared to be a part of this chapter, and any amendments, alterations or additions to said study or the FIRM hereafter at any time made by FEMA shall immediately and automatically be adopted by reference and, in their amended form, become a part of this chapter. _____ The study and FIRM, as either or both may be revised from time to time, shall be kept on file at the city office, 175 East 200 North, St. George, Utah. (Ord. 2019-10-002, 10-10-2019) _____

** **EROSION HAZARD OVERLAY ZONE** means an area identified by a scientific and engineering report entitled "River Stability Study" for the city of St. George, Utah, dated August 19, 1987, with an accompanying stability study boundary map, is hereby adopted as an overlay zone by reference and declared to be a part of this* _____

chapter, and any amendments, alterations or additions to said study shall immediately and automatically be adopted by reference and, in their amended form, become a part of this chapter. The study and overlay map may be revised from time to time, shall be kept on file at the city office, 175 East 200 North, St. George, Utah.

1. Use of Best Available Data. Where Base Level Engineering is available Base Level Engineering data shall be reviewed and reasonably used in FEMA-identified Special Flood Hazard Areas. Where base flood elevation and floodway data have not been identified and in areas where FEMA has not identified Special Flood Hazard Areas, the use of Best Available Data may be used when approved by the floodplain administrator. In areas where Base Level Engineering data is determined to be inaccurate, a FEMA map revision or amendment is required.

ii. Base flood elevations, floodway, and floodplain boundaries delineated by Base Level Engineering shall take precedence over base flood elevations, floodway and floodplain boundaries delineated by effective FIRMs and in Flood Insurance Studies (FIS) if the Base Level Engineering shows increased floodplain or floodway boundaries and/or higher base flood elevations.

iii. Base flood elevations and designated floodway boundaries on effective FIRMs and in Flood Insurance Studies (FIS) shall take precedence over base flood elevation and floodway boundaries delineated by Base Level Engineering if the FIRMs and/or Flood Insurance Studies show reduced floodway width and/or lower base flood elevations.

C. Establishment of Floodplain Development Permit: A Floodplain Development Permit shall be required to ensure conformance with the provisions of this chapter.

~~10-13C-2:~~

REQUIREMENTS:

~~A. Compliance: No structure shall be constructed, located, extended, converted or altered without full compliance with the terms of this chapter and other applicable regulations.~~

D. B. Abrogation and Greater Restrictions: This chapter is not intended to repeal, abrogate or impair any existing easement, covenant or deed restriction; ~~however,~~ However, where this chapter and another ordinance, easement, covenant or deed restriction conflict or overlap, the more stringent restriction shall prevail.

E. ~~C.~~ Interpretation: In the interpretation and application of this chapter, all provisions are shall be:

1. Considered as minimum requirements in addition.
2. Liberally construed in favor of the governing body; and
3. Deemed neither to limit nor repeal any other powers granted under state statutes.

F. Warning and disclaimer of liability: The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. On rare occasions, greater floods can and will occur and flood heights may be increased by human-made or natural causes. This chapter 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 damage. This chapter shall not create liability on the part of the community or any official or employee thereof for any flood damages that result from reliance on this chapter, or any administrative decision lawfully made thereunder.

G. Severability: If any section, provision, or portion of this chapter is adjudged unconstitutional or invalid by a court, the remainder of this chapter shall not be affected.

H. Compliance: No structures or developments including buildings, recreation vehicles, or manufactured homes or land shall hereafter be located, altered, or have its use changed without full compliance with the terms of this chapter and other applicable regulations. Nothing herein shall prevent the city from taking such lawful action as is necessary to prevent or remedy any violations.

I. Stop Work Order:

1. Authority. Whenever the floodplain administrator or other designated City official discovers any work or activity regulated by this chapter being performed in a manner contrary to the provisions of this title, ~~chapter~~, the floodplain administrator is authorized to issue a stop work order. ~~Ord. 2019-10-002, 10-10-2019)~~
2. Issuance: The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work will be permitted to resume.
3. Unlawful continuance: Any person who shall continue any work after having been served with a stop work order, except shall work as that person directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by local or state law including but not limited to the penalties outlined in Article III, Section J. PENALTIES FOR NONCOMPLIANCE

J. Penalties for Noncompliance: In accordance with Section 59.2(b) of CFR44, Chapter 1, of the NFIP regulation, to qualify for the sale of federally subsidized flood

insurance, a community must adopt floodplain management regulations that meet or exceed the minimum standards of Section 60. “These regulations must include effective enforcement provisions.” In accordance with Section 60.1(b) of CFR 44, Chapter 1 of the NFIP regulations, “These regulations must be legally enforceable, applied uniformly throughout the community to all privately and publicly owned land within flood-prone (i.e. mudflow) or flood-related erosion areas, and the community must provide that the regulations take precedence over less restrictive conflicting local laws, ordinances, or codes.” No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this chapter and other applicable regulations. Violation of the provisions of this chapter 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 chapter or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$1,000 or imprisoned for not more than 60 days, or both, for each violation assessed daily, and in addition shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent the City from taking such other lawful action as is necessary to prevent or remedy any violation.

