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DEPARTMENT OF
PLANNING AND DEVELOPMENT

CITY OF SACRAMENTO
CALIFORNIA

1231 I STREET
ROOM 200
SACRAMENTO, CA
95814-2998

December 22, 1987

BUILDING INSPECTIONS
916-449-5716

Transportation and Community Development Committee

PLANNING
916-449-5604

Honorable Members in Session:

**SUBJECT: PROPOSED AMENDMENTS (EMERGENCY ORDINANCES) TO CITY FLOODPLAIN
MANAGEMENT REGULATIONS (CHAPTER 9 AND 40 OF CITY CODE M87-130)**

SUMMARY

These proposed ordinances would amend the City's Building Code (Chapter 9) and Subdivision Ordinance (Chapter 40) to make the City's regulations for development within designated flood-prone areas consistent with requirements of the Federal Emergency Management Agency (FEMA) guidelines. The proposed amendments would transfer major features currently contained in Section 26 of the City Zoning Ordinance.

The City must adopt these amendments by February 4, 1988 in order to continue its participation in the National Flood Insurance Program (NFIP). At its December 15, 1987 meeting, the City Construction Codes Advisory and Appeals Board unanimously (9 ayes) recommended adoption of the ordinance amending the Building Code. The City Planning Commission unanimously (8 ayes, one absent) recommended adoption of the ordinance amending the Subdivision Ordinance at its December 17, 1987 meeting. The staff recommends that the Committee recommend adoption of both ordinances.

BACKGROUND

The National Flood Insurance Program (NFIP) was established to allow property owners within flood-prone areas to purchase insurance for protection against flood losses at a reasonable cost. The City of Sacramento entered the regular phase of the NFIP in September, 1978, when it added Section 26 to the City Zoning Ordinance (Ordinance No. 2550 - Fourth Series) to regulate development within designated flood-prone areas.

Section 26 contains major provisions regulating construction of structures which more properly should be in the City's Building Code. The proposed ordinance would transfer these functions to the appropriate City code. The ordinance also designates the Director of Planning and Development (or his designee) as the Local Administrator responsible for monitoring the Floodplain Management program. The ordinance therefore shift additional responsibilities to the Director of

Planning and Development and to the staff of the Building Division. At its December 15, 1987 meeting, the Construction Codes Advisory and Appeals Board unanimously recommended approval of this ordinance, but also voiced concern that the Building Division get adequate staffing to implement the additional requirements. The Board was concerned that the Building Division's staff needed to be augmented to prevent lengthening the existing plan processing periods.

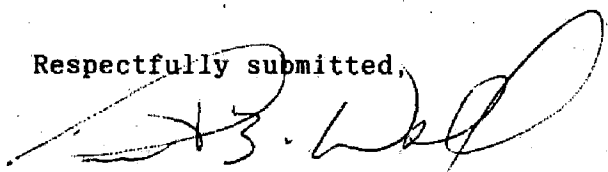
The proposed amendment of the City's Subdivision Ordinance (Chapter 40) strengthens and clarifies existing requirements regarding building pad elevations. The major change is the requirement that floodplain boundaries be shown on tentative and final subdivision maps of properties within designated flood-prone areas.

FEMA has designated the State Department of Water Resources as the agency to review local ordinances for compliance with FEMA regulations. The proposed ordinances were prepared by the staffs of the Public Works and Planning and Development departments, and the City Attorney, and have been reviewed and approved by the State. They are proposed as emergency ordinances as they must be in effect by February 4, 1988 for the City's continued participation in the NFIP. The staff has filed Negative Declarations for both ordinances.

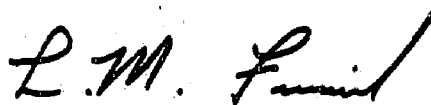
SUMMARY

The staff recommends that the Committee recommend City Council adoption of the attached ordinances.

