

TITLE 12 FLOOD CONTROL

CHAPTER 1 FLOOD DAMAGE PREVENTION ORDINANCE

12-1-1: STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE, AND METHODS

A. STATUTORY AUTHORIZATION

The Legislature of the State of Utah has in Utah Code Unannotated 10-3-701 delegated the responsibility of local governmental units to adopt regulations designed to minimize flood losses.

B. FINDINGS OF FACT

The flood hazard areas of Honeyville City are subject to periodic inundation by flood waters, which results in potential 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 of the inhabitants of Honeyville City.

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 uses and structures vulnerable to floods because they are inadequately elevated or floodproofed, 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 ordinance to promote the public health, safety and general welfare of the community 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 and are generally undertaken at the expense of the public;
6. Protect and safeguard the welfare and safety of first responders should an emergency response is 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 flood blight areas; and
8. Promote the notification of potential buyers if properties are in a flood area.

D. METHODS OF REDUCING FLOOD LOSSES

To accomplish the purposes outlined in section subsection 12-1-1.C, STATEMENT OF PURPOSE, this ordinance 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 increases in flood heights or velocities;
2. Requires that land uses vulnerable to floods, including facilities that 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. Controls filling, grading, dredging and other developments that may increase flood damage; and
5. Prevents or regulates the construction of flood barriers that will unnaturally divert floodwaters or may increase flood hazards to other lands.

12-1-2: DEFINITIONS

When words or phrases defined in this section are found elsewhere in the Honeyville City Municipal Code, the definitions below shall be applicable to this Title 12 only. Unless specifically defined below, words or phrases used in this ordinance shall be interpreted to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

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

100-Year Floodplain means the area of land susceptible to being inundated due to the occurrence of a 1-percent-annual-chance flood.

500-Year Flood means a flood having a recurrence interval that has a 0.2-percent chance of being equaled or exceeded during any given year (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.

500-Year Floodplain means the area of land susceptible to being inundated due to the occurrence of a 0.2-percent-annual-chance flood.

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 of low value that is used solely for the parking of vehicles and storage of tools, materials, or equipment. 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 of erosion, sediment transport, and deposition; and unpredictable flow paths.

Apex means a point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.

Appurtenant Structure—see **Accessory Structure**.

Area of Future-Conditions Flood Hazard means the land area that would be inundated by the one percent (1%)-annual-chance (100-year) flood, based on future-conditions hydrology.

Area of Shallow Flooding means a designated AO, AH, AR/AO, or AR/AH zone on a community's Flood Insurance Rate Map (FIRM) with a one percent (1%) or greater annual chance of flooding to an average depth of one (1) to three (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 Special Flood-Related Erosion Hazard is the land within a community 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 in the floodplain within a community subject to a one percent (1%) 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 Zones 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 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 one percent (1%) chance of being equaled or exceeded in any given year.

Base Flood Elevation (BFE) is the water surface elevation of the one percent (1%) 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 one percent (1%) chance of equaling or exceeding that level in any given year.

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, state, other federal agencies, or local studies, the more restrictive of which would be reasonably used by the community. Refer to 12-1-3.B.1 USE OF BEST AVAILABLE DATA.

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. Any walls below the

lowest floor in a building in a V or VE Zone should give way under wind and water loads without causing collapse, displacement, or other damage to the elevated portion of the building or the supporting pilings or columns. Breakaway walls apply only to V or VE Zones.

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 or 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 to the next higher floor elevation, designed with proper openings that equalize hydrostatic pressures of flood water, and is not used for habitation. Reference: subsection 12-1-5.B.5 CRAWLSPACE

Critical Facility 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 of 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.

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.

Existing Structures—see **Existing Construction**.

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.

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 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 as a flood hazard area is not deemed as fill.

Flood or Flooding means:

1. A general and temporary condition of partial or complete inundation of normally dry land areas from:
 - a. The overflow of inland or tidal waters.
 - b. The unusual and rapid accumulation or runoff of surface waters from any source.
2. Mudslides (i.e., mudflows) that are proximately caused by flooding as defined in this ordinance and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and 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 ordinance.

Flood Insurance Manual is the document FEMA produces twice a year and is used to write flood insurance policies underwritten by the NFIP. The document contains definitions, policy rates, coverage and limitations, application and insurance policy forms.

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 community.

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 a community issued permit or document that is used for any development that occurs within an SFHA identified by FEMA or the community. It is used to address the proposed development to ensure compliance with the community's ordinance.

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 ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) 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 Boundary and Floodway Map (FBFM) is a version of a flood map that shows only the floodway and flood boundaries. (The FBFM is no longer produced; current FIRMs include all of this information.)

Flood Hazard Boundary Map (FHBM) is an official map of a community issued by FEMA, where the boundaries of the flood, mudflow and related erosion areas having special hazards have been designated. (The FHBM is an older version of a flood map and is based on approximate data.)

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 a community 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 continues 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 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—see *Regulatory Floodway*.

Floodway encroachment lines mean the lines marking the limits of floodways on federal, state, and local floodplain 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.

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 44 CFR 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 a community 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 a community's FIRM are referenced.

Mixed Use Structures are structures with both a business and a residential component, but where the area used for business is less than 50 percent of the total floor area of the structure.

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 (0.00 feet) 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:

1. Built on a single chassis;
2. 500 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.

Regulatory Floodway means the channel of a river or other watercourse and the adjacent land areas that shall 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—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 clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. 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 detached accessory dwelling unit and 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 ("a manufactured home," also known as a mobile home, is a structure: built on a permanent chassis, transported to its site in one or more sections, and affixed to a permanent foundation); or
3. A travel trailer without wheels built on a chassis and affixed to a permanent foundation, that is regulated under the community's floodplain management and building ordinances or laws.

For insurance purposes, "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 50 percent of the market value of the structure before the damage occurred.

Substantial Improvement means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 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 specifications that have been identified by the local code enforcement official and are the minimum necessary to assure safe living conditions; or
2. Any alteration of a "historic structure", if the alteration will not preclude the structure's continued designation as a "historic structure."

Variance means a grant of relief by a community from the terms of a floodplain management regulation. Reference: subsection 12-1-4.E. VARIANCE PROCEDURES

Violation means the failure of a structure or other development to be fully compliant with the community'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 one percent (1%)-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.

12-1-3: GENERAL PROVISIONS

A. LANDS TO WHICH THIS ORDINANCE APPLIES

The ordinance shall apply to all areas of special flood hazard identified by FEMA, areas shown on Honeyville City's Flood Prone Areas Map, and areas of identified and documented flood risk supported using Best Available Data within the jurisdiction of Honeyville City.

1. (Reserved)
2. Annexation: When the community annexes any land from a neighboring community and/or county, Honeyville City shall manage and regulate the annexed land under this ordinance.

B. BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD

The areas of special flood hazard identified by FEMA in the effective FIRMs for Honeyville City, dated September 29, 2010, and any revisions thereto, are hereby automatically adopted by reference and declared to be a part of this ordinance.

1. Use of Best Available Data: The community has elected to adopt Best Available Data, as defined in section 12-1-2 DEFINITIONS and as described in subsection 12-1-3.A. LANDS TO WHICH THIS ORDINANCE APPLIES, to regulate floodplain development in addition to utilizing the effective FIRMs, FIS, and/or FBFM. Where Best Available Data contradicts the FIRMs, FIS, and/or the FBFM, the more restrictive data shall be utilized.

C. ESTABLISHMENT OF DEVELOPMENT PERMIT

A Floodplain Development Permit shall be required to ensure conformance with the provisions of this ordinance.

