

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

862C



FROM: Transportation and Land Management Agency

SUBMITTAL DATE:
June 19, 2014

SUBJECT: Adoption of Ordinance No. 458.14, amending Riverside County Ordinance No. 458 Regulating Special Flood Hazard Areas and Implementing the National Flood Insurance Program – CEQA Findings of Exemption - All Supervisorial Districts [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Finds that the adoption of Ordinance No. 458.14 is exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15061(b)(3) as it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment; and
2. Adopt Ordinance No. 458.14, an Ordinance of the County of Riverside amending Ordinance No. 458 in its entirety regulating development in flood hazard areas and establishing procedures to implement the National Flood Insurance Program; and
3. Direct the Clerk of the Board to file the attached Notice of Exemption with the County Clerk within five days after adoption of the amendment to Ordinance No.458.

BACKGROUND:

Summary

(Continued on page 2)

Mike Lara
Director of Building and Safety

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 0	\$ 0	\$ 0	\$ 0	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	

SOURCE OF FUNDS:	Budget Adjustment: N/A
	For Fiscal Year: N/A

C.E.O. RECOMMENDATION:

APPROVE

County Executive Office Signature

Tina Grande

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Benoit, seconded by Supervisor Tavaglione and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended and that Ordinance 458.14 is adopted.

Ayes: Jeffries, Tavaglione, Stone, Benoit and Ashley
 Nays: None
 Absent: None
 Date: July 15, 2014
 xc: TLMA, MC, COB, Recorder

Kecia Harper-Ihem
 Clerk of the Board
 By: Deputy

Prev. Agn. Ref.: 3.11 of 7/29/08; 3-56 of District: All Agenda Number:
 6/17/14; ___ of 07/01/14

3-61

FORM APPROVED COUNTY COUNSEL
 BY: Synthia M. Gunzel 6-19-14
 DATE: SYNTIA M. GUNZEL

Departmental Concurrence

- A-30
- 4/5 Vote
- Positions Added
- Change Order

SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: Adoption of Ordinance No. 458.14, amending Riverside County Ordinance No. 458 Regulating Special Flood Hazard Areas and Implementing the National Flood Insurance Program – CEQA Findings of Exemption - All Supervisorial Districts [\$0]

DATE: June 19, 2014

PAGE: Page 2 of 3

BACKGROUND:

Summary (continued)

Riverside County Ordinance No. 458 ("Ordinance") establishes policies, procedures and standards for regulating development in designated special flood zone areas and implements the provisions of the National Flood Insurance Program (NFIP) within the unincorporated areas of the County of Riverside ("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.

On June 17, 2014 (Item 3-56), the Board of Supervisors adopted an order to initiate an amendment to Ordinance No. 458 to add the language required for compliance for the County's continued participation in the NFIP (as further explained below) and to provide other administrative revisions for clarification and direction. In accordance with Government Code Section 25131, the Board of Supervisors may adopt Ordinance No. 458.14 because more than five (5) days have passed since its introduction on July 1, 2014.

The Ordinance was initially adopted in 1979, has been amended from time to time as warranted and is subject to review by FEMA periodically. A recent review of the Ordinance by FEMA to assess the adequacy for compliance with the requirements of the National Flood Insurance Program, it was determined that Ordinance No. 458 is not consistent with the minimum provisions required to be in compliance with FEMA's regulations. As stated in Title 44, part 59.24(a) of the Code of Federal Regulations (44CFR§59.24), a community with a non-compliant ordinance for flood plain management regulations subjects the community to suspension from the National Flood Insurance Program. If suspended, then flood insurance would no longer be available for sale within the unincorporated areas of Riverside County. FEMA has provided language that needs to be added to the Ordinance clarifying to which type of development this Ordinance shall apply. By remaining compliant with the NFIP program through this Ordinance amendment, the County allows the residents within its jurisdiction to meet a minimum eligibility requirement for Federal disaster aid, and to continue to purchase flood insurance. Moreover, the County remains eligible for federal grants and loans. The County has a limited time to amend the Ordinance before FEMA will suspend the County from the NFIP. Therefore, time is of the essence in updating the Ordinance to reflect current standards.

In addition, administrative revisions to the Ordinance are proposed which would provide consistency, clarification and direction for administering the regulations in the following areas:

- Revising and adding sections for legislative findings, purpose and source of authority
- Revising and adding definitions to provide clarification
- Revising the list of effective floodplain maps
- Clarify roles of the Floodplain Administrator and other agencies
- Establish procedure for calculating Substantial Improvement/Damage threshold
- Establish process to amend special study floodplain maps prepared by the County and DWR Awareness Maps through Board Resolution
- Clarify Separate Application process for certain development permits and establish procedure to verify if previous review is still in compliance with current FEMA standards
- Revising and updating the basis and procedures for appeals and requests for variances
- Update reference numbers for FEMA documents to current forms

Ordinance No. 458.14 does not prompt any new flood control projects. It is a current County ordinance that is being amended for the reasons provided above. There are no new higher floodproofing standards included in this proposed Ordinance amendment from the ones that are currently in place. This Ordinance amendment is to maintain what currently exists for the protection and aid of the public from the County's continued participation in the NFIP.

SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: Adoption of Ordinance No. 458.14, amending Riverside County Ordinance No. 458 Regulating Special Flood Hazard Areas and Implementing the National Flood Insurance Program – CEQA Findings of Exemption - All Supervisorial Districts [\$0]

DATE: June 19, 2014

PAGE: Page 3 of 3

The Department of Building and Safety is responsible for building permit processing and inspections. For this Ordinance, the Director of the Department of Building and Safety is designated as the Floodplain Administrator to administer, implement and enforce the requirements of the Ordinance. The Riverside County Flood Control and Water Conservation District (RCFC&WCD) and the Coachella Valley Water District are responsible for conducting floodplain management reviews within their respective service areas and providing permit recommendations in accordance with the Ordinance and NFIP regulations to the Floodplain Administrator. In addition, RCFC&WCD maintains the records and supporting documentation for floodplain maps.

Ordinance No. 458.14 is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the ordinance will have a significant effect on the environment. There is no specific development project connected with this proposed amendment, it is not site specific and it does not commit the County to any development. The County's approval of the amendment does not cause any circumstances to significantly impact the environment or have negative cumulative impacts on the environment because it does not prompt any actual projects or flood control projects; it is merely an adoption of an ordinance with procedures and regulations for development within special flood hazard areas. Any actual project proposed by property owners will have to undergo its own CEQA analysis.

This Ordinance amendment has been reviewed and approved as to form by County Counsel.

Impact on Citizens and Businesses

If suspended from the NFIP program, real estate transactions in identified Special Flood Hazard Areas (SFHAs) cannot be completed until potential buyers provide proof of flood insurance. Because NFIP flood insurance policies cannot be sold in suspended communities, buyers would be forced to obtain flood insurance from the private sector which is usually at a significantly higher premium. Continued implementation of Ordinance No. 458 will assist in reducing the risk of flood hazards to future development and construction.

