

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

976



FROM: Executive Office

SUBMITTAL DATE:
July 7, 2008

SUBJECT: Ordinance No. 458.13, amending Ordinance 458.12, regulating flood hazard areas and implementing the National Flood Insurance Program

RECOMMENDED MOTION: That the Board of Supervisors introduce and adopt Ordinance No. 458.13 on successive weeks.

BACKGROUND: The revisions to the Ordinance include updates to the County's locally designated flood hazard maps, updates to the Ordinance's terms and definitions and designation of the Building Official as the Floodplain Administrator for the County of Riverside. These changes reflect recommendations made by Riverside County Flood Control District and FEMA staff.

FORM APPROVED COUNTY COUNSEL
BY: David H.K. Huff DATE: 7/9/08
Departmental Concurrence

Alex Gann

Alex Gann, Principal Management Analyst

FINANCIAL DATA

Current F.Y. Total Cost: \$
Current F.Y. Net County Cost: \$
Annual Net County Cost: \$

In Current Year Budget:
Budget Adjustment:
For Fiscal Year:

SOURCE OF FUNDS:

Positions To Be Deleted Per A-30	<input type="checkbox"/>
Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

BY: *Gary M. Christmas*
Gary M. Christmas

County Executive Office Signature

Dept't Recomm.: Consent Policy
Per Exec. Ofc.: Consent Policy

Prev. Agn. Ref.: 3.6 of 3/30/1993

District: All

Agenda Number:

3.67

BACKGROUND (continued):

County Ordinance No. 458 implements the provisions of the National Flood Insurance Program (NFIP) within the unincorporated areas of the County. The NFIP is administered by the Federal Emergency Management Agency (FEMA) and makes federally backed flood insurance available to homeowners, renters, and business owners in participating communities. Initially adopted in 1979, the Ordinance establishes policy, procedures and standards pertaining to the regulation of development within designated flood-prone areas of the County.

Within their respective service areas, the Riverside County Flood Control and Water Conservation District (RCFC&WCD) and the Coachella Valley Water District (CVWD) are responsible for conducting flood plain management reviews and providing permit recommendations in accordance with the provisions of the Ordinance and NFIP regulations. The Department of Building and Safety is responsible for building permit processing and inspections.

1 ~~b. **Floodway:** The channel of a river or other watercourse and adjacent land areas necessary to~~
2 ~~discharge the waters from the 100 year flood without increasing the water surface elevation of that~~
3 ~~flood more than one foot at any one point; or that area identified by the United States Department~~
4 ~~of the Interior, Bureau of Reclamation as required to safely convey the levee design flood of the~~
5 ~~Colorado River.~~

6
7 ~~Base Flood: Means and refers to a flood which has one percent (1%) chance of being equaled or~~
8 ~~exceeded in any given year (also called the 100 year flood). Base flood is the minimum~~
9 ~~channel discharge through all levee openings.~~

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11 ~~c. **Floodplain:** The land areas that are subject to flooding from the 100 year flood, but not including~~
12 ~~any actual floodway.~~

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14 ~~d. **Base Flood Elevation (BFE):** Means and refers to the elevation shown on the Flood Insurance~~
15 ~~Rate Map for Zones AE, AH, AI, AO, ME and VE, which indicates the water surface elevation~~
16 ~~resulting from a flood that has a one percent (1%) or greater chance of being equaled or exceeded~~
17 ~~in any given year.~~

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19 ~~d. **Structure:** All buildings and structures, including agricultural buildings that require a registration~~
20 ~~certificate and manufactured homes.~~

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22 ~~e. **Basement:** Means and refers to any area of a building having its floor situated below the ground~~
23 ~~level on all sides.~~

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26 ~~e. **Substantial Improvements/Substantially Improved:** Any reconstruction, rehabilitation,~~
27 ~~addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of~~
28 ~~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~~

1 performed. The term does not include any alterations necessary to comply with state or local
2 health, sanitary or safety code specifications or regulations, or any alterations of a structure listed
3 on the National Register of Historic Places or a State Inventory of Historic Places.
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5 ~~CYWD~~ Means and refers to the Coachella Valley Water District, a special district created under

6 ~~California law.~~

7
8 f. ~~**Manufactured Homes:** A structure, transportable in one or more sections, which is built on a~~
9 ~~permanent chassis and is designed for use with or without a permanent foundation when attached~~
10 ~~to the required utilities. The term "manufactured home" does not include a recreational vehicle.~~
11

12 g. ~~Colorado River Floodway Fringe~~ Means and refers to that area subject to inundation by floods

13 ~~of varying magnitudes generated from the Colorado River in an and including the Palo Verde Dam~~

14 ~~but which is not required to the successful conveyance of the floodway flow in its normal operation~~

