

**NOTICE OF MEETING
PLANNING COMMISSION
CITY OF ST. GEORGE
WASHINGTON COUNTY, UTAH**

Public Notice

Notice is hereby given that the Planning Commission of the City of St. George, Washington County, Utah, will hold a Planning Commission meeting in the City Council Chambers, 175 East 200 North, St George, Utah, on Tuesday, March 26, 2024, commencing at 5:00 p.m.

The agenda for the meeting is as follows:

Call to Order
Flag Salute

1. Consider approval of a hillside development permit to adjust the location of the ridgeline and the ridgeline setback on lot 32 of the South Rim at Foremaster Ridge Phase 2 subdivision. Case No 2024-HS-006 – Applicant Heath Snow

BACKGROUND AND RECOMMENDATION: The Hillside Review Board held a public meeting on site to review the proposed Hillside Development Permit on March 13, 2024. The Hillside Review Board forwarded a positive recommendation to move the ridgeline back to stipulated areas, approximately 10.5 ft off the property line to the south.

2. Consider approval of a preliminary plat Red Pine Phase 5-6, a forty-four (44) lot residential subdivision Case No 2024-PP-004 – Applicant Mike Terry, DSG Civil

BACKGROUND AND RECOMMENDATION: The property is 15.37 acres and is generally located north of Maplecrest Drive and approximately ¼ mile east of 2890 South. The property was zoned R-1-10 in January of this year in anticipation of this plat. It is recommended that an easement on the adjacent property to the north and east is granted for grading purposes.

3. Consider approval of an amendment to Title 10-13.C, Development in Flood and Erosion Hazard Overlay Zone. Case No. 2024-ZRA-007 – Applicant City of St. George - PUBLIC HEARING

BACKGROUND AND RECOMMENDATION: Update standards and regulations to meet FEMA requirements.

4. Minutes

Consider a request to approve the meeting minutes from the March 12, 2024, meeting.

5. City Council Items

Carol Winner, the Community Development Director will report on items heard at the March 21, 2024, City Council meeting.

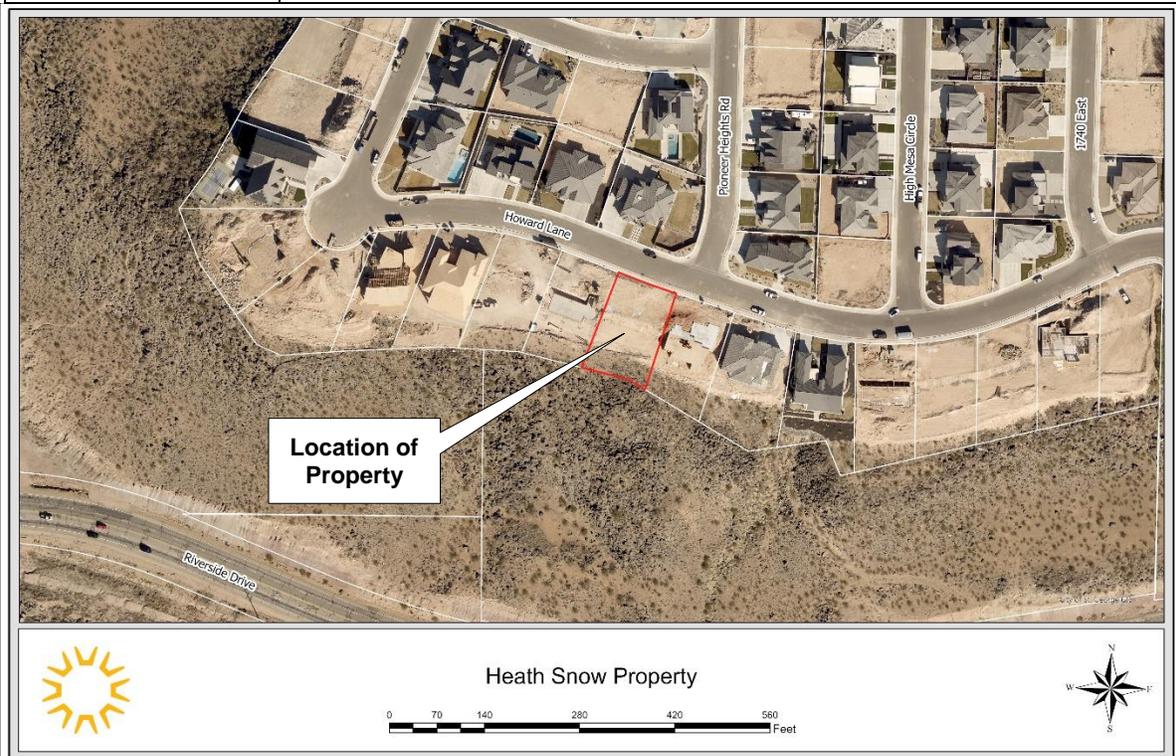
1. 2024-GPA-004 Old Farm

Monica Smith – Development Office Supervisor

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 City Human Resources Office at (435) 627-4674 at least 24 hours in advance if you have special needs.

HILLSIDE REVIEW BOARD AGENDA REPORT: **03/13/2024**
 PLANNING COMMISSION AGENDA REPORT: **03/26/2024**

Heath Snow Property – South Rim at Foremaster Ridge Phase 2 Lot 32 Hillside Development Permit (Case No. 2024-HS-006)	
Request:	A Hillside Development Permit to adjust the location of the ridgeline and ridgeline setback on lot 32 of the South Rim at Foremaster Ridge Phase 2 subdivision in anticipation of the construction of a residential home.
Applicant:	Heath Snow
Location:	1636 East Howard Lane
General Plan:	Low Density Residential (LDR)
Existing Zoning:	Single Family Residential, minimum lot size 10,000 sf (R-1-10)
Surrounding Zoning:	North R-1-10
	South R-1-10
	East R-1-10
	West R-1-10
Land Area:	Approximately 0.32 acres



BACKGROUND

This is a request to obtain a hillside permit for the property located at 1636 E. Howard Lane (Lot 32, South Rim at Foremaster Ridge Phase 2). (See Exhibit A, South Rim at Foremaster Ridge Phase 2 final plat.) This location is a residential neighborhood, and the applicant would like to build a house on this lot. The rear of the applicant's property abuts the ridge line of Foremaster Ridge. The plat identifies this ridge line as having a 30' ridge line setback area and states, "*No structures, walls, or solid fences are allowed within the 30' foot ridge line setback area.*"

The applicant is requesting to review the location of the 30-foot ridgeline setback as shown on the final plat for South Rim at Foremaster Ridge Phase 2 lot 32 and propose a new ridgeline which the owner feels is more indicative of the actual ridgeline.

The Hillside Review Board (HSRB) met with the applicant on the property and discussed the request to adjust the ridgeline. While the applicant had requested a fairly significant change in the boundary, the HSRB felt that it was prudent to make an adjustment approximately 11 feet to the south, which effectively would effectively move where structures would have to be setback from closer to the property line though not to the extent requested by the applicant.

APPLICABLE ORDINANCE(S) (Selected portions)

10-13A-6: Building Setbacks and Additional Design Standards:

- A. *Front Setback along Streets:* Along streets where the slope of the adjacent property to the street is over fifteen percent (15%), the minimum setback is twenty feet (20').
- B. *Setbacks:* All setbacks shall conform to the underlying zone criteria except as provided herein. No structure or accessory structure shall be constructed within the setback area as defined below. However, a see-through wrought iron fence with at least fifty percent (50%) of the fence open, landscaping, and a nonvertical swimming pool are permitted in the setback area.
 1. *Ridgelines:* All ridgelines as shown on the ridgeline map shall be subject to the setback provisions contained herein. Setbacks from ridgelines not identified on the ridgeline map shall be a minimum of thirty feet (30'), or greater if recommended in the geotechnical reports.
 2. *Plateaus:* On plateaus, the setback from the ridgeline shall be a minimum of fifty feet (50') unless a greater setback is recommended in the geotechnical reports.

C. *Cuesta*: Where a ridgeline occurs on a cuesta, the minimum setback shall be one hundred feet (100') measured normal (perpendicular) to the closest point of the ridge, unless a greater setback is recommended in the geotechnical report.

D. *Additional Design Standards*:

1. Retaining walls shall be colored to blend into the surrounding natural geology.
2. Retaining wall height is limited to the heights set forth in chapter 18 of this title and the standards for rock wall construction.
3. Building exterior colors shall be earth tone and blend with the surrounding natural landscape.
4. In residential zones, "no disturbance" areas shall be held as the "common area" of a project. Common areas shall be owned and maintained by the homeowners' association or may be deeded to the city when accepted by the city.
5. In nonresidential zones, any "no disturbance" area shall be identified on the final site plan or final plat.
6. Any required no disturbance area shall be identified on the ground with temporary fencing or other approved means to prevent accidental disturbance of the area during construction and such fencing shall be installed prior to issuance of a grading permit.
7. The building site shall be located on the flattest portion of the parcel.
8. No structure shall extend over any natural ridgeline. The structure shall be in contact with the ground at all edges. (Ord. 2019-10-002, 10-10-2019)

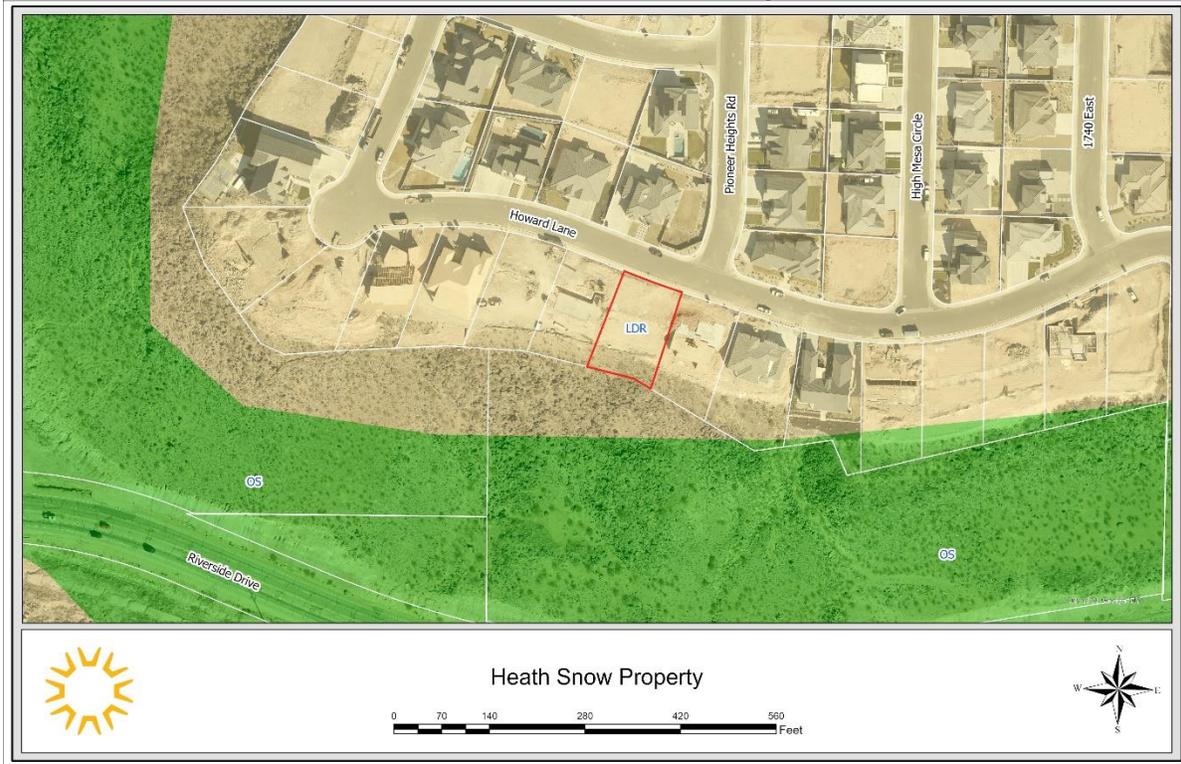
EXHIBITS PROVIDED

1. Exhibit A – South Rim at Foremaster Ridge Phase 2 Plat
"Exhibit A" in the packet shows the plat of South Rim at Foremaster Ridge Phase 2.
2. Exhibit B – Aerial of Existing Ridgeline with Plat Overlay
"Exhibit B" is an aerial map with the South Rim at Foremaster Ridge Phase 2 Plat overlaid.
3. Exhibit C – Map of Proposed Ridgeline
"Exhibit D" is a map showing the location of the proposed ridgeline designation with the proposed ridgeline and ridgeline setback of Lot 32.
4. Exhibit D – Presentation

RECOMMENDATION

The HSRB met with the applicant on his request to adjust the boundary of the ridgeline and the ridgeline setback for Lot 32 of the South Rim at Foremaster Ridge Phase 2 plat. They recommended that it be adjusted in accordance with the exhibit outlined in the presentation.