D. ABROGATION AND GREATER RESTRICTIONS

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

E. INTERPRETATION

In the interpretation and application of this ordinance, all provisions shall be:

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

F. WARNING AND DISCLAIMER OR LIABILITY

The degree of flood protection required by this ordinance 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 ordinance 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 damages. This ordinance 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 ordinance or any administrative decision lawfully made thereunder.

G. SEVERABILITY

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

H. COMPLIANCE

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

I. STOP WORK ORDER

1. Authority. Whenever the Floodplain Administrator or other community official discovers any work or activity regulated by this ordinance being performed in a manner contrary to the provision of this ordinance, the Floodplain Administrator is authorized to issue a stop work order.
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 to 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 such work as that person is 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 subsection 12-1-3.J. PENALTIES FOR NONCOMPLIANCE.

J. PENALTIES FOR NONCOMPLIANCE

No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violation of the provisions of this ordinance 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, firm, or corporation, whether as principal, agent, employee or otherwise, violating or causing or permitting the violation of any of the provisions of this chapter shall be guilty of a class B misdemeanor, and upon conviction thereof shall be punishable by a fine or by imprisonment, or by both to the maximum extent permitted by law. Such person, firm, or corporation shall be deemed to be guilty of a separate offense for each day during which any portion of any violation of this chapter is committed, continued, or permitted by such person, firm, or corporation, and shall be punishable as herein provided. Nothing herein contained shall prevent Honeyville City from taking such other lawful action as is necessary to prevent or remedy any violation.

12-1-4: ADMINISTRATION

A. DESIGNATION OF THE FLOODPLAIN ADMINISTRATOR

The Mayor or his/her designee is hereby appointed the Floodplain Administrator to administer and implement the provisions of this ordinance and other appropriate sections of the NFIP Regulations and 44 CFR pertaining to floodplain management.

B. DUTIES AND RESPONSIBILITIES OF THE FLOODPLAIN ADMINISTRATOR

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 community's resistance to future disasters.
2. Maintain and hold open for public inspection all records pertaining to the provisions of this ordinance, 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 ordinance applies, including, but not limited to, the FIRM.
4. Review development proposals to determine whether a proposed building site, including sites designed for the placement of manufactured homes, will be reasonably safe from flooding.
5. Review, approve, or deny all applications for development permits required by adoption of this ordinance.
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 carrying capacity within the altered or relocated portion of any watercourse is maintained.
8. Notify, in riverine situations, adjacent communities and the State Coordinating Agency which is the Division of Water Rights, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to FEMA.
9. 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 ordinance.
11. When a regulatory floodway has not been designated, no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30, AE, and AH 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 one-half (0.50) foot 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 one-half (0.50) foot,

provided that the community first meets the requirements of Section 65.12 for a conditional FIRM revision through FEMA's CLOMR process.

13. Zone A Areas: When a regulatory floodway has not been designated and if the project is determined or reasonably believed to cause an adverse impact, the Floodplain Administrator shall require new construction, substantial improvements, or other development (including fill, grading or excavation) permitted in a Zone A to have an encroachment analysis done prior to issuance of a floodplain development permit. The encroachment analysis shall create a baseline of existing conditions model and compare it to the proposed conditions model to determine the potential impact of the project. Based on the findings, the Floodplain Administrator shall require, as a condition of the permit, a CLOMR to be submitted and approved prior to any work occurring and/or that a LOMR be submitted to FEMA within six (6) months of completion of the development.
14. In addition to utilizing the effective FIRMs, FIS, Flood Boundary and Floodway Map, all permit reviews will utilize Best Available Data. Refer to 12-1-3.B.1. USE OF BEST AVAILABLE DATA.
15. If the project is determined or reasonably believed to cause an adverse effect on the BFE(s), boundaries of the floodplain or any insurable structures, technical justification for the proposed development shall be submitted and the community may require a CLOMR or LOMR to be submitted prior to the permit approval or as a requirement of the permit.
16. Fill placed within the SFHA shall result in no net loss of natural floodplain storage or increase in water surface elevations during the base flood. The volume of the loss of floodwater storage due to filling in the SFHA shall be offset by providing an equal volume of flood storage by excavation or other compensatory measures at or adjacent to the development site.

C. REQUIREMENT TO SUBMIT NEW TECHNICAL DATA

1. The property owner or developer shall notify FEMA by submittal of a LOMR within six (6) months of project completion when an applicant had obtained a CLOMR from FEMA or when development 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 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 ordinance and all applicable state federal, and local laws.

D. PERMIT PROCEDURES

1. Application for a Development Permit shall be presented to the Floodplain Administrator on forms furnished by him/her and may include, but not be limited to:
 - a. Duplicated plans drawn to scale showing the location, dimensions, and elevation of proposed landscape alterations.
 - b. Duplicated plans drawn to scale showing the location, dimensions, and elevation of existing and proposed structures, including the placement of manufactured homes.
 - c. Location of the foregoing in relation to SFHAs.
 - d. Elevation (in relation to mean sea level), of the lowest floor (including basement and crawlspace) of all new and substantially improved structures, if applicable;

- e. Elevation (in relation to mean sea level), to which any non-residential structure (if applicable) shall be floodproofed.
 - f. A certificate from a registered professional engineer or architect that the non-residential floodproofed structure (if applicable) shall meet the floodproofing criteria of this ordinance and the NFIP Regulations.
 - g. Description of the extent to which any watercourse or natural drainage will be altered or relocated because of proposed development, if applicable.
 - h. At the community's discretion, the community may charge a fee for issuance of floodplain development permits.
 - i. Copies of all floodplain development permits and the associated documents shall become property of the community and a permanent record.
2. Approval or denial of a Development Permit by the Floodplain Administrator shall be based on all of the provisions of this ordinance and the following relevant factors:
- a. The danger to life and property due to flooding or erosion damage.
 - b. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.
 - c. The danger that materials may be swept onto other lands to the injury of others.
 - d. The compatibility of the proposed use with existing and anticipated development.
 - e. The safety of access to the property in times of flood for ordinary and emergency vehicles.
 - f. The costs of providing governmental services 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.
 - g. The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site.
 - h. The necessity to the facility of a waterfront location, where applicable.
 - i. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use.
 - j. The relationship of the proposed use to the comprehensive plan for that area.
 - k. Volumetric calculations demonstrating compensatory storage for all fill activities in the floodplain.
3. Use of Elevation Certificates
- The City requires that the following Elevations Certificates be completed for any new residential or non-residential building construction:
- a. Proposed Conditions: A proposed conditions Elevation Certificate is required to be completed by a professional and licensed engineer, surveyor, or architect as part of the Floodplain Permit package.
 - b. Building Under Construction: A building under construction Elevation Certificate is required to be completed by a professional and licensed engineer, surveyor, or architect at completion of the bottom floor.
 - c. Finished Construction: A finished construction Elevation Certificate is required to be completed by a professional and licensed engineer, surveyor, or architect once the structure is completed, utilities are installed, and grading and landscaping has been completed.

E. VARIANCE PROCEDURES

1. The appeal authority, as established by the community, shall hear and render judgment on requests for variances from the requirements of this ordinance after a floodplain development permit has been denied.
 - a. Any person or persons aggrieved by the decision of the appeal authority may appeal such decision to the courts of Box Elder County, State of Utah, as provided by law.
 - b. The appeal authority, 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 ordinance.
 - c. 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.
 - d. Variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the relevant factors in subsection 12-1-4.E. VARIANCE PROCEDURES have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.
 - e. Upon consideration of the factors noted above and the intent of this ordinance, the Appeal Board may attach such conditions to the granting of variances as it deems necessary to further the purpose and objectives of this ordinance.
 - f. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
 - g. 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.
2. Prerequisites for granting variances:
 - a. 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:
 - i. Showing a good and sufficient cause.
 - ii. A determination that failure to grant the variance would result in exceptional hardship to the applicant.
 - iii. 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.
 - b. 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.