15 ~~computation of the Colorado River Floodway base flood elevation.~~

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17 g. ~~**Floodway Fringe:** The area along the Colorado River identified by the United States Department~~
18 ~~of the Interior, Bureau of Reclamation as subject to flooding but not required for the successful~~
19 ~~conveyance of the levee design flood.~~
20

21 ~~Development~~ Means and refers to any man-made change to improved or unimproved real estate

22 ~~including but not limited to buildings or other structures, swimming pools, filling, grading,~~

23 ~~drainage, excavation, dilling, or operations, increase or decrease of existing natural or~~
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26 h. ~~**Levee Design Flood:** Flooding of the Colorado River equivalent to a flow rate of 75,000 cubic~~
27 ~~feet per second from the Palo Verde Diversion Dam to Taylor Ferry.~~
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1 ~~Elevation Certificate (FEMA Form 81-50) - Means and dates of the initial map on which~~

2 ~~is the floor elevation and adjacent ground of a building.~~

3
4 i. ~~**Development:** Any man-made change to improved or unimproved real estate, including but not~~
5 ~~limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or~~
6 ~~drilling operations.~~

7
8 j. ~~**Existing Manufactured Home Park or Subdivision:** [redacted]~~ A manufactured
9 home park or subdivision for which the construction of facilities for servicing the lots on which
10 the manufactured homes are to be affixed (including, at a minimum, the installation of utilities,
11 either final site grading or pouring of concrete pads, and the construction of streets) is completed
12 before July 5, 1979.

13
14 k. ~~**Expansion to an Existing Manufactured Home Park or Subdivision:** [redacted]~~ The
15 preparation of additional sites by the construction of facilities for servicing the lots on which the
16 manufactured homes are to be affixed (including the installation of utilities, either final site
17 grading or pouring of concrete pads, or the construction of streets).

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19 ~~FEMA Means and dates of the initial map on which~~

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22 i. ~~**Substantial Damage:** Damage of any origin sustained by a structure whereby the cost of~~
23 ~~restoring the structure to its before damaged condition would equal or exceed 50 percent of the~~
24 ~~market value of the structure before the damage occurred.~~

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26 ~~m. **Flood Boundary and Floodway Map (FBFM).** Means and dates of the initial map on which~~

27 ~~the Federal Emergency Management Agency or Federal Insurance Administration has determined~~

28 ~~relating to a specific flood hazard in the locality.~~

1 m. Recreational Vehicle: A vehicle which is (i) built on a single chassis; (ii) 400 square feet or less
2 when measured at the largest horizontal projection; (iii) designed to be self-propelled or
3 permanently towable by a light duty truck; and (iv) designed primarily not for use as a permanent
4 dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.
5

6 ~~Flood Insurance Rate Map (FIRM), Means and refers to the official map of water hazard
7 Flood Insurance Study (FIS) and Flood Insurance Administration (FIA) means
8 means of flood insurance and the risk of damage applicable to the community.~~

9
10 n. New Manufactured Home Park or Subdivision: A manufactured home park or subdivision for
11 which the construction of facilities for servicing the lots on which the manufactured homes are to
12 be affixed (including at a minimum, the installation of utilities, either final site grading or the
13 pouring of concrete pads, and the construction of streets) is completed on or after July 5, 1979.
14

15 ~~Flood Insurance Study Means and refers to the official report provided by the Federal Insurance
16 Administration that includes flood profiles, the Flood Insurance Rate Maps (FIRMs), the Flood Boundary
17 and Floodway Maps (FBFWMs), and the water surface elevations of the basins.~~

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19 ~~Floodplain Administrator Means and refers to the Director of the Department of Building and
20 Safety for the County of Riverside.~~

21
22 ~~Floodproofing Means and refers to any combination of structural alterations and additions,
23 bracing or bracing, or other measures which reduce or eliminate flood damage to a building's interior
24 and contents, property, walls and similar building materials and components, to include
25 bracing and wall floodproofing. See FEMA Technical Bulletin B-12, July 1972, p. 16-18.~~

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Floodway: Means and refers to the channel of a river or other water course and adjacent low areas necessary to discharge the water from the 100-year flood without increasing the water surface elevation of that flood more than one foot at any one point in the floodway identified by the United States Department of the Interior, Bureau of Reclamation as required to safely convey the levee design flood of the Colorado River.

Highest Adjacent Grade: Means and refers to the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Historic Structure: Means and refers to any structure that is:
1. Listed individually in the National Register of Historic Places (existing, 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 of

2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a historic district preliminarily determined by the Secretary to qualify as a registered historic district or

3. Individually listed on a state inventory of historic places and 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 and communities with historic preservation programs that have been certified or listed as an approved state program as determined by the Secretary of the Interior or directly by the Secretary of the Interior as approved programs.

Levee-Design Flood: Means and refers to flooding of the Colorado River equivalent to a flow rate of 75,000 cubic feet per second from the Palo Verde Diversion Dam to the Tropic Dam.

LOMR: Means and refers to a letter of Map Revision.