10-13C-3:4:

ADMINISTRATION

ADDITIONAL REQUIREMENTS FOR DEVELOPMENT IN THE FLOOD

HAZARD AREA – FLOOD HAZARD DEVELOPMENT PERMIT:

- A. ~~A.~~ In addition Floodplain administrator: The city floodplain administrator shall be responsible to implement the general requirements provisions of this chapter and other appropriate sections of 44 CFR (National Flood Insurance Program Regulations) pertaining to floodplain management.
- B. *Duties and responsibilities of the floodplain administrator:* Shall include, but not be limited to, the following:
1. Uphold the goals of the community and the NFIP to reduce risk when possible and increase the city’s resistance to future disasters.
 2. Maintain and hold open for public inspection all records, in perpetuity, pertaining to the provisions of this chapter, including the actual elevation of the lowest floor (including basement or crawlspace) of all new or substantially improved structures and any floodproofing certificates, including the data supporting such certificates.
 3. Maintain and hold open for public inspection maps that identify and locate the boundaries of the SFHAs to which this chapter applies, including, but not limited to, the FIRM.

4. Review development, above, all proposals to determine whether proposed building sites, including the sites designed for the placement of manufactured homes, will be reasonably safe from flooding.
5. Review, approve, or deny all applications for floodplain development in permits required by adoption of this chapter.
6. Ensure that all necessary permits have been obtained from those federal, state, or local governmental agencies (including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334 and the Endangered Species Act of 1973) from which prior approval is required.
7. Assure that the flood hazard area shall meet the following additional requirements carrying capacity within the altered or relocated portion of any watercourse is maintained and will not be diminished.
8. Notify, in this section riverine situations, adjacent communities and the State Coordinating Agency, which is the Utah Division of Emergency Management, State Floodplain Manager, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.
9. B. Flood hazard Where interpretation is 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), the Floodplain Administrator shall make the necessary interpretation.
10. When BFE data has not been provided by FEMA, the floodplain administrator shall obtain, review, and reasonably utilize any BFE data and floodway data available from a federal, state, or other source, including data provided by the applicant, in order to administer the provisions of this chapter.
11. When a regulatory floodway has not been designated, no new construction, substantial improvements, or other development permit application prepared by a registered professional engineer (including fill) shall be permitted within Zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than 1.00 feet at any point within the community.
12. Under the provisions of 44 CFR Chapter 1, Section 65.12, of the NFIP regulations, a community may approve certain development in Zones A1-30, AE and AH on the community's FIRM which increases the water surface elevation of the base flood by more than 1.00 foot, provided that the community first meets the requirements of Section 65.12 for a conditional FIRM revision through FEMA's CLOMR process.

13. If the project is determined or reasonably believed to cause an adverse effect on the boundaries of the floodplain or any insurable structures, technical justification for the proposed development shall be submitted before construction and the City may require a CLOMR or LOMR to be submitted prior to the permit approval or as a requirement of the permit.

C. Requirement to Submit New Technical Data

1. The property owner shall notify FEMA and City by submittal of a LOMR within 6 months of project completion when an applicant had obtained a CLOMR from FEMA or when development begins within altered a watercourse, modified floodplain boundaries, or modified BFE.
2. The property owner or developer shall be responsible for preparing technical data to support the CLOMR or LOMR application and paying any area of special flood hazard processing or application fees to FEMA. The property owner or developer is responsible for submitting the CLOMR and LOMR to FEMA and shall provide all necessary data to FEMA if requested during the review process to ensure the CLOMR or LOMR is issued.
3. The Floodplain Administrator shall be under no obligation to sign the Community Acknowledgement Form, which is part of the CLOMR/LOMR application, until the applicant demonstrates that the project will or has met the requirements of this chapter all applicable state, federal, and local laws.

