

1 "Department of Water Resources (DWR)" means the California Department of Water
2 Resources (DWR), a State agency which is part of the California Natural Resources
3 Agency. The DWR is responsible for the State of California's management and
4 regulation of water usage. The California Department of Water Resources was charged
5 under SB 5 and SB 1278 with the development of the 2013 Urban Level of Flood
6 Protection criteria.

7 **Section 4.** That Section 16.35.035, entitled "Federal Flood Standard.", is adopted as
8 follows:

9 **16.35.035 Federal Flood Standard.**

10 "Federal Flood Standard" is the 100-year flood or 1 percent annual chance flood. See
11 "100-year floodplain" definition.

12 **Section 5.** That Section 16.35.042, entitled "Flood hazard zone.", is adopted as follows:

13 **16.35.042 Flood Hazard Zone**

14 "Flood Hazard Zone" means an area subject to flooding that is delineated as either a
15 special hazard area or an area of moderate hazard on an official flood insurance rate
16 map issued by the Federal Emergency Management Agency. The identification of flood
17 hazard zones does not imply that areas outside the flood hazard zones, or uses
18 permitted within flood hazard zones, will be free from flooding or flood damage.

19 **Section 6.** That Section 16.35.075, entitled "Non-urbanized area.", is adopted as
20 follows:

21 **16.35.075 Non-urbanized area.**

22 "Non-urbanized area" means a developed area or an area outside a developed area in
23 which there are fewer than 10,000 residents (Government Code Section 65007(f)).

24 **Section 7.** That Section 16.35.092, entitled "Urban area.", is adopted as follows:

25 **16.35.092 Urban Areas.**

26 "Urban Area" is defined as a developed area in which there are 10,000 residents or
27 more (Government Code Section 65007(l)).

28 **Section 8.** That Section 16.35.094, entitled "Urbanizing area.", is adopted as follows:

1 **16.35.094 Urbanizing area.**

2 "Urbanizing area" means a developed area or an area outside a developed area that is
3 planned or anticipated to have 10,000 residents or more within the next 10 years.

4 **Section 9.** That Section 16.35.096, entitled "Urban level of flood protection.", is
5 adopted as follows:

6 **16.35.096 Urban Level of Flood Protection.**

7 "Urban Level of Flood Protection" means the level of protection that is necessary to
8 withstand flooding that has a 1-in-200 chance of occurring in any given year using
9 criteria consistent with, or developed by, the Department of Water Resources. Urban
10 Level of Flooding shall not mean shallow flooding or flooding from local drainage that
11 meets the criteria of the national Federal Emergency Management Agency standard of
12 flood protection.

13 **Section 10.** That Section 16.36.010, entitled "Approved floodplain maps and reports to
14 be maintained on file in the office of the building division.", is amended as follows:

15 **16.36.010 Approved floodplain maps and reports to be maintained on file in the**
16 **office of the building division.**

17 The areas of special flood hazard identified by the Federal Emergency Management
18 Agency in the flood insurance map study for the City of Chico and accompanying flood
19 insurance rate maps and flood boundary and floodway maps dated January 6, 2011,
20 and all subsequent amendments and revisions shall be deemed to be incorporated
21 herein.

22 The building official shall maintain on file in the office of the building official one or
23 more current copies of the flood insurance map study, flood insurance rate map and
24 such other approved floodplain maps and reports as may be provided by the Federal
25 Emergency Management Agency or the Federal Insurance Administration delineating
26 both the areas of special flood hazards and risk premium zones within the city which
27 shall be made available to members of the general public for inspection, review and
28 copying.

1 **Section 11.** That Section 16.37.50, entitled "Variance from adopted standards -
2 Findings required to grant variance.", is amended as follows:

3 **16.37.050 Variance from adopted standards - Findings required to grant variance.**

4 A. Where an application has been filed for a variance from the floodplain standards
5 adopted by or pursuant to this title, the building official shall approve the application
6 and grant the variance if and only if the building official finds that:

7 1. The property which is the subject of the variance application has physical
8 characteristics so unusual that complying with such standards would create an
9 exceptional hardship, either to the owner of such property or to the owners of
10 surrounding property;

11 2. Such physical characteristics are unique to such property and pertain to the land
12 itself, not to the owner of the property, the inhabitants of the property, or any building,
13 structure or other development located on the property;

14 3. The variance from the floodplain standards is the minimum necessary to afford
15 relief in light of the flood hazards threatening the property; and

16 4. The variance is otherwise consistent with the purposes of the floodplain
17 regulations and floodplain standards adopted by or pursuant to this chapter.