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Lowest Floor: Means and refers to the lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resisting enclosure, such as a crawlspace, is not considered a basement. Lowest floor, provided, for such enclosures not built so as to render the structure in violation of applicable non-elevation design requirements of Section 9 of this ordinance.

Manufactured Home: Means and refers to 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 recreational vehicles.

Manufactured Home Park or Subdivision: Means and refers to a parcel for cultivation, object or land divided into two or more manufactured home lots for rent or sale.

New Construction: Means and refers to structures for which the start of construction commenced on or after July 1, 1979, and includes any substantial improvements to such structures.

New Manufactured Home Park or Subdivision: Means and refers to a manufactured home park or subdivision for which the construction of buildings and sections of lots of manufactured homes are to be commenced on or after July 1, 1979, and the installation of utilities, the final site grading or the pouring of concrete pads, and the construction of sections is completed on or after July 1, 1979.

RCFC&WCD: Means and refers to the Riverside County Flood Control and Water Conservation District, a special district created under California law.

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cc. **Recreational Vehicle** means and refers to a vehicle which is (1) built on a single chassis, (2) square foot 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 to be used as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

dd. **Special Flood Hazard Area (SFHA)** means and refers to an area which is within a specific percentage of greater chance of flooding in any given year, as shown on an FIRM in FEMA's Zone A, AO, AL, AP, AE, AP2, or AH. This includes floodplains, flood channels, and flood hazards within the studies listed in Section 1.

ee. **Start of Construction** includes substantial improvement and other proposed new development and means the date the building permit was issued, provided the actual start of construction, reconstruction, rehabilitation, addition, placement, or other improvement was within 181 days from the date of the permit. 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 preparation for the installation of a manufactured home, or a foundation. Permanent construction does not include site 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 of the erection of temporary forms, nor does it include the installation on the property of accessory buildings, such as garages or sheds, nor does it include the installation of a new part of the structure. For a substantial improvement, the actual start of construction means the first placement of any wall, ceiling, floor, or other structural part of a building which is not a replacement, affects the external dimensions of the building.

1 **ii. Structure:** Means and refers to all buildings and structures, including manufactured homes, that
2 require a registration certificate and manufactured homes and their appurtenances such as gas or
3 liquid storage tanks and low-voltage wiring or fences.

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5 **gg. Substantial Improvements/Substantially Improved:** Means and refers to any reconstruction,
6 rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds
7 50 percent of the market value of the structure before the start of construction of the
8 improvement. This term includes structures which have incurred substantial damage, regardless
9 of the actual repair work performed. This term does not include any additions necessary to
10 comply with existing state or local health, building, or safety codes or any additions or regulations or
11 any alterations of a structure listed on the National Register of Historic Places or a State Inventory
12 of Historic Places.

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14 **hh. Substantial Damage:** Means and refers to damage of any kind sustained by a structure whereby
15 the cost of restoring the structure to its before-damaged condition would equal or exceed 50
16 percent of the market value of the structure before the damage occurred.

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18 **ii. Violation:** Means and refers to the failure of a structure or other development to fully
19 comply with this ordinance, including any other development without the required permits or
20 other certifications, or other evidence of non-compliance with this ordinance, or a structure to be
21 a violation, and such findings as determined otherwise.

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23
24 **Section 4.** Section 3. of Ordinance No. 458 is amended to read as follows:

25 **Section 3. APPLICABILITY** This ordinance shall apply to all the following unincorporated
26 areas of the County of Riverside:

- 27
28 a. The flood hazard areas shown on the maps prepared by the Federal Insurance Administration
entitled "The Flood Insurance Study for the County of Riverside" effective August 2, 2008 dated

1 ~~October, 1979~~, with accompanying Flood Insurance Rate Maps and Flood Hazard Boundary
2 Maps, including any amendments, revisions or additions thereto that hereafter go into effect
3 pursuant to the provisions of the applicable Federal law.

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5 **b.** The flood hazard areas shown on the maps prepared by the U.S. Army Corps of Engineers
6 entitled:

7
8 ~~1. San Geronio River and Smith Creek, June 1971.~~

9 1. Salt Creek (Hemet to Railroad Canyon Reservoir), June 1971

10 ~~2. San Geronio River and Tributaries, October 1971.~~

11 2. San Geronio River and Smith Creek, June 1973.

12 ~~3. Santa Ana River, Mansfield Project, August 1971.~~

13 3. San Geronio River and Tributaries, October 1974.

14 4. San Jacinto River (San Jacinto to Railroad Canyon), May 1970.

15 5. Santa Ana River (Imperial Highway to Prado Dam), June 1971.