D. Permit Procedure: Application (online) for a flood hazard floodplain development permit shall be made presented to the floodplain administrator on forms furnished by the city engineer or designee and may include, but not be limited to, plans in duplicate:

1. Plans drawn to scale showing the nature, location, dimensions and elevations of any development or substantial improvement, together with any existing structures, fill, storage of materials and drainage facilities. Specifically, the following information is required: and elevations of proposed landscape alteration.
2. 1. Plans drawn to scale showing the location, dimensions, and elevation of existing and proposed structures, including the placement of manufactured homes.
3. Location of the foregoing in relation to SFHAs.
4. Elevation (in relation to mean sea level, or) of the lowest floor (including basement and crawlspace) of all new and substantially improved structures; if applicable.
5. 2. Elevation (in relation to HCN (horizontal control network) mean sea level), to which any nonresidential structure has been (if applicable) shall be floodproofed;.
6. 3. Certification by A certificate from a registered professional engineer that the floodproofing methods for any nonresidential structure shall meet the floodproofing criteria of FEMA and this chapter; and the NFIP regulations.

~~7. 4.—Description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of proposed development. Descriptions, if applicable.~~

~~8. Description shall include details of erosion protection, floodplain cross sections, profiles, and any other relevant information, prepared by a registered professional engineer;. At the community's discretion, the community may charge a fee for issuance of floodplain development permits.~~

~~C. Land Use Authority:—~~

~~1. City Engineer: The city engineer or designee is the land use authority to administer and implement this chapter and maintain for public inspection all records pertaining to the provisions of this chapter;~~

~~2. Authority: The city engineer or designee shall review flood hazard development permit applications to determine if:~~

~~a. All necessary permits have been obtained from federal, state or local governmental agencies from which prior approval is required,~~

~~b. The proposed development is located in the floodway,~~

~~c. The encroachment provisions of this chapter are met for any proposed development in the floodway;~~

~~D. Use of Other Base Flood Data: In areas where no base flood elevation data has been provided in accordance with section 10-13C-1 establishing the areas of special flood hazard, and the city engineer or designee determines flood hazards exist, the city shall advise property owners that flood conditions exist, and the city engineer or designee may use reasonable base flood elevations, floodway or related data available from other sources as criteria for any new construction, substantial improvements or other development that may be necessary to comply with the provisions of this chapter.~~

~~1. Information to Be Obtained and Maintained:—~~

~~a. 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 whether or not the structure contains a basement,~~

~~b. For all new or substantially improved floodproofed structures:~~

~~(1) — Verify and record the actual elevation (in relation to mean sea level) to which the structure has been floodproofed;~~

~~(2) — Maintain the floodproofing certifications required in section 10-13C-4;~~

~~2. Maintain for public inspection all records pertaining to the provisions of this chapter;~~

~~3. Alteration of Watercourses:—~~

~~a. Notify affected communities and the state department of public safety prior to any alteration or relocation of the water course and submit evidence of such notification to FEMA;~~

~~b. Require that maintenance be provided within the altered or relocated portion of said watercourse, so the flood-carrying capacity is not diminished;~~

~~4. Interpretation of FIRM Boundaries: Make interpretations, where needed, with the exact location of the boundaries of the areas of special flood hazard;~~

~~9. E. Appeal Procedure: Persons contesting specific applications of this chapter may appeal those applications in accordance with chapter 3 of this title. (Ord. 2019-10-002, 10-10-2019) Copies of all floodplain development permits and the associated documents shall become property of the community and a permanent record.~~

Approval or denial of a floodplain development permit by the floodplain administrator shall be based on all of the provisions of this chapter and the following relevant factors:

1. Danger to life and property due to flooding or erosion damage.
2. Susceptibility of the proposed facility and its contents to flood damage.
3. The danger that materials may be swept onto other lands to the injury of others.
4. The compatibility of the proposed use with existing and anticipated development.
5. The safety of access to the property in times of flood for ordinary and emergency vehicles.
6. The costs of providing governmental services at this site during and after flood conditions including, maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical and water systems.
7. The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters expected at the site.
8. The necessity to the facility of a waterfront location, where applicable.
9. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use.

10. The relationship of the proposed use to the comprehensive plan for that area.

E. *Variance Procedure*

Variance procedures for technical decisions made by the authority of this section are outlined in Title 10, Chapter 3, Appeals and Variances, Section 10-3-1-5.