Respectfully submitted,

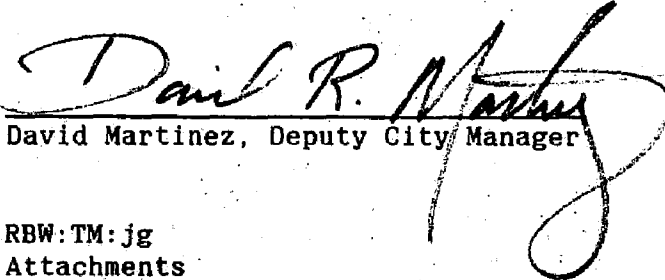


Robert B. Wall
Acting Director of Planning
and Development



FOA Mel Johnson
Director of Public Works

RECOMMENDATION APPROVED:



David Martinez, Deputy City Manager

RBW:TM:jg
Attachments
M87-130

ROLL CALL

SACRAMENTO CONSTRUCTION CODES
ADVISORY AND APPEALS BOARD

ITEM NO. _____ DATE 12-15-87

MOVED BY Kawion SECONDED BY _____

MOTION Ord. be approved and forwarded to Council

A. More staff

B. Evolution of language to implement

	AYES	ABSENT	NOES	NOT VOTING
BEAUMONT	✓			
FASSLER	✓			
GWIN	✓			
HAIDET	✓			
MCCARTHY	✓			
MCGINN	✓			
PERNELL	✓			
SEDAR	✓			
WALKER	✓			

Sacramento City Planning Commission VOTING RECORD

MEETING DATE
December 17, 1987

ITEM NUMBER
27A+27B

PERMIT NUMBER
M87-130

ENTITLEMENTS

- | | |
|---|--|
| <input type="checkbox"/> GENERAL PLAN AMENDMENT | <input type="checkbox"/> TENTATIVE MAP |
| <input type="checkbox"/> COMMUNITY PLAN AMENDMENT | <input type="checkbox"/> SUBDIVISION MODIFICATION |
| <input type="checkbox"/> REZONING | <input type="checkbox"/> LOT LINE ADJUSTMENT |
| <input type="checkbox"/> SPECIAL PERMIT | <input checked="" type="checkbox"/> ENVIRONMENTAL DET. |
| <input type="checkbox"/> VARIANCE | <input checked="" type="checkbox"/> OTHER <u>Amend Subdiv. Ord. re designated flood hazard areas</u> |

STAFF RECOMENDATION

Favorable Unfavorable

Correspondence

Petition

LOCATION

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NAME	ADDRESS

MOTION # _____

Yes	No	Motion	Second
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NAME	Yes	No	Motion	Second
HINN	✓			
ERICK				
OLICK	✓			
OLLOWAY	✓			✓
SHMAEL	✓			
QTESTINE	✓			
ITTO	✓			✓
ALTON	<i>absent</i>			
AMIREZ	✓			

MOTION

- | | |
|--|---|
| <input type="checkbox"/> TO APPROVE | <input checked="" type="checkbox"/> TO RECOMMEND APPROVAL & FORWARD TO CITY COUNCIL |
| <input type="checkbox"/> TO DENY | <input type="checkbox"/> TO RECOMMEND APPROVAL SUBJECT TO COND. & FORWARD TO CITY COUNCIL |
| <input type="checkbox"/> TO APPROVE SUBJECT TO COND. & BASED ON FINDINGS OF FACT IN STAFF REPORT | <input checked="" type="checkbox"/> TO RATIFY NEGATIVE DECLARATION |
| <input type="checkbox"/> TO APPROVE/DENY BASED ON FINDINGS OF FACT IN STAFF REPORT | <input type="checkbox"/> TO CONTINUE TO _____ MEETING |
| <input type="checkbox"/> INTENT TO APPROVE/DENY SUBJECT TO COND. & BASED ON FIND. OF FACT DUE | <input type="checkbox"/> OTHER _____ |

ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

AN ORDINANCE ADDING ARTICLE XXVI TO CHAPTER 9 OF THE SACRAMENTO CITY CODE, RELATING TO FLOODPLAIN MANAGEMENT REGULATIONS, AND DECLARING SAID ORDINANCE TO BE AN EMERGENCY ORDINANCE TO TAKE EFFECT IMMEDIATELY

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1.

