



Meeting Date: 07/22/ 2008

ACTION	TYPE OF ITEM
<input type="checkbox"/> Approved Recommendation	<input checked="" type="checkbox"/> Info/Consent
<input type="checkbox"/> Ord. No(s). _____	<input type="checkbox"/> Report
<input type="checkbox"/> Res. No(s). _____	<input type="checkbox"/> Public Hearing (Info/consent)
<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____

Prepared By: Paul J. Wendt

Agenda Item No. I-11

Reviewed By: City Manager

City Attorney

Finance

Other (Specify)

DATE: July 14, 2008

TO: City Council

FROM: Paul J. Wendt, Supervising Civil Engineer
Development Services Department

SUBJECT: Amendments to Chapter 18 (Floodplain Management) of the Oxnard City Code

RECOMMENDATION

That City Council approve the first reading by title only and subsequent adoption of an ordinance amending various sections of Chapter 18 (Floodplain Management) of the Oxnard City Code to comply with the current California Model Floodplain Management Ordinance.

DISCUSSION

Based on an agreement with the federal government, the City is a member of the National Flood Insurance Program (NFIP). On April 16, 2008, representatives of the City met with Federal Emergency Management Agency (FEMA) representatives in a Community Assistance Visit (CAV). CAV meetings are held with member agencies on a periodic basis to evaluate the City's adherence to NFIP requirements. FEMA staff indicated in their Community Visit Report that they "commend City staff for their conscientious efforts in implementing the NFIP." FEMA did request that staff submit to City Council recommended updates of sections of City Code Chapter 18 (Floodplain Management) to comply with the current California Model Floodplain Management Ordinance.

In summary, the amendments relate to 1) addition of four new definitions; 2) addition of a severability clause; 3) addition of a requirement to provide technical data to FEMA on a timely basis; and 4) addition of standards for manufactured homes and recreational vehicles.

The City joined the NFIP on March 1, 1979. The current Floodplain Management ordinance was adopted on January 6, 2004, as Ordinance Number 2640.

FINANCIAL IMPACT

There is no anticipated financial impact to the City budget by adoption of this ordinance.

(PJW/sb)

Attachment #1 - Ordinance amending various sections of Chapter 18 – Floodplain Management

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ORDINANCE OF THE CITY OF OXNARD

ORDINANCE NO. _____

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OXNARD AMENDING
SECTIONS 18-2 AND 18-21(D) AND ADDING SECTIONS 18-14, 18-37.1, 18-37.2
TO CHAPTER 18 OF THE CITY CODE CONCERNING FLOODPLAIN
MANAGEMENT

WHEREAS, the City of Oxnard is a member of the National Flood Insurance Program; and

WHEREAS, membership in the National Flood Insurance Program requires the City of Oxnard to periodically update the Oxnard City Code to comply with the California Model Floodplain Management Ordinance.

NOW, THEREFORE, the City Council of the City of Oxnard does ordain as follows:

Part 1. Section 18-2 of the Oxnard City Code is hereby amended to add the following four definitions:

“FLOOD INSURANCE RATE MAP (FIRM) - The official map on which the Federal Emergency Management Agency or Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.”

“NEW MANUFACTURED HOME PARK OR SUBDIVISION - 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 April 14, 1988.”

“RECREATIONAL VEHICLE - A vehicle which is:

1. Built on a single chassis;
2. 400 square feet or less when measured at the largest horizontal projection;
3. Designed to be self-propelled or permanently towable by a light-duty truck; and
4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.”

“SUBSTANTIAL DAMAGE - Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.”

Part 2. Section 18-14 is hereby added to the Oxnard City Code to read as follows:

“SEC. 18-14. SEVERABILITY.

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

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Part 3. Subsection 18-21(D) of the Oxnard City Code is hereby amended to read as follows:

“ (D) Notification of Other Agencies.