- c. Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that:
 - i. The criteria outlined in subsection 12-1-4.E. VARIANCE PROCEDURES are met; and
 - ii. The structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.
 - 3. Variances for Freeboard and Allowable Increases
 - a. Variances shall not be issued to reduce the freeboard requirement as described in subsection 12-1-5.B.1.1. RESIDENTIAL CONSTRUCTION FREEBOARD and subsection 12-1-5.B.2.1 NON-RESIDENTIAL CONSTRUCTION FREEBOARD for residential and non-residential structures, respectively.
 - b. Variances shall not be issued to increase the allowed increase in BFE for floodplain Zones A1-30, AE, and AH as described in subsection 12-1-4.B. DUTIES AND RESPONSIBILITIES OF THE FLOODPLAIN ADMINISTRATOR, subsection 12.

F. WATERCOURSE ALTERATIONS

- 1. No alteration to a channel, river, stream, drainage way, or other watercourse shall diminish the flood-carrying capacity of that watercourse. The altered or relocated watercourse shall have the same or greater capacity as the original watercourse.
- 2. All proposals for a watercourse alteration require submittal of a floodplain development permit. The applicant shall submit a set of plans and calculations prepared by a registered professional engineer of the proposed alteration and its effect on flows. An applicant shall provide the following information. Additional information may be submitted and requested:
 - a. Topographic map of the project area.
 - b. A comparison of the existing and proposed channel capacity, including engineering calculations and hydrologic and hydraulic model prepared by a registered professional engineer.
 - c. A description of the proposed alteration extent to which any watercourse or natural drainage will be altered or relocated as a result of proposed development.
 - d. Land use of adjacent properties.
 - e. Description of any obstructions.
 - f. Dimensions, specifications, and locations of any structures (bridges, culverts, water crossing, dams, dikes, levees, detention basins, etcetera).
 - g. Photos of the area.
- 3. Prior to approval of the floodplain development permit, the applicant shall:
 - a. Submit an application and obtain a CLOMR from FEMA.
 - b. Notify adjacent communities, property owners and the State Coordinating Agency, prior to any alteration or relocation of a watercourse and submit evidence of such notification to the Floodplain Administrator and to FEMA.
 - c. Require that maintenance is provided within the altered or relocated portion of the watercourse so that the flood-carrying capacity is not diminished.

12-1-5: 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. Construction Materials and Methods
 - a. All new construction or substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
 - b. All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage.
 - c. All new construction or substantial improvements shall be constructed with materials resistant to flood damage.
 - d. All new construction or substantial improvements shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
2. Utilities
 - a. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.
 - b. All new and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharge from the systems into flood waters.
 - c. On-site waste disposal systems shall be designed or located to avoid impairment to them or contamination from them during flooding.

A1. TEMPORARY STRUCTURES

All temporary structures associated with festivals, carnivals or other temporary uses placed on sites within Zones A1-30, AE, AH, AO, and A on the community's FIRM or area that has been identified as a flood hazard area through the use of Best Available Data are required to:

1. Be on the site for fewer than 30 consecutive days.
2. Have a plan in place for the removal of the structure including a list of necessary supplies, tools, and resources needed to achieve the removal.
3. Be capable of being removed within 12 hours.

A2. TEMPORARY STORAGE

All temporary storage of materials or equipment on sites within Zones A1-30, AE, AH, AO, and A on the community's FIRM or area that has been identified as a flood hazard area through the use of Best Available Data are required to:

1. Be on the site for fewer than 90 consecutive days and no more than 180 cumulative days within a calendar year.
2. Have a plan in place for the removal of the equipment or materials including a list of necessary supplies, tools, and resources needed to achieve the removal.
3. Have proper documentation to support when the materials or equipment are moved on and off the site.

A3. 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 subsection 12-1-5.A.4. 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.

A3.1. SUBSTANTIAL IMPROVEMENT THRESHOLD

The community has elected a threshold for the cumulative cost of improvement as 40 percent of the market value of the structure.

A3.2. CUMULATIVE SUBSTANTIAL IMPROVEMENT

The community has elected a higher standard option that includes a cumulative substantial improvement threshold that is defined as:

1. Substantial Improvement shall also include any combination of repairs, reconstruction, rehabilitation, addition, or other improvement of a structure taking place within a selected three (3)-year timeframe.

A4. 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 ordinance for substantial improvement.

A5. 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 the subsection 12-1-5.A3. SUBSTANTIAL IMPROVEMENT and subsection 12-1-5.A3.2. CUMULATIVE SUBSTANTIAL IMPROVEMENT.
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 and that compliance with the flood, this ordinance is required.

B. SPECIFIC STANDARDS

In all SFHAs and areas of known or suspected flood risk areas, the following provisions shall apply:

B1. RESIDENTIAL CONSTRUCTION

New construction and substantial improvement of any residential structure shall have the lowest floor (including basement) elevated to the BFE, unless a freeboard option is noted below. If a freeboard option is noted, new construction and substantial improvement shall have the lowest floor (including basement) elevated to the freeboard elevation. A registered professional engineer, architect, or land surveyor shall submit certified elevations to the Floodplain Administrator that the standards of this ordinance are satisfied.

B1.1. RESIDENTIAL CONSTRUCTION FREEBOARD

The city has elected to adopt a freeboard requirement of two (2) feet of freeboard meaning the lowest floor shall be built 2.0 feet above the BFE.

B2. NON-RESIDENTIAL CONSTRUCTION

1. New construction and substantial improvements of any commercial, industrial, or other non-residential structure shall either have the lowest floor (including basement) elevated to the base flood level, unless a freeboard option is noted below, or together with attendant utility and sanitary facilities, shall meet the following provisions:
 - a. 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 and effects of buoyancy.
 - b. Have a registered professional engineer or architect develop and/or review structural design, specifications, and plans for the construction and certify that the design and methods of construction are in accordance with accepted standards of practice as outlined in this subsection.
A record of such certification that includes the specific elevation (in relation to mean sea level) to which such structures are floodproofed shall be maintained by the Floodplain Administrator.
2. If the use or occupancy of the building changes in the future to residential, then the dry floodproofing of the structure cannot be used when determining compliance of the structure to the residential construction of this ordinance, subsection 12-1-5.B1 RESIDENTIAL CONSTRUCTION and subsection 12-1-5.B1.1 RESIDENTIAL CONSTRUCTION FREEBOARD. As such,

the building will not be grandfathered into compliance and will be required to be brought into compliance with the residential construction requirements of this ordinance.

B2.1 NON-RESIDENTIAL CONSTRUCTION FREEBOARD

The city has elected to adopt a freeboard requirement of two (2) feet of freeboard for new construction and substantial improvement of any non-residential structure, meaning the lowest floor shall be built 2.0 feet above the BFE.

B2.3 NON-RESIDENTIAL CONSTRUCTION ACCESS (INGRESS-EGRESS)

New development proposals shall be designed, to the maximum extent practicable, so non-residential building sites, walkways, driveways, and roadways are located on land with a natural grade within elevation not less than the BFE and with dry land access.

B3. NON-RESIDENTIAL WET FLOODPROOFING

New construction and substantial improvements of any commercial, industrial, or other non-residential structure including but not limited to detached garages, agricultural buildings, and storage buildings may be allowed to be wet floodproofed provided that:

1. The structure is strictly a non-residential structure used for building access, parking or storage only.
2. The structure is an accessory or appurtenant structure of low value.
3. Designed to allow for the automatic entry and exit of flood waters through the use of openings.
4. Be constructed of flood resistant materials.
5. Be properly anchored to resist flotation, collapse, and lateral movement;
6. Mechanical and utility equipment must be elevated or floodproofed to or above the BFE.
7. Must comply with the floodway encroachment provisions of the NFIP and this ordinance.
8. Designed and built to adhere to FEMA Technical Bulletins 1, 2, and 7.

A registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice as outlined in this subsection. A record of such certification that includes the specific elevation (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 wet floodproofing of the structure cannot be used when determining compliance of the structure to the residential construction of this ordinance, subsection 12-1-5.B1 RESIDENTIAL CONSTRUCTION and subsection 12-1-5.B1.1 RESIDENTIAL CONSTRUCTION FREEBOARD. As such, the building will not be grandfathered into compliance and will be required to be brought into compliance with the residential construction of this ordinance.

B3.1. WET FLOODPROOFING NON-CONVERSION AGREEMENT

For any non-residential construction that has been wet floodproofed, a non-conversion agreement must be completed as part of the permitting process. The non-conversion agreement:

1. Acknowledges the risk associated with this building practice.
2. Acknowledges the use of the area that was wet floodproof will be used solely on non-residential accessory or appurtenant structure of low value whose usage is only for building access, parking or storage.
3. Allows for community, state and/or federal officials to conduct periodic inspections to ensure compliance.

B4. ENCLOSURES

New construction and substantial improvements with fully enclosed areas below the lowest floor that are to be used solely for parking of vehicles, building access, or storage in an area other than a basement and that are subject to flooding, shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement shall either be certified by a registered professional engineer or architect, or shall meet or exceed the following minimum criteria:

1. A minimum of two (2) 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.
2. The bottom of all openings shall be no higher than one (1) foot above grade.
3. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

The development and construction of the structure shall conform with the provision in FEMA/Federal Insurance Administration (FIA)-Technical Bulletins 1 and 2. Certification and documentation from a professional, licensed engineer or architect is required if the structure's lowest floor is built below the BFE.

B4.1. ENCLOSURE NON-CONVERSION AGREEMENT

For any construction that has an enclosure, a non-conversion agreement shall be completed as part of the permitting process. The non-conversion agreement:

1. Acknowledges the risk associated with this building practice.
2. Acknowledges the use of the area that was permitted as an enclosure will be used solely on accessory or appurtenant structure of low value whose usage is only for building access, parking, or storage.
3. Allows for community, state and/or federal officials to conduct periodic inspections to ensure compliance.

B5. 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:

1. The structure shall 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 five (5) feet per second unless the design is reviewed by a qualified design professional, such as a registered architect or professional engineer.
2. The crawlspace is an enclosed area below the BFE and, as such, shall 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 one (1) foot above the LAG.
3. The crawlspace enclosure shall have proper openings that allow equalization of hydrostatic pressure by allowing automatic entry and exit of floodwaters. To achieve this, a minimum of one (1) square inch of flood opening is required per one (1) square foot of the enclosed area subject to flooding.
4. Portions of the building below the BFE shall 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, shall either be placed above the BFE or sealed from floodwaters.

5. Any building utility systems within the crawlspace shall be elevated above the BFE or designed so that floodwaters cannot enter or accumulate within the system components during flood conditions.
6. The interior grade of a crawlspace below the BFE shall not be more than two (2) feet below the LAG.
7. 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 four (4) feet at any point.
8. There shall be an adequate drainage system that removes floodwaters from the interior area of the crawlspace. The enclosed area should be drained within a reasonable time after a flood event.

B6. MANUFACTURED HOMES

1. All manufactured homes to be placed within Zone A on a community's FHBM or FIRM shall be installed using methods and practices that minimize flood damage. For the purposes of this requirement, manufactured homes shall be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces.
2. Manufactured homes that are placed or substantially improved within Zones A1-30, AH, and AE on the community's FIRM on sites outside of a manufactured home park or subdivision; in a new manufactured home park or subdivision; in an expansion to an existing manufactured home park or subdivision; or in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood, shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to or above the BFE, unless a higher standard option was selected (reference paragraph 4 of this subsection) and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.
3. In A1-30, AH, AO and AE Zones, manufactured homes to be placed or substantially improved in an existing manufactured home park shall be elevated so that the lowest floor is at or above the BFE, unless a higher standard option was selected; or the chassis is supported by reinforced piers no less than 36 inches in height above grade and securely anchored.

B7. RECREATIONAL VEHICLES

Recreational vehicles placed on sites within Zones A1-30, AH, and AE on the community's FIRM shall either:

1. Be on the site for fewer than 180 consecutive days and be fully licensed and ready for highway use; OR
2. Meet the permit requirements of subsection 12-1-4.D, PERMIT PROCEDURES, and the elevation and anchoring requirements for "manufactured homes" of this section.

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.

B7.1. RECREATIONAL VEHICLES TIME LIMIT

The community has elected a higher standard option that requires that recreational vehicles placed on sites within any special flood hazard zones (A1-30, AE, A, AH, AO, V, or VE) on the community's FIRM be on the site for fewer than 180 consecutive days.

C. STANDARDS FOR SUBDIVISION PROPOSALS

1. All subdivision proposals, including the placement of manufactured home parks and subdivisions, shall be consistent with the provisions of this ordinance.
2. All subdivision proposals, including the placement of manufactured home parks and subdivisions, shall have adequate drainage provided to reduce exposure to flood hazards.
3. All proposals for the development of subdivisions, including the placement of manufactured home parks and subdivisions, shall meet Floodplain Development Permit requirements of this ordinance.
4. BFE data shall be generated for subdivision proposals and other proposed development, including the placement of manufactured home parks and subdivisions, which is greater than or equal to 10 lots or 5 acres, or whichever is lesser.
5. All subdivision proposals including the placement of manufactured home parks and subdivisions shall have adequate drainage provided to reduce exposure to flood hazards.
6. All subdivision proposals, including the placement of manufactured home parks and subdivisions, shall have public and municipal utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.

C2. STANDARDS FOR SUBDIVISION ACCESS (INGRESS-EGRESS)

New subdivision development proposals shall be designed, to the maximum extent practicable, so walkways, driveways, and roadways are located on land with a natural grade with elevation not less than one foot (1') above the closest adjacent BFE and with dry land access.

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

Located within the SFHAs established in subsection 12-1-3.A. LANDS TO WHICH THIS ORDINANCE 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:

1. All new construction and substantial improvements of residential structures have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least 2 feet if no depth number is specified). If the community has elected a freeboard standard, then the lowest floor elevation must be elevated above the highest adjacent grade above the depth number specified in feet on the community's FIRM (at least 2 feet if no depth number is specified) plus the freeboard height option selected below.
2. All new construction and substantial improvements of non-residential structures:
 - a. 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
 - b. 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.
3. A registered professional engineer or architect shall submit a certification to the Floodplain Administrator that the standards of this Section.

4. Require within Zones AH or AO adequate drainage paths around structures on slopes, to guide flood waters around and away from proposed structures.

D1. SHALLOW FLOODING FREEBOARD

The city has elected to adopt a freeboard option for new construction and substantial improvement of any residential structure. The freeboard option requires that the lowest floor be built above the BFE by the height selected. The city has elected a two (2)-foot freeboard. The lowest floor must be built a minimum of 2.0 feet above the BFE or flood depth identified on the FIRM.