SUPPLEMENTAL:

Additional Fiscal Information

N/A

Contract History and Price Reasonableness

N/A

1 ORDINANCE NO. 458.14

2

3 AN ORDINANCE OF THE COUNTY OF RIVERSIDE

4 AMENDING ORDINANCE NO. 458 REGULATING FLOOD HAZARD AREAS AND

5 IMPLEMENTING THE NATIONAL FLOOD INSURANCE PROGRAM

6

7 The Board of Supervisors of the County of Riverside ordains as follows:

8 Section 1. Ordinance No. 458 is amended in its entirety to read as follows:

9

10 “ORDINANCE NO. 458

11

12 AN ORDINANCE OF THE COUNTY OF RIVERSIDE

13 REGULATING SPECIAL FLOOD HAZARD AREAS AND IMPLEMENTING

14 THE NATIONAL FLOOD INSURANCE PROGRAM

15

16 The Board of Supervisors of the County of Riverside ordains as follows:

17 Section 1. FINDINGS. The Board of Supervisors finds that:

- 18 a. The flood hazard areas of Riverside County are subject to periodic
- 19 inundation which results in loss of life and property, health and safety
- 20 hazards, disruption in commerce and governmental services, extraordinary
- 21 public expenditures for flood protection and relief from flooding, and
- 22 impairment of the tax base, all of which adversely affect the public health,
- 23 safety, and general welfare.
- 24 b. When floodplains are developed without taking appropriate care and
- 25 precautions, flood heights, frequencies, and velocities increase, causing a
- 26 greater threat to humans, damage to property, destruction of natural
- 27 floodplain functions and adverse impacts to water quality.
- 28 c. The establishment of reasonable preventive and protective measures by

1 enacting development regulations and through participation in a national
2 program of flood insurance makes flood insurance coverage and relief
3 available on reasonable terms and conditions to persons who have need for
4 such protection.

5 Section 2. PURPOSE. The purpose of the ordinance is to promote the public health,
6 safety, and welfare and minimize public and private costs caused by flooding by regulating development
7 within the special flood hazard areas to be applied uniformly throughout the unincorporated areas of the
8 Riverside County to all publicly and privately owned land within flood prone, mudslide or flood related
9 erosion areas. These regulations are designed to:

- 10 a. Protect human life and health;
- 11 b. Minimize expenditure of public money for costly flood control projects;
- 12 c. Minimize the need for rescue and relief efforts associated with flooding and
13 generally undertaken at the expense of the general public;
- 14 d. Minimize prolonged business interruptions;
- 15 e. Minimize damage to public facilities and utilities such as water and gas
16 mains; electric, telephone and sewer lines; and streets and bridges located in
17 areas of special flood hazard;
- 18 f. Help maintain a stable tax base by providing for the sound use and
19 development of areas of special flood hazard so as to minimize future
20 blighted areas caused by flood damage;
- 21 g. Ensure that potential buyers are notified that property is in an area of special
22 flood hazard; and
- 23 h. Ensure that those who occupy the areas of special flood hazard assume
24 responsibility for their actions.

25 Section 3. AUTHORITY. Local governments have the authority to adopt regulations
26 under Government Code Sections 65302, 65560, 65800, 65850 and 65900, et seq., to promote the public
27 health, safety and general welfare of its residents. This ordinance is adopted pursuant to the requirements
28 of the National Flood Insurance Act of 1968, Title 42 United States Code Section 4001, et seq. and Code

1 of Federal Regulations, Title 44, Chapter I, Subchapter B, Part 59, as each may be amended, including all
2 other regulations adopted pursuant thereto. Flood heights may be increased by man-made or natural
3 causes. This ordinance does not imply that land outside the regulated areas or the uses and development
4 permitted within such areas will be free from flooding or flood damages.

5 Section 4. DEFINITIONS. Unless specifically defined below, terms or phrases used
6 in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to
7 give this ordinance its most reasonable application. The following terms shall have the following
8 meanings:

- 9 a. 100-Year Flood. Means and refers to the "Base Flood" as defined herein
10 below.
- 11 b. Accessory Structure. Means and refers to a structure, that may not qualify
12 as a "building", located on the same parcel of property as the primary
13 structure or building to be insured and the use of which is incidental and
14 subordinate to the use of the principal structure or building. For example,
15 open structures, such as carports, gazebos and picnic pavilions that do not
16 have at least two rigid walls are not "buildings."
- 17 c. Awareness Map. Means and refers to those floodplain maps produced by
18 the Department of Water Resources of the State of California that initially
19 identify flood hazard areas using approximate assessment procedures to
20 map 100 year floodplains for both riverine and alluvial fan conditions.
21 Such "awareness floodplains" will be shown simply as flood hazard areas
22 without specific depth and other flood hazard data.
- 23 d. Base Flood. Means and refers to a flood which has a one percent (1%)
24 chance of being equaled or exceeded in any given year (also called the
25 "100-Year Flood"). Base Flood is the term commonly used throughout this
26 ordinance.
- 27 e. Base Flood Elevation (BFE). Means and refers to the elevation shown on
28 the Flood Insurance Rate Map for Zones AE, AH, A1-30, VE and V1-V30,

1 and those elevation determined by the County of Riverside for other special
2 flood hazard areas that indicates the water surface elevation resulting from a
3 flood that has a one percent (1%) or greater chance of being equaled or
4 exceeded in any given year.

5 f. Basement. Means and refers to any area of a building having its floor
6 subgrade (below ground level) on all sides.

7 g. CVWD. Means and refers to the Coachella Valley Water District, a special
8 district created under California law.

9 h. Colorado River Floodway Fringe. Means and refers to that area subject to
10 inundation by floods of varying magnitudes generated from the Colorado
11 River, up to and including the floodway flow, but which is not required for
12 the safe conveyance of the floodway flow and is not included in the
13 computation of the Colorado River Floodway base flood elevation.

14 i. Contractor. Means and refers to a licensed General Contractor or
15 professional construction estimator.

16 j. Development. Means and refers to any man-made change to improved or
17 unimproved real estate, including but not limited to buildings or other
18 structures, mining, dredging, filling, grading, paving, excavation, drilling
19 operations, storage of equipment or materials.

20 k. Elevation Certificate (known as FEMA Form 086-0-33 expiring on July 31,
21 2015 or the latest version thereafter). Means and refers to a form used for
22 recording the finished floor elevations and adjacent ground of a building.

23 l. Encroachment. Means and refers to activities or construction within the
24 floodway including fill, new construction, substantial improvements, or
25 other development. These activities are prohibited within the adopted
26 regulatory floodway unless it has been demonstrated through hydrologic
27 and hydraulic analyses that the proposed encroachments would not result in
28 any increase in flood levels.