General Plan – LDR (Low Density Residential)



Zoning - R-1-10

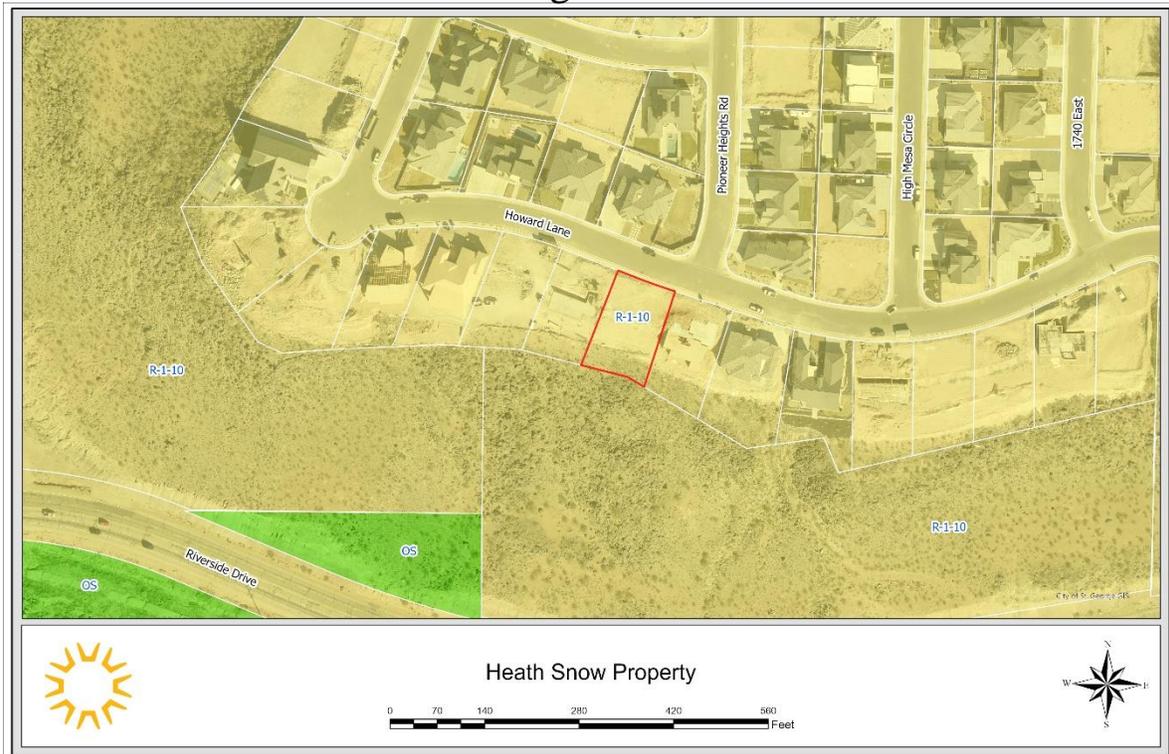


EXHIBIT B AERIAL IMAGES OF LOT 32



PC 2024-HS-006
South Rim at Foremaster Ridge
Phase 2 Lot 32
Page 8

3/7/24, 10:53 AM

SGCityMaps

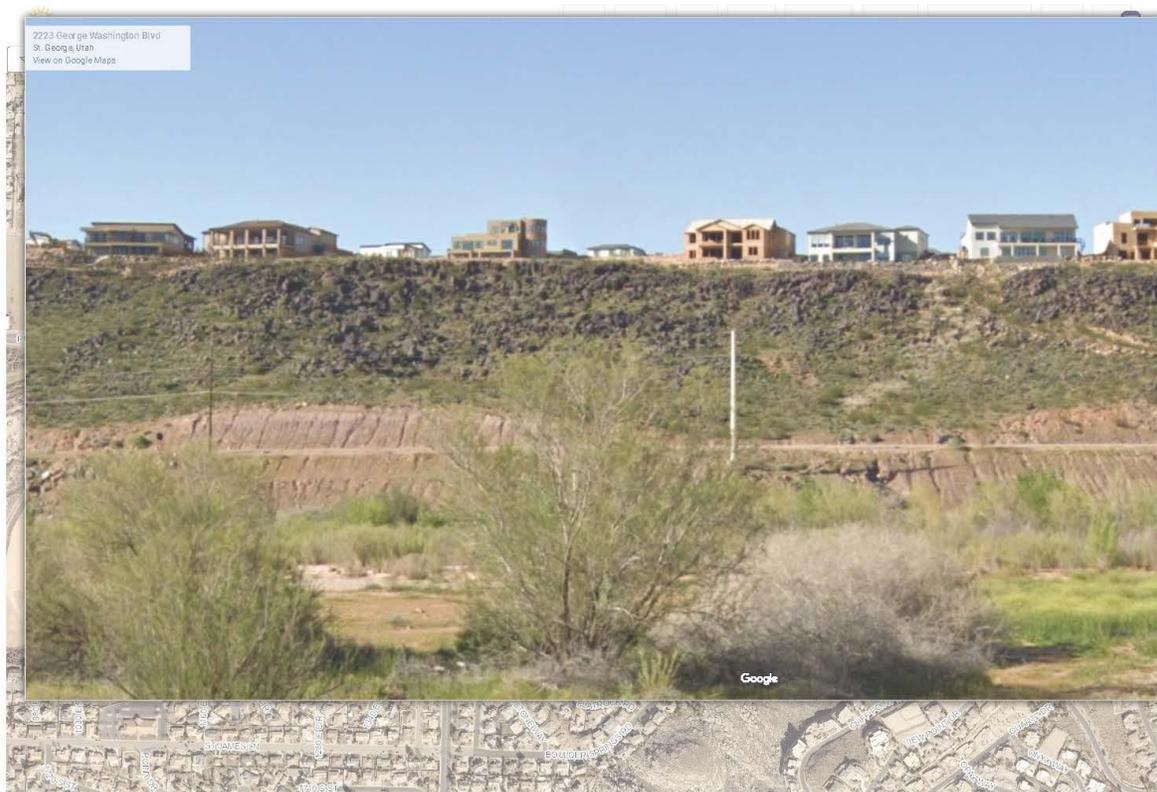
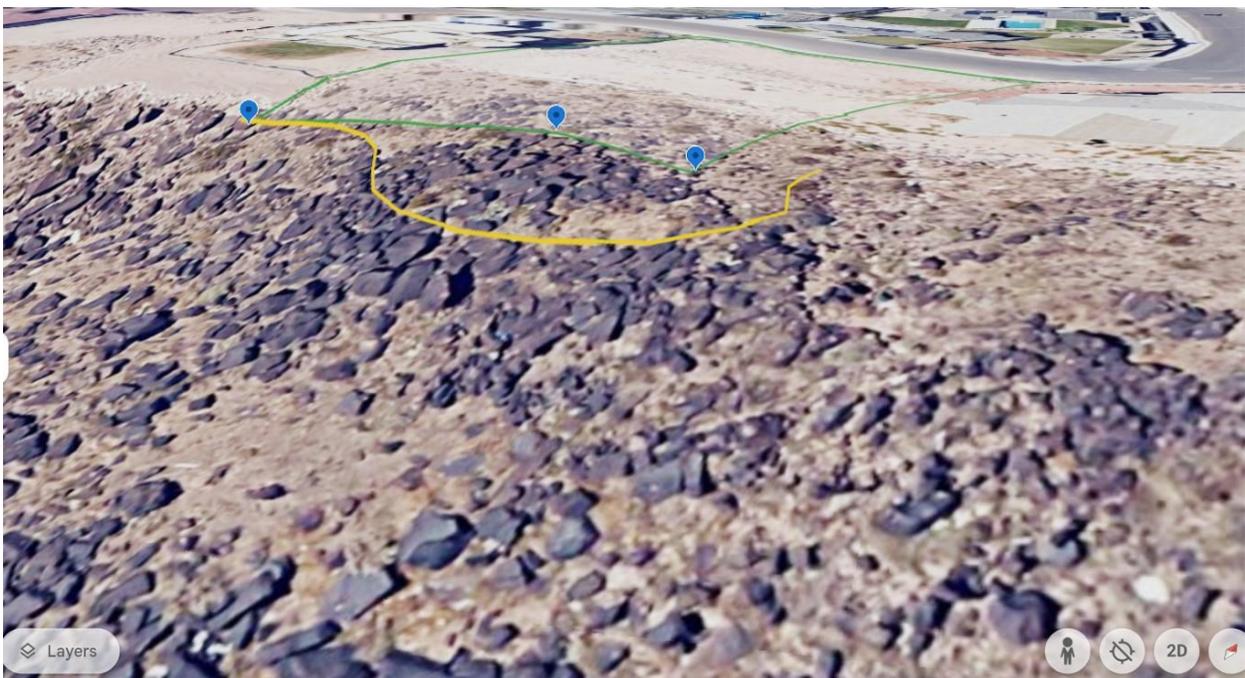