(1) In alteration or relocation of a watercourse, the Floodplain Administrator shall:

(a) Notify adjacent communities and the California Department of Water Resources prior to alteration or relocation;

(b) Submit evidence of such notification to the Federal Emergency Management Agency;
and

(c) Assure that the flood carrying capacity within the altered or relocated portion of said watercourse is maintained.

(2) When Base Flood Elevations change due to physical alterations, the Floodplain Administrator shall:

(a) Within 6 months of information becoming available or project completion, whichever comes first, the Floodplain Administrator shall submit or assure that the permit applicant submits technical or scientific data to FEMA for a Letter of Map Revision (LOMR).

(b) All LOMR's for flood control projects are approved prior to the issuance of building permits. Building permits must not be issued based on Conditional Letters of Map Revision (CLOMR's). Approved CLOMR's allow construction of the proposed flood control project and land preparation as specified in the “start of construction” definition.

Such submissions are necessary so that upon confirmation of those physical changes affecting flooding conditions, risk premium rates and floodplain management requirements are based on current data.

(3) The Floodplain Administrator shall notify FEMA in writing whenever the corporate boundaries have been modified by annexation or other means and include a copy of a map of the community clearly delineating the new corporate limits.”

Part 4. Section 18-37.1 is hereby added to the Oxnard City Code to read as follows:

“SEC. 18-37.1. STANDARDS FOR MANUFACTURED HOMES.

(A) All manufactured homes that are placed or substantially improved, on sites located: (1) outside of a manufactured home park or subdivision; (2) in a new manufactured home park or subdivision; (3) in an expansion to an existing manufactured home park or subdivision; or (4) in an existing manufactured home park or subdivision upon which a manufactured home has incurred "substantial damage" as the result of a flood, shall:

(1) Within Zones A1-30, AH, and AE on the community's Flood Insurance Rate Map, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to or above the base flood elevation and be securely fastened to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

(2) Within Zones V1-30, V, and VE on the community's Flood Insurance Rate Map, meet the requirements of Section 18-39.

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(B) All manufactured homes to be placed or substantially improved on sites in an existing manufactured home park or subdivision within Zones A1-30, AH, AE, V1-30, V, and VE on the community's Flood Insurance Rate Map that are not subject to the provisions of Section 18-37.1(A) will be securely fastened to an adequately anchored foundation system to resist flotation, collapse, and lateral movement, and be elevated so that either the:

(1) Lowest floor of the manufactured home is at or above the base flood elevation; or

(2) Manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade.

Upon the completion of the structure, the elevation of the lowest floor including basement shall be certified by a registered civil engineer or licensed land surveyor, and verified by the community building inspector to be properly elevated. Such certification and verification shall be provided to the Floodplain Administrator.”

Part 5. Section 18-37.2 is hereby added to the Oxnard City Code to read as follows:

“SEC. 18-37.2. STANDARDS FOR RECREATIONAL VEHICLES.

(A) All recreational vehicles placed in Zones A1-30, AH, AE, V1-30 and VE will either:

(1) Be on the site for fewer than 180 consecutive days; or

(2) Be fully licensed and ready for highway use. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions; or

(3) Meet the permit requirements of Section 18-25 of this ordinance and the elevation and anchoring requirements for manufactured homes in Section 18-37.1.

(B) Recreational vehicles placed on sites within Zones V1-30, V, and VE on the community's Flood Insurance Rate Map will meet the requirements of Section 18-37.2(A) and Section 18-39.”

Part 6. Within 15 days after passage, the City Clerk shall cause this ordinance to be published one time in a newspaper of general circulation within the city. Ordinance No. _____ was first read on July 22, 2008 and finally adopted on September 9, 2008 to become effective thirty days thereafter.

Passed and adopted this ____ day of _____, 2008, by the following vote:

AYES:

NOES:

ABSENT:

Dr. Thomas E. Holden, Mayor

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ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO FORM:

Gary Gillig 07-14-08
Gary L. Gillig, City Attorney

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