- 1 m. Existing Manufactured Home Park or Subdivision. Means and refers to a
2 manufactured home park or subdivision for which the construction of
3 facilities for servicing the lots on which the manufactured homes are to be
4 affixed (including, at a minimum, the installation of utilities, either final site
5 grading or pouring of concrete pads, and the construction of streets) is
6 completed before July 5, 1979.
- 7 n. Expansion to an Existing Manufactured Home Park or Subdivision. Means
8 and refers to the preparation of additional sites by the construction of
9 facilities for servicing the lots on which the manufactured homes are to be
10 affixed (including the installation of utilities, either final site grading or
11 pouring of concrete pads, or the construction of streets).
- 12 o. FEMA. Means and refers to the Federal Emergency Management Agency.
- 13 p. Flood Insurance Rate Map (FIRM). Means and refers to the official map on
14 which the Federal Emergency Management Agency or Federal Insurance
15 Administration has delineated both the areas of special flood hazards and
16 the risk premium zones applicable to the unincorporated areas of Riverside
17 County.
- 18 q. Flood Insurance Study. Means and refers to the official report provided by
19 the Federal Insurance Administration that includes discharge rates, flood
20 profiles, the Flood Insurance Rate Map(s), and the water surface elevations
21 of the base floods.
- 22 r. Floodplain Administrator. Means and refers to the Director, or his
23 designee, of the Department of Building and Safety for the County of
24 Riverside.
- 25 s. Floodproofing Means and refers to any combination of structural and
26 nonstructural additions, changes, or adjustments to structures which reduce
27 or eliminate flood damage to real estate or improved real property, water
28 and sanitary facilities, structures, and their contents. For guidelines on dry

1 and wet floodproofing, see FEMA Technical Bulletins TB 1-93, TB 3-93,
2 and TB 7-93.

3 t. Floodway. Means and refers to the channel of a river or other watercourse
4 and adjacent land areas necessary to discharge the waters from the 100-Year
5 Flood without increasing the water surface elevation of that flood more than
6 one foot at any one point; or that area identified by the United States
7 Department of the Interior, Bureau of Reclamation as required to safely
8 convey the levee-design flood of the Colorado River.

9 u. Fraud and Victimization. As related to Section 10 of this ordinance, means
10 and refers to the variance granted must not cause fraud on or victimization
11 of the public. In examining this requirement, Floodplain Administrator will
12 consider the fact that every newly constructed building adds to government
13 responsibilities and remains a part of the community for fifty to one-
14 hundred years. Buildings that are permitted to be constructed below the
15 base flood elevation are subject during all those years to increased risk of
16 damage from floods, while future owners of the property and the
17 community as a whole are subject to all the costs, inconvenience, danger,
18 and suffering that those increased flood damages bring. In addition, future
19 owners may purchase the property, unaware that it is subject to potential
20 flood damage, and can be insured only at very high flood insurance rates.

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

24 w. Historic Structure. Means and refers to any structure that is:

- 25 1. Listed individually in the National Register of Historic Places (a
26 listing maintained by the Department of Interior) or preliminarily
27 determined by the Secretary of the Interior as meeting the
28 requirements for individual listing on the National Register; or

- 1 2. Certified or preliminarily determined by the Secretary of the Interior
- 2 as contributing to the historical significance of a registered historic
- 3 district or a district preliminarily determined by the Secretary to
- 4 qualify as a registered historic district; or
- 5 3. Individually listed on a state inventory of historic places in states
- 6 with historic preservation programs which have been approved by
- 7 the Secretary of Interior; or
- 8 4. Individually listed on a local inventory of historic places in
- 9 communities with historic preservation programs that have been
- 10 certified either by an approved state program as determined by the
- 11 Secretary of the Interior or directly by the Secretary of the Interior in
- 12 states without approved programs.

13 x. Lateral Additions. Means and refers to improvements constructed adjacent
14 to an existing structure that increases the square footage of the structure.
15 This commonly includes the structure attachment of a bedroom, den,
16 recreational room and garage. If the lateral addition is attached through a
17 covered breezeway or similar structure open on two (2) or more sides, it
18 will not be included in the substantial improvement calculations and will be
19 conditioned to meet current floodproofing standards.

20 y. Levee-Design Flood. Means and refers to flooding of the Colorado River
21 equivalent to a flow rate of 75,000 cubic feet per second from the Palo
22 Verde Diversion Dam to Taylor Ferry.

23 z. LOMR. Means and refers to a "Letter of Map Revision."

24 aa. Lowest Floor. Means and refers to the lowest floor of the lowest enclosed
25 area (including basement). An unfinished or flood resistant enclosure,
26 usable solely for parking of vehicles, building access or storage in an area
27 other than a basement area is not considered a building's lowest floor;
28 provided, that such enclosure is not built so as to render the structure in

1 violation of applicable non-elevation design requirements of Section 8 of
2 this ordinance.

3 bb. Manufactured Home. Means and refers to a structure, transportable in one
4 or more sections, which is built on a permanent chassis and is designed for
5 use with or without a permanent foundation when attached to the required
6 utilities. The term "Manufactured Home" does not include a recreational
7 vehicle.

8 cc. Manufactured Home Park or Subdivision. Means and refers to a parcel (or
9 contiguous parcels) of land divided into two or more manufactured home
10 lots for rent or sale.

11 dd. Market Value. Means and refers to the price agreed to be paid in an open
12 market by a willing buyer to a willing seller, with neither acting under
13 compulsion to buy or sell, giving due consideration to all economic uses of
14 the property at the time of the valuation. The market value of a structure
15 reflects its original quality, subsequent improvements, physical age of
16 building components and current condition. For the purposes of
17 determining substantial improvement, market value pertains only to the
18 structure in question. It does not pertain to the land, landscaping or
19 detached accessory structures on the property. Market value of the structure
20 will be obtained by the Floodplain Administrator using the assessed value
21 of the structure as shown on the last equalization assessment roll. The
22 resulting market value is intended to bring order and equity to the Separate
23 Application process which can be readily determined and administered
24 without undue delays to the applicant. Alternatively, the applicant can
25 submit a formal appraisal to determine the market value.

26 ee. Mean Sea Level. Means and refers to the National Geodetic Vertical
27 Datum (NGVD) of 1929, North American Vertical Datum of 1988 (NAVD
28 88), or other datum, to which base flood elevations are referenced.