16
17 ~~The flood hazard areas shown on the maps prepared by Riverside County include:~~

18 1. ~~Wildomar Valley, 100-year Flood Plain Limits, October 1972.~~

19 2. ~~Sactus Valley, 100-year Flood Plain and Floodway Limits, March 1980.~~

20 3. ~~Cobazon Wood Study, Flood Hazard Areas, June 1980.~~

21 4. ~~Lakeview & Sierra Vista Tracts, 100-year Floodplain Limits, October 1990.~~

22 5. ~~Incales Creek, October 1984.~~

23 6. ~~Long Valley, West, October 2000.~~

24 7. ~~Wagon Wash, October 2000.~~

25 8. ~~Warm Springs Creek, February 2002.~~

26 9. ~~Arroyo de San Juan, Supplemental as added by FEMA, 12/1/00.~~

27 10. ~~Imperial Hills Floodplain, May 2000.~~

28 11. ~~Flood Insurance Study for Orange County, California, 1980.~~

1 ~~e. The Flood hazard areas shown on the map prepared by the Department of Water Resources of the~~
2 ~~State of California entitled "Riverside County Flood Hazard Investigation: Murrieta Creek" dated~~
3 ~~May, 1975.~~

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5 ~~d. The flood hazard areas shown on the maps prepared for Riverside County entitled:~~

6 ~~1. Wildomar Valley, 100-year Flood Plain Limits, October 1979, as last revised May 1986.~~

7 ~~2. Cactus Valley, 100-year Flood Plain and Floodway Limits, March 1980.~~

8 ~~3. Cabazon Flood Study, Flood Hazard Areas, June 1980.~~

9 ~~4. Lakeview & Sierra Vista Tracts, 100-year Floodplain Limits, October 1990.~~

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11 **e.** The flood hazard areas shown on the map prepared as part of the "Flood Plain Information,
12 Colorado River, Palo Verde Dam to Imperial Dam" dated October 1974, for that area between the
13 Palo Verde Diversion Dam and Taylor Ferry; or ~~an~~ any Flood Insurance Rate Maps and Flood
14 Hazard Boundary Maps, including any amendments or additions thereto that hereafter go into
15 effect pursuant to the provisions of the applicable Federal Law, for the Colorado River.

16
17 **f.** Any maps of flood hazard areas hereafter adopted by resolution of the Board of Supervisors after a
18 public hearing on the proposed adoption.

19
20 Section 5. Section 4. of Ordinance No. 458 is amended to read as follows:

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22 **Section 4.** ~~ADMINISTRATION~~ Notwithstanding the provisions of any other ordinance to the
23 contrary, within the unincorporated area of Riverside County shown on the maps referred to in
24 Section 3, no structure ~~may be constructed, located or~~ shall be constructed, located or
25 substantially improved and no land shall be graded, filled or developed, and no permit or approval
26 shall be granted therefor, unless it complies with all the applicable requirements of this ordinance
27 and all other applicable ordinances. If there is any conflict in the requirements of this ordinance or
28 between the requirements of this and any other ordinance, the more stringent requirements shall

1 1. A plat map drawn to scale of the property proposed to be developed showing location, type
2 and use of any structures proposed, base flood elevation data, floodways and floodplains,
3 including adjoining properties necessary to be shown for continuity.

4
5 2. **Elevation** Contours, with maximum interval of:

<u>SLOPE</u>	<u>INTERVAL</u>
0 - 2%	2'
3 - 9%	4'
10% plus	10'

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12 3. Elevations, in relation to **the 1988 North American Vertical Datum** ~~mean sea level~~, of the area
13 to be developed, including adjoining properties necessary to be shown for continuity. The
14 elevation, in relation to **the 1988 North American Vertical Datum** ~~mean sea level~~, of the
15 lowest floor (including basement) of all new or substantially improved structures, and
16 whether or not such structures contain a basement shall be stated.

17
18 4. The method by which the applicant proposes to comply with the requirements of this
19 ordinance, including proposed elevations of any structures or fills, flood proofing, **and**
20 **any** proposals to modify existing flow of storm waters and any
21 other relevant information. If any structure is to be flood proofed, the elevation, in relation to
22 **the 1988 North American Vertical Datum** ~~mean sea level~~, to which such structure is to be
23 flood proofed shall be stated.

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26 **All applications shall be submitted and accepted by a registered professional engineer**

27 **of California**

1 ~~5. These plans shall be prepared and certified by a civil engineer registered in the State of~~
2 ~~California if the site lies within:~~

3 ~~a. Zone AO, Zone AH, Zone AE, or Zone A1-30 on the County's Flood Insurance Rate~~
4 ~~Maps.~~

5 ~~b. Jenson Creek or Millard Canyon Floodplains as shown on Cabazon Flood Study.~~

6 ~~d. Upon acceptance of both applications as being complete for filing, the department head~~
7 ~~shall forward copies of the basic application and the separate application to the Chief~~
8 ~~Engineer of the Riverside County Flood Control and Water Conservation District, unless~~
9 ~~the proposed development lies within the area jurisdiction of the Coachella Valley~~
10 ~~County Water District, in which case it shall be forwarded to the General Manager of~~
11 ~~that District.~~