Article XXVI is hereby added to Chapter 9 of the Sacramento City Code, to read as follows:

ARTICLE XXVI. FLOODPLAIN MANAGEMENT REGULATIONS

9.1001 PURPOSE AND FINDINGS OF FACT

- A. **STATEMENT OF PURPOSE.** This article is designed to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas. This article regulates development which is or might be dangerous to health, safety and property by requiring at the time of initial development or substantial improvement methods of protection against flood damage in areas vulnerable to flooding in order to minimize flood damage. This article regulates the following developmental impacts: filling, grading or erosion, alteration of natural flood plains, stream channels or water courses, the imposition of barriers which increase flood hazards, or any other impacts that aggravate or cause flood hazards.
- B. **FINDINGS OF FACT**
1. Certain flood hazard areas of the City of Sacramento are subject to periodic flooding which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.
 2. These potential flood losses are aggravated by the cumulative effect of obstructions in areas of special flood hazards (as defined in Section 9.1002) which increase flood heights and velocities. Uses that are inadequately floodproofed, elevated or otherwise protected from flood damage also contribute to the flood loss and if inadequately anchored, damage uses in other areas.

3. The imposition of adequate controls for development in special flood hazard areas will:
 - a. Protect human life and health;
 - b. Minimize expenditure of public money for costly flood control projects;
 - c. Minimize the need for rescue and relief efforts associated with flooding;
 - d. Minimize business interruptions;
 - e. Minimize damage to streets, sewers, bridges, utilities and other public facilities;
 - f. Help maintain a stable tax base by providing for the use and development of areas of special flood hazard so as to minimize future flood blight areas;

4. The National Flood Insurance Program (NFIP) is a federal program enabling property owners in the cities and communities that participate in the program to purchase flood insurance from the federal government. Such insurance enables persons owning or buying property in areas identified as flood-prone areas to insure against losses caused by flooding. This type of insurance is generally unavailable from private sector insurance companies and confers a substantial and significant benefit to the residents in the City of Sacramento.

The City's participation in the NFIP is essential for its residents to be eligible to receive the benefits of the NFIP. This eligibility entitles the City's property owners to purchase flood insurance that is federally required, by federal rules and regulations, to protect federally financed investments such as investments using federal assistance for acquisition or construction in established flood-prone areas of the City. This assistance includes federal grants, loans or guarantees made by federal agencies such as the Small Business Administration, Federal Housing Administration, and the Veterans Administration. Flood insurance is also required by certain private lenders pursuant to federal rules and regulations. The ability to refinance mortgages may also be affected by the City's participation in the NFIP. Participation in the NFIP also qualifies the City's residents for emergency relief that may be provided by the federal government after a flood disaster, such as the temporary housing program.

A prerequisite to the property owners and residents in this city being eligible to receive the benefits of the NFIP is the City's compliance with federal regulations which require the City of Sacramento, as well as other communities participating in the NFIP, to implement and maintain specified flood plain management regulations that include effective enforcement provisions.

In order to continue this City's eligibility under the NFIP, it is necessary to enact an ordinance which meets the minimum federal flood plain management criteria prescribed in Part 60 of Title 44 of the Code of Federal Regulations, and this article is intended to do so.

9.1002 DEFINITIONS

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

"Appeal" means a request for a review of the Local Administrator's interpretation of any provision of this article by the Construction Codes Advisory and Appeals Board or request for a review by City Council or a request for review by a court of competent jurisdiction.

"Area of shallow flooding" means a designated AO or AH Zone on the Flood Insurance Rate Map (FIRM). The base flood depths range from one to three feet; a clearly defined channel does not exist; the path of flooding is unpredictable and indeterminate; and velocity flow may be evident.

"Area of special flood hazard"--See "Special flood hazard area".

"Base flood" means the flood having a one percent chance of being equalled or exceeded in any given year (also called the "100-year flood").

"Base flood elevation" means the unencroached water surface elevation of the base flood at a given location.

"Basement" means any area of the building having its floor subgrade (below ground level) on all sides.

"Construction Codes Advisory and Appeals Board" means the Board which shall hear appeals to the Local Administrator's interpretation of this section. The Board shall consist of 9 members as defined in Section 9.572 of this chapter and shall hear appeals as prescribed in Section 9.576.

"Development" means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

"Flood or flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from (1) the overflow of flood waters, (2) the unusual and rapid accumulation or runoff of surface waters from any source, and/or (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 definition.