- 1 ff. New Construction. Means and refers to structures for which the "Start of
2 Construction" commenced on or after July 5, 1979, and includes any
3 subsequent improvements to such structures.
- 4 gg. New Manufactured Home Park or Subdivision. Means and refers to a
5 manufactured home park or subdivision for which the construction of
6 facilities for servicing the lots on which the manufactured homes are to be
7 affixed (including at a minimum, the installation of utilities, either final site
8 grading or the pouring of concrete pads, and the construction of streets) is
9 completed on or after July 5, 1979.
- 10 hh. RCFC&WCD. Means and refers to the Riverside County Flood Control
11 and Water Conservation District, a special district created under California
12 law.
- 13 ii. Recreational Vehicle. Means and refers to a vehicle which is (i) built on a
14 single chassis; (ii) 400 square feet or less when measured at the largest
15 horizontal projection; (iii) designed to be self-propelled or permanently
16 towable by a light duty truck; and (iv) designed primarily not for use as a
17 permanent dwelling but as temporary living quarters for recreational,
18 camping, travel, or seasonal use.
- 19 jj. Separate Application. Means and refers to an additional floodproofing
20 permit application will be required when processing an application for
21 development permit for land which lies within the special flood hazard area
22 of any map referred to in Section 5 of this ordinance.
- 23 kk. Special Flood Hazard Area (SFHA). Means and refers to an area in the
24 floodplain subject to a one percent (1%) or greater chance of flooding in
25 any given year. It is shown on FIRM as Zone A, AO, A1-A30, AE, A99,
26 or, AH. This includes floodplains, flood boundaries and flood hazards
27 within the studies listed in Section 5.
- 28 ll. Start of Construction. Means and refers to the inclusion of a substantial

1 improvement and other proposed new development and means the date the
2 building permit was issued, provided the actual start of construction, repair,
3 reconstruction, rehabilitation, addition, placement, or other improvement
4 was within one hundred eighty (180) days from the date of the permit. The
5 actual start means either the first placement of permanent construction of a
6 structure on a site, such as the pouring of slab or footings, the installation of
7 piles, the construction of columns, or any work beyond the stage of
8 excavation; or the placement of a manufactured home on a foundation.
9 Permanent construction does not include land preparation, such as clearing,
10 grading, and filling; nor does it include the installation of streets and/or
11 walkways; nor does it include excavation for a basement, footings, piers, or
12 foundations or the erection of temporary forms; nor does it include the
13 installation on the property of accessory buildings, such as garages or sheds
14 not occupied as dwelling units or not part of the main structure. For a
15 substantial improvement, the actual start of construction means the first
16 alteration of any wall, ceiling, floor, or other structural part of a building,
17 whether or not that alteration affects the external dimensions of the
18 building.

19 mm. Structure. Means and refers to all buildings and structures, including
20 agricultural buildings that require a registration certificate and manufactured
21 homes; and their appurtenances such as gas or liquid storage tanks and flow
22 obstructing walls or fences.

23 nn. Substantial Improvements/Substantially Improved. Means and refers to any
24 reconstruction, rehabilitation, addition, or other improvement of a structure,
25 in which the cost of this improvement equals or exceeds 50 percent of the
26 market value of the structure before the Start of Construction of the
27 proposed improvement. This term includes structures which have incurred
28 "Substantial Damage" (as it is hereinafter defined), regardless of the actual

1 repair work performed. The term does not include any alterations necessary
2 to comply with existing state or local health, sanitary or safety code
3 specifications or regulations, or any alterations of a structure listed on the
4 National Register of Historic Places or a State Inventory of Historic Places.

5 oo. Substantial Damage. Means and refers to damage of any origin sustained
6 by a structure whereby the cost of restoring the structure to its condition
7 before its damaged condition would equal or exceed 50 percent of the
8 market value of the structure before the damage occurred.

9 pp. Vertical Addition. Means and refers to when an addition is a full or partial
10 second floor. When a vertical addition meets the criteria for a substantial
11 improvement, the entire structure must be elevated since the existing
12 building provides the foundation for the addition.

13 qq. Violation. Means and refers to the failure of a structure or other
14 development to be fully compliant with this ordinance. A structure or other
15 development without the elevation certificate, other certifications, or other
16 evidence of compliance required in this ordinance is presumed to be in
17 violation until such time as that documentation is provided.

18 Section 5. APPLICATION. This ordinance shall apply to all the special flood hazard
19 areas within the unincorporated areas and within the jurisdiction of the County of Riverside ("County")
20 on file at RCFC&WCD headquarters and shown on the Public Flood Hazard Determination Interactive
21 Map found at <http://rcflood.org>. These special flood hazard areas incorporate:

22 a. The flood hazard areas shown on the maps prepared by the Federal
23 Insurance Administration entitled "The Flood Insurance Study for the
24 County of Riverside" effective August 28, 2008, with accompanying Flood
25 Insurance Rate Maps, including any subsequent amendments, revisions or
26 additions thereto that hereafter go into effect pursuant to the provisions of
27 the applicable Federal law.

28 b. The flood hazard areas shown on the maps prepared by the U.S. Army

Corps of Engineers entitled:

1. San Gorgonio River and Smith Creek, June 1973.
2. San Gorgonio River and Tributaries, October 1974.
3. Warm Springs Creek, February 2003.

c. The special flood hazard areas shown on the following maps prepared for the County of Riverside, including any amendments, revisions or additions thereto that are hereafter adopted by resolution of the Board of Supervisors of the County of Riverside after a public hearing on the proposed adoption:

1. Cactus Valley, 100-year Flood Plain and Floodway Limits, March 1980.
2. Cabazon Flood Study, Flood Hazard Areas, June 1980.
3. Lakeview & Sierra Vista Tracts, 100-year Floodplain Limits, October 1990.
4. Tualota Creek, October 1984.
5. Long Valley Wash, October 2002.
6. Juniper Flats Floodplain, May 2006.
7. "Flood Insurance Study for Oasis Area of the Coachella Valley, April 2003."

d. The flood hazard areas as shown on the Awareness Maps that were prepared by the Department of Water Resources and received by RCFC&WCD on July 25, 2011, including any amendments, revisions or additions thereto that are hereafter adopted by resolution of the Board of Supervisors after a public hearing on the proposed adoption.

e. The flood hazard areas shown on the map prepared as part of the "Flood Plain Information, Colorado River, Palo Verde Dam to Imperial Dam" dated October 1974, for that area between the Palo Verde Diversion Dam and Taylor Ferry; or on any Flood Insurance Rate Maps, including any amendments or additions thereto that hereafter go into effect pursuant to the

1 provisions of the applicable Federal Law for the Colorado River.

- 2 f. Any maps of flood hazard areas hereafter adopted by resolution of the
3 Board of Supervisors after a public hearing on the proposed adoption.

4 Section 6. ADMINISTRATION. Notwithstanding the provisions of any other
5 ordinance to the contrary, within the special flood hazard areas shown on the maps referred to in Section
6 5, no structure, including flow obstructing structures, shall be constructed, located or substantially
7 improved and no land shall be graded, filled or developed, and no permit or approval shall be granted
8 therefor, unless it complies with all the applicable requirements of this ordinance and all other applicable
9 ordinances. If there is any conflict in or between the requirements of this ordinance and another
10 ordinance, the more stringent requirements shall apply. If there is any conflict between the maps referred
11 to in Section 5 of this ordinance the more stringent requirements shall apply.