EXHIBIT C PROPOSED RIDGELINE



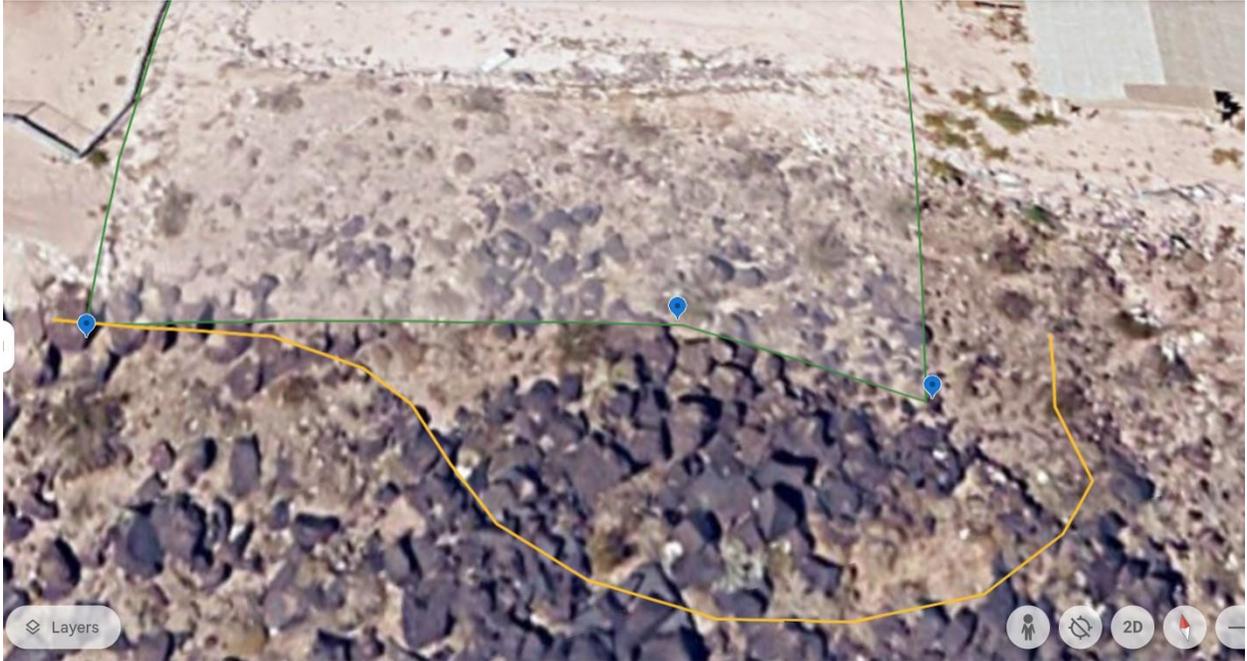


EXHIBIT D HSRB PROPOSED RIDGELINE AMENDMENT

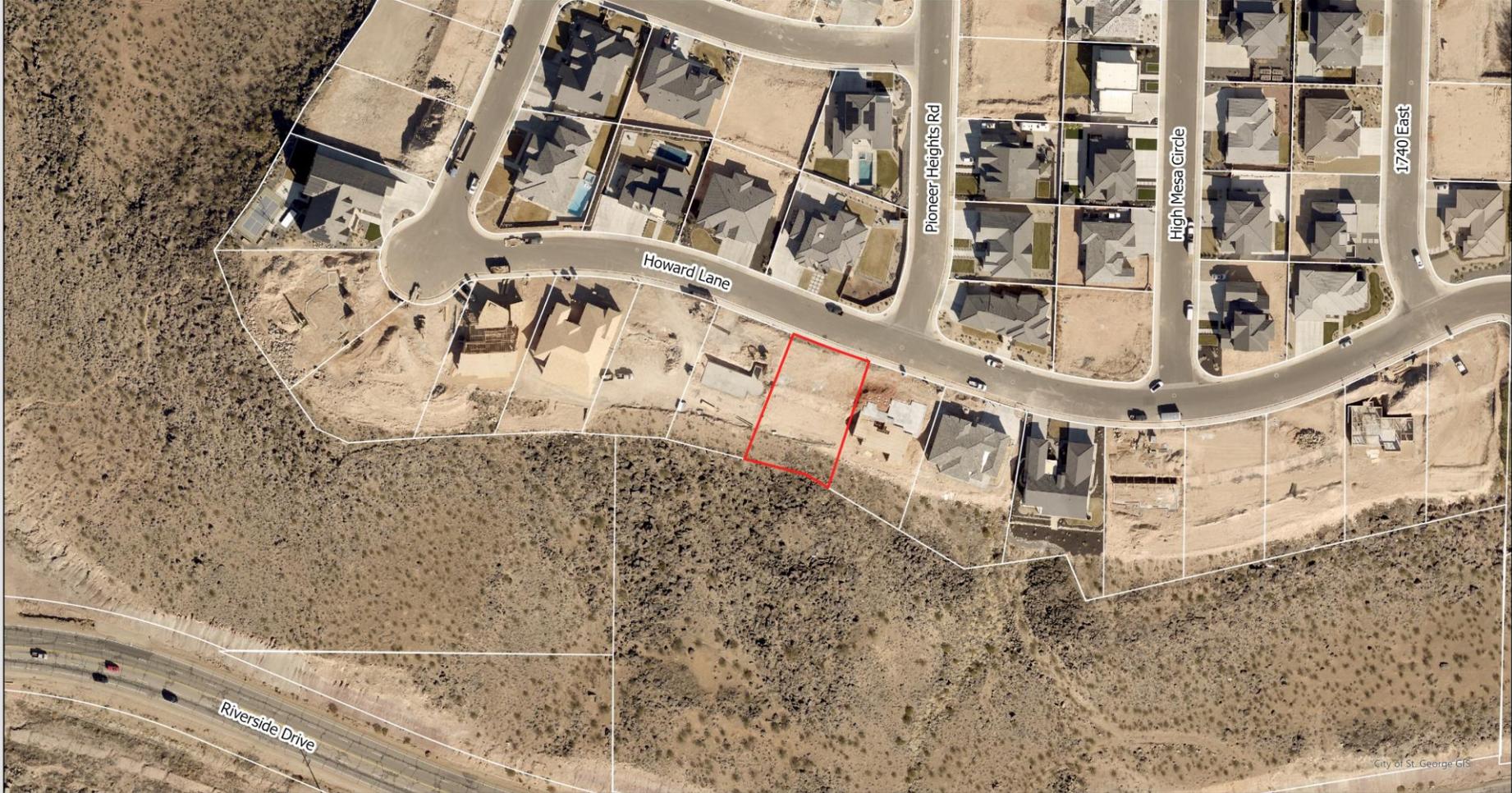


- Existing Ridgeline Boundary
- Proposed Ridgeline Boundary
- 30 Foot Offset

Lot 32 South Rim at Foremaster Phase 2

2024-HS-006

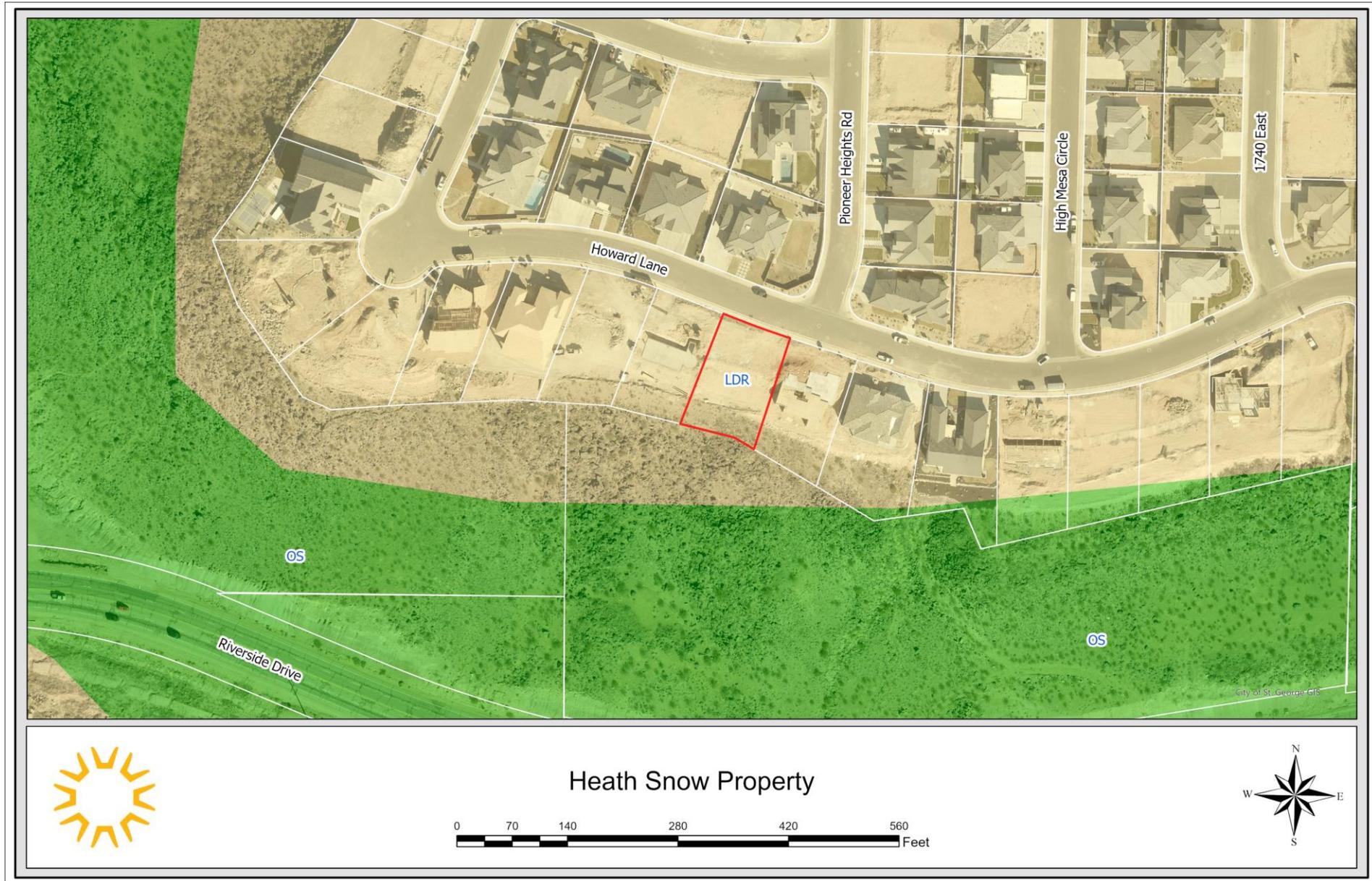
Aerial Map



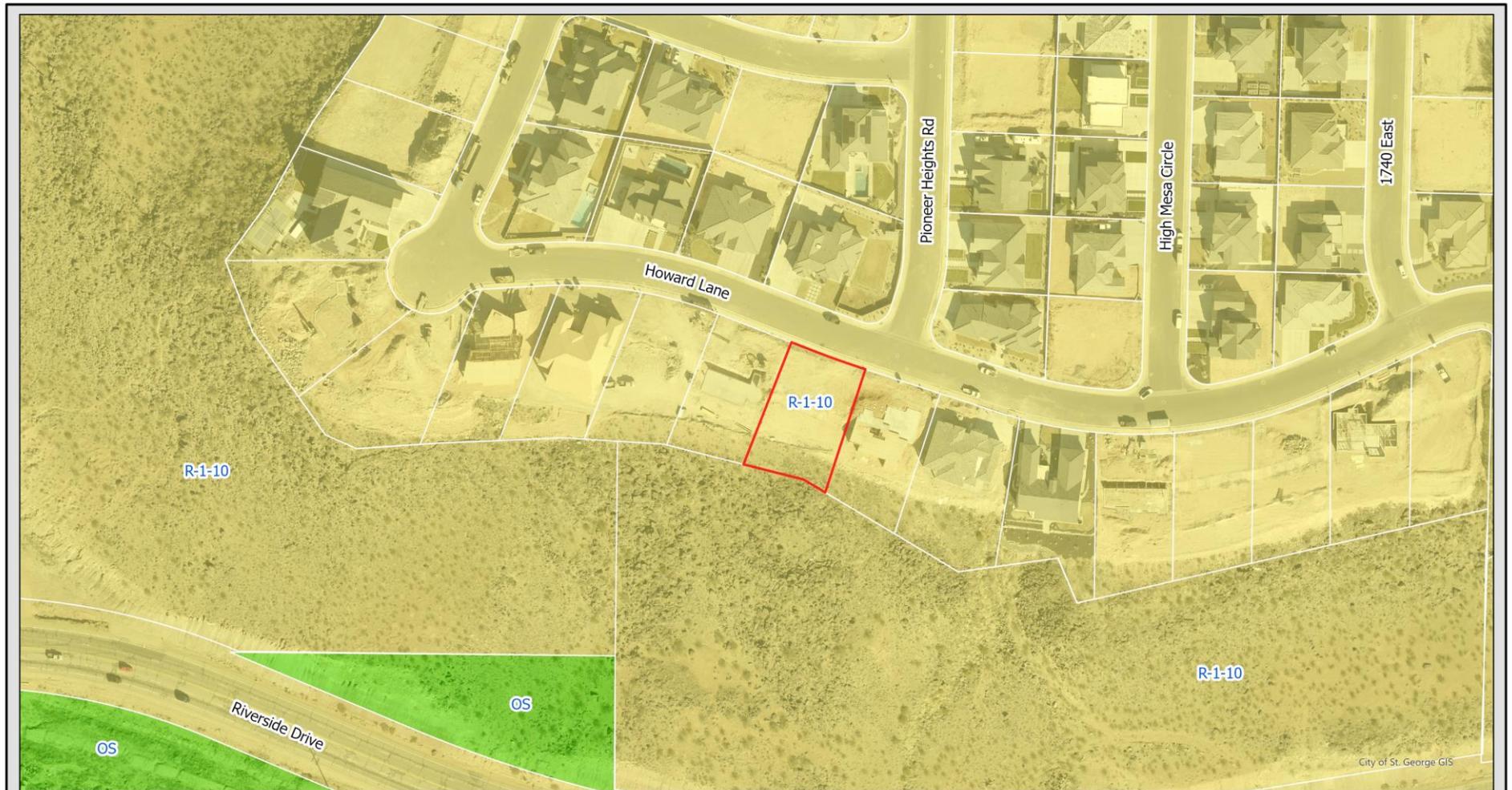
Heath Snow Property



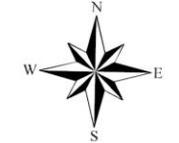
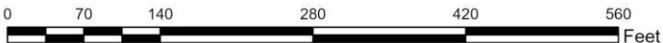
Land Use Map



Zoning Map



Heath Snow Property



South Rim Plat

8719000203



GENERAL NOTES & RESTRICTIONS

- There shall be a 16.00 foot public utility and drainage easement along all street side property lines and a 7.00 foot public utility and drainage easement along all side and back lot lines unless otherwise noted. And see note #10.
- Setbacks on all lots are as follows unless otherwise noted: 25.00 foot front yard setback, 8.00 & 16.00 foot side yard setback, 10.00 foot rear yard setback.
- A Geotechnical investigation was performed by Applied Geotechnical Engineering Consultants, Inc. The investigation results and specific recommendations for the construction of foundations, foot walls, and exterior footings are compiled in a report dated March 7, 2016. This report is available from the developer and a copy is on file with the City of St. George. Owners, builders, and contractors should become familiar with this report and comply with its recommendations.
- City of St. George building department requires all residential subdivisions to be set with an outer and cap gate or an existing building permit.
- All Lot Corners to be set with a metal & plastic cap, with the exception of the front corners, which will be set with a long nail at a 4" offset as an extension of the lot lines.
- The height of any retaining wall or the height of any combination of solid fence on top of a retaining wall in ordinary type wall is restricted by St. George City Ordinance 16-14, as amended. Owners, builders and contractors should become familiar with this ordinance and comply with such.
- This subdivision utilizes lot size averaging; therefore, some lots may be under the minimum square footage requirement for the zoning classification.
- A site grading and drainage plan prepared by a licensed professional engineer is required to be submitted with each building permit for each subdivision. Furthermore, each owner shall be required to submit to the front yard, unless noted, a plan to be completed per the grading and drainage plan to a location that meets the City standards. Lot 19 & 20 shall be required to show on the grading and drainage plan that the proposed driveway location meets city ordinance regarding location and slope.
- Driveway walls on Lots 29-34 are to be constructed as "Without Revisions" only, unless otherwise approved by the City of St. George, based on a site plan that meets all applicable City standards. Including but not limited to, grading and setback standards and requirements.
- There is a 30' foot ridge line setback along the rear of Lots 29-34. No encroachment, pool, fence, or walk is allowed within the 30' foot ridge line setback. This area is to remain undisturbed.