"Flood Boundary and Floodway Map (FBFM)" means the official map on which the Federal Emergency Management Agency or Federal Insurance Administration has delineated both the areas of flood hazard and the floodway.

"Flood Insurance Rate Map (FIRM)" means the official map on which the Federal Emergency Management Agency or Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

"Flood Insurance Study" means the official report provided by the Federal Insurance Administration that includes flood profiles, the FIRM, the Flood Boundary and Floodway Map, and the water surface elevation of the base flood.

"Floodplain or flood-prone area" means any land area susceptible to being inundated by water from any source (see definition of "flooding").

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

"Floodplain management regulations" means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as floodplain ordinance & grading ordinance) and other applications of police power. The term describes such state or local regulations in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

"Floodproofing" means any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

"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 one foot. Also referred to as "Regulatory floodway".

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

"Highest adjacent grade" means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

"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.

"Local Administrator" means the Director of Planning and Development or his/her authorized agent.

"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 this article.

"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 connected to the required utilities. For floodplain management purposes the term "manufactured home" also includes park trailers, travel trailers and other similar vehicles placed on a site for greater than 180 consecutive days.

"Manufactured home park or subdivision" means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for sale or rent.

"Mean sea level" means, for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

"New construction" means, for floodplain management purposes, structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by this community.

"One hundred year flood" or **"100-year flood"** means a flood which has a one percent annual probability of being equalled or exceeded. It is identical to the "base flood", which will be the term used throughout this ordinance.

"Person" means an individual or his agent, firm, partnership, association or corporation, or agent of the aforementioned groups, or this state or its agencies or political subdivisions.

"Remedy a violation" means to bring the structure or other development into compliance with State or local floodplain management regulations, or, if this is not possible, to reduce the impacts of its noncompliance. Ways that impacts may be reduced include protecting the structure or other affected development from flood damages, implementing the enforcement provisions of the Building Code or otherwise deterring future similar violations, or reducing Federal financial exposure with regard to the structure or other development.

"Replacement Value" means the value per square foot to be established from the most current ICBO standard index for both residential and commercial properties.

"Riverine" means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

"Special flood hazard area (SFHA)" means an area having special flood or flood-related erosion hazards, and shown on an FHBM or FIRM as those areas subject to inundation by a flood having a one-percent or greater chance of being equaled or exceeded each year.

"Start of Construction" includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement, or other 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 clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.

"Structure" means a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

"Substantial improvement" means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the replacement value of the structure either:

1. before the improvement or repair is started; or
2. if the structure has been damaged, and is being restored, before the damage occurred.

For the purposes of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either:

1. any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions; or
2. any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

"Variance" means a grant of relief from the requirements of this ordinance which permits construction in a manner that would otherwise be prohibited by this ordinance.

"Violation" means the failure of a structure or other development to be fully compliant with applicable floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in this ordinance is presumed to be in violation until such time as that documentation is provided.

"Zone A" Means a special flood hazard area with no base flood elevations determined.

"Zone AE" Means a special flood hazard area with base flood elevations determined.

"Zone AH" Means a special flood hazard area with flood depths of 1 to 3 feet (usually areas of ponding); base flood elevations determined.

"Zone AO" Means a special flood hazard area with flood depths of 1 to 3 feet (usually sheetflow on sloping terrain); average depths determined.

"Zone A99" Means a special flood hazard area to be protected from 100-year flood by Federal flood protection system under construction; no base elevations determined.

9.1003 GENERAL PROVISIONS

A. LANDS TO WHICH THIS ARTICLE APPLIES. This article shall apply to all areas of special flood hazards within the jurisdiction of the City of Sacramento.

B. BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD. The areas of special flood hazard identified by the Federal Emergency Management Agency or the Federal Insurance Administration in the most current scientific and engineering report entitled "Flood Insurance Study for the City of Sacramento" with accompanying Flood Insurance Rate Maps and Flood Boundary and Floodway Maps is hereby adopted by reference and declared to be a part of this article as well as amendments thereto. This Flood Insurance Study and other flood information utilized for establishing areas of special flood hazards are on file at Planning & Development, 1231 I Street, Sacramento, California 95814.

This Flood Insurance Study is the minimum area of applicability of this article and the area of applicability may be increased or decreased by ordinance of the City Council. Such decisions will be made on the basis of best available flood data presented to the City Council.