E. RESERVED

F. PROPERTIES REMOVED FROM THE FLOODPLAIN BY FILL

A Floodplain Development Permit shall not be issued for the construction of a new structure or addition to an existing structure on a property removed from the floodplain by the issuance of a FEMA Letter of Map Revision Based on Fill (LOMR-F), unless such new structure, or substantial improvement or addition complies with the following:

- A. Residential Construction: The lowest floor (including basement), electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities (including ductwork), shall be elevated to the elevation noted in subsection 12-1-5.B.1 RESIDENTIAL CONSTRUCTION and subsection 12-1-5.B.1.1. RESIDENTIAL CONSTRUCTION FREEBOARD.
- B. Non-residential Construction: The lowest floor (including basement), electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities (including ductwork), shall be elevated to the elevation noted in subsection 12-1-5.B.2 NON-RESIDENTIAL CONSTRUCTION and subsection 12-1-5.B.2.1. NON-RESIDENTIAL CONSTRUCTION FREEBOARD, or together with attendant utility and sanitary facilities be designed so that the structure or addition is watertight to at the elevation noted in subsection 12-1-5.B.2 NON-RESIDENTIAL CONSTRUCTION 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.

Chapter 1: BUILDING CODE

9-1-1: BUILDING CODE ADOPTED

9-1-2: BUILDING INSPECTOR

9-1-3: BUILDING PERMIT REQUIRED

9-1-4: FEE SCHEDULE

9-1-5: PENALTY; EXCEPTION

9-1-1: BUILDING CODE ADOPTED

The Uniform Building Code and the International Residential Code, and all amendments, as adopted by the State of Utah, 1997 edition, and any amendments thereto, published by the International Conference of Building Officials, ~~and printed as a code in book form, three (3) copies of which have previously been filed with the city recorder for use and examination by the public,~~ hereby is approved and adopted as the building code of the city.

HISTORY

Adopted by Ord. 79-1 on 2/5/1979

Amended by Ord. 2001 Code on 1/1/2001

Amended by Ord. XXX on XXXXXX

9-1-2: BUILDING INSPECTOR

1. Created: There is hereby created the position of building official who shall also be known as the building inspector. The city may provide for the duties of the building inspector to be performed by contract with another agency.
2. Powers:
 1. Stop Order: The building inspector shall have the power to order all work stopped on construction, alteration or repairs of buildings in the city when such work is being done in violation of any provisions of any ordinance relating thereto, or in violation of the subdivision or zoning titles of the city. Work shall not be resumed after the issuance of such order, except on the written permission of the inspector; provided, that if the stop order is an oral one, it shall be followed by a written stop order within one hour. Such written stop order may be served by any peace officer or other authorized person.
 2. Entry: The building inspector shall have the power to enter into any building or the premises where the work of altering, repairing or constructing any building or structure is going on, for the purpose of making inspections at any reasonable hour, pursuant to any of the provisions of this title and title 4 of this code.
3. Duties: The building inspector shall, in addition to all other duties imposed on him by the city:
 1. Enforce the provisions of the Uniform Building Code.
 2. Inspect all buildings, structures, ditches, signs, fences and objects to determine their safety and effect on the persons who are within the city.

3. Until such time as a plumbing inspector is appointed or designated, the building inspector shall be responsible for enforcing [chapter 3](#) of this title.
4. Review all building permit applications for new construction or substantial improvements to determine whether ~~proposed building sites will be reasonably safe from flooding. If a proposed building site is in a location that has a flood hazard, any proposed new construction or substantial improvement (including prefabricated and mobile homes) must:~~ [a floodplain development permit is required.](#)
 - ~~1. Be designed (or modified) and anchored to prevent flotation, collapse or lateral movement of the structure;~~
 - ~~2. Use construction materials and utility equipment that are resistant to flood damage; and~~
 - ~~3. Use construction methods and practices that will minimize flood damage.~~
5. Review subdivision proposals and other proposed new developments to assure that:
 1. All such proposals are consistent with the need to minimize flood damage;
 2. All public utilities and facilities, such as sewer, gas, electrical and water systems are located, elevated and constructed to minimize or eliminate flood damage; and
 3. Adequate drainage is provided so as to reduce exposure to flood hazards.
6. Require new or replacement water supply systems and/or sanitary sewage systems to be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and require on-site waste disposal systems to be located so as to avoid impairment of them or contamination from them during flooding.

HISTORY

Adopted by Ord. 1976 Code §§ 9-511, 9-512, 9-513, 9-514 on 1/1/1976

Amended by Ord. 2001 Code on 1/1/2001

[Amended by Ord. XXX on XXXXXX](#)

9-1-3: BUILDING PERMIT REQUIRED

1. Application And Plans: A building permit shall be secured from the city on written application accompanied by plans and specifications in duplicate, which must state the specific nature of the construction or alterations to be made. The plan must be verified by the person who will perform or be in charge of the construction or alteration.
2. Variations Of Plan Prohibited: No material variation from the approved plan shall be allowed unless such variations shall first have been approved in writing by the building inspector.
3. Approval Of Plan: The application and plans shall be forwarded from the city to the building inspector, who shall review the plan to determine whether the proposed construction or alteration conforms to the building codes and ordinances of the city. The building inspector shall

return the plans to the city within ten (10) days with the statement "approved" if the plans do conform or "disapproved" if the plans do not conform. If the plans are disapproved, the reasons therefor shall be annexed to the plans. Upon receipt of an approved plan, the city shall issue a permit to the applicant, together with one set of the approved plans. One set of the plans shall be retained by the city. The city may revoke at any time a permit which has been issued for any building constructed or being constructed or which would be or result, if constructed, in violation of any ordinance of the city.

HISTORY

Adopted by Ord. 1976 Code §§ 9-522, 9-523, 9-524 on 1/1/1976

Amended by Ord. 2001 Code on 1/1/2001

9-1-4: FEE SCHEDULE

The city shall collect a fee for the application of a permit in the amount provided for in the Uniform Building Code, 1997 edition.

HISTORY

Adopted by Ord. 97-2 on 2/5/1979

Amended by Ord. 2001 Code on 1/1/2001

9-1-5: PENALTY; EXCEPTION

1. It shall be a Class C misdemeanor for any homeowner and a Class B misdemeanor for any person who receives payment or anything of value, to construct or alter any building or structure, except a fence, without first securing the permit required by this chapter. Upon conviction, violators will be subject to penalty as provided in section [1-4-1](#) of this code.
2. This section shall not apply where the retail cost of the materials used in the construction or alteration is less than one thousand dollars (\$1,000.00), except that it shall apply in all cases where the construction or alteration results in an enlarged structure or affects the walls of the building or structure.

HISTORY

Adopted by Ord. 1976 Code § 9-521 on 1/1/1976

Amended by Ord. 2001 Code on 1/1/2001

Chapter 31: SUBDIVISION CONSTRUCTION AND DRAWING STANDARDS

10-31-2: DESIGN STANDARDS

A. Streets:

1. Arrangement:

- a. The arrangement of streets in new subdivisions shall make provision for the continuation of the existing streets in adjoining areas and shall provide access to unsubdivided adjoining areas insofar as such continuation or access shall be deemed necessary by the planning commission. The new street shall connect with existing public streets.
- b. The street arrangement should be such as to cause no unnecessary hardship to owners of adjoining property when they plat their own land and seek to provide for convenient access to it. If the adjoining land is zoned for residential use, streets shall be located so that the adjacent land may be most efficiently subdivided. Half streets, consisting of half of a standard road right of way width or half of a fully developed street, on the boundary of a subdivision, are prohibited. Sharing of road development costs with abutting property owners and recovery of the same is provided for with a protection strip as described in section [10-22-15](#) of this title.

2. Conform To Master Street Plan: Streets shall conform to the master street plan.

3. Road Right Of Way Widths: Major and collector streets shall conform to the width designated on the master street plan wherever a subdivision is in an area for which a master street plan has been adopted. For territory where such street plan has not been completed at the time the subdivision preliminary plat is submitted to the planning commission, streets shall be provided as required by the planning commission, with minimum widths of sixty six feet (66') for collector streets and extensions of existing eighty foot (80') wide platted streets from original town site plats, and sixty feet (60') for minor streets. All streets serving permanent cul-de-sacs (permanent dead end streets) are considered to be minor streets and shall have the same width of that specified for a minor street.

