



# Legal Notice

---

**Date:** 08/20/2020

**Subject:** An ordinance of the City of Littleton, Colorado, amending the floodplain regulations contained in Title 10, Chapter 6, to prohibit certain tents and makeshift structures in floodplains and requiring freeboard for the supporting utilities of manufactured homes in the floodplain

**Passed/Failed:** Passed on second and final reading

---

**CITY OF LITTLETON, COLORADO**

**ORDINANCE 27  
SERIES 2020**

1  
2 **CITY OF LITTLETON, COLORADO**

3  
4 **ORDINANCE NO. 27**

5  
6 **Series of 2020**

7  
8  
9 **AN ORDINANCE OF THE CITY OF LITTLETON,**  
10 **COLORADO, AMENDING THE FLOODPLAIN**  
11 **REGULATIONS CONTAINED IN TITLE 10, CHAPTER 6,**  
12 **TO PROHIBIT CERTAIN TENTS AND MAKESHIFT**  
13 **STRUCTURES IN FLOODPLAINS AND REQUIRING**  
14 **FREEBOARD FOR THE SUPPORTING UTILITIES OF**  
15 **MANUFACTURED HOMES IN THE FLOODPLAIN**

16  
17 **WHEREAS**, the City of Littleton is a participating community in the National  
18 Flood Insurance Program; and

19  
20 **WHEREAS**, the current regulations for floodplain development are contained in  
21 Municipal Code Title 10, Chapter 6; and

22  
23 **WHEREAS**, to protect public health, safety, and welfare, the existing regulations  
24 are to be revised to prohibit tents and makeshift structures without adequate sanitation facilities or  
25 flood evacuation plans within floodplains; and

26  
27 **WHEREAS**, the City of Littleton participates in the Community Rating System  
28 and currently holds a Class 5 rating; and

29  
30 **WHEREAS**, the Community Rating System has recently been revised to require  
31 provisions for freeboard for supporting utilities of manufactured homes in the floodplain in order  
32 to maintain a Class 8 or better; and

33  
34 **WHEREAS**, the existing floodplain regulations are to be revised to meet such  
35 manufactured home freeboard requirements and maintain the city's current CRS rating.

36  
37 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF**  
38 **THE CITY OF LITTLETON, COLORADO, THAT:**

39  
40 **Section 1:** Title 10, Chapter 6, Section 8 (B) (3 through 8) is amended to read  
41 as follows:

42  
43 (B) FLOODWAY RESTRICTIONS

44 3. TENTS AND MAKESHIFT STRUCTURES, ENCLOSURES, OR OTHER SHELTERS  
45 USED FOR HUMAN HABITATION ARE PROHIBITED IN THE FLOODWAY.

1 ~~3~~4. Development or construction that causes an increase in the base flood elevation on any  
2 insurable structure, are prohibited.

3 4.5. Solid waste disposal facilities (including, but not limited to, junkyards, sanitary landfills,  
4 and automobile wrecking yards) are prohibited in the floodway.

5  
6 ~~5~~.6. Outdoor storage of any material is prohibited in the floodway.

7 ~~6~~.7. Encroachments may be permitted in the floodway, at the discretion of the administrator,  
8 when the activity is strictly drainageway maintenance in which the intent is to restore the  
9 natural conditions or hydraulic capacity of the drainageway provided that the activity does not  
10 cause more than a 0.00-foot rise compared to effective conditions BFEs and that any BFE rise  
11 compared to existing conditions is contained entirely within public property which would not  
12 otherwise require adverse impact notification.

13 ~~7~~.8. No use shall affect the efficiency or restrict the capacity of any watercourse, drainage  
14 ditch, or any other drainage facility or system. (Revised 6-12-1992)

15  
16 **Section 2:** Title 10, Chapter 6, Section 9(B) is amended as follows:  
17

18 (B) Permitted Uses: Any use permitted in the governing zone district, except solid waste  
19 disposal facilities (including, but not limited to, junkyards, sanitary landfills, and automobile  
20 wrecking yards), ~~and~~ outdoor storage of any material, **OR TENTS AND MAKESHIFT**  
21 **STRUCTURES, ENCLOSURES, OR OTHER SHELTERS USED FOR HUMAN**  
22 **HABITATION EXCEPT IN LOCATIONS EXPRESSLY PERMITTED BY THE**  
23 **FLOODPLAIN ADMINISTRATOR AND HAVING ADEQUATE SANITATION FACILITIES**  
24 **AND FLOOD EVACUATION PLANS.** Full compliance with these regulations, and other  
25 applicable requirements, is required. (Revised 6-12-1992)

26  
27  
28 **Section 3:** Title 10 Chapter 6, Section 10 D and E are amended as follows:  
29

30 (D) **USES OR ADJUNCTS THEREOF WHICH ARE PUBLIC NUISANCES SHALL NOT BE**  
31 **PERMITTED TO CONTINUE AS NONCONFORMING USES. THESE SHALL INCLUDE,**  
32 **BUT NOT BE LIMITED TO, TENTS AND MAKESHIFT STRUCTURES, ENCLOSURES,**  
33 **OR OTHER SHELTERS USED FOR HUMAN HABITATION, EXCEPT IN LOCATIONS**  
34 **EXPRESSLY PERMITTED BY THE FLOODPLAIN ADMINISTRATOR AND HAVING**  
35 **ADEQUATE SANITATION FACILITIES AND FLOOD EVACUATION PLANS.**