1. Any person or persons aggrieved by the decision of the Appeal Board may appeal such decision in the courts of competent jurisdiction.
2. The Appeal Board, as established by the community, shall hear and render judgement on an appeal only when it is alleged there is an error in any requirement, decision, or determination made by the Floodplain Administrator in the enforcement of administration of this chapter.
3. The Floodplain Administrator shall maintain a record of all actions involving an appeal and shall report variances to FEMA and the State Coordinating Agency upon issuing a variance.
4. Upon consideration of the factors noted above and the intent of this chapter, the Appeal Board may attach such conditions to the granting of variances as it deems necessary to further the purpose and objectives of this chapter.
5. Variances shall not be issued within any designated floodway if any increase (0.00) in flood levels during the base flood discharge would result.
6. Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure. The term "substantial improvement" does not include any alteration of a structure or facility listed on the National Register of Historic Places or a State Inventory of Historic Places.

Prerequisites for granting variances:

7. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief. Variances shall only be issued upon:
 - a. Showing a good and sufficient cause.
 - b. A determination that failure to grant the variance would result in exceptional hardship to the applicant.
 - 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, conflict with existing local laws or ordinances, considers the need of ingress and egress during times of floods, and does not jeopardize first responders' health and welfare.
8. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below

the BFE, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.
Variances may be issued by a community for

~~10-13C-4:~~

~~ADDITIONAL REQUIREMENTS FOR DEVELOPMENT IN THE FLOOD HAZARD AREA – PROVISIONS FOR FLOOD HAZARD REDUCTION:~~

~~A. *Application:* In addition to the general requirements for development or zone changes in a flood hazard area, all development in the flood hazard area shall meet the following additional requirements for flood hazard reduction: The general standards set out in subsections B through E of this section are required. In areas of special flood hazard where base flood elevation data has been provided as set forth in section 10-13C-1, or hazard determination has been made by the city engineer or designee pursuant to section 10-13C-3D, the specific standards of subsection E of this section are also required.~~

~~B. *Anchoring:*~~

- ~~9. 1. All new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that:~~
- ~~a. The criteria outlined in ARTICLE V, SECTION A.3. SUBSTANTIAL IMPROVEMENT are met; and~~
 - ~~b. The structure or other development is protected by methods that minimize flood damage during the base flood and create no additional threats to public safety.~~

10-13C-shall be5:

PROVISIONS FOR FLOOD HAZARD REDUCTION

- A. *General Standards* – In all areas of special flood hazards, the following provisions are required for all new construction and substantial improvements:
1. All new construction and substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure and make it capable of resisting resulting from hydrostatic and hydrodynamic loads; including the effects of buoyancy.

~~2.~~ 2. All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage.

~~3.~~ All ~~manufactured homes~~ new construction or substantial improvements shall be elevated and anchored to resist flotation, collapse, or lateral movement and be capable of resisting hydrostatic and hydrodynamic loads. Methods of anchoring may include, but are not limited to, the use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces. Specific requirements for resisting wind are:

~~a.~~ a. Over-the-top ties shall be provided at each of the four (4) corners of the manufactured home, with two (2) additional ties per side at intermediate locations; with manufactured homes less than fifty feet (~~50'~~ 50') long requiring one (1) additional tie per side;

~~b.~~ b. Frame ties shall be provided at each corner of the home with five (5) additional ties per side at intermediate points; with manufactured homes less than fifty feet (~~50'~~ 50') long requiring four (4) additional ties per side;

~~c.~~ c. All components of the anchoring system shall be capable of carrying a force of four thousand eight hundred (4,800) pounds; and

~~d.~~ d. Any additions to the manufactured home shall be similarly anchored;

~~3. Construction Materials and Methods:~~

~~4.~~ a. All new construction and substantial improvements shall be constructed with materials ~~and utility equipment~~ resistant to flood damage;

~~b. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.~~

~~5.~~ c. All new construction and substantial improvements shall be constructed with mechanical, electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located ~~to prevent water from entering or accumulating within two feet (2')~~ above the components during conditions of flooding base flood elevation.

~~D. Utilities:~~

~~6.~~ 1. All new construction and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;

~~7. 2.~~ New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems; and minimize or eliminate discharge from the systems into flood waters; ~~and.~~

~~8. 3.~~ On-site waste disposal systems shall be located to avoid impairment to them, or contamination from them, during flooding.

~~E. New Development:~~

~~9. 1.~~ Protection of mechanical equipment and outside appliances.