4. Stub Streets: Stub streets shall be streets provided where needed to connect to adjacent undeveloped land to provide for reasonable access of the adjacent undeveloped land to a street transportation system and for future extension of streets to future development phases. Where a stub street exists at the boundary line of a new subdivision which was extended from adjacent land or development, a new street in a new subdivision or development adjacent to the existing stub street shall extend to connect to the existing stub street(s). Each stub street shall be provided with a temporary cul-de-sac turnaround unless the stub street extends only one lot depth on both sides of the lot, and, the lots on both sides are corner lots which have frontage on another street.

5. Cul-De-Sacs:

- a. Permanent: Permanent cul-de-sacs (dead end streets) not more than six hundred fifty feet (650') measured from centerline intercept of the nearest three-way "tee" or four-way "cross" intersection to the center point of the circular turnaround which does not serve more than ten (10) lots (including the corner lots fronting on the stem road to the cul-de-sac) may be used only where such conditions exist which make other road designs undesirable, infeasible, or impose an unusual hardship. Every effort shall first be made to configure a new road system to avoid cul-de-sacs prior to submitting a proposed road system design. Written explanation shall be submitted to the planning commission with supporting documentation to justify using a cul-de-sac in a street design. Each cul-de-sac shall be terminated by a circular turnaround right of way diameter of not less than one hundred ten feet (110') with a radius dimension from the cul-de-sac center point to the face of curb or pavement edge of not less than forty five feet (45'). If surface water drainage is towards the turnaround, necessary catch basins, drainage pipes, detention/retention basins, and drainage easements shall be provided to sufficiently drain or contain drainage entering the cul-de-sac turnaround to prevent undesirable ponding or flooding of private or public facilities which are not intended to receive drainage water.
 - b. Temporary: A temporary cul-de-sac turnaround shall be used where a stub street is temporarily terminated and is not more than one lot deep on both sides of the street. The stub street shall be entirely paved with asphalt concrete mix to the temporary terminus at the full width in which it will be extended in the future. The circular turnaround shall be constructed with a surface of either asphalt concrete mix or crushed untreated base course gravel beyond one side or both sides of the stub street width to create an all weather maintainable turnaround area with a minimum driven surface radius of not less than forty five feet (45') and a temporary turnaround easement of not less than one hundred ten feet (110'). The easement and physical turnaround may either overlap onto adjacent lots on either side of the stub street or be provided beyond the stub street lots on property provided by the developer. Drainage of the stub street and temporary cul-de-sac turnaround shall conform to the same requirements for a permanent cul-de-sac.
6. Road Obstructions And Termination: In the event that any road or street in any subdivision shall terminate at or within fifty feet (50') of any ditch, canal, creek, waterway or other obstruction which will, in the opinion of the city engineer, require a bridge or other structure in order to continue the road over or across the canal, ditch, creek, waterway or other obstruction, the developer shall deposit with the city a sum of money equal to one-half ($\frac{1}{2}$) of the city engineer's estimate of the cost for constructing a proper and suitable bridge over the same. The city engineer shall, on request, furnish the developer a cost breakdown for any such structure. At such time, in the opinion of the city council, as it becomes desirable to construct such structure, the same shall be constructed by the city applying such deposit toward the construction costs and

charging the other one-half ($\frac{1}{2}$) of such cost to the person developing the other side, or if there is no person so developing the other side, the half shall be borne as a city expense.

7. Frontage On Major Highway: Where a residential subdivision abuts a major highway, frontage roads may be required by the Utah department of transportation (UDOT). All residential subdivisions fronting on a UDOT highway requires UDOT approval of driveway and access points and any street intersection with a UDOT highway.
8. Street Names: A street shall have the name and address grid designation of the street which exists along the same alignment. Each street with a name shall also be assigned a grid address assigned to the street in conformance with the predominant Box Elder County street address grid system. Each street sign shall list both the name and the grid address in a format which conforms with the sign details in the Honeyville City public works construction standards. A street name existing within the city or within a community which abuts Honeyville City shall not be duplicated.
9. Design Criteria:
 - a. No more than four (4) streets shall enter an intersection.
 - b. Streets shall intersect at ninety degrees (90°), except where otherwise approved by the planning commission. In no case shall the planning commission approve any street intersecting at less than eighty degrees (80°).
 - c. The centerlines of two (2) subordinate streets meeting a through street from opposite sides shall extend as a continuous line, or the centerlines shall be offset at least one hundred fifty feet (150').
10. Curvature And Alignment:
 - a. To ensure adequate sight distances, street roadway line connections shall be made by horizontal curves. The minimum centerline radius for minor streets shall be one hundred fifty feet (150') and of all other streets shall be three hundred feet (300'). On collector and major streets, a minimum tangent of one hundred feet (100') shall be required between a curve and street intersection, and a minimum tangent of one hundred feet (100') shall be required between reverse curves.
 - b. Vertical curves shall be used at all changes of grades exceeding one percent (1%) and shall be designed to provide minimum sight distances of two hundred feet (200') for minor streets and three hundred feet (300') for all other streets, except that vertical curves for major streets shall be as determined by the latest version of the AASHTO "Geometric Design Guidelines". The minimum acceptable horizontal length of crest and sag vertical curves from beginning to end of the vertical curve is two hundred feet (200') for collector roads, two hundred feet (200') for crest vertical curves on minor streets and one hundred feet (100') for sag vertical curves on minor streets.

11. Street Grades: All street grades shall be designed as follows:

- a. Major and collector streets shall be limited to a maximum grade of eight percent (8%). Sustained grades shall be limited to five percent (5%).
- b. Minor streets shall be limited to a maximum grade of ten percent (10%). Sustained grades shall be limited to seven percent (7%).
- c. Cul-de-sacs with a negative grade progressing toward the turnaround shall be limited to a maximum grade of six percent (6%). The cul-de-sac shall terminate with a grade not to exceed three percent (3%) for the last one hundred feet (100') of traveled surface.
- d. Street intersections shall have a vertical alignment such that the grade shall not exceed three percent (3%) for a minimum distance of fifty feet (50') each way from the centerline of the intersection.
- e. Maximum grades shall be approved only when accompanied by changes to a lesser grade, and where length of that portion of that road at maximum grade is less than six hundred feet (600'). A sustained grade is defined as six hundred feet (600') or longer.

12. Shoulders And Pavement:

- a. Four foot (4') shoulders shall be provided where curbs are waived. Design shall comply with city construction standards.
- b. Pavements shall be designed in accordance with procedures promulgated by the Utah department of transportation and contained in part 8, "materials", of the UDOT manual of instruction, or in accordance with AASHTO pavement design methods. For major and collector streets, the subdivider's engineer shall consider current and future traffic loads for a twenty (20) year life span, incorporate data from a site specific geotechnical study, and submit thickness design calculations and supporting data for the individual pavement layers with the final plat submittal. For minor streets a site specific geotechnical study shall determine the California bearing ratio (CBR) value of the native underlying soils. If the CBR value is ten (10) or greater, the standard pavement design shall be three inches (3") of asphalt concrete mix (hot mix asphalt) over eight inches (8") of crushed untreated base course above native subgrade soils prepared in accordance with the project geotechnical report. If the CBR value is less than ten (10), the pavement layer thicknesses shall conform to the recommendations of the project geotechnical study and report. Asphalt pavement shall be sealed with type 3 slurry seal conforming with the APWA standard specifications no sooner than nine (9) months after completion of the asphalt pavement, unless otherwise directed by the city engineer.