BASIS OF BEARING

The basis of bearing for this survey is North 89°32'52" East, between the West 1/4 Corner and the Northwest Corner of Section 33, Township 42 South, Range 15 West, Salt Lake Base and Meridian.

LEGEND

- SPEDIES SURVEY CONTROL MONUMENT FOUND (CLASS 1, SINE AND LOG)
- SPEDIES SURVEY CONTROL MONUMENT TO BE SET (CLASS 1, AND AND LOG)
- SPEDIES SURVEY CONTROL MONUMENT TO BE SET (CLASS 1, REBAR & ALUM. CAP)
- SPEDIES PROPERTY CORNER MONUMENT TO BE SET (ALPHA DIG. REBAR & CAP PLS. 178191)
- SPEDIES FRONT PROPERTY CORNER MONUMENT TO BE SET (NAG NAIL IN BULK AT 4" OFFSET TO PROPERTY LINE)
- CENTRAL
- BOUNDARY LINE
- SECTION LINE
- NO STRUCTURAL POOLS, FENCING WALLS ARE ALLOWED WITHIN THIS GARMENT (PUBLIC UTILITY EASEMENT)

SEQUENCE	DATE	REVISION	BY	DATE	DESCRIPTION
01	04.28.16	01.00	SPEDIES	04.28.16	INITIAL
02	04.28.16	02.00	SPEDIES	04.28.16	INITIAL
03	04.28.16	03.00	SPEDIES	04.28.16	INITIAL
04	04.28.16	04.00	SPEDIES	04.28.16	INITIAL
05	04.28.16	05.00	SPEDIES	04.28.16	INITIAL
06	04.28.16	06.00	SPEDIES	04.28.16	INITIAL
07	04.28.16	07.00	SPEDIES	04.28.16	INITIAL
08	04.28.16	08.00	SPEDIES	04.28.16	INITIAL
09	04.28.16	09.00	SPEDIES	04.28.16	INITIAL
10	04.28.16	10.00	SPEDIES	04.28.16	INITIAL
11	04.28.16	11.00	SPEDIES	04.28.16	INITIAL
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23	04.28.16	23.00	SPEDIES	04.28.16	INITIAL
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34	04.28.16	34.00	SPEDIES	04.28.16	INITIAL
35	04.28.16	35.00	SPEDIES	04.28.16	INITIAL



NORTHWEST CORNER OF SECTION 33, T. 42 S. R. 15 W. S. 688M, 1973 WASHINGTON CD. BRASS CAP, HCU #2008, COUNTY REFERENCE #E9-42-15

FOREMASTER HOLDING CO. 00-1-2-10-1000

WEST 1/4 CORNER OF SECTION 33, T. 42 S. R. 15 W. S. 688M, 1974 WASHINGTON CD. BRASS CAP, HCU #2008, COUNTY REFERENCE #E9-42-15

SURVEYOR'S CERTIFICATE

I, SCOTT P. WOODLEY, PROFESSIONAL LAND SURVEYOR NUMBER 178191, HOLD A LICENSE IN ACCORDANCE WITH TITLE 68, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYORS, UTAH CODE ANNOTATED, AND I HEREBY CERTIFY THAT AS A RESULT OF THE CARE I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBMITTED SAID TRACT TO THE LOCAL SURVEY AND TAXPAYERS RECORDS TO BE RECORDED AS:

SOUTH RIM AT FOREMASTER RIDGE PHASE 2 SUBDIVISION

AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND DRAINED ON THE GRADING SHOWN ON THIS PLAT, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BOUNDARY DESCRIPTION

Commencing at the West 1/4 Corner of Section 33, Township 42 South, Range 15 West, Salt Lake Base and Meridian; Thence North 89°32'52" East, along the Section line, a distance of 641.15 feet; Thence North 89°32'52" East, a distance of 746.82 feet, to the Point of Beginning; and from there being the Subdivision Corner of South Rim at Foremaster Ridge Phase 1 Subdivision as shown by Document #2011/002382, Official Washington County Records; Thence South 79°11'51" West, a distance of 28.34 feet; Thence North 22°24'07" West, a distance of 36.00 feet; Thence South 82°09'55" West, a distance of 113.00 feet; Thence North 89°32'52" West, a distance of 260.00 feet; Thence North 75°40'07" West, a distance of 143.00 feet; Thence North 89°32'52" West, a distance of 86.14 feet; Thence North 12°12'52" East, a distance of 181.11 feet; Thence North 43°26'43" East, a distance of 86.50 feet; Thence North 12°12'52" East, a distance of 176.87 feet; Thence South 49°02'54" East, a distance of 140.00 feet; Thence South 89°32'52" West, a distance of 152.50 feet; Thence North 89°32'52" East, a distance of 764.00 feet, to the beginning of a curve to the left having a radius of 675.00 feet and a central angle of 87°18'04"; thence easterly along the arc of said curve a distance of 26.17 feet; Thence South 71°17'12" East, a distance of 162.30 feet; to the beginning of a curve to the left having a radius of 475.00 feet and a central angle of 89°38'30"; thence easterly along the arc of said curve a distance of 41.20 feet; Thence North 02°09'04" East, a distance of 634.45 feet, to the southeasterly corner of Foremaster Subdivision as shown by Entry #785096, Official Washington County Records; Thence South 89°32'52" East, along the South line of said Subdivision a distance of 292.41 feet, to the Northwest Corner of said South Rim at Foremaster Ridge Phase 1 Subdivision; thence following the following line of a non-conforming lot and Subdivisions, South 01°28'30" West, a distance of 912.50 feet, to the beginning of a non-conforming lot and Subdivisions, through a central angle of 241°22'47" West, a radial distance of 475.00 feet, thence westerly along the arc of said curve, through a central angle of 241°22'47" West, a distance of 286.48 feet; Thence South 01°22'02" West, a distance of 56.00 feet; Thence South 89°32'52" West, a distance of 191.61 feet, to the Point of Beginning.

Containing 8.81 acres, more or less.

5/21/16

SCOTT P. WOODLEY, PLS. #178191

OWNER'S DEDICATION

FOR EASES AND UNPAID CONVEYANCES RECEIVED, THE UNDERSIGNED OWNER HEREBY DEDICATE AND CONVEY TO THE CITY OF ST. GEORGE, UTAH, THE PUBLIC AND PRIVATE RIGHTS, INCLUDING ALL PUBLIC STREETS, AND EASEMENTS ARE AS NOTED OR SHOWN, IN SAID SUBDIVISION, HEREBY TO THE CITY OF ST. GEORGE, UTAH, AND TO ALL PROPERTY DEDICATED AND CONVEYED TO PUBLIC USE HEREIN AGAINST THE CLAIMS OF ALL PERSONS.

IN WITNESS WHEREOF I SET OUR HANDS THIS 21st day of May, 2016.

Howard Foremaster
HOWARD FOREMASTER
SOMEONE OF WORTH, INC.

CORPORATION ACKNOWLEDGMENT

GRANTOR: SOMETHING OF WORTH, INC.

Howard Foremaster
HOWARD FOREMASTER
SOMEONE OF WORTH, INC.

STATE OF UTAH)
) Co.
County of Washington)

On this 21st day of May, 2016, personally appeared before the Howard Foremaster who being by me duly sworn, say that he is the Howard Foremaster of SOMEONE OF WORTH, INC., and that he executed the foregoing on behalf of said corporation by authority of a resolution of its board of directors and he did acknowledge to me that the corporation executed the same for the purposes stated therein.

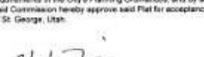
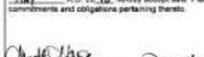
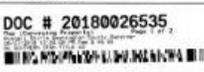
SCOTT P. WOODLEY
NOTARY PUBLIC STATE OF UTAH, Domestic Zone
COMMISSION NUMBER: 639743
MY COMMISSION EXPIRES: SEP 6 2020
A NOTARY PUBLIC COMMISSIONED IN UTAH
(NO STAMP REQUIRED PER UTAH CODE 66-1-103(3))

A 19 LOT SUBDIVISION LOCATED IN ST. GEORGE CITY, UTAH IN WITHIN SECTION 33, TOWNSHIP 42 SOUTH, RANGE 15 WEST S. 688M

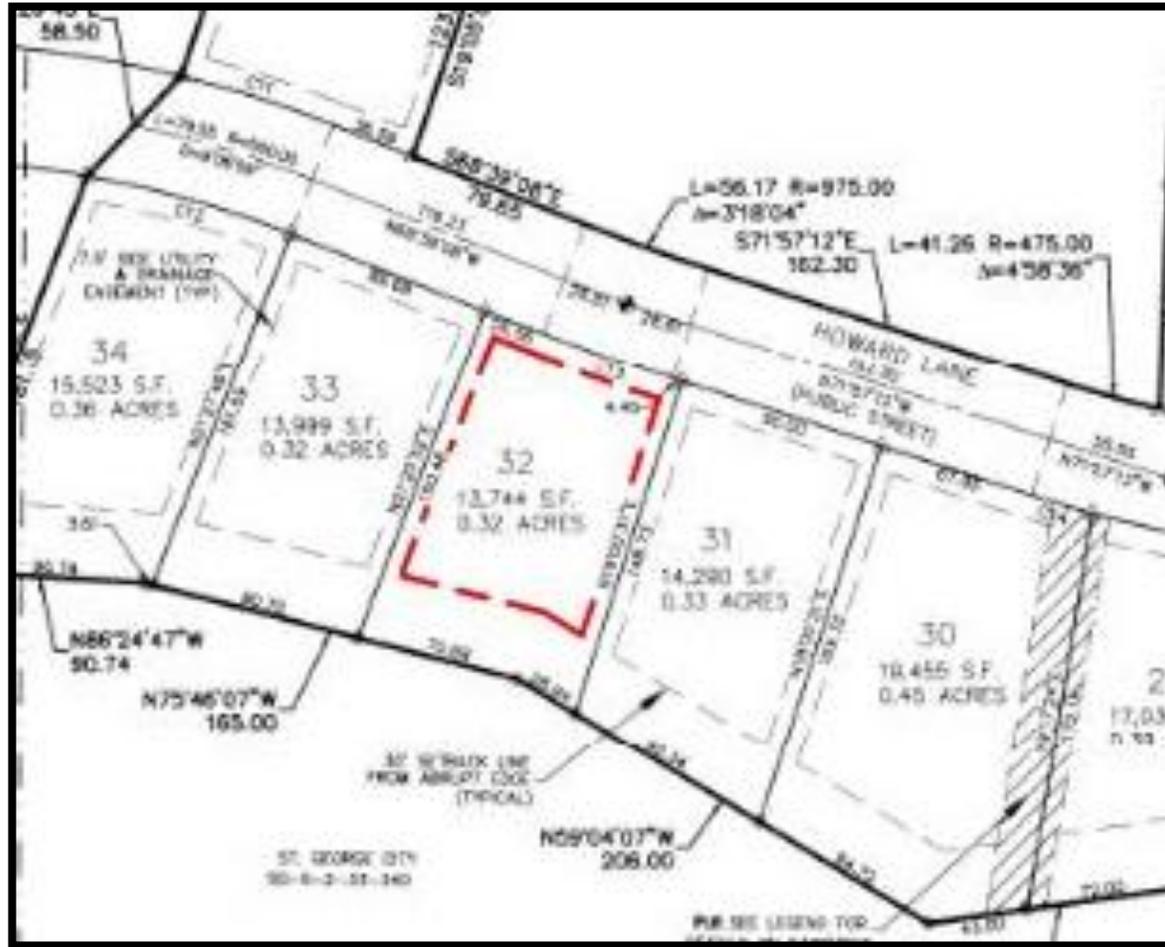
SOUTH RIM AT FOREMASTER RIDGE PHASE 2 SUBDIVISION



41 South 133 East, Suite 100 • St. George, Utah 84770
T 435-628-8900 • F 435-628-8903 • alphaengineering.com

Approval of the Planning and Zoning Manager	Engineer's Approval	Approval as to Form	Approval of the Planning Commission	Approval and Acceptance by the City of St. George, Utah	Treasurer Approval	Recorded Number
I, Planning and Zoning Manager for the City of St. George, have on this <u>21st</u> day of <u>May</u> , A.D. <u>2016</u> , reviewed the above Subdivision Plat and recommended the same for acceptance by the City of St. George, Utah.  Planning and Zoning Manager City of St. George	The herein Subdivision Plat has been reviewed and is approved in accordance with the information on file in the office this <u>21st</u> day of <u>May</u> , A.D. <u>2016</u> .  Engineer City of St. George	Approved as to Form, this the <u>21st</u> day of <u>May</u> , A.D. <u>2016</u> .  City Attorney City of St. George	On this the <u>21st</u> day of <u>May</u> , A.D. <u>2016</u> , the Planning Commission of the City of St. George, having reviewed the above Subdivision Plat and having found that it complies with the requirements of the City's Planning Ordinances, and by authority of said Commission hereby approve said Plat for acceptance by the City of St. George, Utah.  Chairman-Planning Commission City of St. George	We, the Mayor and City Council of the City of St. George, Utah, have reviewed the above Subdivision Plat and by authorization of said City Council, record in the minutes of its meeting of the <u>21st</u> day of <u>May</u> , A.D. <u>2016</u> , hereby accept said Plat with all commitments and obligations pertaining thereto.  Mayor City of St. George	 Washington County Treasurer	DOC # 20160026535  R. Spahr (Deputy Recorder)