12 a. Designation of the Floodplain Administrator. The Director of the
13 Department of Building and Safety for the County of Riverside, or his
14 designee, is hereby appointed to administer, coordinate, implement and
15 enforce this ordinance by granting or denying development permits in
16 accord with its provisions.

17 b. Duties and Responsibilities of the Floodplain Administrator. The duties and
18 responsibilities of the Floodplain Administrator shall include, but not
19 limited to the following:

- 20 1. Permit Review. Review all development permit applications to:
21 a) Determine if permit requirements of this ordinance have
22 been satisfied; and
23 b) Make substantial improvement and substantial damage of
24 existing structures determinations; and
25 b) All other required state and federal permits have been
26 obtained.

27 2. Assurance. Assure procedures are coordinated with other
28 departments/divisions and implemented by the County staff and take

1 any remedial actions necessary to administer and implement this
2 ordinance.

3 3. Referrals. Refer public to RCFC&WCD or CVWD for review, use
4 and development of other Base Flood data.

5 4. Submittals. Forward separate applications to RCFC&WCD or
6 CVWD for technical review.

7 5. Notification. Notify other appropriate agencies of alteration or
8 relocation of watercourses, changes on Base Flood Elevations due to
9 physical alterations and changes in corporate boundaries.

10 6. Retention. Retain records of approved variances for floodplain
11 development.

12 7. Reimbursement. Reimburse RCFC&WCD and CVWD for any
13 review and input either agency provides on separate applications.

14 c. Consultation and Review by Other Agencies. Due to the subject matter
15 expertise and functions of other agencies, the County intends to submit any
16 separate applications required under this ordinance to the Riverside County
17 Flood Control and Water Conservation District or the Coachella Valley
18 Water District for review and input in accordance with the provisions of this
19 ordinance.

20 d. Duties and Responsibilities of RCFC&WCD and CVWD. The duties and
21 responsibilities include the following:

22 1. Review and process separate applications within their respective
23 jurisdictions.

24 2. Maintain a record of all applications reviewed and approved
25 including the application form, accompanying plans and Elevation
26 Certificate.

27 3. Obtain, review and reasonably utilize any base flood elevation and
28 floodway data available. Calculating base flood elevation, if

necessary.

4. Issue a report recommending approval, with conditions or modifications, or denial of the proposed separate application plan.
5. Make interpretations where needed, as to the exact location of the boundaries of the special flood hazard areas.
6. For RCFC&WCD only, RCFC&WCD shall:
 - a) Maintain a record of floodplain maps and supporting documentation for the special flood hazard areas included in Section 5; and
 - b) Complete and submit a Biennial Report to FEMA.

Section 7. PROCEDURE.

- a. Insofar as it is feasible, it is intended that the requirements of this ordinance shall be integrated into the processing of applications for development permits under other Riverside County ordinances including, but not limited to, Ordinances Nos. 348, 369, 457, 460 and 555. When the information required, or the procedures involved, in the processing of such applications is not sufficient to assure compliance with the requirements of this ordinance, a separate application shall be filed as hereinafter provided.
- b. Whenever an application for a permit involves land which lies within the special flood hazard area of any map referred to in Section 5 of this ordinance, the Floodplain Administrator that accepts the application shall determine if a separate application shall be filed.
 1. If a permit would allow the location of any structure, new construction or substantial improvement thereto, or allow the alteration of land by grading or otherwise, or allow the placement of a recreational vehicle pursuant to section 8.a.8 of this ordinance, and the existing permit procedure does not otherwise provide for a specific and still appropriate, recommendation by RCFC&WCD or

1 CVWD, a separate application shall be filed by the applicant
2 accompanied by a fee as set forth in Section 4 of Riverside County
3 Ordinance No. 671 ("Ordinance No. 671").

4 2. If a permit would allow the location of any structure, new
5 construction or substantial improvement thereto, or allow the
6 alteration of land by grading or otherwise, or allow the placement of
7 a recreational vehicle pursuant to section 8.a.8 of this ordinance, and
8 the existing permit procedure does provide for a specific, but may
9 no longer be appropriate, recommendation by the RCFC&WCD or
10 CVWD, a separate application shall be filed by the applicant
11 accompanied by a 5.5 hour minimum fee set forth in Ordinance No.
12 671 Section 17B to begin review.

13 3. If a permit would allow for an attached deck or enclosed patio, a
14 separate application shall be filed by the applicant accompanied by a
15 5.5 hour minimum fee set forth in Ordinance No. 671 Section 17B
16 to begin review.

17 In order for the Floodplain Administrator to determine if the application for
18 a permit qualifies as substantial improvement, the applicant shall provide a
19 contractor's cost estimate.

20 c. All separate applications shall be filed with the Floodplain Administrator
21 that accepts the basic application and shall be accompanied by a fee as set
22 forth in Ordinance No. 671. Sites on noncontiguous parcels shall require
23 separate submittals. Each application shall contain plans that, at a
24 minimum, include the following:

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

1 2. Elevation contours, with maximum interval of:

2 SLOPE INTERVAL

3 0 – 2.99% 1'

4 3 – 9.99% 4'

5 10% plus 10'

6 3. Elevations, in relation to the 1988 North American Vertical Datum,
7 of the area to be developed, including adjoining properties necessary
8 to be shown for continuity. The elevation, in relation to the 1988
9 North American Vertical Datum, of the lowest floor (including
10 basement) of all new or substantially improved structures, and
11 whether or not such structures contain a basement shall be stated.

12 4. The method by which the applicant proposes to comply with the
13 requirements of this ordinance, including proposed elevations of any
14 structures or fills, flood proofing, erosion protection, flow-through
15 area, any proposals to modify existing flow of storm waters and any
16 other relevant information. If any structure is to be flood proofed,
17 the elevation, in relation to the 1988 North American Vertical
18 Datum, to which such structure is to be flood proofed shall be stated.

19 5. All applications plans shall be prepared and certified by a civil
20 engineer registered in the State of California.

21 d. Upon acceptance of both applications as being complete for filing, the
22 Floodplain Administrator shall forward copies of the basic application and
23 the separate application to the RCFC&WCD, unless the proposed
24 development lies within the area jurisdiction of the CVWD, in which case it
25 shall be forwarded to CVWD.

26 e. Within thirty (30) days of receipt thereof, the RCFC&WCD or CVWD,
27 respectively, shall determine if any further information is required in order
28 to process the application and, if required, shall inform the applicant or his

1 representative by regular mail of the need for additional information.
2 RCFC&WCD and CVWD shall review and process separate applications
3 within their respective jurisdictions as provided herein.

- 4 f. When base flood elevation data has not been provided through the maps
5 referred to in Section 5, the RCFC&WCD or CVWD shall obtain, review,
6 and reasonably utilize any base flood elevation and floodway data available
7 from a federal or state agency, or other source, in order to administer
8 Section 8.