13. Sidewalk, Curbs And Gutters:

- a. Sidewalks, handicap ramps, curbs and gutters shall be provided on streets within zones a density of one-half ($\frac{1}{2}$) acre or less, unless specifically waived in writing by a majority vote of the Honeyville City council. In zones which are one-half ($\frac{1}{2}$) acre or less, sidewalks, handicap ramps, curbs and gutters are required on existing city streets bordering the new subdivision, unless specifically waived in writing by a majority vote of the city council. Where curb and gutter is placed on an existing city street, asphalt pavement shall be properly designed as set forth in subsection A12b of this section and widened to fill in between the existing edge of pavement and the lip of gutter.
- b. All curb corners shall have a radius of not less than twenty five feet (25').
- c. On curb returns, at least one additional control point for elevation besides those at points of curvature shall be established. Control points shall be staked in the field to ensure drainage of intersections.
- d. Curbs and gutters on all urban streets shall be concrete of the standard high back type design, being thirty inches (30") wide from back of curb to lip of gutter and not less than six inches (6") thick where the curb abuts the street pavement. The top of the curb shall be approximately three and one-half inches ($3\frac{1}{2}$ ") higher in elevation than the lip of the gutter and shall provide handicapped access.

B. Easement Standards:

1. Front, rear and side lot line easements are required and shall be a minimum of ten feet (10') wide and shall be dedicated as utility easements unless the city engineer determines a particular easement is unnecessary. A ten foot (10') wide lot line utility easement is required on both sides of every other side lot line, unless the city engineer determines a particular easement is unnecessary.
2. All easements shall be designed so as to provide efficient installation of utilities or street planting. Special guying easements at corners may be required if any utilities are to be overhead. Public utility installation shall be located so as to permit multiple installations within the easements. The developer shall establish final utility grades prior to utility installation.
3. Whenever any stream or important surface drainage course is located in an area that is being subdivided, the developer shall dedicate an adequate easement along each side of the stream for the purpose of widening, deepening, sloping, improving or protecting the stream for drainage, parkway or recreational use.
4. The planning commission shall, unless waived for good and sufficient cause, require that easements for drainage through a subdivision and adjoining property be provided by the developer.

C. Utilities To Be Underground:

1. Unless the planning commission and city council determine, upon application by the developer, supported by recommendation of the city engineer, that it is not feasible to do so, all power lines, telephone lines and other normally overhead utility lines, shall be placed underground by the developer.
2. The developer, by designating the location for easements for all utility lines and installations thereof, shall agree, as one of the conditions for the approval of any plan, that he will, at the developer's expense, remove any obstruction that, in the opinion of the city engineer, makes such location impracticable for use until the obstruction is removed or altered. If additional expense is required for underground installation of power or other utility, the developer shall agree to pay any additional expense occasioned thereby and sign an agreement with the city for the purpose of carrying out this requirement to completion.

D. Blocks:

1. Blocks shall not exceed one thousand three hundred feet (1,300') in length. Blocks over eight hundred feet (800') in length shall be provided with a dedicated walkway through the block at its approximate center. Such walkways shall be not less than ten feet (10') in width. The width of blocks generally shall be sufficient to allow two (2) tiers of lots. Blocks intended for business or industrial uses shall be designed specifically for such purposes with adequate space set aside for off street parking and delivery facilities.
2. Property lines at all street intersections shall be rounded with curves having a minimum radius of fifteen feet (15').

E. Lots:

1. The lot arrangement and design shall be such that lots will provide satisfactory and desirable sites for buildings and be properly related to topography and to existing and probable future requirements.
2. All lots shown on the subdivision plan shall conform to the minimum requirements of the zone in which the subdivision is located, and to the minimum requirements for sewage disposal.
3. Each lot shall abut on a street dedicated by the recording of a subdivision or on an existing publicly dedicated street, or on a street which has become public by right of use and is at least fifty feet (50') wide or on a private street approved by the planning commission and the city council.
4. Double frontage lots of one acre or less are prohibited unless approved by the planning commission for reasons of topography.
5. No wedge shaped lot shall be less than thirty feet (30') in width at the front property lines, or less than the lot frontage at the front setback line required in the zoning district, whichever is larger.

6. Side lot lines shall be at right angles or radial to street lines, except where justified by the developer and approved by the planning commission.
 7. Corner lots shall have extra width sufficient for maintenance of required building lines on both streets.
 8. All remnants of lots below minimum size left over after subdividing of a larger tract shall be added to adjacent lots, rather than allowed to remain as unusable parcels.
 9. No single lot shall be divided by a city or county boundary line.
 10. A lot shall not be divided by a road, alley or other lots.
- F. Storm Drainage And Floodplains: Complete drainage systems for the entire subdivision area shall be designed by a professional engineer, licensed in the state and qualified to perform such work, and shall be shown graphically. All existing drainage features which are to be incorporated in the design shall be so identified. If the final plat is to be presented in phases, a general drainage plan for the entire area shall be provided with the preliminary plat, and appropriate development stages for the drainage system for each section indicated.
1. Design Of Drainage And Floodplain Systems: The drainage and floodplain systems shall be designed to:
 - a. Permit the unimpeded flow of natural watercourses unless otherwise approved by the city and other applicable governmental agencies.
 - b. Ensure adequate drainage of all low points.
 - c. Ensure applications of the following regulations regarding development in designated floodplains.
 2. ~~Use Of Land: The use of land in floodplains shall be limited as follows:~~ Any subdivision containing floodplains or flood-prone areas is subject to Title 12 of this Code.
 - a. ~~Construction of buildings shall not be permitted in a designated floodway with a return frequency of one hundred (100) years or more.~~
 - b. ~~Building construction may occur in that portion of the designated floodway where the return frequency is less than one hundred (100) years; provided, the main floor space is constructed above the designated maximum probable flood level and provisions are made in the design and construction of the buildings to prevent entry of floodwaters into the lower levels.~~
 - c. ~~Where floodway velocities are generally determined to be under five feet (5') per second and maximum flood depth will not exceed three feet (3'), such uses as cultivated agriculture, nurseries, parks and recreation facilities and accessory parking may be permitted.~~
 - d. ~~Any use of land is prohibited where flooding would create a public health hazard or problem. This includes shallow wells, uncased deep wells, sanitary landfills,~~

~~septic tank and on-lot sewage disposal systems, water treatment plants, and sewage disposal systems not completely protected from inundation.~~

- ~~e. Any contemplated floodplain encroachment or channeling shall be thoroughly analyzed and its effect on stream flow determined before such encroachment is undertaken. Any construction, dumping and filling operations in a designated floodplain constitutes an encroachment and shall be approved by the city engineer and the planning commission before any work is done.~~
 - ~~f. No lot one acre or less in area shall include floodplains. All lots more than one acre shall contain not less than twenty thousand (20,000) square feet of land which is at an elevation at least one foot (1') above the elevation of 100-year recurrence interval flood, or, where such data is not available, three feet (3') above the elevation of the maximum flood record.~~
3. Storm System Design: The design of the storm system shall consider the drainage system as a whole and shall include the following:
- a. Runoff from the subdivision area.
 - b. Where applicable, the system shall be designed to accommodate runoff from those areas adjacent to and "upstream" from the subdivision.
 - c. The effects of stormwater on land downstream.
 - d. Limit peak runoff discharge from any new development area to two-tenths (0.2) cfs per acre. A detention pond with a discharge control structure shall be used to store stormwater runoff in excess of the peak permissible discharge.
 - e. If no acceptable receiving drainage is available to discharge runoff from a development, runoff shall be intercepted and stored in a combination of retention basins and exfiltration sumps (seepage sumps) sized sufficiently to accommodate a 100-year 24-hour storm.
 - f. Discharging detention ponds or other detaining facilities shall be provided with an adequate overflow device to discharge extraneous flow rates which exceed a 10-year 24-hour storm and cause the detaining facility to fill and overflow. Downstream receiving drainages shall be capable of accommodating any overflow which leaves the detaining facility and documentation of such shall be provided with the final plat.
 - g. Gutter capacities will be limited to that flow which will not create a hazard, damage or flood adjacent properties and which can be safely intercepted at the inlets.
 - h. Stormwater inlets and catch basins shall be provided within the roadway improvements at points approved by the city engineer.
 - i. No ditch or canal shall be approved as suitable for the disposal of storm drainage water without the written permission of the appropriate ditch or canal company

or of the water users of said ditch or canal. No ditch or canal shall be used for stormwater disposal unless adequately improved to handle such water as might be reasonably expected to flow in the canal or ditch as irrigation water, the subdivision runoff water, and any other water expected to reach such canal or ditch. No ditch, canal or other waterway shall be permitted within property dedicated or to be dedicated for public use except as specifically approved by planning commission and city council. The developer shall remove such waterways from property to be dedicated before the submission of the final plat.