South Rim Plat



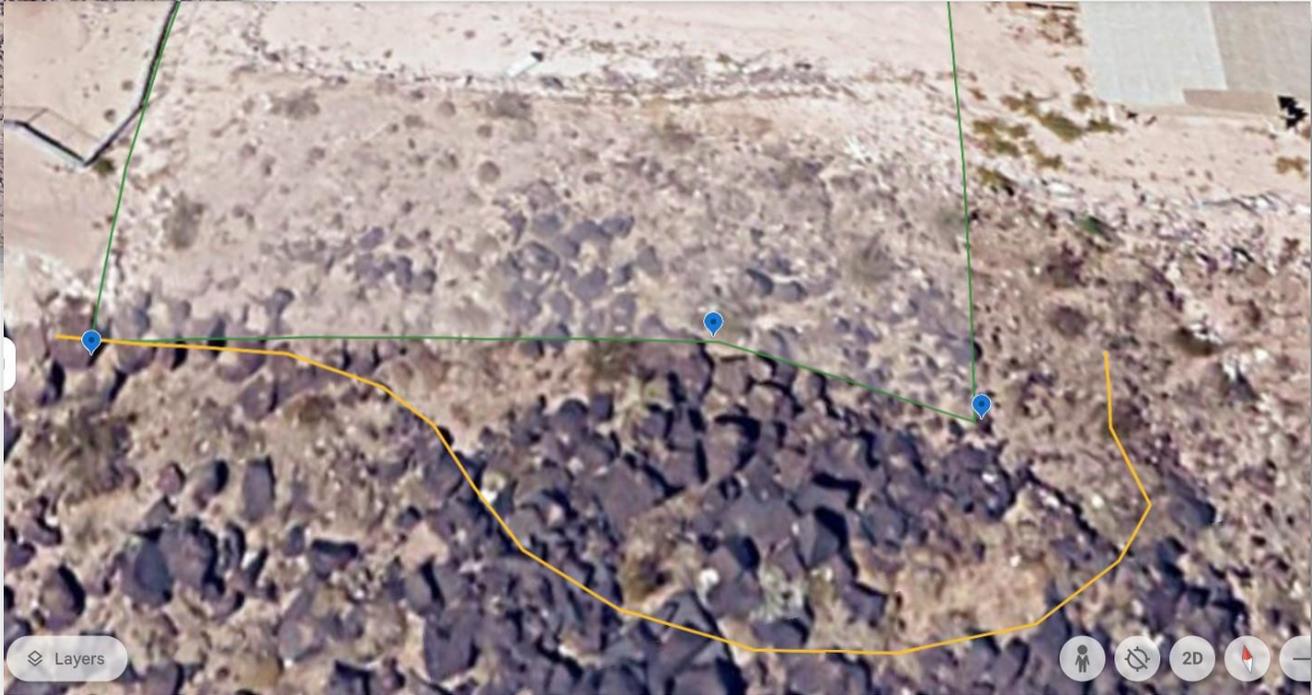
Images of Property



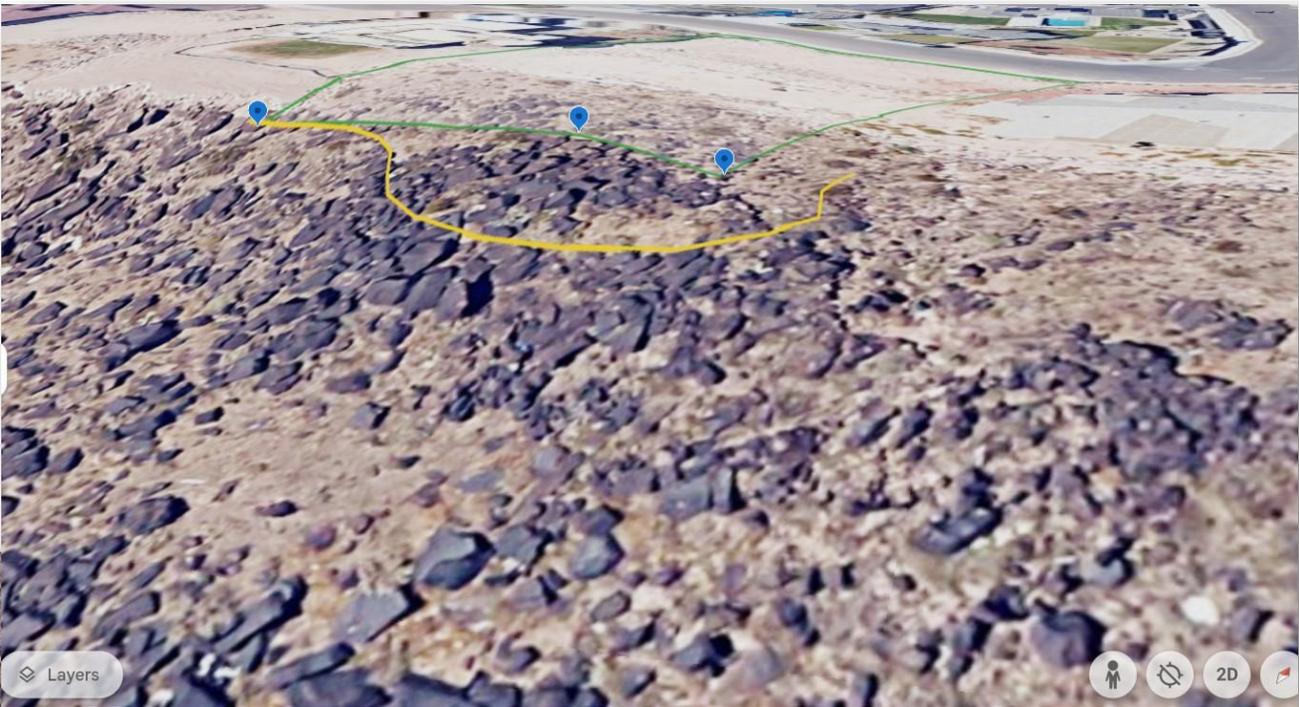
Images of Property



Applicant's Proposed Ridgeline



Applicant's Proposed Ridgeline



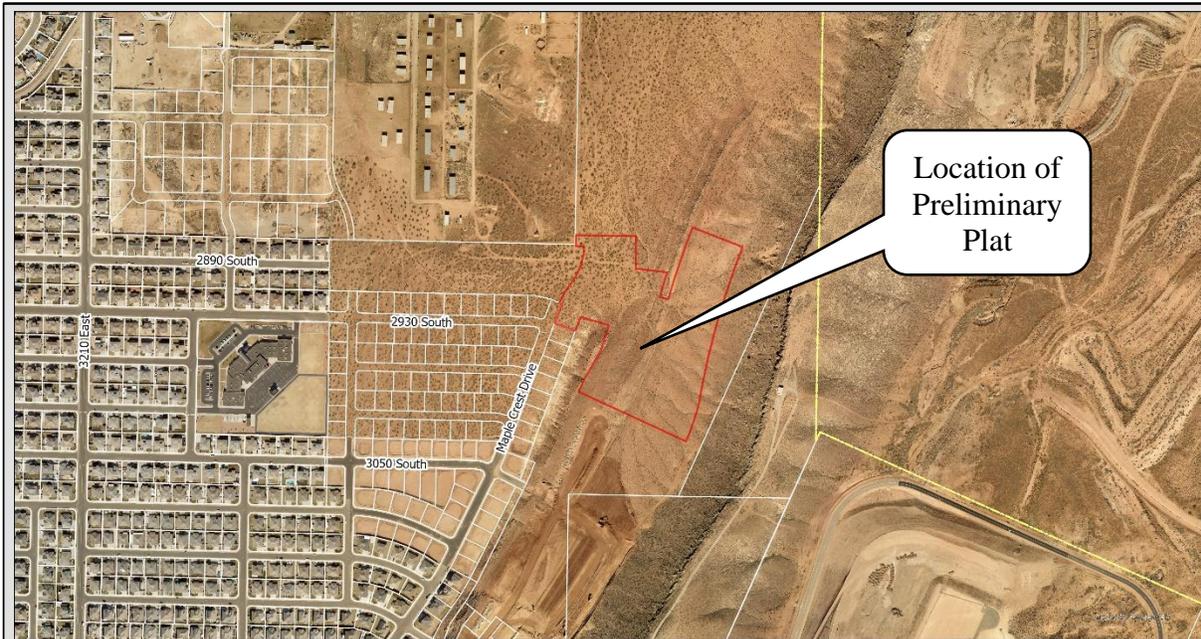
Recommendation by the HSRB



- Existing Ridgeline Boundary
- Proposed Ridgeline Boundary
- 30 Foot Offset

PLANNING COMMISSION AGENDA REPORT: **03/26/2024**

Red Pine Phases 5 & 6 Preliminary Plat (Case No. 2024-PP-004)	
Request:	The applicant is requesting approval of a 44 lot residential preliminary plat to be called Red Pine Phases 5 & 6.
Applicant:	Quality Properties, Inc.
Representative:	Mike Terry, DSG Civil
Location:	Located generally north of Maplecrest Drive and approximately ¼ mile east of 2890 South (see map).
General Plan:	LDR (Low Density Residential)
Existing Zoning:	R-1-10 (Single Family, 10,000 ft ² minimum lot size)
Land Area:	Approximately 15.37 acres





Red Pine Phases 5 & 6



Feet



BACKGROUND & REQUEST:

Red Pines phases 1-4 were approved in 2022 in two separate preliminary plats. Phases 3&4 have recently been renamed Maple Meadows due to a change in ownership. The subject property was zoned R-1-10 in January of this year in anticipation of this plat. These two phases are the next in line in the Red Pine subdivision. It is anticipated that the development will continue to the north in the future.

The lots will all conform to the standards of the R-1-10 zone. Lot 611 is 10,175 ft² while directly across the street is lot 503 at 21,440 ft². They will connect to Teakwood phases 7 & 8 to the south and Maple Meadows phases 1 & 2 to the west. Future connections to the north will also be provided.

RECOMMENDATION:

As a reminder, given recent code changes, the Planning Commission will be the approval body for preliminary plats including this proposed plat. Staff recommends approval of this preliminary plat with the following condition:

1. That an easement on the adjacent property to the north and east is granted for grading purposes.

ALTERNATIVES:

1. Approve as presented.
2. Approve with conditions.
3. Deny the application.
4. Continue the proposed preliminary plat to a later date.

