

ORDINANCE NO. \_\_\_\_\_

ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA ADOPTING  
AMENDMENTS TO CITY CODE CHAPTER 18-52

THE PEOPLE OF THE CITY OF SANTA ROSA DO ENACT AS FOLLOWS:

**Section 1. Chapter 18-52 of the Santa Rosa City Code Adoption**

A. The existing sections of Chapter 18-52 of the Santa Rosa City Code that are not expressly repealed or amended by this ordinance are hereby readopted without change, and shall apply, as applicable.

B. The following sections and subsections of Chapter 18-52 of the Santa Rosa City Code are amended as follows:

**18-52.010 Subsection (B) is amended to read the following:**

“(B) The areas of special flood hazard identified by the Federal Emergency Management Agency (FEMA) in the “Flood Insurance Study for Sonoma County, California, and Incorporated Areas” (FIS) dated effective December 2, 2008, with accompanying Flood Insurance Rate Maps (FIRMs) and Flood Boundary and Floodway Maps (FBFMs), dated December 2, 2008, and all subsequent amendments and/or revisions, are hereby adopted by reference and declared to be part of this chapter. This FIS and attendant mapping is the minimum area of applicability of this chapter and may be supplemented by studies for other areas which allow implementation of this Chapter and which are recommended to the Council of the City of Santa Rosa by the Floodplain Administrator. The FIS, FIRMs and FBFMs are on file at Planning and Economic Development; City Hall Room 3, 100 Santa Rosa Avenue.”

**18-52.020 Definitions**

**Section 18-52.020 Subsection 4 is amended to read as follows:**

“(4) "Area of special flood hazard" means the area in the community subject to a one percent or greater chance of flood in any given year. It is shown on a Flood Insurance Rate Map or other flood hazard map as Zone A, AE, A1-30, A99, AR, AO, AH, V, VO, VE, or V1-30. Also referred to as "special flood hazard area.””

**Section 18-52.020 is amended to add a new definition as Subsection 26 to read as follows with following definitions renumbered sequentially:**

“(26) "Recreational Vehicle" means a vehicle that is built on a single chassis, 400 square feet or less when measured at the largest horizontal projection, designed to be self-propelled or permanently towable by a light-duty truck, and designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping,

travel or seasonal use. A recreational vehicle is ready for highway use when 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.”

**Section 18-52.020 is amended to add a new definition as Subsection 31 to read as follows with following definitions renumbered sequentially:**

“(31) "Substantial damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.”

**Section 18-52.070 is amended to read as follows:**

“The duties and responsibilities of the Floodplain Administrator may include, but are not limited to:

(A) Permit Review.

(1) Review all development permits to determine that the permit requirements of this chapter have been satisfied;

(2) All other required State and Federal permits have been obtained;

(3) The site is reasonably safe from flooding;

(4) The proposed development does not adversely affect the carrying capacity of the floodplain. For purposes of this chapter, "adversely affects" means 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 foot at any point.

(5) Letters of Map Change. Require applicants who submit hydrologic and hydraulic engineering analyses to support permit applications to submit to FEMA the data and information necessary to maintain the Flood Insurance Rate Maps when the analyses indicate changes in base flood elevations, flood hazard area boundaries, or floodway designations; such submissions shall be made within 6 months of such data becoming available.

(B) Use of Other Base Flood Data. When base flood elevation data has not been provided in accordance with subsection B of Section 18-52.010, the Floodplain Administrator may obtain, review and reasonably utilize any base flood elevation data available from a federal, state or other source.

(C) Whenever a watercourse is to be altered or relocated:

(1) Notification of adjacent communities and the California Department of Water Resources prior to such alteration or relocation of a watercourse, and submission of evidence of such notification to the Federal Insurance Administration;

(2) Requirement that the flood carrying capacity of the altered or relocated portion of the watercourse is maintained.

(D) Maintenance of records required in this chapter.

(E) Interpretation of location of boundaries of the areas of special flood hazards, areas of flood-related erosion hazards or areas of mudslide.

(F) Substantial improvement and substantial damage determinations. For applications for building permits to improve buildings and structures, including alterations, movement, enlargement, replacement, repair, additions, rehabilitations, renovations, substantial improvements, repairs of substantial damage, and any other improvement of or work on such buildings and structures, the Floodplain Administrator 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 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 the damaged building to its pre-damaged condition, or the combined costs of improvements and repairs, when 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.

(4) Notify the applicant when it is determined that the work constitutes substantial improvement or repair of substantial damage and that compliance with the flood resistant construction requirements of the building code is required and notify the applicant when it is determined that work does not constitute substantial improvement or repair of substantial damage.

(G) Enforcement of this chapter.”

**Section 18-52.080 Subsection (C) (1) is amended to read as follows:**

“(1) New construction and substantial improvement of any structure shall have the lowest floor, including basement, elevated to or above one foot above base flood elevation. Nonresidential structures may meet the standards of subdivision 3 of this subsection. Upon the completion of the structure, the elevation of the lowest floor,

including basement, shall be certified by a registered professional engineer or surveyor, or verified by the Building Inspector to be properly elevated. Such certification or verification shall be provided to the Floodplain Administrator.”

**Section 18-52.105 is added to read as follows:**

**“18-52.105 Standards for recreational vehicles.**

(A) All recreational vehicles placed in areas of special flood hazard shall either:

(i) Be on the site for fewer than one hundred eighty consecutive days; or

(ii) Be fully licensed and ready for highway use; or

(iii) Meet the elevation and anchoring requirements for manufactured homes in Section 18-52.110.”

**Section 18-52.140 Subsection (A) is amended to read as follows:**

“(A) Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed in the National Register of Historic Places or the State Inventory of Historic Places, upon a determination that the proposed repair, improvement, 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.”

Section 2. Environmental Determination. The Council finds that the adoption and implementation of this ordinance are exempt from the provisions of the California Environmental Quality Act under CEQA Guidelines Section 15061(b)(3) and 15378 in that the Council finds there is no possibility that the implementation of this ordinance may have significant effects on the environment. In addition, implementation of this ordinance is required for consistency with state law.

Section 3. Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance is for any reason held to be invalid and/or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

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Section 4. Effective Date. This ordinance shall take effect on the 31st day following its adoption.

This ordinance was introduced by the Council of the City of Santa Rosa on \_\_\_\_\_, 2022.

IN COUNCIL DULY PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2022.

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: \_\_\_\_\_ APPROVED: \_\_\_\_\_  
City Clerk Mayor

APPROVED AS TO FORM: \_\_\_\_\_  
City Attorney