

ORDINANCE NO. 2248

AN ORDINANCE OF THE CITY OF CHULA VISTA AMENDING SECTIONS
18.54.030, 18.54.040 AND 18.54.060 OF THE CHULA VISTA
MUNICIPAL CODE RELATING TO FLOODPLAIN REGULATIONS

The City Council of the City of Chula Vista does ordain as follows:

SECTION I: That Sections 18.54.030 of the Chula Vista Municipal Code is hereby amended to read as follows:

18.54.030 Definitions.

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

- A. "Area of flood hazard" means areas within the community subject to a one percent or greater chance of flooding in any given year. These areas are identified as zones A, A1-30 and A0 on the official maps.
- B. "Basement" means any area of the building having its floor subgrade (below ground level) on all sides.
- C. "Base Flood" means the flood having a 1 percent chance of being equalled or exceeded in any given year.
- D. "Development" means any manmade 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.
- E. ~~∅~~ "Flood" means a temporary rise in a stream's flow or stage that results in water overflowing its banks and inundating areas adjacent to the channel, or an unusual and rapid accumulation of runoff or surface waters from any source.
- F. ~~∅~~ "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.
- G. "Highest Adjacent Grade" means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.
- H. ~~∅~~ "Lowest Floor" means the lowest 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 chapter.

- I. ~~F~~ "Manufactured home" means a structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. For flood management purposes the term "manufactured home" also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days. For insurance purposes the term "manufactured home" does not include park trailers, travel trailer, and other similar vehicles.
- J. ~~G~~ "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.
- K. ~~H~~ "One-hundred-year flood" means the condition of flooding having a one percent chance of annual occurrence.
- L. ~~I~~ "Regulatory flood elevation" means the water surface elevation of the one-hundred-year flood.
- M. ~~J~~ "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 one foot. The designated regulatory flood ways are the channels of the Sweetwater River and Telegraph Canyon Creek shown on the current flood boundary and floodway map, and the Otay River and Poggi Canyon Creek as shown on the county of San Diego floodway map.
- N. ~~K~~ "Start of Construction" (for other than new construction or substantial improvements under the Coastal Barrier Resources Act (Public Law 97-348), 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.
- O. ~~L~~ "Structure" means a walled and roofed structure, including a gas or liquid storage tank that is principally above the ground, including but without limitation to buildings, factories, sheds, cabins, mobile homes and other similar uses.
- P. ~~M~~ "Substantial improvement" means any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds fifty percent of the market value of the structure either:
1. Before the improvement 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, or or other structural part of the building commences, whether or not that alteration effects the external dimensions of the structure. The term does not, however, include any alteration to comply with existing state or local health, sanitary, building or safety codes or regulations, or structures listed in national or state registers of historic places.

SECTION II: That Section 18.54.040 of the Chula Vista Municipal Code is hereby amended to read as follows:

18.54.040 Floodplain development--Permits required.

- A. No person, firm or corporation shall erect, construct, enlarge or improve any building or structure within areas of flood hazard in the city or cause the same, including the placement of manufactured homes, to be done without first obtaining a building permit for each such action.
- B. To obtain such a building permit, the applicant shall first file an application therefor in writing with the director of building and housing on a form furnished for that purpose. Every such application shall:
1. Identify and describe the work to be covered by the permit for which application is made;
 2. Describe the land on which the proposed work is to be done by lot, block, tract and house and street address, or similar description that will readily identify and definitely locate the proposed building of work;
Indicate the use or occupancy for which the proposed work is intended;
 4. Be accompanied by necessary plans and specifications for the proposed construction;
 5. Be signed by the permittee or his authorized agent who may be required to submit evidence to indicate such authority.
 6. Be accompanied by elevations (in relation to sea level) of the lowest floor (including basement) or in the case of floodproofed (as defined in this chapter) nonresidential structures, the elevation to which it has been floodproofed. Documentation or certification of such elevations will be maintained by the director of building and housing ~~in other than B zones except where base flood elevation data from sources other than Federal or State are utilized.~~
 7. Be accompanied by a certification, submitted by a licensed civil engineer, structural engineer, or architect, that the plans and specifications for the proposed building or structure comply with the floodproofing requirements of the National Flood Insurance Program as revised. Said licensed civil engineer, structural engineer or architect, subsequent to construction of the proposed building or structure but prior to final approval for use or occupancy thereof, shall certify that such building or structure has been so floodproofed. He shall also specify the elevation to which such floodproofing is effective. This provision is not applicable to manufactured homes.

8. Electrical, heating, ventilation, plumbing, and air-conditioning equipment and other service facilities shall be designed and/or located as to prevent water from entering or accumulating within the components during conditions of flooding.
 9. Give such other information as reasonably may be required by the director of building and housing.
- C. In the coastal zone, development in floodplains shall also be required to obtain a coastal development permit consistent with the applicable provisions of the certified Local Coastal Program.