POSSIBLE MOTION:

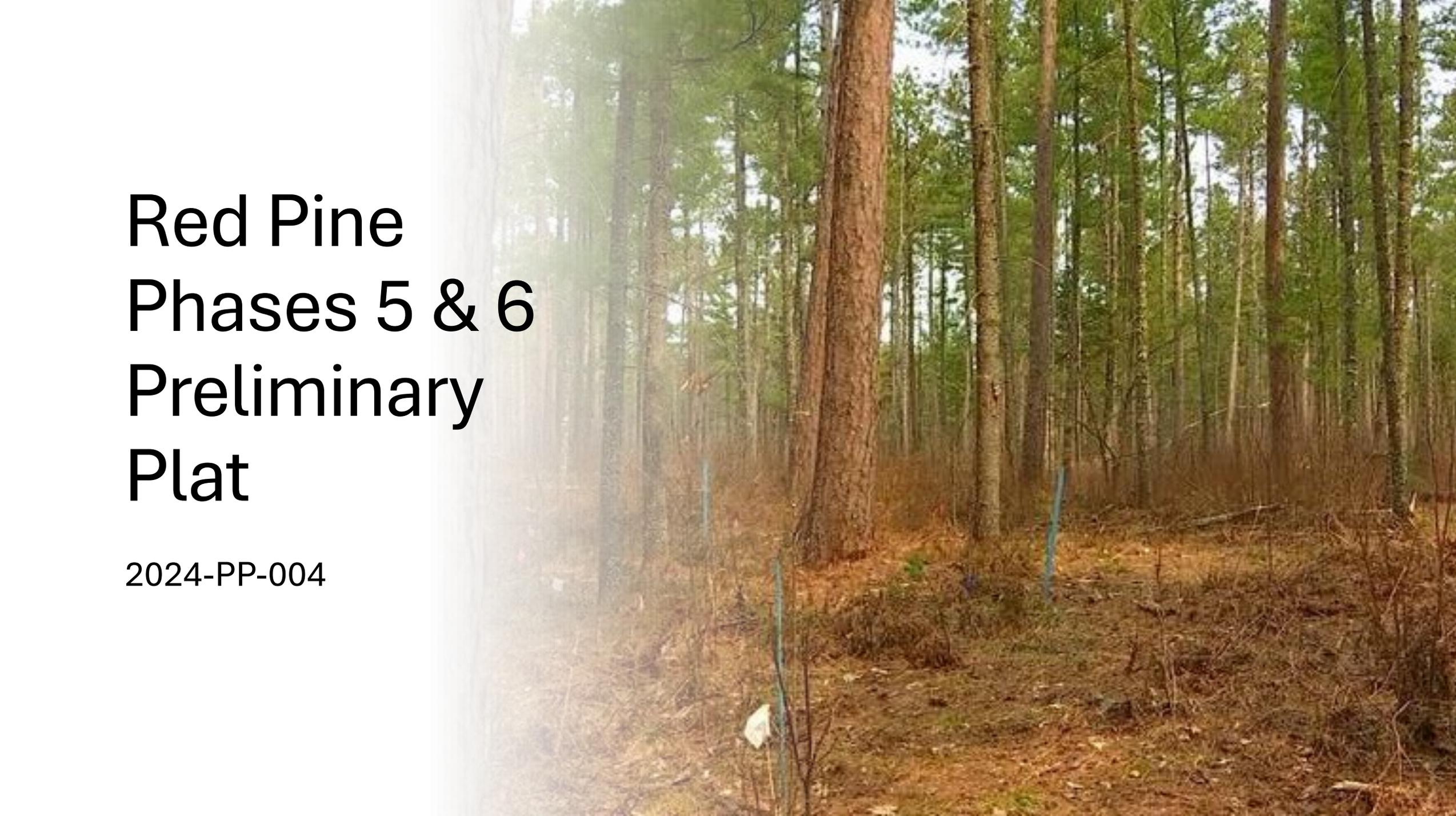
I move that we approve the Red Pine phases 5 & 6 preliminary plat as recommended by staff subject to the condition and based on the findings listed in the staff report.

FINDINGS FOR APPROVAL:

1. The proposed Preliminary Plat meets the requirements found in Section 10-25C-3 of the Subdivision Regulations.
2. The proposed project meets the lot size and frontage requirements found in Section 10-8B-2.
3. The property was previously rezoned in January of 2024 in anticipation of subdividing the property.
4. Approval of the preliminary plat is in the best interest of the health, safety, and welfare of the community.

