

ORDINANCE 1336

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MARYSVILLE AMENDING TITLE 20 OF THE MARYSVILLE MUNICIPAL CODE CONCERNING FLOODPLAIN MANAGEMENT

The City Council of the City of Marysville, State of California, does ordain as follows:

Section 1: Section 20.040.050(26) entitled "New manufactured home park or subdivision" is hereby amended to read as follows:

20.040.050(26) "New manufactured home park or subdivisions" 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 June 2, 1987.

Section 2: Sections 20.040.050(21) through 20.040.050(38) are hereby renumbered to 20.040.050(22) through 20.040.050 (39), and a new Section 20.040.050(21) is hereby added as follows::

20.040.050(21) "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 preservation programs which 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 by an approved state program as determined by the Secretary of the Interior or directly by the Secretary of the Interior in states without approved programs.

Section 3: Section 20.040.070 is hereby amended to read as follows:

20.040.070 Basis for establishing the area of special flood hazard.

The areas of special flood hazard identified by the Federal Emergency Management Agency (FEMA) in the "Flood Insurance Study (FIS) for Yuba County, California and Incorporated areas" dated February 28, 2011, with accompanying Flood Insurance Rate Maps (FIRM's) and Flood Boundary and Floodway Maps (FBRM's), dated February 18, 2011, and all subsequent amendments and/or revisions, are hereby adopted by referenced and declared to be a part of this ordinance. This FIS and attendance mapping is the minimum area of applicability of this ordinance and may be supplemented by studies for other areas which allow implementation of this ordinance and which are recommended to the City Council by the Floodplain Administrator. The study, FIRM's and FBRM's area on file at Marysville City Hall, 526 C Street, Marysville.

Section 4: Section 20.08,030(3) is hereby amended to read as follows::

20.08.030 Floodplain administration.

(3) Notification of Other Agencies

1. Alteration or relocation of a watercourse:
 - a. Notify adjacent communities and the California Department of Water Resources prior to alteration or relocation;
 - b. Submit evidence of such notification to the Federal Emergency Management Agency; and
 - c. Assure that the flood carrying capacity within the altered or relocated portion of said watercourse is maintained.
2. Base Flood Elevation changes due to physical alterations:
 - a. Within six months of information becoming available or project completion, whichever comes first, the floodplain administrator shall submit or assure that the permit applicant submits technical or scientific data to FEMA for a Letter of Map Revision (LOMR).
 - b. All LOMR's for flood control projects are approved prior to the issuance of building permits. Building Permits must not be issued based on Conditional Letters of Map Revision (CLOMR's). Approved CLOMR's allow construction of the proposed flood control project and land preparation as specified in the "Start of Construction" definition.

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

3. Changes in corporate boundaries:

Notify FEMA in writing whenever the corporate boundaries have been modified by annexation or other means and include a copy of a map of the community clearly delineating the new corporate limits.

Section 5: Section 20.12.080 is hereby amended to read as follows:

20.12.080 Floodways.

Located within areas of special flood hazard established in Section 20.04.070 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters which carry debris, potential projectiles, and erosion potential, the following provisions apply:

1. Until a regulatory floodway is adopted, no new construction, substantial development or other development (including fill) shall be permitted within Zones A1-30 and AE, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other development, will not increase the water surface elevation of the base flood more than one foot at any point within the City of Marysville.
2. Prohibit encroachments, including fill, new construction, substantial improvements, and other development unless certification by a registered professional engineer or architect is provided demonstrating that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.
3. If subsection (1) of this section is satisfied, all new construction and substantial improvements shall comply with all other applicable flood hazard reduction provisions of Chapter 20.12 of this code. (Ord. 1278 § 2 (part), 2002).

Section 6

This ordinance shall become effective thirty (30) days from and after its passage. The City Clerk is hereby authorized and directed to cause copies of this ordinance to be posted in three (3) prominent places in the City of Marysville within fifteen (15) days after the adoption of the ordinance.

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The foregoing ordinance was introduced before the City Council of the City of Marysville, County of Yuba, at the meeting of the City Council of said City, held on the 21st day of December, 2010, and finally adopted at the regular meeting of said Council held on the 1st day of February, 2011:

AYES: Ricky Samayoa, Dale Whitmore, Jim Kitchen, Christina Billeci,
and Bill Harris

NOES: None


ABSENT: None

ABSTAIN: None



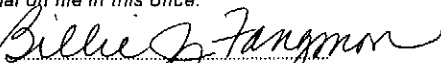
MAYOR

ATTEST:



CITY CLERK

The foregoing instrument is a correct copy of the original on file in this office.

ATTEST 
City Clerk of the City of Marysville, California -

DEPUTY CLERK