9 NOTE: A base flood elevation may be calculated using one of two methods
10 from the FEMA publication, FEMA 265, Managing Floodplain
11 Development in Approximate Zone A Areas – A Guide for Obtaining and
12 Developing Base (100 year) Flood Elevations, dated July 1995. For alluvial
13 fans, the base flood depth and velocity may be calculated using methods
14 from the FEMA publication, Guidelines and Specifications for Flood
15 Hazard Mapping Partners, Appendix G: Guidance for Alluvial Fan
16 Flooding Analyses and Mapping dated April 2003.

- 17 g. Within thirty (30) days after determining that all required information has
18 been obtained, the RCFC&WCD or CVWD shall issue a report approving,
19 with conditions or modifications, or denying the proposed plan.

- 20 h. The applicant shall submit to RCFC&WCD or CVWD certifications,
21 including but not limited to Elevation Certificates, to satisfy the conditions
22 as referenced in 7g, prior to the issuance of any subsequent building
23 permits.

- 24 i. The RCFC&WCD and CVWD shall maintain a record of all applications
25 reviewed and approved pursuant to this Ordinance. Said record shall
26 consist of the application form, accompanying plans and Elevation
27 Certificate.

28 Section 8. CONSTRUCTION STANDARDS. Within the areas shown on the maps

1 listed in Section 5, the following requirements shall apply:

2 a. Special Flood Hazard Areas. Within the areas shown on the maps listed in
3 Section 5 as a Special Flood Hazard Area or floodplain, all proposed
4 developments shall meet the following requirements:

5 1. All permit applications shall be reviewed to determine whether
6 proposed building sites will be reasonably safe from flooding. All
7 new structures, new construction and substantial improvements to
8 existing structures shall:

9 a) Be designed (or modified) and adequately anchored to
10 prevent flotation, collapse, or lateral movement of the
11 structure resulting from hydrodynamic and hydrostatic loads,
12 including the effects of buoyancy.

13 b) Be constructed with materials resistant to flood damage.

14 c) Be constructed by methods and practices that minimize flood
15 damages.

16 d) Be constructed with electrical, heating, ventilation,
17 plumbing, and air conditioning equipment and other service
18 facilities that are designed or located so as to prevent water
19 from entering or accumulating within the components during
20 conditions of flooding.

21 e) Swimming pools shall:

22 1) Be constructed flush to the ground.

23 2) Have excavated dirt from the pool removed from the
24 site or spread across the site, no more than four (4)
25 inches thick.

26 3) Have equipment servicing the pool elevated at or
27 above the Base Flood Elevation.

28 2. All new construction improvements that are not considered

1 substantial improvement shall be designed according to the
2 requirements of the existing structure.

3 3. The existing structures shall also comply with current regulations
4 (such as elevating the finished floor) when the substantial
5 improvements to the existing structure consist of the following
6 types: rehabilitation improvements, foundation improvements or
7 replacement, a vertical addition and/or a structurally connected
8 lateral addition.

9 4. All subdivision proposals and other proposed new development,
10 including manufactured home parks or subdivisions greater than
11 fifty (50) lots or five (5) acres, whichever is less, shall be required to
12 identify the base flood elevation and be reviewed to determine
13 whether such proposals will be reasonably safe from flooding. All
14 such proposals shall be reviewed to assure that:

15 a) Such proposal is consistent with the need to minimize flood
16 damage.

17 b) Prior to grading, a Conditional LOMR has been issued by
18 FEMA.

19 c) Prior to inspection for occupancy, a LOMR has been issued
20 by FEMA for areas shown as floodplain on the effective
21 FIRM.

22 d) All utilities and facilities, such as sewer, gas, electrical,
23 propane tanks, and water systems are located and constructed
24 to minimize or eliminate flood damage.

25 e) Adequate drainage is provided to reduce exposure to flood
26 hazards.

27 f) All other required state and federal permits have been
28 obtained.

1 g) Alteration or relocation of a watercourse: Notify adjacent
2 communities and the California Department of Water
3 Resources prior to alteration or relocation. Submit evidence
4 of such notification to FEMA.

5 5. All new and replacement water supply systems shall be designed to
6 minimize or eliminate infiltration of floodwaters into the systems.

7 6. New and replacement sanitary sewage systems shall be designed to
8 minimize or eliminate infiltration of floodwaters into the systems
9 and discharges from the systems into flood waters, and on-site waste
10 disposal systems shall be located to avoid impairment to them or
11 contamination from them during flooding.

12 7. All manufactured homes to be placed or substantially improved shall
13 be installed using methods and practices which minimize flood
14 damage. For the purposes of this requirement, manufactured homes
15 shall:

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

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

20 Methods of anchoring may include, but are not limited to, use of
21 over-the-top or frame ties to ground anchors. This requirement is in
22 addition to applicable State and local anchoring requirements for
23 resisting wind forces. The requirements of section 8.a., subsections
24 7.a) and 7.b) herein shall only apply to i) manufactured homes
25 located outside of a manufactured home park or subdivision; or ii) in
26 a new manufactured home park or subdivision; or iii) in an
27 expansion to an existing manufactured home park or subdivision on
28 which a manufactured home has incurred substantial damage.

1 Notwithstanding the aforementioned requirements, manufactured
2 homes that have not incurred substantial damage due to flood and
3 are to be placed or substantially improved in an existing
4 manufactured home park or subdivision may either have their
5 chassis supported by reinforced piers or other foundation elements
6 of at least equivalent strength that are no less than thirty-six (36)
7 inches in height above grade and be securely anchored to an
8 adequately anchored foundation system to resist flotation, collapse,
9 and lateral movement or meet the requirements of section 8.a.7.a)
10 herein.

11 8. All recreational vehicles to be placed shall:

- 12 a) Be on the site for fewer than one hundred eighty (180)
13 consecutive days; and
14 b) Be fully licensed and ready for highway use.

15 Otherwise, recreational vehicles shall meet the separate application
16 requirements of section 7.b. and the elevation and anchoring
17 requirements for manufactured homes in section 8.a.7. A
18 recreational vehicle is ready for highway use if it is on its wheels or
19 jacking system, is attached to the site only by quick disconnect type
20 utilities and security devices, and has no permanently attached
21 additions.

22 9. Except as otherwise provided under Section 8.a. subsection 7., all
23 new construction and substantial improvements of residential
24 structures shall have the lowest floor (including basement) elevated
25 to or above the base flood level.

26 10. All new construction and substantial improvements of nonresidential
27 structures shall either:

- 28 a) Have the lowest floor (including basement) elevated to or

1 above the base flood level; or

- 2 b) Together with attendant utility and sanitary facilities, be
3 designed so that below the Base Flood level the structure is
4 watertight with walls substantially impermeable to the
5 passage of water and with structural components having the
6 capability of resisting hydrostatic and hydrodynamic loads
7 and the effects of buoyancy.