EXHIBIT A

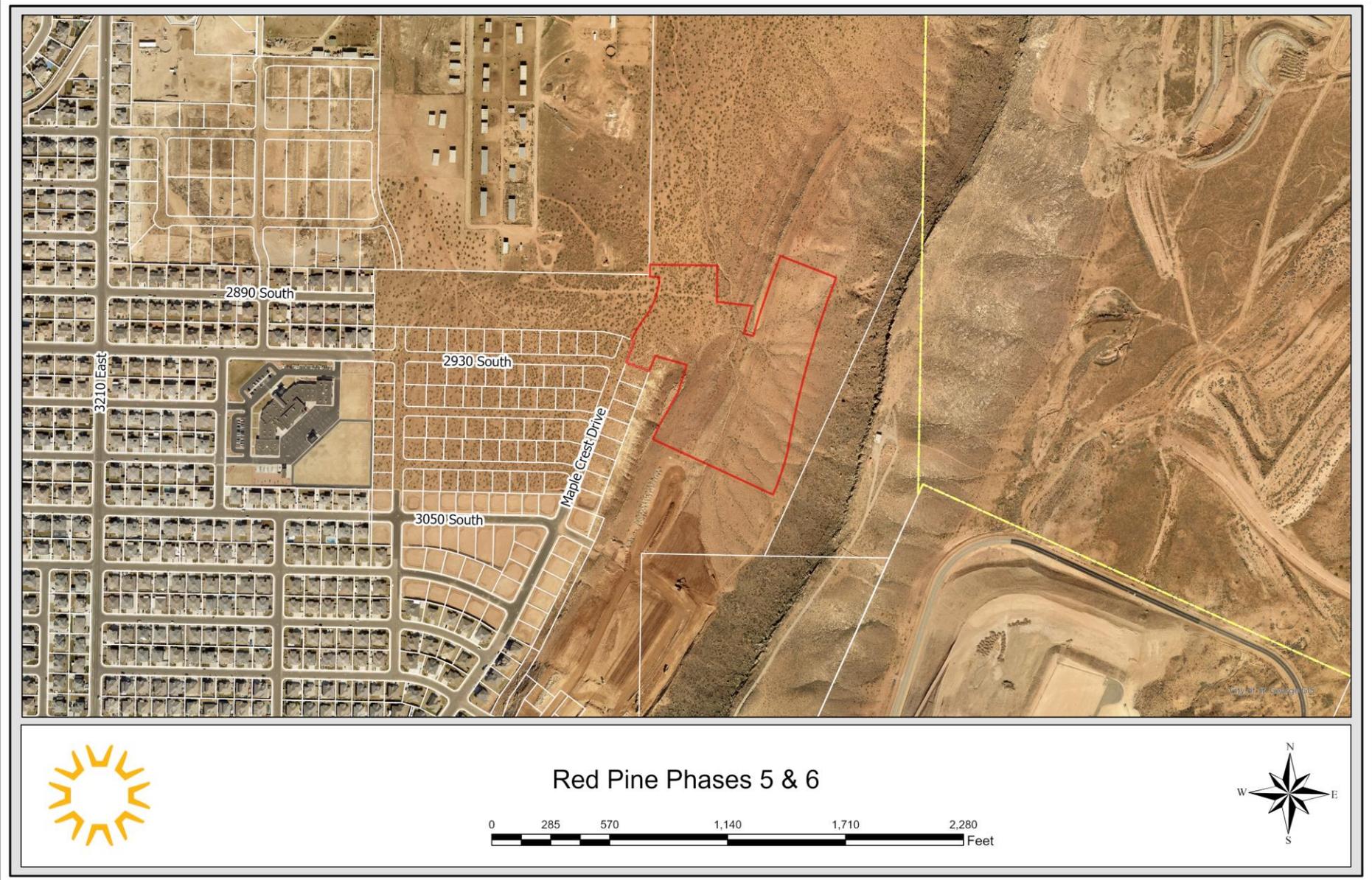
PowerPoint Presentation



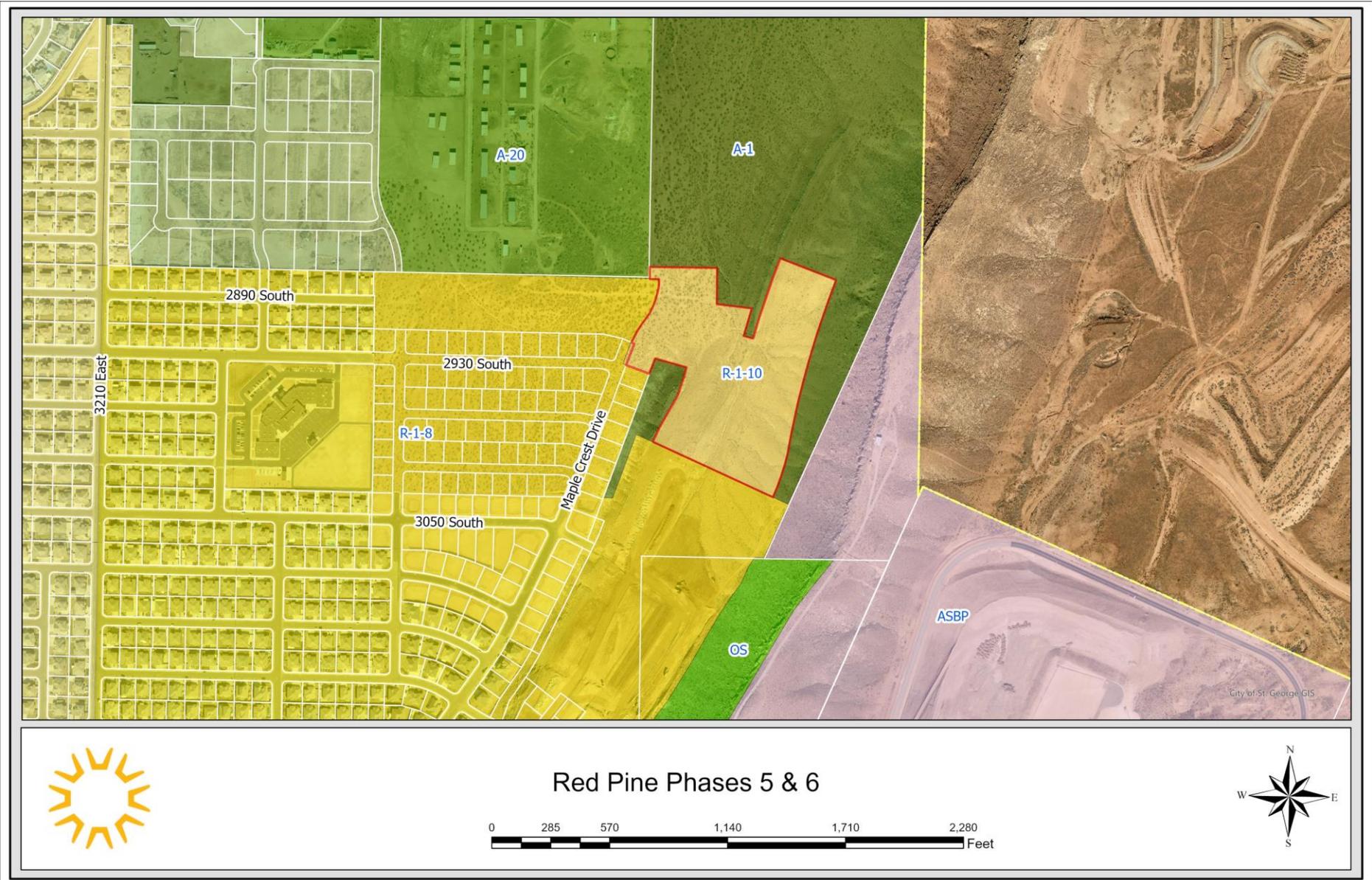
Red Pine Phases 5 & 6 Preliminary Plat

2024-PP-004

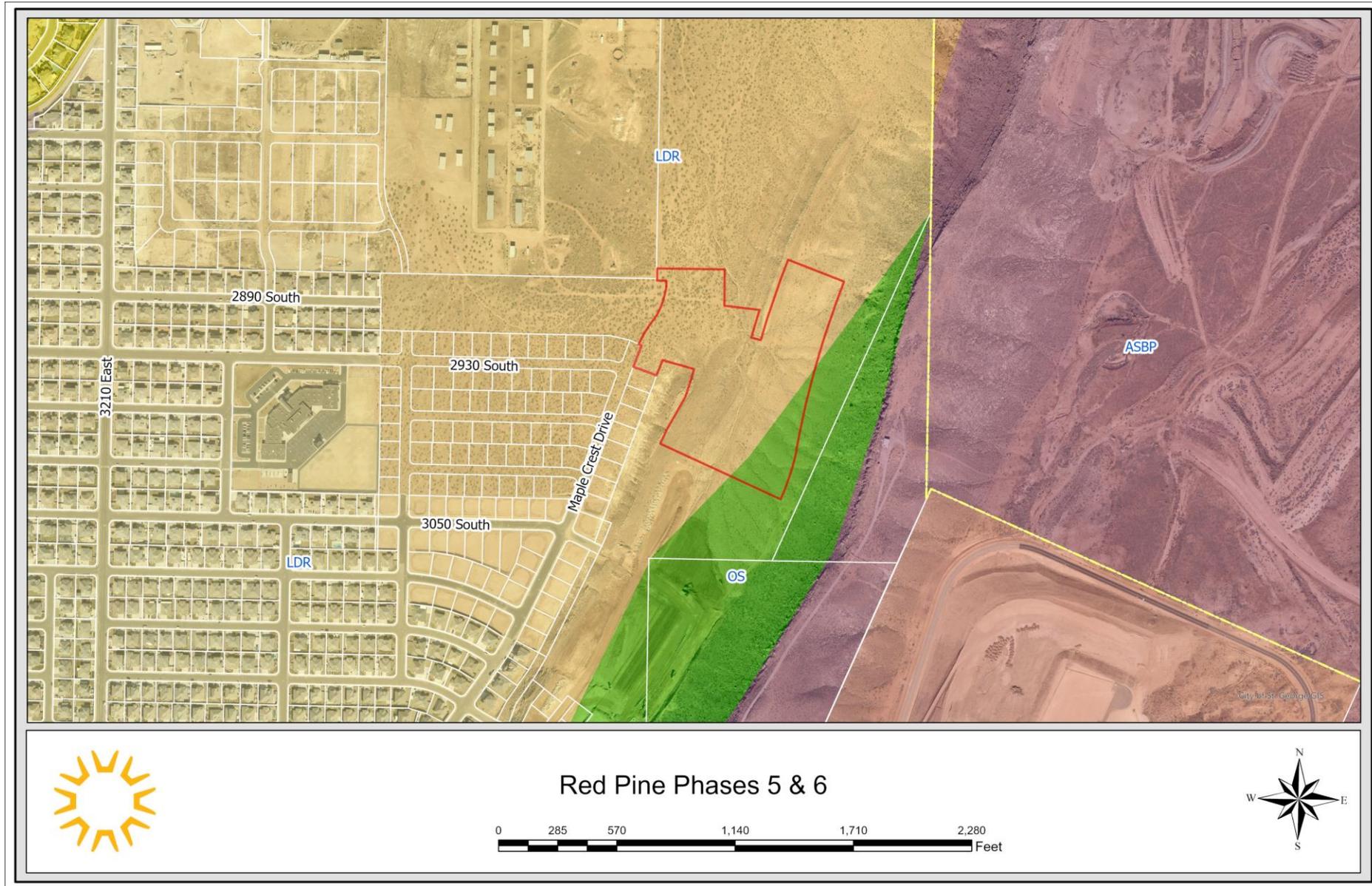
Aerial Map



Zoning Map

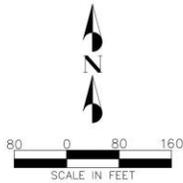


Land Use Map



Overall Plat

PRELIMINARY PLAT FOR RED PINE PHASES 5-6



GENERAL NOTES

- ALL EXISTING UTILITY CONNECTIONS AND CROSSINGS SHALL BE FIELD VERIFIED AND LOCATED DURING THE CONSTRUCTION PROCESS. CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE CAUSED TO UTILITIES DURING THE WORK OR THIS SUBDIVISION. EXISTING UTILITIES SHOWN ARE FOR GENERAL LOCATION REFERENCE ONLY. CONTRACTOR SHALL COORDINATE WITH THE CITY OF ST. GEORGE AND BLUESTAKE AND/OR POTHOLE TO DETERMINE EXACT LOCATIONS AND CROSSINGS.
- ALL CONSTRUCTION MATERIALS AND METHODS SHALL CONFORM WITH THE CITY OF ST. GEORGE STANDARD DRAWING AND SPECIFICATIONS, UNLESS OTHERWISE NOTED AND/OR DETAILED IN PLANS.
- ALL PROPERTY CORNERS SHALL BE STAKED/PINNED.
- PROJECT SHALL INSTALL AN INFORMATIONAL SIGN ON SITE BEFORE CONSTRUCTION BEGINS. THIS SIGN WILL HAVE A MINIMUM SIZE, PLACEMENT LOCATIONS AND CONTENT INFORMATION WITH THE COMPANY NAME, PHONE CONTACT AND GRADING PERMIT NUMBERS.
- PROJECT SHALL SUBMIT A DUST CONTROL PLAN WITH DETAILS ON EQUIPMENT SCHEDULING AND REPORTING OF DUST CONTROL ACTIVITIES.
- A MANDATORY PRE-CONSTRUCTION MEETING WILL BE REQUIRED ON ALL PROJECTS PRIOR TO ANY GRUBBING, GRADING OR CONSTRUCTION ACTIVITIES. THE PERMIT HOLDER WILL BE REQUIRED TO NOTIFY ALL DEVELOPMENT SERVICE INSPECTORS.
- FOLLOW APPENDIX "I" STANDARDS FOUND IN THE IBC.
- ALL WORK AND MATERIALS MUST MEET CITY OF ST. GEORGE STANDARDS.
- LIMITS OF CONSTRUCTION IS THE TBC. A MAXIMUM 3:1 FILL SLOPE AND 2:1 CUT SLOPE SHALL BE CONSTRUCTED FROM TBC TO EXISTING GROUND.
- KEEP ALL OBJECTS GREATER THAN 36" IN HEIGHT OUT OF SIGHT DISTANCE TRIANGLES THAT MAY OBSTRUCT A DRIVER'S VIEW.
- ALL STREETS TO BE PUBLIC RIGHT-OF-WAY, CONSTRUCTED TO CITY STANDARDS.
- THIS SITE IS NOT LOCATED WITHIN A HILLSIDE OVERLAY ZONE.

SHEET INDEX

SHEET	NO.	DESCRIPTION
CS-1	1	COVER SHEET
P-1,2	2-3	HORIZONTAL CONTROL AND GRADING
P-3	4	DETAIL PLAN
P-4,5	5-6	UTILITY PLANS

OWNER/DEVELOPER

DSG Engineering LLC
113 EAST 200 NORTH STE. #2
ST. GEORGE, UTAH 84770

CONTACT

Ryan Thomas, PE
(435) 628-2121



DATE	BY	REVISION

PROJECT NAME:
**RED PINE
PHASE 5-6
LOCATED IN ST. GEORGE, UTAH**

SHEET NAME:
COVER SHEET

DSG ENGINEERING, INC.
LAND PLANNERS, LAND SURVEYORS, CIVIL ENGINEERS
113 EAST 200 NORTH STE. #2
ST. GEORGE, UTAH 84770
OFFICE (435) 628-2121



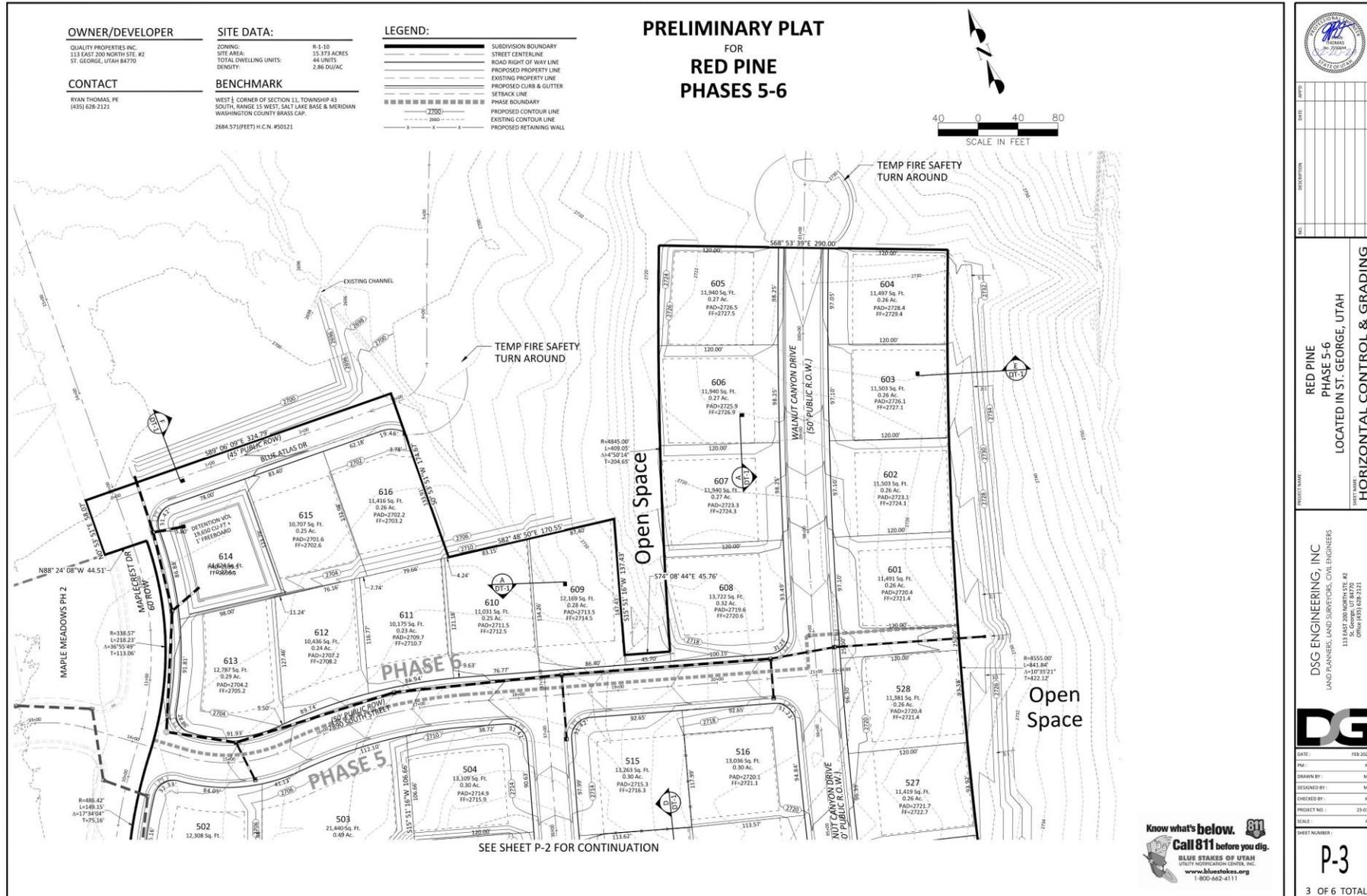
DATE:	FEB 2024
PM:	MT
DRAWN BY:	MT
DESIGNED BY:	MT
CHECKED BY:	RT
PROJECT NO.:	23-013
SCALE:	AS SHOWN

SHEET NUMBER:
P-1

1 OF 6 TOTAL



Proposed Plat



PROJECT NAME:
RED PINE
PHASE 5-6
LOCATED IN ST. GEORGE, UTAH

HORIZONTAL CONTROL & GRADING

PROJECT NAME:
RED PINE
PHASE 5-6
LOCATED IN ST. GEORGE, UTAH

HORIZONTAL CONTROL & GRADING

DATE: FEB 2024

FILE: RT

DRAWN BY: MT

DESIGNED BY: MT

CHECKED BY: RT

PROJECT NO.: 24-013

SCALE: AS SHOWN

SHEET NUMBER: 40

DATE: FEB 2024

FILE: RT

DRAWN BY: MT

DESIGNED BY: MT

CHECKED BY: RT

PROJECT NO.: 24-013

SCALE: AS SHOWN

SHEET NUMBER: 40

Know what's below. **Call 811 before you dig.**

BLUE STAKES OF UTAH
UTILITY NOTIFICATION CENTER, INC.
www.bluestakes.org
1-800-662-4111

P-3

3 OF 6 TOTAL

PLANNING COMMISSION AGENDA REPORT: 03/26/2024

ZONING REGULATION AMENDMENT
Development in Flood and Erosion Hazard Overlay Zone Regulations Update
(2024-ZRA-007)

Amendment to Title 10-13.C Development in Flood and Erosion Hazard Overlay Zone

REQUEST:

Consider a request to amend Title 10-13.C, Development in Flood and Erosion Hazard Overlay Zone, to amend the flood and erosion hazard overlay zone for the purpose of updating the standards and regulations to meet CRS and FEMA requirements. The applicant is The City of St. George. (Case No. 2024-ZRA-)

BACKGROUND:

To be eligible for disaster assistance from FEMA, the city is required to adopt floodplain regulations in conformance with Federal standards. During a recent audit by FEMA it was noted that the city's floodplain regulations were not in full conformance with Federal floodplain regulations and needed to be updated. The last major update to the city's floodplain regulations occurred in 1987 when originally adopted by the city. Also, St. George City participates the Community Rating System (CRS) a voluntary incentive program, supported by FEMA, which recognized and encourages community good floodplain management practices by reducing flood insurance rates if the city complies with the federal standards. The proposed updated ordinance addresses current requirements to comply with FEMA and CRS requirements.