SECTION III: That Section 18.54.060 of the Chula Vista Municipal Code is hereby amended to read as follows:

18.54.060 Floodplain development--Review by director of building and housing.

The director of building and housing, in reviewing all applications for new construction, substantial improvements, prefabricated buildings, placement of manufactured homes and other developments (as defined in this chapter) shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a federal, state or other source, as criteria for requiring that new construction, substantial improvements, or other development in Zone A on the official map meet the following standards:

- A. Residential structures and substantial improvements of residential structures shall meet the following standards: The ~~first~~ lowest floor elevation (to include basement) of new residential structures shall be elevated to a minimum of one foot above the regulatory flood elevation; except that in zone AO the lowest floor (including basement) shall be ~~all be the above the crown of the nearest street / 10 ft / above the regulatory depth number,~~ as high as the depth number in feet above the highest adjacent grade or two feet if no depth number is specified.
- B. Standards for manufactured homes:
 1. All new and replacement manufactured homes and additions to manufactured homes shall:
 - a. Be elevated so that the lowest floor is at or above the base flood elevation; and
 - b. Be securely anchored to a permanent foundation system to resist flotation, collapse or lateral movement.
 - c. Certification meeting the standards above is required of the installer or state agency responsible for regulating the placement, installation and anchoring of individual manufactured home units.
 2. Section 18.54.060.B.1.a and b apply to manufactured homes to be placed or substantially improved in an expansion to an existing manufactured home park or subdivision. Section 18.54.060.B.1.a does not apply to manufactured homes to be placed or substantially improved in an existing manufactured home park or subdivision except where the repair, reconstruction, or improvement of the streets, utilities and pads equals or exceeds 50 percent of the value of the streets, utilities and pads, before the repair, reconstruction or improvement has commenced.
- C. ~~B~~ Nonresidential structures shall meet the following standards: The ~~first~~ lowest floor elevation (to include basement) of nonresidential structures be elevated or floodproofed to a minimum

of one foot above the regulatory flood elevation; except that in zone ~~the~~ the lowest floor (including basement) shall be ~~above the crown of~~ ~~nearest street to or above the regulatory depth number~~ as high as the depth number in feet above the highest adjacent grade or two feet if no depth number is specified; or together with attendant utility and sanitary facilities be completely floodproofed to or above that level so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;

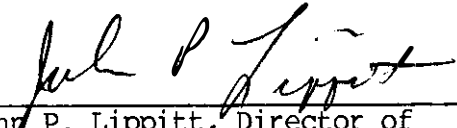
2. Require the use of construction materials and utility equipment that are resistant to floodwater damage;
3. Require the use of construction methods and practices that will minimize flood damage;
4. Be designed or anchored to prevent the flotation, collapse or lateral movement of the structure or portions of the structure due to flooding;
5. Assure that in regard to manufactured homes, specific anchoring requirements include:
 - a. Over-the-top ties be provided at each of the four corners of the manufactured home with two additional ties per side at the intermediate locations. Manufactured homes less than fifty feet long require only one additional tie per side,
 - b. Frame ties be provided at each corner of the home with five additional ties per side at intermediate points. Manufactured homes less than fifty feet long require only four additional ties per side.
 - c. Each required tie of the anchoring system shall be capable of carrying a force of four thousand eight hundred pounds.
 - d. Any additions to mobile homes shall be similarly anchored;
6. All manufactured homes to be placed or substantially improved within zones A1-30, AH, and AE shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is at or above the base flood elevation and be securely anchored to an adequately anchored foundation system in accordance with the provisions of this Chapter.

D2. For all new construction and substantial improvements, fully enclosed areas below the lowest floor that are subject to flooding 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 minimum of two openings have 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 above grade. Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

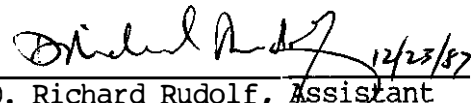
SECTION IV: This ordinance shall take effect and be in full force on the thirty-first day from and after its adoption.

Presented by

Approved as to form by



John P. Lippitt, Director of
Public Works



D. Richard Rudolf, Assistant
City Attorney

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FIRST READ AT A REGULAR MEETING OF THE CITY COUNCIL OF THE
CITY OF CHULA VISTA, CALIFORNIA, HELD January 12, 19 88, AND
FULLY PASSED AND ADOPTED AT A REGULAR MEETING THEREOF HELD January 19,
88, BY THE FOLLOWING VOTE, TO-WIT:

FOR: Councilmen Cox, Malcolm, Nader, Moore
AGAINST: Councilmen None
ABSENT: Councilmen McCandliss
DEPARTED: Councilmen None

Gregory R. Cox

Mayor of the City of Chula Vista

EST. *Jennie M. Fulasz*
City Clerk

CITY OF CALIFORNIA)
COUNTY OF SAN DIEGO) ss.
CITY OF CHULA VISTA)

I, JENNIE M. FULASZ, CMC, CITY CLERK of the City of Chula Vista, California,
HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of
ORDINANCE 2248, and that the same has not been amended or repealed.

FED _____



**CITY OF
CHULA VISTA**

City Clerk

ORDINANCE NO. 2248

AN ORDINANCE OF THE CITY OF CHULA VISTA AMENDING SECTIONS 18.54.030, 18.54.040 AND 18.54.060 OF THE CHULA VISTA MUNICIPAL CODE RELATING TO FLOOD-PLAIN REGULATIONS


At the meeting of January 19, 1988, the City Council placed the ordinance on its second reading and adoption.

On March 17, 1987, the City Council adopted an ordinance revising the City's flood plain regulations in accordance with instructions by the Federal Emergency Management Agency (FEMA). The ordinance was sent to them for review and comments. FEMA has sent in their comments requesting minor additional changes to the ordinance which have now been incorporated in the document.

The ordinance defines the terminologies used in the regulations, the permits required and the review by the Director of Building and Housing.

Copies of the regulations are available at the office of the City Clerk, City Hall, 276 Fourth Avenue, Chula Vista, CA.

Dated: 1/21/88


Jennie M. Fulasz, CMC, City Clerk