8 11. For all new construction and substantial improvements, fully
9 enclosed areas below the lowest floor that are subject to flooding
10 shall be designed to automatically equalize hydrostatic flood forces
11 on exterior walls by allowing for the entry and exit of floodwaters.
12 A minimum of two openings having a total net area of not less than
13 one square inch for every square foot of enclosed area subject to
14 flooding shall be provided. The bottom of all openings shall be no
15 higher than one foot above grade. Openings may be equipped with
16 screens, louvers, valves, or other coverings or devices provided that
17 they permit the automatic entry and exit of floodwaters.

18 12. Within any AO zone on the Flood Insurance Rate Maps, all new
19 construction and substantial improvements of residential structures
20 shall have the lowest floor (including basement) elevated above the
21 highest adjacent grade at least as high as the depth number specified
22 in feet on the Flood Insurance Rate Map (at least two feet if no
23 depth number is specified).

24 13. Within any AO zone on the Flood Insurance Rate Maps, all new
25 construction and substantial improvements of nonresidential
26 structures shall either:

- 27 a) Have the lowest floor (including basement) elevated above
28 the highest adjacent grade at least as high as the depth

1 number specified in feet on the Flood Insurance Rate Map
2 (at least two feet if no depth number is specified); or

3 b) Together with attendant utility and sanitary facilities, be
4 completely flood proofed to that level so that the structure is
5 watertight with walls substantially impermeable to the
6 passage of water and with structural components having the
7 capability of resisting hydrostatic and hydrodynamic loads
8 and the effects of buoyancy.

9 14. Within any AH and AO zones on the Flood Insurance Rate Maps,
10 adequate drainage paths around structures on slopes, to guide
11 floodwaters around and away from proposed structures, shall be
12 provided.

13 15. Whenever a watercourse or mapped floodplain is to be altered or
14 relocated, the flood carrying capacity of the altered or relocated
15 portion of the watercourse or mapped floodplain shall be
16 maintained. Manufactured slopes that encroach into a floodplain
17 and which are subject to erosive velocities, are considered flood
18 control facilities and must be maintained by a public entity.
19 However, the appropriateness of such encroachment shall be
20 determined at the sole discretion of the RCFC&WCD or the CVWD.
21 Adjacent communities and the Federal Insurance Administration
22 shall be notified of any such alteration or relocation by means of a
23 request for a LOMR for floodplains shown on the effective FIRM
24 panel. Within six (6) months of information becoming available or
25 project completion, whichever comes first, the Floodplain
26 Administrator shall submit or assure that the permit applicant
27 submits technical or scientific data to FEMA for a Letter of Map
28 Revision (LOMR).

1 16. All plans prepared for the development of property within a mapped
2 floodplain shall be prepared and certified by a civil engineer
3 registered in the State of California.

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

8 18. All new buildings and/or substantial improvements located within
9 the 500 year floodplain limits of Lake Elsinore shall have their
10 lowest floor elevated a minimum of three (3) feet above said water
11 body's 100 year water surface elevation. For the purpose of this
12 ordinance, Lake Elsinore's water surface elevation shall be 1265.7
13 (NAVD 88).

14 19. Any flood water storage displaced as a result of fill placement
15 within Lake Elsinore's 100 year floodplain shall be made up by
16 excavating 1.3 times the displaced volume within the elevation
17 range between 1249.4 and 1265.7 (NAVD88).

18 b. Floodways.

19 1. No structure shall be constructed, located or substantially improved
20 and no land shall be graded, filled or developed in the areas
21 designated as floodways, except upon approval of a plan which
22 provides that the proposed development will not result in any
23 increase in flood levels during the occurrence of the base flood
24 discharge. If a proposed permit qualifies for approval in the
25 floodway, it shall then meet all the requirements necessary for
26 approval of a permit in a Special Flood Hazard Area or floodplain.

27 2. Until such time that a regulatory floodway is adopted, no new
28 construction or other development (including fill) shall be permitted

1 within Zones A, A1-30 and AE, unless it is demonstrated that the
2 cumulative effect of the proposed development, when combined
3 with all other development, will not increase the water surface
4 elevation of the base flood more than one (1) foot or as determined
5 by the RCFC&WCD or the CVWD at any point along the
6 floodplain.

7 Section 9. APPEALS.

8 a. An applicant, or any interested party, shall have the right to appeal the
9 decision or determination by Floodplain Administrator that is made on an
10 application if appellant believes that an error has been made in the
11 recommendation by the RCFC&WCD or CVWD. The decision of the
12 Floodplain Administrator shall be considered final unless the applicant or
13 an interested party files an appeal with the Clerk of the Board of
14 Supervisors accompanied by the fee set forth in Ordinance No. 671 within
15 ten days after the decision or determination.

16 b. If a timely appeal is filed, the Clerk of the Board shall set a public hearing
17 for the matter to be heard before the Board of Supervisors of the County of
18 Riverside ("Board") not less than five (5) but not more than forty-five (45)
19 days thereafter and shall give notice, by mail no less than ten (10) days prior
20 to the hearing, to the applicant, the appellant, the Floodplain Administrator
21 with whom the application was originally filed and the applicable General
22 Manager-Chief Engineer of the RCFC&WCD or CVWD. The Board shall
23 render its decision on the matter upon the close of the public hearing on the
24 matter.

25 c. Appeals may be granted by the Board if the Board finds that there has been
26 an error in any requirement, decision or determination relating to the
27 application for the permit. The Board may reverse or affirm, wholly or
28 partly, or may modify the decision appealed from and the Board's decision

1 is final.

2 Section 10. REQUESTS FOR VARIANCES. An applicant shall also have the right to
3 request that a variance be granted to the construction standards or technical requirements of this ordinance
4 or to the conditions imposed upon a permit.

5 a. Basis for Variance. The issuance of a variance pursuant to this ordinance is
6 for floodplain management purposes only. Insurance premium rates are
7 determined by statute according to actuarial risk and will not be modified
8 by the granting of a variance. The variance criteria set forth in this section
9 of the ordinance are based on the general principle of zoning law that
10 variances pertain to a piece of property and are not personal in nature. A
11 variance may be granted for a parcel of property with physical
12 characteristics so unusual that complying with the requirements of this
13 ordinance would create an exceptional hardship to the applicant or the
14 surrounding property owners. The characteristics must be unique to the
15 property and not be shared by adjacent parcels. The unique characteristic
16 must pertain to the land itself, not to the structure, its inhabitants, or the
17 property owners. The need to help protect the citizens of Riverside County
18 from flooding is so compelling and the implications of the cost of insuring a
19 structure built below flood level are so serious that variances from the flood
20 elevation or from other requirements in the flood ordinance are quite rare.
21 The long term goal of preventing and reducing flood loss and damage can
22 only be met if variances are strictly limited. Therefore, the variance
23 guidelines provided in this ordinance are more detailed and contain multiple
24 provisions that must be met before a variance can be properly granted. The
25 criteria are designed to screen out those situations in which alternatives
26 other than a variance are more appropriate.