This request is to amend Title 10-13.C of the St. George Zoning Regulations to revise the development in the Flood and Erosion Hazard Overlay Zone. This update includes the following:

- The addition of statutory authorization (10-13C-1 (A)).
- The addition of the purpose section (10-13C-1 (C)).
- The addition of the disclaimer of liability section (10-13C-3 (G)).
- The addition of additional definitions (10-13C-2).
- The addition of the review of subdivisions and manufactured home parks shall meet all provisions (10-13C-5 (B)).
- The addition of the requirement for floodproofing and clarification (10-13C-5 (B)).
- The addition of the regulatory floodway encroachment to be zero feet (0.00') above the base flood elevation (10-13C-9(B)).
- The addition of the designation of a regulatory floodway which will not increase the base flood level more than one foot (1') (10-13C-9(A)).

FEMA

- Provides floodplain maps
- Underwrites flood insurance
- Provides disaster assistance for public facilities after floods
- 5-year “Community Assistance Visit” (Audit)

Community Rating System (CRS)

- Funded by FEMA
- Reduction in flood insurance rates based on good floodplain management practices
- Yearly update
- 5-year cycle visit all “activities” updated

CRS Activities

- Public Information
- Mapping and Regulations
- Flood Damage Reduction
- Warning and Response
- Rating from 1-10
- St. George rating has varied from 6-8
- Most cities in Utah that participate are 8

“Risk Rating 2.0”

- Flood insurance rates increase by 18%/year
- 3-year phase in period (no CRS reduction during this period)
- Insurable structure immediately adjacent to but not in floodplain increase
- Structure in floodplain significant increase

Ordinance Amendment

- Current ordinance was adopted in 1987 “Model Ordinance”
- Determined that we needed comprehensive revision of ordinance
- 2000 adopted regulations for “erosion hazard” of Virgin, Ft. Pierce, and Santa Clara Rivers
- Notified by CRS that revision to ordinance needed straps for manufactured homes and 2’ inconsistency between residential and non-residential structures and other minor updates
- State Floodplain Manager provided “checklist” of deficiencies in current regulations
- FEMA Audit determined that ordinance language was out-of-date and needed overall update
- Overall purpose of regulations are to reduce or avoid flood damage to structures

- The clarification of the prohibition of any encroachment in the regulatory floodway, unless hydrologic and hydraulic analyses prove that the proposed encroachment would not cause an increase in flood levels during base flood discharge (10-13C-9(B)).
- The addition of a provision requiring anchoring on manufactured homes (10-13C-5A-3).

Proposed Changes:

The proposed revisions are shown in Exhibits A, B, and C.

The proposed additions are in green, and the deletions are in red with a ~~strike~~through.

RECOMMENDATION:

Staff recommends approval of the amendment to Title 10-13C, Development in Flood and Erosion Hazard Overlay Zone to amend the flood and erosion hazard overlay zone for the purpose of updating the standards and regulations to meet FEMA requirements.

ALTERNATIVES:

1. Recommend approval as presented.
2. Recommend approval with changes.
3. Recommend denial.
4. Continue the proposed zoning regulation amendment to a specific date.

POSSIBLE MOTION:

The Planning Commission recommends approval of the amendment to 10-13C, Development in Flood and Erosion Hazard Overlay Zone to amend the flood and erosion hazard overlay zone for the purpose of updating the standards and regulations to meet FEMA requirements.

FINDINGS:

1. It is in the best interest of the city to update city zoning regulations periodically.
2. The proposed revisions will allow the city to continue as to be eligible for disaster assistance by FEMA and reduce flood damage to development in the floodplain.

EXHIBIT A

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

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~~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

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10-13C-1:

SPECIAL FLOOD HAZARD AREAS:

STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND METHODS

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

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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.

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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:

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.

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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.

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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 a defined in this chapter and are akin to a river of liquid and flossing 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)

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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.

- C. B.—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.

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

E. 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.

F. 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 statues.

G. 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.

H. 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.

I. 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.

J. 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. (Ord. 2019-10-002, 10-10-2019)chapter, the floodplain administrator is authorized to issue a stop work order.

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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

K. 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.

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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

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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. Plans drawn to scale showing the location, dimensions, and elevation of existing and proposed structures, including the placement of manufactured homes.

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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:

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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. 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 ~~Ord.~~ 2019-10-002, 10-10-2019)

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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 shall be 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.

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10-13C-5:

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.

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~~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;~~

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- ~~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.

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~~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. New construction and substantial improvement of any 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

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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;
 - 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;
 - 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;
 - e. Provide a maintenance and access easement to any erosion protection. Access to erosion protection shall be located and constructed to minimize flood damage;
 - 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;
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;
 - 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; ~~and~~
 - 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:~~

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1. ~~Nonresidential Construction:~~k. 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:~~

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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;

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

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

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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:~~

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(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

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(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 ~~F1. A record~~ of this section; and

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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;

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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);

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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~~ (4 two feet (2')) above the highest adjacent grades; and

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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;

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3.-2. 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.

3. 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.

2. or the manufactured home chassis is supported by reinforced piers or other foundation elements that are no less than thirty-six36 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.

4.

5. 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

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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.

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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.

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

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

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D. Under the provisions of 44 CFR Chapter 1, Section 65.12, of the NFIP Regulations, a community may permit encroachments within 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.

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10-13C-10:

ENFORCEMENT

Penalties for noncompliance: No structure of land shall hereafter be constructed, located, extended, converted, or 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.

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. C. Land

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within a floodway shall not be included in the calculation of the area of a parcel for the purposes of determining density or minimum lot size. (Ord. 2019-10-002, 10-10-2019)

B. The St. George City Code is current through Ordinance 2023-041, passed December 7, 2023. 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.

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.

City Website: www.sgcity.org

City Telephone: (435) 627-4000

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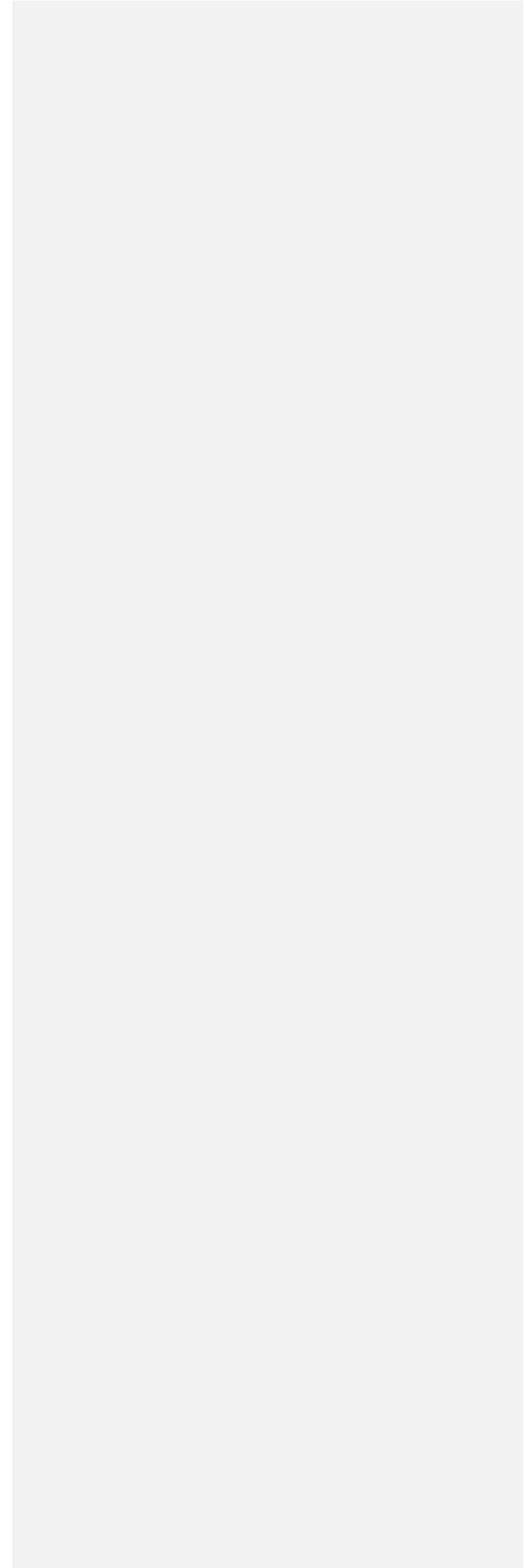
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EXHIBIT B
PowerPoint Presentation



1 Link to motion: [00:17:14](#)

2
3
4 **MOTION:**

5 A motion was made by Planning Commission Member Fisher to recommend
6 with condition that the applicant make revisions of the wall.

7 **SECOND:**

8 The motion was seconded by Planning Commission Member Chapman.

9
10 Link to discussion on the motion: [00:17:55](#)

11
12 Link to amend motion: [00:18:00](#)

13
14 **AMENDED**

15 **MOTION:**

16 Planning Commission Member Fisher amended his motion to include staff's
17 comments and recommendations.

18 **SECOND:**

19 The amended motion was seconded by Planning Commission Member
20 Chapman.

21 **VOTE:**

22 Chair Anderson called for a vote, as follows:

23
24 Planning Commission Chair Anderson - aye
25 Planning Commission Member Fisher - aye
26 Planning Commission Member Draper - aye
27 Planning Commission Member Casey - aye
28 Planning Commission Member Rogers - aye
29 Planning Commission Member Chapman - aye

30
31 The vote was unanimous and the motion carried.

32
33 **APPROVAL OF MINUTES:**

34 **Minutes**

35
36 Consider a request to approve the meeting minutes from the February 27, 2024,
37 meeting.

38
39 Link to motion: [00:19:10](#)

40
41 **MOTION:**

42 A motion was made by Planning Commission Member Chapman to approve
43 the minutes.

44 **SECOND:**

45 The motion was seconded by Planning Commission Member Fisher.

46 **VOTE:**

47 Chair Anderson called for a vote, as follows:

48
49 Planning Commission Chair Anderson - aye
50 Planning Commission Member Fisher - aye
51 Planning Commission Member Draper - aye
52 Planning Commission Member Casey - aye
53 Planning Commission Member Rogers - aye

1 Planning Commission Member Chapman - aye

2
3 The vote was unanimous and the motion carried.

4
5 **REVIEW OF CITY COUNCIL ITEMS:**

6 **City Council Items**

7
8 *Carol Winner the Community Development Director will report on items heard at the*
9 *March 7, 2024, City Council meeting*

- 10 1. 2024-PDA-001 Les Schwab Tire Center
11 2. 2023-PP-062 White Sage Terrace
12 3. 2023-PDA-024 White Sage Terrace
13 4. 2024-PDA-002 Del Taco
14 5. 2024-PP-001 Del Taco
15 6. 2024-ZRA-004 Water Conservation Updates
16 7. 2024-HS-002 Rim Rock Wash
17 8. 2024-PDA-003 River Crossing Sign Amendment
18 9. 2024-ZRA-005 9-3C Habitat Conservation Plan

19
20 Link to Community Development Director Carol Winner reviewing items from the March
21 7, 2024 City Council meeting, including discussion between the Planning Commission
22 Members and Ms. Winner: [00:19:30](#)

23
24 **ADJOURN:**

25 Link to motion: [00:23:17](#)

26
27 **MOTION:**

28 A motion was made by Planning Commission Member Fisher to adjourn.

29 **SECOND:**

30 The motion was seconded by Planning Commission Member Casey.

31 **VOTE:**

32 Chair Anderson called for a vote, as follows:

33
34 Planning Commission Chair Anderson - aye
35 Planning Commission Member Fisher - aye
36 Planning Commission Member Draper - aye
37 Planning Commission Member Anderson - aye
38 Planning Commission Member Casey - aye
39 Planning Commission Member Rogers - aye
40 Planning Commission Member Chapman - aye

41
42 The vote was unanimous and the motion carried.

43
44
45
46
47
48 _____
Monica Smith, Secretary