Areas of special flood hazard are identified as overlay zones in Section 26 of the Zoning Ordinance.

C. COMPLIANCE. No structure shall hereafter be constructed, located, extended, converted, or substantially improved nor shall land be graded for development without full compliance with the terms of this article and other applicable regulations.

D. ABROGATION AND GREATER RESTRICTIONS. This article is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this article and another article, ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

E. INTERPRETATION. In the interpretation and application of this article, all provisions shall be:

1. Considered as minimum requirements;
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 article is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This article does not imply that land outside the areas of special flood hazards and areas of flood-related erosion hazards or uses permitted within such areas will be free from flooding or flood damages. This article shall not create liability on the part of the City of Sacramento, any officer or employee thereof, or the Federal Insurance Administration, for any flood damages that result from reliance on this article or any administrative decision lawfully made thereunder.

G. SEVERABILITY This article and the various parts thereof are hereby declared to be severable. Should any section of this article be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the article as a whole, or any portion thereof other than the section so declared to be unconstitutional or invalid.

9.1004 ADMINISTRATION

A. ESTABLISHMENT OF FLOOD HAZARD EVALUATION. Flood Hazard Evaluation shall be obtained before construction or development begins within any area of special flood hazards established in Section 9.1003B. Application for Flood Hazard Evaluation shall be made on forms furnished by the Local Administrator and may include, but not be limited to: plans in duplicate drawn to scale showing the nature, location, dimensions, and elevation of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities; and the location of the foregoing. Specifically, the following information is required:

1. Proposed elevation in relation to mean sea level, of the lowest floor (including basement) of all structures; in Zone AO or A elevation of highest adjacent grade and proposed elevation of lowest floor of all structures.

2. Proposed elevation in relation to mean sea level to which any structure will be floodproofed;
3. All appropriate certifications and/or permits; and
4. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

B. DESIGNATION OF THE LOCAL ADMINISTRATOR. The Director of Planning & Development or his/her authorized agent is hereby appointed to administer and implement this article by granting or denying building permits in accordance with its provisions.

C. The Applicant's registered engineer shall certify the following to the Local Administrator:

1. That the requirements of this ordinance have been satisfied.
2. All required state and federal permits have been obtained.
3. The site, subdivision or other proposed new development is reasonably safe from flooding.
4. The proposed development does not adversely affect the carrying capacity of the floodway. For purposes of this ordinance, "adversely affects" means 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 one foot at any point.
5. Whenever a watercourse is to be altered or relocated:
 - a. Adjacent communities and the California Department of Water Resources have been notified prior to such alteration or relocation of a watercourse, and submit evidence of such notification to the Local Administrator for submittal to the Federal Insurance Administration.
 - b. That the flood carrying capacity of the altered or relocated portion of said watercourse is maintained.

D. THE LOCAL ADMINISTRATOR SHALL:

1. Obtain and maintain for a reasonable period of time for public inspection and make available as needed:
 - a. The certification required in Section 9.1005.A.3.a (floor elevations)
 - b. The certification required in Section 9.1005.A.3.b (elevations in areas of shallow flooding).

- c. The certification required in Section 9.1005.A.3.c (elevation or floodproofing of nonresidential structures)
- d. The certification required in Section 9.1005.A.3.d (wet floodproofing standard)
- e. The certified elevation required in Chapter 40, Subdivision Regulations, Article III, Section 40.336 (subdivision standards)
- f. The certified elevation required in Section 9.1005.D (floodway encroachments)

9.1005 PROVISIONS FOR FLOOD HAZARD REDUCTION

A. STANDARDS OF CONSTRUCTION. In all areas of special flood hazards the following standards are required:

1. Anchoring

- a. All new construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
- b. All manufactured homes shall meet the anchoring standards of Section 9.1005.C

2. Construction Materials and Methods

- 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.
- c. All new construction and substantial improvements shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
- d. Require within Zones AH or AO, adequate drainage paths around structures on slopes to guide flood waters around and away from proposed structures.