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13 ~~d. Upon acceptance of both applications as being complete for filing, the department head shall~~
14 ~~forward copies of the basic application and the separate application to the RCFC&WCD, unless~~
15 ~~the proposed development lies within the area jurisdiction of the CVWD, in which case it shall be~~
16 ~~forwarded to said District.~~

17
18 e. Within 30 days of receipt thereof, the ~~RCFC&WCD~~ Chief Engineer or ~~the CVWD~~ General
19 ~~Manager, respectively, shall determine if any further information is required in order to process~~
20 ~~the application and, if required, shall inform the applicant or his representative by regular mail of~~
21 ~~the need for additional information. RCFC&WCD and CVWD shall review and process separate~~
22 ~~applications within their respective jurisdictions as provided herein.~~

23
24 ~~When base flood elevation data has not been provided in accordance with Section 5 of the~~
25 ~~Floodplain Administrator shall prepare, review, and approve separate RCFC&WCD flood elevations and~~
26 ~~flood data available to the local jurisdiction, for other Section 22 floodplain management~~
27 ~~Sections.~~

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be designed (or modified) and adequately anchored to prevent foundation collapse
b. lateral movement of the structure resulting from hydrodynamic and hydrostatic loads
including the effects of buoyancy
c. be constructed with materials resistant to local damage
d. be constructed by methods and practices that minimize flood damage
e. be constructed with electrical, heating, ventilation, plumbing, and air conditioning
equipment and other service facilities that are designed to prevent water from entering or accumulating within the components during conditions of
flooding

2. All subdivision proposals and other proposed new development, including multi-family
home parks or subdivisions greater than 50 lots or 5 acres, shall have a less than
required to identify the base flood elevation and be reviewed to determine whether such
proposals will be reasonably safe from flooding. All such proposals shall be reviewed to
assure that:

- a. Such proposal is consistent with the need to minimize flood damage.
- b. Preliminary grading and Conditional ZONING has been issued by FEMA.
- c. Inter-inspection of geographic information system (GIS) has been issued by FEMA for assessment
of flood damage on the entire DIRM.
- d. All utilities and facilities, such as sewer, gas, electrical, telephone, and water
systems are located and constructed to minimize or eliminate flood damage.
- e. Adequate drainage is provided to reduce exposure to flood risks.
- f. All other required state and federal permits have been obtained.
- g. After flood reduction or water control, newly installed flood protection facilities
cannot be damaged by water resources or other flood protection structures.

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3. All new and replacement water supply systems shall be designed to minimize infiltration of floodwaters into the systems.

4. c. New and replacement sanitary sewerage systems shall be designed to minimize infiltration of floodwaters into the systems and discharges from the systems into flood plains, and on-site waste disposal systems shall be located and constructed to prevent contamination from them during flooding.

5. All manufactured homes to be placed or substantially improved shall be installed using methods and practices which minimize flood damage to the atmosphere and manufactured homes shall

a. Be elevated on a permanent foundation such that the lowest floor is at or above the base flood elevation; and

b. Be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

Methods of anchoring manufactured homes are not limited to use of tie-downs or brackets to ground anchors. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces. The requirements of Subsections 6a-5 and 6a-6, herein, shall only apply to manufactured homes located outside of a manufactured home park or subdivision or to an expansion to an existing manufactured home park or subdivision in which a manufactured home has incurred substantial damage.

Notwithstanding the aforementioned requirements, manufactured homes that have not incurred substantial damage and are to be placed or substantially improved in an existing manufactured home park or subdivision may, if they have their chassis supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 30 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement, or meet the requirements of Subsection 6a-5, herein.

6. All recreational vehicles to be placed shall

a. Be on the site for fewer than 30 consecutive days; and

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6. Be fully licensed and ready for highway use.

7. Otherwise recreational vehicles shall meet the same application requirements of Section 516 and elevation and anchoring requirements for residential structures in subsection 9. A recreational vehicle is ready for highway use if its wheels or tire system is attached to the site only by hitch, disconnect-type anchors and safety devices, and has no permanently attached additions.

8. Except as otherwise provided under Subsection 9, all new construction and substantial improvements of residential structures shall have the lowest floor, including basement, elevated to or above the base flood level.

9. All new construction and substantial improvements of nonresidential structures shall (a) have the lowest floor (including basement) elevated to or above the base flood level; (b) together with ancillary utility and sanitary facilities, be designed so that below the base flood level the structure is watertight, with walls substantial in construction, capable of water and wind structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy.

10. For all new construction and substantial improvements, fully enclosed areas below a lowest floor that are subject to flooding shall be designed to automatically admit hydrostatic flood forces on exterior walls by allowing for the entry and exit of flood waters. A minimum of two openings having a total net area of not less than one square foot for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be not higher than one foot above grade. Openings shall be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of flood waters.