18 B. In determining whether a variance for development proposed on property within
19 a special flood hazard area is consistent with the purposes of the floodplain
20 regulations and floodplain standards adopted by or pursuant to this chapter, the
21 building official shall consider all of the following technical factors:

22 1. The danger that materials may be swept onto other lands to the injury of others;

23 2. The danger of life and property due to flooding or erosion damage;

24 3. The susceptibility of the proposed development, or the contents of any building or
25 structure constructed or installed as part of such development to flood damage;

26 4. The importance of any services to be provided to the community as a result of the
27 proposed development;

28 5. The availability of alternative locations for the proposed development which are

1 not subject to flooding or erosion damage;

2 6. The compatibility of the proposed development with existing and other
3 anticipated development;

4 7. The relationship of the proposed development to the comprehensive plan and
5 floodplain management program for the area;

6 8. The safety of access to the proposed development in time of flood for ordinary and
7 emergency vehicles;

8 9. The expected heights, velocity, duration, rate of rise, and sediment transport of the
9 flood waters expected at the site of the proposed development; and

10 10. The cost of providing government services during and after flood conditions,
11 including maintenance and repair of public utilities and facilities such as sewer, water,
12 gas and electric systems, streets and bridges.

13 **Section 12.** That Section 16.37.100, entitled "Certificate of evidencing compliance with
14 elevation requirements in adopted standards.", is amended as follows:

15 **16.37.100 Certificate evidencing compliance with elevation requirements in**
16 **adopted standards.**

17 Where the floodplain standards adopted by or pursuant to this title require a licensed
18 architect, licensed land surveyor, or registered civil engineer to inspect development
19 occurring within a special flood hazard area in order to verify that such development
20 complies with the elevation requirements in the floodplain standards adopted by or
21 pursuant to this title, a certificate evidencing such compliance executed by such
22 architect or engineer shall be filed with the building official before the issuance of
23 building permit for such development can be issued. If such development includes the
24 construction or installation of a building or structure, or work on any other
25 development requiring a basic building permit or a building service equipment permit
26 issued in the manner required by the building regulations adopted by this title, the
27 building official shall not issue a certificate of occupancy for such building, structure
28 or other development unless a certificate evidencing compliance with such elevation

1 requirements has been filed and approved by the building official.

2 **Section 13.** That Section 16.38.020, entitled "Request to correct violation.", is amended
3 as follows:

4 **16.38.020 Request to correct violation.**

5 A. Determination by Building Official to Request Correction of a Violation. Whenever
6 the building official determines that floodplain work is being performed or a condition
7 exists in violation of the floodplain regulations adopted by this title, the building
8 official may, by service of a notice provided for by this section, request such violation
9 to be corrected.

10 B. Service of Notice Requesting Correction of a Violation. Upon determining to
11 request a correction of a violation of the floodplain regulations adopted by this title,
12 the building official shall cause a written notice of such request to be served on the
13 owner of the property on which the violation has occurred, and on any other person
14 known to the building official to be wholly or partially responsible for such violation
15 if such person is someone other than the owner of the property on which the violation
16 has occurred. Such notice shall contain a brief description of the nature of the
17 violation, the action to be taken to correct the violation, and a date certain by which
18 the corrective action must be completed; shall contain a statement of the right of a
19 person aggrieved by the determination of the building official that a violation has
20 occurred to apply for administrative review of such determination and to appeal such
21 determination in the manner provided for by Chapter 16.34 of this title; and shall
22 advise the person upon whom the notice is served that a failure to correct the violation
23 on or before the date required by the notice may subject such person to the infraction
24 penalties provided for in Section 16.38.060 of this chapter.

25 C. Effect of a Request to Correct Violation. Any person served with a request of the
26 building official to correct a violation of the floodplain regulations adopted by this title
27 shall cause such violation to be corrected on or before the date required by such
28 notice. Provided, however, that if a person is served with a notice to correct a violation,

1 such person shall not be subject to any of the infraction penalties provided for in
2 Section 16.38.060 of this chapter unless such person fails to correct such violation on
3 or before the date required by such notice. Corrective work shall be in strict
4 compliance with a scope of work and plans submitted and approved by the building
5 official.

6 **Section 14.** This Ordinance shall be effective thirty (30) days following its adoption.

7 THE FOREGOING ORDINANCE WAS ADOPTED at a meeting of the City Council of the
8 City of Chico held on November 4, 2025, by the following vote:

9 AYES: **Goldstein, Hawley, O'Brien, van Overbeek, Winslow, Bennett, Reynolds**

10 NOES: **None**

11 ABSENT: **None**

12 ABSTAINED: **None**

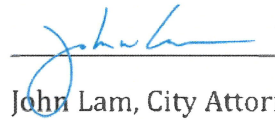
13 DISQUALIFIED: **None**

14 ATTEST:

APPROVED AS TO FORM:

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18 Deborah R. Presson
19 City Clerk

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John Lam, City Attorney*

21 *Pursuant to The Charter of
22 the City of Chico, Section 906(E)
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