3. Elevation and Floodproofing

- a. New construction and substantial improvement of any structure shall have the lowest floor, including basement, elevated one foot (1') above the base flood elevation. Nonresidential structures may meet the standards in Section 9.1005.A.3.c. Upon the completion of the structure the elevation of the lowest floor, including basement shall be certified by a qualified registered professional engineer or land surveyor, to be properly elevated. Such certification or verification shall be provided to the Local Administrator.
- b. New construction and substantial improvement of any structure in Zone AH or AO, shall have the lowest floor, including basement, elevated one foot (1') above the depth number specified in feet on the FIRM or two feet (2') if no depth number is specified. The elevation is to be measured from the highest adjacent grade. Nonresidential structures may meet the standards in Section 9.1005.A.3.c. Upon the completion of the structure the elevation of the lowest floor including basement shall be certified by a qualified registered professional engineer or land surveyor to be properly elevated. Such certification or verification shall be provided to the Local Administrator.
- c. Nonresidential construction shall either be elevated in conformance with Section 9.1005.A.3.a or b. or together with attendant utility and sanitary facilities:
 - (1). Be floodproofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water;
 - (2). Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and
 - (3). Be certified by a registered professional engineer that the standards of this subsection are satisfied. Such certifications shall be provided to the Local Administrator.
- d. Require, for all new construction and substantial improvements, that fully enclosed areas below the lowest floor that 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 meet or exceed the following minimum criteria:

(1). Either a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one foot (1') above grade. Openings may be equipped with screens, louvers, valves or other coverings or devices provided that they permit the automatic entry and exit of floodwaters; or

(2). Be certified to comply with a local floodproofing standard approved by the Federal Insurance Administration.

e. Manufactured homes shall also meet the standards in Section 9.1005.A.3.d.

B. STANDARDS FOR UTILITIES

1. All new and replacement water supply and sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharge from systems into flood waters.
2. On-site septic and well systems shall be located to avoid impairment to them or contamination from them during flooding, as approved by the Sacramento City/County Health Department.

C. STANDARDS FOR MANUFACTURED HOMES All new and replacement manufactured homes and additions to manufactured homes shall:

1. Be elevated so that the lowest floor is one foot (1') above the base flood elevation; and
2. Be securely anchored to a permanent foundation system to resist flotation, collapse or lateral movement.
3. Meet applicable State and local anchoring requirements for resisting wind forces.
4. Conform to State regulations for those manufactured homes under State of California jurisdiction for permits and inspection.

D. 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:

1. Prohibit encroachments, including fill, new construction, substantial improvements, and other development unless 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.

2. If Section 9.1005.D.1 is satisfied, all new construction and substantial improvements shall comply with all other applicable flood hazard reduction provisions of Section 9.1005.

9.1006 VARIANCES.

The Local Administrator is empowered to issue a variance only for purposes consistent with the objectives of FEMA's floodplain management regulations. However, a variance could affect flood insurance rates and may result in flood insurance premium rates on structures which are beyond the means of the person receiving the variance.

FEMA requires the City to make an annual report on any variance which is granted, and if FEMA determines that such variance is inconsistent with the objectives of sound floodplain management, FEMA may take action to suspend the City from the National Flood Insurance Program.

The Local Administrator is empowered to grant variances from the terms of one or more regulations in this article in accordance with the provisions of Subchapter B, Title 44, Code of Federal Regulations (CFR), Section 60.6, as amended.

9.1007 APPEALS

A. Construction Codes Advisory and Appeals Board shall hear all appeals pursuant to Article XIX, Section 9.576 of this Chapter. Said hearings shall be held as prescribed in Article XIX, Section 9.575 of this Chapter.

B. City Council shall hear appeals to the Construction Codes Advisory and Appeals Board decision in the manner prescribed in Article XIX, Section 9.580.

C. A court of competent jurisdiction shall hear appeals to City Council decisions in the manner and time period as prescribed in Article XIX, Section 9.581.

D. A copy of all findings and decisions on appeals shall be sent to the Local Administrator for the annual report to the Federal Insurance Administrator.

D. PRECEDENCE. This article shall take precedence over less restrictive conflicting ordinances or parts of ordinances. The Sacramento City Council may, from time to time, amend this article to reflect any and all changes in the statutes authorizing the National Flood Insurance Program that are incorporated in 42 U.S.C. Sections 4001 through 4128 or in the National Flood Insurance Program Regulations.