11. Within any AO zone, all new construction and substantial improvements of residential structures shall have the lowest floor, including basement,

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elevated above the highest adjacent grade at least as high as the depth number specified
feet on the Flood Insurance Rate Map or less, two feet if the depth number specifies less

1. Within any AO zone on the Flood Insurance Rate Map, all new construction, including
improvements of all residential structures, and all other buildings having flood (including
basement) elevations above the highest adjacent grade at least as high as the depth number
specified on the Flood Insurance Rate Map shall have the first floor (including
specified (a) or (b) levels) with attendant utility and sanitary facilities be completely flood
proofed to that level. Such buildings shall be watertight with walls substantially impervious
to the passage of water, and with structural components having the capacity of resisting
hydrostatic and hydrodynamic loads, but the floors may be unanchored.

2. Within any AH and AO zones on the Flood Insurance Rate Map, all outside decks, patios,
ground structures, or slopes (to grade) higher than six (6) feet above the ground surface
shall be provided.

3. Whenever watercourses or mapped floodplains are altered or abandoned, the flood
control capacity of the altered or abandoned portion of the watercourse or mapped floodplain
shall be maintained. Manmade slopes that encroach into a flood plain and which are
subject to erosive velocities, are considered flood control facilities and must be maintained
by a public entity. However, the responsibility of such maintenance shall be determined
in the site discussion of the RCFR. Within the CV with adjacent communities and the
Federal Government Administration shall be notified of any such alteration or relocation by
means of a request for a RCFR of floodplains, site vision or effective RCFR. Within
months of information becoming available, a public consultation which will address the
health and safety of the community shall be held. The RCFR shall be submitted to the
Secretary of the Army for a review of the RCFR.

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14. All plans prepared for the development of property within the 100-year flood zone shall be

prepared and submitted by a registered professional engineer in the State of California.

15. All proposed developments in applications shall be reviewed to assure that all necessary permits

have been received from those governmental agencies from which approval is required by

General Order 870.

16. All new buildings and structures and improvements located within the 100-year flood zone

of Lake Elsinore shall have their lowest floor elevated a minimum of three (3) feet

above and water body 100-year flood surface elevation. In the absence of information

the lake's water surface elevation shall be 1365 ft (NAVD 83).

17. Any flood water storage created as a result of fill placed in within the Lake Elsinore 100

year floodplain shall be made up by excavating 10 times the displaced volume within the

excavation range between 1249.4 and 1265 ft (NAVD 83).

a. **Floodways.** No structure shall be constructed, located or substantially improved and no land shall be graded or developed in the areas designated as floodways, except upon approval of a plan which provides that the proposed development will not result in any increase in flood levels during the occurrence of the base flood discharge. If a proposed permit qualifies for approval in the floodway, it shall then meet all the requirements necessary for approval of a permit in the floodplain area.

b. **Floodways.**

No structure shall be constructed, located or substantially improved and no land shall be

graded or developed in the areas designated as floodways, except upon approval of a plan

which provides that the proposed development will not result in any increase in flood levels

1 ~~the occurrence of the base flood discharge, the proposed development shall~~

2 ~~floodway shall then meet all the requirements necessary for approval of a designated Special~~

3 ~~Flood Hazard Area or Floodway.~~

4
5 ~~(c) Until such time that a regulatory floodway is adopted, no new construction or other~~

6 ~~development, including fill, shall be permitted within Zones A, AE, AH, and A1 flood areas unless~~

7 ~~demonstrated that the cumulative effect of the proposed development, when combined with all~~

8 ~~the development will not increase the average water elevation of the floodway.~~

9 ~~It is determined that the RCFC & WCD of the CQWDA are not non-structural.~~

10
11 **b. Floodplain.** ~~Within the areas shown on the maps listed in Section 3 as floodplains, all proposed~~
12 ~~developments shall meet the following requirements:~~

13
14 **1.** ~~All permit applications shall be reviewed to determine whether proposed building sites will~~
15 ~~be reasonably safe from flooding. All new structures and substantial improvements to~~
16 ~~existing structures shall:~~

17 **a.** ~~Be designed (or modified) and adequately anchored to prevent flotation, collapse, or~~
18 ~~lateral movement of the structure resulting from hydrodynamic and hydrostatic loads,~~
19 ~~including the effects of buoyancy.~~

20 **b.** ~~Be constructed with materials resistant to flood damage.~~

21 **c.** ~~Be constructed by methods and practices that minimize flood damages.~~

22 **d.** ~~Be constructed with electrical, heating, ventilation, plumbing, and air conditioning~~
23 ~~equipment and other service facilities that are designed or located so as to prevent~~
24 ~~water from entering or accumulating within the components during conditions of~~
25 ~~flooding.~~

1 ~~2. All subdivision proposals and other proposed new development, including manufactured~~
2 ~~home parks or subdivisions, shall be reviewed to determine whether such proposals will be~~
3 ~~reasonably safe from flooding. All such proposals shall be reviewed to assure that:~~