~~Mechanical equipment and outside appliances such as but not limited to air conditioners, furnaces, propane tanks, water heating equipment and electrical services boxes shall be designed and/or located two feet (2') above the base flood elevation.~~

A.1. Substantial Improvement

Any combination of repair, reconstruction, rehabilitation, addition, or improvement of a building or structure, if the cumulative cost of the entire project equals or exceeds 50 percent, unless a higher standard option is selected below, of the market value of the structure only (not of the structure and land value combined) before the improvement or repair is started then the work shall be considered as substantial improvement. If the structure has sustained substantial damage, any repairs are considered substantial improvements regardless of the actual repair work performed. For Substantial Damage, refer to **ARTICLE 3, SECTION 5.A.2 SUBSTANTIAL DAMAGE**. The term does not, however, include either:

1. Any project for improvement of a building required to correct existing health, sanitary, or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions.
2. Any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.

A.2 Substantial Damage

Substantial damage means damage of any origin sustained by a structure whereby the cost of restoring the structure to its pre-damaged condition would equal or exceed 50 percent of the market value of the structure only, unless a higher standard option is selected, before the damage occurred. This term also applies to structures which have incurred any damage that equals or exceeds 50 percent of the structure's market value regardless of the actual repair work performed. When a

structure or building has been determined as substantially damaged, any work or repair on said structure or building will be considered as substantial improvement and will be required to meet the development requirements set forth within this chapter for substantial improvement.

A.3. Substantial Improvement and Substantial Damage Determination

For applications for building permits to improve buildings and structures, including alterations, movement, enlargement, replacement, repair, change of occupancy, additions, rehabilitations, renovations, and any other improvement of or work on such buildings and structures, the Floodplain Administrator, in coordination with the applicable community officials and staff, shall:

1. Estimate the market value or require the applicant to obtain an appraisal of the market value prepared by a qualified independent appraiser, of the building or structure only, not of land and building, before the start of construction of the proposed work. In the case of repair, the market value of the building or structure shall be the market value before the damage occurred and before any repairs are made.
2. Compare the cost to perform the improvement, the cost to repair a damaged building to its pre-damaged condition, or the combined costs of improvements and repairs, if applicable, to the market value of the building or structure.
3. Determine and document whether the proposed work constitutes substantial improvement or repair of substantial damage; the determination requires evaluation of previous permits issued for improvements and repairs as specified in **ARTICLE V, SECTION A.3. SUBSTANTIAL IMPROVEMENT**; and if elected.
4. Utilize FEMA's Substantial Improvement/Substantial Desk Reference when making any determination on Substantial Improvement and/or Substantial Damage.
5. The substantial improvement regulations apply to all of the work that is proposed as the improvement, even if multiple permits are issued. Therefore, the determination of the cost of the improvement should consider all costs of all phases of the work before issuance of the first permit.
6. Notify the applicant that if it is determined that the work constitutes substantial improvement or repair of substantial damage, that compliance with this chapter is required.

B. *Specific Standards* -All proposals for development in areas of special flood hazards and areas of known or suspected flood risk, including subdivisions and manufactured home parks shall meet the floodplain development permit requirements of this chapter to minimize flood damage and shall meet the following provisions:

1. *Residential Construction*: New construction and substantial improvement of any residential structure shall have the lowest floor (including basement) elevated to two feet (2') or more above the base flood elevation. A registered professional engineer, architect, or land surveyor shall submit certified elevations to the Floodplain

administrator that the standards of this chapter are satisfied. All new development proposals, including subdivisions, located within an erosion hazard area shall be consistent with the need to minimize erosion damage. Proposals within these areas shall comply with the following requirements:

- a. Meet all applicable provisions of this title;^{7.2}
- b. Meet all applicable provisions of the International Building Code with regard to wall and footing setbacks for slopes, grading, drainage and compaction of fills;^{7.2}
- c. Provide an engineering study, prepared by a professional civil engineer licensed to practice in the state, which includes a hydraulic analysis, a historical and geological evaluation of potential erosion hazards, and an analysis of long-term channel degradation, movement and bank erosion. The study shall also include recommendations for erosion protection measures, if any. The study shall include the engineer's professional opinion that when the erosion protection measures, if any, are implemented, the proposed development will not be adversely affected by erosion and that the erosion protection measures, if any, will not adversely affect reaches or development upstream, downstream, and across river over a one hundred (100) year planning period;
- d. Provide for the perpetual maintenance of the erosion protection, at no cost to the city or other public agency;^{7.2}
- e. Provide a maintenance and access easement to any erosion protection. Access to erosion protection shall be located and constructed to minimize flood damage;^{7.2}
- f. Obtain necessary ~~section (404) permit~~environmental permits from the United States Army Corps of Engineers, and stream alteration permits from the office of the Utah State Engineer prior to any construction activity at no cost to the city; and
- g. Hold the city harmless from all claims resulting from erosion or any other flood-related damage to development within an "erosion hazard area" by executing a "flood and erosion hazard disclaimer of liability and agreement" form of said agreement is on file at the City and by placing a "notice of hazard" on the final plat if applicable;^{7.2}