9.1008 FEE SCHEDULE.

City Council shall establish by separate resolution a fee schedule (for flood hazard evaluation, appeals, requests for variance and inspection).

SECTION 2.

This ordinance is hereby declared to be an emergency ordinance to take effect immediately. The ground for the emergency is the mandate issued by the United States Federal Emergency Management Administration requiring the City of Sacramento to have in effect the regulations contained herein no later than February 4, 1988, or be disqualified from participation in the National Flood Insurance Program.

DATE ENACTED:

DATE EFFECTIVE:

MAYOR

ATTEST:

CITY CLERK

ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

AN ORDINANCE AMENDING VARIOUS SECTIONS OF CHAPTER 40 OF THE SACRAMENTO CITY CODE, RELATING TO FLOODPLAIN MANAGEMENT, AND DECLARING SAID ORDINANCE TO BE AN EMERGENCY ORDINANCE TO TAKE EFFECT IMMEDIATELY

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1.

Section 40.336 of the Sacramento City Code is hereby amended to read as follows:

40.336 FLOODPLAIN MANAGEMENT

The design of all subdivisions shall provide adequate drainage to reduce exposure to flood damage and shall in all respects conform to the requirements of Chapter 9, Article XXVI, Floodplain Management Regulations and the National Flood Insurance Program Regulations set forth in subchapter B of Title 44 of the Code of Federal Regulations Parts 59 and 60.

All final subdivision improvement plans will provide the elevation of the proposed building site. If the site is filled above the base flood, the final pad elevation shall be certified by a qualified registered professional engineer or surveyor and provided to the Local Administrator.

All subdivision proposals shall be consistent with the need to minimize flood damage.

All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage.

SECTION 2.

Sections 40.403(g) and 40.403(m) of the Sacramento City Code are hereby amended to read as follows:

- (g) Contour lines at intervals of not more than one foot unless waived prior to submission by the City Engineer. Topographic information shall be sufficient to fully show the configuration of the land and any and all depressions that present drainage problems, and shall extend beyond the tract boundaries where necessary to show drainage conditions on surrounding property which may affect the subdivision. Topographic survey shall not be waived in areas within the 100-year flood hazard boundary as shown on the most current FIRM.
- (m) The location of all potentially dangerous areas, including geologically hazardous areas and areas subject to inundation or flood hazard; the location, width and directions of flow of all water courses and flood control channels within and adjacent to the property involved; and the proposed method of providing storm water, drainage and erosion control. In areas subject to 100-year flood hazard, base flood elevation and floodway boundary shall be indicated.

SECTION 3.

Section 40.404(d) of the Sacramento City Code is hereby amended to read as follows:

- (d) A preliminary grading plan. Submission of the preliminary plan may be waived by the City Engineer when he determines that the submission of said plan is not required for proper grading, flood hazard mitigation and erosion control of the proposed subdivision.

SECTION 4.

Section 40.508(n) is hereby added to the Sacramento City Code to read as follows:

- (n) In areas subject to 100-year flood hazard, base flood elevation or depth of flow and floodway boundary shall be indicated or a separate document shall be recorded with the final map indicating floodway boundary and base flood elevation or depth of flow.

SECTION 5.

Section 40.509(f) of the Sacramento City Code is hereby amended to read as follows:

- (f) A final grading plan. Submission of a final grading plan may be waived by the City Engineer when he determines that the submission of said plan is not required for proper grading, flood hazard mitigation and erosion control of the subdivision.

SECTION 6.

Section 40.609(g) of the Sacramento City Code is hereby amended to read as follows:

- (g) A final grading plan. Submission of a final grading plan may be waived by the City Engineer when he determines that the submission of said plan is not required for proper grading, flood hazard mitigation and erosion control of the subdivision.

SECTION 7.

This ordinance is hereby declared to be an emergency ordinance to take effect immediately. The ground for the emergency is the mandate issued by the United States Federal Emergency Management Administration requiring the City of Sacramento to have in effect the amendment contained herein no later than February 4, 1988, or be disqualified from participation in the National Flood Insurance Program.

DATE ENACTED:

DATE EFFECTIVE:

MAYOR

ATTEST:

CITY CLERK