- j. Complete design calculations shall be submitted with the plans for the storm sewer system.

G. Sewage Disposal: Unless otherwise exempted by local or state health department requirements or prohibited by the local sewer district or owner of the public sewer system, if any subdivision lies within the boundaries of an established sewer district or within reasonable proximity to a public sewer system, the developer shall connect to said sewer system and provide, or have provided, a piped sanitary sewage system to the property line of every lot in the subdivision. The sewage system shall meet the minimum standards and requirements of the district sanitarian, the state division of environmental health and this title.

1. Sanitary Sewer Mains, Laterals And House Connections:

- a. All sewer mains shall be a minimum of eight inches (8") in diameter and shall be designed with adequate capacity for the current and future development.
- b. All sewer laterals and house connections shall be a minimum of four inches (4") in diameter.
- c. Where local, county and regional master plans indicate that construction or extension of sanitary sewers may serve the subdivision area within a reasonable time, the planning commission may require the installation and capping of sanitary sewer mains and house connections by the developer, in addition to the installation of temporary individual on site sanitary disposal systems.

2. On Site Sewage Disposal:

- a. Whenever individual septic tanks are proposed as sanitary sewage disposal systems, the developer shall either install such facilities or require, by deed restrictions or otherwise, as a condition of the sale of each lot or parcel within such subdivision that on-lot sanitary sewage disposal facilities be installed by the purchaser of said lot at the time the principal building permit shall be issued.
- b. Each subdivided lot to be served by an on site soil absorption sewage disposal system shall contain an adequate site for such system and shall meet minimum requirements of the Utah division of water quality for individual wastewater disposal systems and shall be approved in writing by the district sanitarian.

H. Culinary Water System: In general, each new development and subdivision shall connect to the Honeyville City culinary water system. Extensions or improvements of the existing culinary water system may be required of the developer to facilitate serving the new subdivision or development with culinary water. Private culinary water systems to serve a development or subdivision within the city limits may violate the city's culinary water ordinance and are generally prohibited. Where connection to the existing culinary water system is not feasible and the city council legally authorizes a private water system to serve a subdivision or development, the procurement of water, whether by purchase of water rights, water shares, exchange or service agreement, shall be the responsibility of the developer. Water and delivery of water shall be provided for the exclusive use of the subdivision or development in an amount sufficient to meet the following flow standards, unless it can be proved to the planning commission or city council, as the case may be, that a lesser service capacity is adequate.

1. Secondary Water System Not Available: Where a separate secondary water system is not available for each lot:

- a. A minimum of two hundred ninety two thousand (292,000) gallons per year per dwelling unit shall be required for the first ten thousand (10,000) square feet of lot area. Approximately two-thirds ($\frac{2}{3}$) of this water shall be available for use during the months of May through October. Each additional ten thousand (10,000) square feet of lot area shall require an additional two hundred twenty five thousand (225,000) gallons, which shall be available for use during the months of May through October.
- b. The distribution system shall be designed to deliver the above quantities of water at a minimum pressure of forty (40) psi. In no case shall the capacity of the system be less than one and six-tenths (1.6) gallons per minute per dwelling unit in addition to the water required for fire suppression.

2. Secondary Water System Available: Where a separate secondary water system is available at each lot:

- a. A minimum of one hundred forty six thousand (146,000) gallons per year per dwelling unit shall be required.
- b. The distribution system shall be designed to deliver the above quantity of water at a minimum pressure of forty (40) psi. In no case shall the capacity of the system be less than one and six-tenths (1.6) gallons per minute per dwelling unit in addition to the water required for fire suppression.

3. Design Calculations: When requested, complete design calculations shall be furnished to the city engineer.

I. Culinary Water System Requirements: Where connection to the existing city water system is feasible and required, the culinary water system for the subdivision shall meet the following requirements:

1. In general, culinary water system facilities shall comply with the city's public works construction standards and APWA specifications adopted by reference. Culinary water laterals shall extend to ten feet (10') inside the front property line of each lot with water meters placed in accordance with the city's public works construction standards. All culinary water main line pipes shall be eight inch (8") minimum and may be larger as determined necessary by the city engineer pursuant to applicable requirements of this title. The culinary water pipe system shall be capable of delivering water as required under subsections H1a and H1b of this section or by the Utah division of public drinking water, whichever is greater.
2. Fire hydrants shall be installed in accordance with the regulations of the fire department or the following requirements, whichever is most restrictive:
 - a. Be connected to a main line pipe of eight inches (8") in diameter or greater and where a fire hydrant lateral from the main line to the fire hydrant is six inches (6") in diameter.
 - b. Shall comply with the provisions of the latest revision of the applicable fire code.
 - c. Located such that any building lot will be not more than two hundred fifty feet (250') from the nearest fire hydrant when measured along the most probable access route. Another fire suppression system may be recommended. Such suppression system shall be approved by the fire chief, the planning commission and the city council.
 - d. Water line construction shall comply with the city's construction standards.

J. Secondary Water Systems:

1. When a pressurized secondary water system for irrigation is located within three hundred feet (300') of the subdivision boundary and secondary water rights are available to the property from said secondary water system to be subdivided, it shall be piped to the subdivision and made available for the full and beneficial use of each lot owner.
2. All pressure irrigation systems in a proposed subdivision shall be identified and otherwise color coded as to pipe and valve color to meet state standards and regulations.
3. The capacity of the pipe system shall be adequate to serve the demand of the subdivision.
4. Plans and specifications for the system shall be approved in writing by the agency furnishing the water and the city engineer.
5. Turn outs or valves shall be located on each lot.
6. Where an existing irrigation system consisting of open ditches is located on or adjacent to a proposed subdivision, complete plans for relocation or covering and other safety precautions shall be submitted with an application for preliminary approval of a plat.

7. The open ditches or canals shall not be allowed within or adjoining a subdivision, except when fenced along rear or side lot lines. The developer shall work with irrigation, drainage or ditch companies regarding:
 - a. Methods of covering, realigning or eliminating ditches or canals within or adjoining the subdivision.
 - b. The size of pipe and culverts required.
 - c. The responsibility for the periodic inspection, cleaning and maintenance of such ditches, pipes and culverts. In cases where canals or ditches cross public roads or proposed public roads, specifications and grades for pipe or culvert shall be approved by the city engineer.
- K. Safety Fences: The developer shall install a six foot (6'), nonclimbable chainlink fence, or its equivalent, along large open ditch, canal or waterway, nonaccess street, open reservoir or body of water, railroad right of way, and other such features of potentially hazardous nature which cross or are contiguous to the property being subdivided or developed; provided, however, that any feature which the approving authority reasonably determines is not likely to present a hazard to life may be exempted from this requirement.

HISTORY

Adopted by Ord. 2007-02 on 7/11/2007