~~2.-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;^{7.2}

~~3.-i.~~ All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage by providing drainage through each lot, unless joint drainage facilities are owned and maintained by an owners' association;^{7.2} ~~and.~~

~~4.-j.~~ Base flood elevation data shall be provided for subdivision proposals and other proposed developments which contain at least fifty (50) lots or five (5) acres (whichever is less), or as may be otherwise required by the city engineer or designee. Be consistent with the need to minimize flood damage, have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage and have adequate drainage provided to reduce exposure to flood damage.

~~F. Construction Requirements:—~~

~~1.~~

2. Nonresidential Construction:

New construction and substantial improvements of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated to ~~one foot (1')~~ two feet (2') above the level of the base flood elevation, or together with attendant utility and sanitary facilities, ~~shall:~~

~~a. Be floodproofed~~ be designed so that below the base flood level the structure is watertight ~~from with walls substantially impermeable to~~ the passage of water;

~~b. Have and with~~ structural components ~~capable~~ having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;

~~c. Be certified by a. A~~ registered professional engineer ~~that the standards of this subsection are satisfied;~~

~~d. Require within an AO and AH zone on the FIRM that all new or architect shall develop and/or review structural design, specifications, and plans for the construction, and substantial improvements of nonresidential structures;~~

~~(1) Have shall certify that the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified design and methods of construction are in feet on the FIRM (at least two feet (2') if no depth number is specified), or~~

~~(2) Together accordance with attendant utility and sanitary facilities be completely floodproofed to that level to meet the floodproofing standard specified accepted standards of practice as outlined in this subsection F4. A record of this section; and~~

~~e. Require within zones AO and AH adequate drainage paths around structures on slopes to guide flood waters around and away from proposed structures;~~

~~2. Residential Construction:~~

~~a. New construction and substantial improvement of any residential structure shall have such certification that includes the lowest floor (including basement) elevated to two feet (2') or more above the base flood specific elevation;~~

~~b. Require within any AO and AH zone on (in relation to mean sea level) to which such structures are floodproofed shall be maintained by the Floodplain Administrator. If the use or occupancy of the building changes in the future to residential, then the dry floodproofing of the FIRM that all new structure cannot be used when determining compliance of the structure to the residential construction and substantial improvements of residential structures have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as of this chapter, **ARTICLE V, SECTION B.1 RESIDENTIAL CONSTRUCTION** and as such, the depth number specified in feet on building will not be grandfathered into compliance and will be required to be brought into compliance with the FIRM (at least two feet (2') if no depth number is specified);~~

~~c. Require within zones AO and AH adequate drainage paths around structures on slopes to guide flood waters around and away from proposed structures;~~

~~d. residential construction requirements of this chapter.~~ Require within an A zone on the FIRM that all new construction and substantial improvements of residential structures have the lowest floor (including basements) elevated at least ~~one foot (1'~~ two feet (2') above the highest adjacent grades; and

~~e. Require within zone A on the FIRM adequate drainage paths around structures on slopes to guide flood waters around and away from proposed structures;~~

~~3.~~ Enclosures:

~~New construction and substantial improvements, with fully enclosed areas below the lowest floor that are to be used solely for parking of vehicle, building access, or storage in an area other than a basement; and 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. A minimum of two flood openings having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding shall be provided.~~
- ~~b. The bottom of all flood opening shall be no higher than one (1) foot above grade.~~

- c. Flood openings shall be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
- d. The development and construction of the structure must conform with the provision in FEMA/Federal Insurance Administration (FIA) – Technical Bulletins 1 and 2. Enclosures below the BFE may only be used for building access, vehicle parking, and storage. Certification and documentation from a professional licensed engineer is required if the structure’s lowest floor is built below the BFE. Applicant shall enter into a maintenance and non-conversion agreement with the City that will maintain the improvements outlined in this paragraph and not modify or convert them to uses other than approved uses.