4 ~~a. Such proposal is consistent with the need to minimize flood damage.~~

5 ~~b. All public utilities and facilities, such as sewer, gas, electrical, and water systems are~~
6 ~~located and constructed to minimize or eliminate flood damage.~~

7 ~~c. Adequate drainage is provided to reduce exposure to flood hazards.~~
8

9 ~~3. All new and replacement water supply systems shall be designed to minimize or eliminate~~
10 ~~infiltration of floodwaters into the systems.~~
11

12 ~~4. New and replacement sanitary sewage systems shall be designed to minimize or eliminate~~
13 ~~infiltration of floodwaters into the systems and discharges from the systems into flood~~
14 ~~waters, and on-site waste disposal systems shall be located to avoid impairment to them or~~
15 ~~contamination from them during flooding.~~
16

17 ~~5. All manufactured homes to be placed or substantially improved shall be installed using~~
18 ~~methods and practices which minimize flood damage. For the purposes of this requirement,~~
19 ~~manufactured homes shall:~~
20

21 ~~a) Be elevated on a permanent foundation such that the lowest floor is at or above the~~
22 ~~base flood elevation; and,~~

23 ~~b) Be securely anchored to an adequately anchored foundation system to resist flotation,~~
24 ~~collapse, and lateral movement.~~

25 ~~Methods of anchoring may include, but are not limited to, use of over the top or~~
26 ~~frame ties to ground anchors. This requirement is in addition to applicable State and~~
27 ~~local anchoring requirements for resisting wind forces. The requirements of paragraph~~
28 ~~a. And b. shall only apply to manufactured homes outside of a manufactured home~~
~~park or subdivision, in an expansion to an existing manufactured home park or~~
~~subdivision on which a manufactured home has incurred substantial damage.~~

~~Notwithstanding the aforementioned requirements, manufactured homes that~~
~~have not incurred substantial damage and are to be placed or substantially improved in~~

1 an existing manufactured home park or subdivision may either have their chassis
2 supported by reinforced piers or other foundation elements of at least equivalent
3 strength that are no less than 36 inches in height above grade and be securely anchored
4 to an adequately anchored foundation system to resist flotation, collapse, and lateral
5 movement or meet the requirements of paragraph a. above, whichever is lesser.

6 ~~6. All recreational vehicles to be placed shall either:~~

7 ~~a. be on the site for fewer than 180 consecutive days.~~

8 ~~b. be fully licensed and ready for highway use, or~~

9 ~~c. meet the separate application requirements of Section 5, paragraph b. above and the~~
10 ~~elevation and anchoring requirements for manufactured homes in subsection 6.b.5~~
11 ~~above.~~

12 ~~— A recreational vehicle is ready for highway use if it is on its wheels or jacking~~
13 ~~system, is attached to the site only by quick disconnect type utilities and security~~
14 ~~devices, and has no permanently attached additions.~~

15 ~~7. Except as otherwise provided under subsection 6.b.5 above, all new construction and~~
16 ~~substantial improvements of residential structures shall have the lowest floor (including~~
17 ~~basement) elevated to or above the base flood level.~~

18 ~~8. All new construction and substantial improvements of nonresidential structures shall either~~
19 ~~(a) have the lowest floor (including basement) elevated to or above the base flood level, or~~
20 ~~(b) together with attendant utility and sanitary facilities, be designed so that below the base~~
21 ~~flood level the structure is watertight with walls substantially impermeable to the passage of~~
22 ~~water and with structural components having the capability of resisting hydrostatic and~~
23 ~~hydrodynamic loads and the effects of buoyancy.~~

24 ~~9. For all new construction and substantial improvements, fully enclosed areas below the~~
25 ~~lowest floor that are subject to flooding shall be designed to automatically equalize~~
26 ~~hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters.~~
27 ~~A minimum of two openings having a total net area of not less than one square inch for~~
28

1 every square foot of enclosed area subject to flooding shall be provided. The bottom of all
2 openings shall be no higher than one foot above grade. Openings may be equipped with
3 screens, louvers, valves, or other coverings or devices provided that they permit the
4 automatic entry and exit of floodwaters.