1  
2 (DE) Any alteration, addition or repair to any existing nonconforming structure shall be  
3 protected, where applicable, by the floodplain development requirements of this chapter.  
4

5  
6 **Section 4:** Title 10, Chapter 6, Section 11 (B) is amended as follows:  
7

8 (B) All manufactured homes shall be installed using methods and practices that minimize  
9 flood damage. Manufactured homes AND THEIR SUPPORTING UTILITIES AS DEFINED  
10 IN 10-6-16 (A), must be elevated A MINIMUM OF 1 FOOT ABOVE THE BASE FLOOD  
11 ELEVATION and anchored to resist flotation, collapse or lateral movement, and the hydrostatic  
12 and hydrodynamic loads of floods. This requirement is in addition to state and local anchoring  
13 requirements for wind forces.  
14

15 **Section 5:** Title 10, Chapter 6, Section 16 A and B are amended as follows:

16 (A) All manufactured homes that are placed or substantially improved in or adjacent to the  
17 floodplain on sites located INSIDE OR outside of AN EXISTING manufactured home park or  
18 subdivision, in a new manufactured home park or subdivision, in an expansion to an existing  
19 manufactured home park or subdivision, or in an existing manufactured home park or  
20 subdivision where the manufactured home has suffered substantial damage as result of a flood,  
21 shall be elevated on a permanent foundation such that the lowest floor and electrical, heating,  
22 ventilation, plumbing and air conditioning equipment and other service facilities including  
23 ductwork, are elevated to one foot above the base flood elevation and securely anchored to  
24 adequately anchored foundation system to resist flotation, collapse and lateral movement.

25 ~~(B) all manufactured homes placed or substantially improved in an existing manufactured home~~  
26 ~~park or subdivision within the floodplain that are not subject to the provisions above, shall be~~  
27 ~~elevated so that:~~

28 ~~1. the lowest floor of the home, electrical, heating, ventilation, plumbing and air~~  
29 ~~conditioning equipment and other service facilities including ductwork are one foot above the~~  
30 ~~base flood elevation, or~~

31 ~~2. the manufactured home chassis is supported by piers or other foundation elements of~~  
32 ~~at least equivalent strength that are no less than 36 inches in height above grade and be securely~~  
33 ~~anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral~~  
34 ~~movement.~~

1 (€B) All manufactured homes in the floodplain shall be anchored in accordance with one or  
2 more of the following requirements:

3 1. Over the top ties at each of the four (4) corners of each unit; for units greater than  
4 fifty feet (50') long, two (2) additional ties per side at intermediate locations; and for units  
5 less than fifty feet (50') long, one additional tie per side.

6 2. Frame ties at each corner of each unit; for units greater than fifty feet (50') long,  
7 five (5) additional ties per side at intermediate points; for units less than fifty feet (50')  
8 long, four (4) additional ties per side.

9 3. Each component of the anchoring system shall be capable of sustaining a force of four  
10 thousand eight hundred (4,800) pounds.

11 4. Any additions to a manufactured home shall be similarly anchored.

12  
13 **Section 6:** Severability. If any part, section, subsection, sentence, clause or  
14 phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the  
15 validity of the remaining sections of this ordinance. The City Council hereby declares that it would  
16 have passed this ordinance, including each part, section, subsection, sentence, clause or phrase  
17 hereof, irrespective of the fact that one or more parts, sections, subsections, sentences, clauses or  
18 phrases may be declared invalid.

19  
20 **Section 7:** Repealer. All ordinances or resolutions, or parts thereof, in conflict  
21 with this ordinance are hereby repealed, provided that this repealer shall not repeal the repealer  
22 clauses of such ordinance nor revive any ordinance thereby.

23  
24  
25 INTRODUCED AS A BILL at a regularly scheduled meeting of the City Council  
26 of the City of Littleton on the 4<sup>th</sup> day of August, 2020, passed on first reading by a vote of 7  
27 FOR and 0 AGAINST; and ordered published by posting at Littleton Center, Bemis Library, the  
28 Municipal Courthouse and on the City of Littleton Website.

29 PUBLIC HEARING on the Ordinance to take place on the 18<sup>th</sup> day of August,  
30 2020, in the Council Chamber<sup>1</sup>, Littleton Center, 2255 West Berry Avenue, Littleton, Colorado,  
31 at the hour of 6:30 p.m., or as soon thereafter as it may be heard.

1                    PASSED on second and final reading, following public hearing, by a vote of 7  
2 FOR and 0 AGAINST on the 18<sup>th</sup> day of August 2020 and ordered published by posting at  
3 Littleton Center, Bemis Library, the Municipal Courthouse and on the City of Littleton Website.

4 ATTEST:

5 \_\_\_\_\_  
6 Colleen L. Norton  
7 CITY CLERK

\_\_\_\_\_   
Jerry Valdes  
MAYOR

8  
9 APPROVED AS TO FORM:  
10 \_\_\_\_\_  
11  
12 Reid Betzing  
13 CITY ATTORNEY  
\_\_\_\_\_



<sup>1</sup> Due to COVID19, the City of Littleton is providing virtual coverage of city council meetings to protect the health of citizens, council members and staff. Meetings will not be held in the council chamber until further notice.