4. Crawlspace:

New construction and substantial improvements built on a crawlspace or sub-grade (below grade) crawlspace may be permitted if the development is designed and meets or exceeds the standards found in FEMA’s Technical Bulletins 1, 2, and 11, which include but are not limited to the following:

- a. The structure must be affixed to a permanent foundation, designed and adequately anchored to resist flotation, collapse, and lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy. Because of hydrodynamic loads, crawlspace construction is not allowed in areas with flood velocities greater than 5 feet per second unless the design is reviewed by a qualified design professional, such as a registered architect or professional engineer.
- b. The crawlspace is an enclosed area below the BFE and, as such, must have openings that equalize hydrostatic pressures by allowing the automatic entry and exit of floodwaters. The bottom of each flood vent opening can be no more than 1 foot above the LAG.
- c. The crawlspace enclosure must have proper openings that allow equalization of hydrostatic pressure by allowing automatic entry and exit of floodwaters. To achieve this, a minimum of 1 square inch of flood opening is required per 1 square foot of the enclosed area subject to flooding.
- d. Portions of the building below the BFE must be constructed with materials resistant to flood damage. This includes not only the foundation walls of the crawlspace used to elevate the building, but also any joists, insulation, piers, or other materials that extend below the BFE. Ductwork, in particular, must either be placed above the BFE or sealed from floodwaters.
- e. Any building utility systems within the crawlspace must be elevated above the BFE or designed so that floodwaters cannot enter or accumulate within the system components during flood conditions.

- f. The interior grade of a crawlspace below the BFE must not be more than 2 feet below the LAG.
- g. The height of the below-grade crawlspace, measured from the lowest interior grade of the crawlspace floor to the bottom of the floor joist of the next higher floor cannot exceed 4 feet at any point.
- h. There must be an adequate drainage system that removes floodwaters from the interior area of the crawlspace. The enclosed area should be drained within a reasonable time after a flood event.
- i. Buildings with below-grade crawlspaces will have higher flood insurance premiums than buildings that have the preferred crawlspace construction, with the interior elevation at or above the LAG.

5. Manufactured Homes:—

~~a. Manufactured homes shall be anchored in accordance with subsection B of this section;~~

~~a. b. All~~Require that all manufactured homes to be placed within Zone A on a community's FHBM or FIRM shall be installed using methods and practices that minimize flood damage. For the purpose of this requirement, manufactured homes must be elevated 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. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces.

~~b. Require that all~~ manufactured homes or those to be substantially improved shall conform to the following requirements within Zones A1-30, AE, and AE on the community's FIRM on sites:

~~(1) Manufactured homes that are placed or substantially improved on a site:~~

~~(A) 1. Outside of a manufactured home park or subdivision,~~

~~(B) 2. In a new manufactured home park or subdivision,~~

~~(C) 3. In an expansion to an existing manufactured home park or subdivision,
or~~

~~(D) 4. In an existing manufactured home park or subdivision on which a
manufactured home has incurred "substantial damage" as the result of a
flood;~~

~~Shall~~ shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to ~~one foot (1'~~two feet (2') above the level of the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement, and

~~(2) — Manufactured c. In A-1-30, AH, AO and AE Zones, require that manufactured homes to be placed or substantially improved on sites in an existing manufactured home parks or subdivisions that are not subject park to the provisions in subsection F1 of this section shall be elevated so that either the~~

~~1. The lowest floor of the manufactured home flood is at or elevated to two feet (2') above the base flood elevation, BFE.~~

~~2. or the manufactured home chassis is supported by reinforced piers or other foundation elements that are no less than thirty-six 36 inches (36") in height above grade and shall be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement; whichever is higher.~~

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6. *Recreational Vehicles:* Recreational vehicles shall either:

a. Be on the site for fewer than one hundred eighty (180) consecutive days;

b. Be fully licensed and ready for highway use; on its wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and have no permanently attached structures or addition, or

c. Meet all the permit requirements, elevation, and anchoring requirements for resisting wind forces that are applicable to "manufactured homes. (Ord. 2019-10-002, 10-10-2019)" of this chapter.

10-13C-56:

BUILDING PERMIT REQUIREMENTS:

A. A. — Drainage and Flood Protection Plan: Prior to issuance of a building permit in any area designated by the city as flood prone, a drainage and flood protection plan shall be submitted for approval by the city engineer or designee. Any or all information as outlined in section ~~10-13C-310-13C-3~~ shall be provided before the building permit applicant.