5
6 ~~10. Within any AO zone on the Flood Insurance Rate Maps, all new construction and substantial~~
7 ~~improvements of residential structures shall have the lowest floor (including basement)~~
8 ~~elevated above the highest adjacent grade at least as high as the depth number specified in~~
9 ~~feet on the Flood Insurance Rate Map (at least two feet if no depth number is specified).~~

10
11 ~~11. Within any AO zone on the Flood Insurance Rate Maps, all new construction and substantial~~
12 ~~improvements of nonresidential structures shall either (a) have the lowest floor (including~~
13 ~~basement) elevated above the highest adjacent grade at least as high as the depth number~~
14 ~~specified in feet on the Flood Insurance Rate Map (at least two feet if no depth number is~~
15 ~~specified), or (b) together with attendant utility and sanitary facilities be completely flood~~
16 ~~proofed to that level so that the structure is watertight with walls substantially impermeable~~
17 ~~to the passage of water and with structural components having the capability of resisting~~
18 ~~hydrostatic and hydrodynamic loads and the effects of buoyancy.~~

19
20
21 ~~12. Within any AH and AO zones on the Flood Insurance Rate Maps, adequate drainage paths~~
22 ~~around structures on slopes, to guide floodwaters around and away from proposed~~
23 ~~structures, shall be provided.~~

24
25 ~~13. Whenever a watercourse is to be altered or relocated, the flood carrying capacity of the~~
26 ~~altered or relocated portion of the watercourse shall be maintained. Adjacent communities,~~
27 ~~the California Department of Water Resources, and the Federal Insurance Administration~~
28 ~~shall be notified of any such alteration or relocation.~~

1 ~~14. Plans to meet the requirements of paragraph 8(b), 9, and 11(b) of this subsection shall be~~
2 ~~prepared and certified by a civil engineer registered in the State of California.~~

3
4 ~~15. All proposed development applications shall be reviewed to assure that all necessary permits~~
5 ~~have been received from those governmental agencies from which approval is required by~~
6 ~~Federal or State law.~~

7
8 ~~c. **Floodway Fringes:** Within the areas shown on the maps as floodway fringe, all proposed~~
9 ~~developments shall meet the requirements set forth in Section 6, paragraph b. of this ordinance.~~

10
11 Section 8. Section 7. of Ordinance No. 458 is amended to read as follows:

12
13 **Section 7. APPEALS AND REQUESTS FOR VARIANCES.**

14 a. An applicant, or any interested party, shall have the right to appeal the decision that is made on an
15 application if he believes that an error has been made by the ~~Public Works Director~~ Chief Engineer or
16 ~~CVWD~~ General Manager. An applicant shall also have the right to request that a variance be
17 granted to the requirements of this ordinance, or to the conditions imposed upon a permit.

18
19 b. Applications for an appeal or for a variance shall be made to the Board of Supervisors, upon the
20 form provided by the Clerk of the Board, accompanied by a fee as set forth in Ordinance No. 671.
21 Upon receipt of a completed application, the Clerk of the Board shall set the matter for hearing
22 before the Board not less than 5 nor more than 45 days thereafter and shall give notice, by mail, to
23 the applicant, the appellant, the department head with whom the application was originally filed
24 and the ~~Public Works Director~~ Chief Engineer ~~Public Works Director or CVWD~~ or the General
25 Manager. The Board shall render its decision on the matter within 30 days after the close of the
26 hearing on the matter.
27
28

- 1 c. Appeals may be granted by the Board if there has been an error in any requirement, decision or
2 determination relating to the application for the permit.
3
4 d. Variances on the requirements of this ordinance or the conditions of an approved permit may only
5 be granted if the Board finds:
6
7 1. That there is good and sufficient cause.
8 2. That failure to grant the variance would result in exceptional hardship to the applicant.
9 3. That the granting of a variance will not result in increased flood heights, additional threats to
10 public safety, extraordinary public expense, create nuisances, cause fraud on or victimize the
11 public or conflict with existing laws or ordinances.
12 4. That the variance is the minimum necessary, considering the flood hazard, to afford relief.
13
14 e. Any applicant to whom a variance is granted shall be given written notice that the cost of flood
15 insurance will be commensurate with the increased risk resulting from the granting of the
16 variance.

17 [REDACTED]
18 [REDACTED]
19 [REDACTED]
20 [REDACTED]

21 Section 9 Section 9. of Ordinance No. 458 is amended to read as follows:
22

23 **Section 9. [REDACTED]** The procedures, remedies and penalties for
24 violation of this ordinance and for recovery of costs related to enforcement are provided for in
25 Ordinance No. 725, which is incorporated herein by this reference.
26
27
28

1 Section 10. A new Section 10. is added to Ordinance No. 458 to read as follows:

2

3

~~Section 10. SEVERABILITY. If any provision of this Ordinance or any part of the~~

4

~~Ordinance or the application hereof to any person or circumstances shall be held invalid, such invalidity~~

5

~~shall not affect the other provisions of the Ordinance which can be given effect without the invalid~~

6

~~provision or application, and to this end the provisions of the Ordinance shall be held to be~~

7

~~severable.~~

8

9 Section 11. This ordinance shall take effect thirty (30) days after its adoption.

10

11

BOARD OF SUPERVISORS OF THE COUNTY
OF RIVERSIDE, STATE OF CALIFORNIA

12

13

14

15

By: _____

16

17

18

ATTEST:

19

20

Nancy Romero

21

CLERK OF THE BOARD

22

23

24

25

By: _____

26

27

Deputy

28

(SEAL)