B. B. — Improvements Completed Prior to Occupancy: Prior to occupancy of said building, all flood control improvements, including applicable sections of master planned flood control improvements, shall be completed with approval by the city engineer or designee. (Ord. 2019-10-002, 10-10-2019)

10-13C-6:7:

STANDARDS FOR AREAS OF SHALLOW FLOODING (AO/AH ZONES)

Located within the SFHAs established in ARTICLE III, SECTION A. LANDS TO WHICH THIS CHAPTER APPLIES, are areas designated as shallow flooding. These areas have special flood hazards associated with base flood depths of 1 to 3 feet where a clearly defined channel does not exist and where the path of flooding is

unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow; therefore, the following provisions apply:

- A. All new construction and substantial improvements of residential structures have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least 2 feet if no depth number is specified). If the community has elected a freeboard standard, then the lowest floor elevation must be elevated above the highest adjacent grade above the depth number specified in feet on the community's FIRM (at least 2 feet if no depth number is specified) plus the freeboard height option selected below.
- B. All new construction and substantial improvements of non-residential structures:
 - 1. Have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least 2 feet if no depth number is specified). If the community has elected a freeboard standard, then the lowest floor elevation must be elevated above the highest adjacent grade above the depth number specified in feet on the community's FIRM (at least 2 feet if no depth number is specified) plus the freeboard height option selected below; or
 - 2. 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 of effects of buoyancy.
- C. A registered professional engineer or architect shall submit a certification to the Floodplain Administrator that the standards of this Section.
- D. Require within Zones AH or AO adequate drainage paths around structures on slopes, to guide flood waters around and away from proposed structures.

10-13C-8:

DRAINAGE ENCROACHMENT:

It shall be unlawful to place any fill, landscaping, walls, fences or material of any kind in any watercourse, whether natural or manmade, which redirects the flow of drainage to create a nuisance or damage to neighboring property. (Ord. 2019-10-002, 10-10-2019):

10-13C-79:

FLOODWAYS:

~~Located~~Floodways located within areas of special flood hazard established in section ~~10-13C-110-13C-1~~ 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. A. Designate a regulatory floodway that will not increase the base flood level more than 1 foot.~~

~~B. All encroachments are prohibited, including fill, new construction, substantial improvements and other development, unless within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practices that proposed encroachment would not result in any increase greater than 0.00 feet, and~~ certification by a registered professional engineer is provided demonstrating that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.

~~B. B. If subsection A of this section is satisfied, all~~ Encroachments are prohibited, including fill.

~~C. All~~ new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of ~~section 10-13C-4F, this chapter.~~

~~C. Land~~D. Under the provisions of 44 CFR Chapter 1, Section 65.12, of the NFIP Regulations, a community may permit encroachments within a the adopted regulatory floodway that would result in an increase in BFEs, provided that the community first applies for a conditional FIRM and floodway revision through FEMA.

10-13C-10:

ENFORCEMENT

Penalties for noncompliance: No structure of land shall nothhereafter be included in the calculation of the area of a parcel for the purposes of determining densityconstructed, located, extended, converted, or minimum lot size, altered without full compliance with the terms of this chapter and other applicable regulations. The City may apply escalating enforcement procedures as necessary for the severity of violation and the recalcitrance of the violator. The City may issue notices of violation, stop work orders, citations, and impose civil penalties. The City may also perform necessary maintenance or corrective actions it deems necessary at the expense of the owner/developer. The city may complete periodic inspections to ensure that

the owner/developer is in full compliance with the terms of this chapter and other applicable regulations.

A. Violation of the provisions of this chapter by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a class B misdemeanor. Nothing herein contained shall prevent City from taking such other lawful action as is necessary to prevent or remedy any violation.

1. Written Notice of Violation: When the city finds that any permittee or any other person failing to comply with floodplain regulations of this chapter, the city may serve upon such person written notice of the violation. An explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted to the city. Submission of this plan in no way relieves the permittee.

B. Administering Entity: The City shall administer the provisions of this chapter. Nothing in this chapter shall relieve any person from responsibility for damage to other persons or property, nor impose upon the City, its officers, agents or employees, any liability for damage to other persons or property (Ord. 2015-11-006, 11-19-2015; amd. ~~Ord. 2019-10-002, 10-10-2019~~2020-01-003 & 2, 1-9-2020; Ord 2020-08-004 & 1, 2, 8-6-2020 OR No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this Chapter 13C (including violations of conditions and safeguards established in connection with conditions) shall constitute Class C misdemeanor. Nothing contained herein shall prevent the City from taking such other lawful action as is necessary to prevent, or remedy or abate any violation.

**The St. George City Code is current through Ordinance 2023-04101-008,
passed ~~December 7~~January 5, 2023.**

Disclaimer: The city recorder has the official version of the St. George City Code. Users should contact the city recorder for ordinances passed subsequent to the ordinance cited above.

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