27 b. Application Process. An application to request a variance shall be made to
28 the Floodplain Administrator, upon the form provided by the Department of

1 Building and Safety, accompanied by a fee as set forth in Ordinance No.
2 671. Upon receipt of a completed application, the Floodplain Administrator
3 shall request and obtain a technical recommendation from the RCFC&WCD
4 or CVWD. The Floodplain Administrator shall render its decision on the
5 matter within thirty (30) days after receipt of the report and
6 recommendation from RCFC&WCD or CVWD. Any applicant to whom a
7 variance is granted shall be given written notice that the cost of flood
8 insurance will be commensurate with the increased risk resulting from the
9 granting of the variance. Any applicant to whom a variance is granted shall
10 promptly record an instrument evidencing said variance with the Riverside
11 County Recorder's office. Said recordation shall be maintained until such
12 time that the applicable flood hazard area has been removed.

13 c. Conditions for Variances.

- 14 1. Generally, variances may be issued for new construction, substantial
15 improvement, and other proposed new development to be erected on
16 a lot of one-half acre or less in size contiguous to and surrounded by
17 lots with existing structures constructed below the base flood level,
18 providing that the procedures of this ordinance have been fully
19 considered. As the lot size increases beyond one-half acre, the
20 technical justification required for issuing the variance increases.
- 21 2. Variances may be issued for the repair or rehabilitation of "Historic
22 Structures" (as defined in section 4 of this ordinance) upon a
23 determination that the proposed repair or rehabilitation will not
24 preclude the structure's continued designation as an historic structure
25 and the variance is the minimum necessary to preserve the historic
26 character and design of the structure.
- 27 3. Variances shall not be issued within any mapped regulatory
28 floodway if any increase in flood levels during the base flood

1 discharge would result.

2 4. Variances shall only be issued upon a determination that the
3 variance is the "minimum necessary" considering the flood hazard,
4 to afford relief. "Minimum necessary" means to afford relief with a
5 minimum of deviation from the requirements of this ordinance.

6 5. Any applicant to whom a variance is granted shall be given written
7 notice over the signature of a community official that:

8 a) The issuance of a variance to construct a structure below the
9 base flood level will result in increased premium rates for
10 flood insurance; and

11 b) Such construction below the base flood level increases risks
12 to life and property. Applicant shall record, or caused to be
13 recorded, a copy of the notice in the Official Records of the
14 County of Riverside and shall be recorded in a manner so
15 that it appears in the chain of title of the affected parcel of
16 land. Applicant shall provide a conformed copy of the
17 recorded notice to the Floodplain Administrator prior to the
18 issuance of the permit to which the variance is approved.

19 6. The Floodplain Administrator will maintain a record of all variance
20 actions, including justification for their issuance.

21 d. Findings Required for Variances. Variances on the requirements of this
22 ordinance or the conditions of an approved permit may only be granted if
23 the Floodplain Administrator finds:

24 1. That the approval of a variance was for good and sufficient cause
25 which amount to special circumstances applicable to the subject
26 property that does not generally apply to other property in the same
27 Special Flood Hazard Area.

28 2. That failure to grant the variance would result in exceptional

1 hardship to the applicant.

2 3. That the granting of a variance will not confer a special privilege not
3 enjoyed by other similarly situated properties.

4 4. That strict application of the ordinance deprives the property of
5 privileges enjoyed by other property in the vicinity and in the same
6 Special Flood Hazard Area.

7 5. That the granting of a variance will not result in increased flood
8 heights, additional threats to public safety, extraordinary public
9 expense, create nuisances, cause fraud on or victimize the public or
10 conflict with existing laws or ordinances.

11 6. That the variance is the minimum necessary, considering the flood
12 hazard, to afford relief.

13 e. Appeal. An applicant or interested party may appeal a decision by
14 Floodplain Administrator that is made on an application for a variance in
15 accordance with the procedures provided in Section 9 of this ordinance.

16 Section 11. DISCLAIMER OF LIABILITY. The degree of flood protection required
17 by this ordinance is considered reasonable for regulatory purposes and is based on scientific and
18 engineering considerations. Flood heights may be increased by man-made or natural causes, and this
19 ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such
20 areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of
21 the County of Riverside, any officer or employee thereof, or the Federal Insurance Administration or the
22 Riverside County Flood Control and Water Conservation District, or the Coachella Valley Water District,
23 for any flood damages resulting from reliance on this ordinance or any determination made thereunder.

24 Section 12. VIOLATIONS AND PENALTIES. The procedures, remedies and
25 penalties for violation of this ordinance and for recovery of costs related to enforcement are provided for
26 in Ordinance No. 725, as it is amended from time to time, which is incorporated herein by this reference.

27 Section 13. SEVERABILITY. If any provision, clause, sentence or paragraph of this
28 ordinance or the application thereof to any person or circumstances shall be held invalid, such invalidity

1 shall not affect the other provisions of this ordinance which can be given effect without the invalid
2 provision or application, and to this end, the provisions of this ordinance are hereby declared to be
3 severable.

4 Section 14. This ordinance shall take effect thirty (30) days after its adoption.”

5
6 Section 2. This ordinance shall take effect thirty (30) days after its adoption.

7
8 BOARD OF SUPERVISORS OF THE COUNTY
9 OF RIVERSIDE, STATE OF CALIFORNIA

10 By: Jeff Stone
11 Chairman Jeff Stone

12 ATTEST: Kecia Harper-Ihem
13 CLERK OF THE BOARD:

14 By: Kecia Harper-Ihem
15 Deputy

16
17 (SEAL)

18 APPROVED AS TO FORM
19 June 19, 2014

20 By: Synthia M. Gunzel
21 SYNTHIA M. GUNZEL,
22 Deputy County Counsel

23
24
25
26 SMG:ml
27 061914
28 G:\ORDINANCE\458\ORD 458 14.DOC

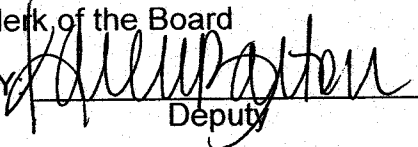
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

STATE OF CALIFORNIA)
)
COUNTY OF RIVERSIDE) ss

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said county held on July 15, 2014, the foregoing ordinance consisting of 2 Sections was adopted by the following vote:

AYES: Jeffries, Tavaglione, Stone, Benoit and Ashley
NAYS: None
ABSENT: None

DATE: July 15, 2014

KECIA HARPER-IHEM
Clerk of the Board
BY: 
Deputy

SEAL

To: Office of Planning and Research
P.O. Box 3044, 1400 Tenth Street, Room 222
Sacramento, CA 95812-3044

From: Transportation and Land Management Agency
4080 Lemon Street, 2nd Floor
P.O. Box 1440
Riverside, CA 92502

X County Clerk
County of Riverside
2724 Gateway Drive
Riverside, CA 92507

Original Negative Declaration/Notice of
Determination was routed to County
Clerks for posting on.

7/15/14 Date
Initial

Project Title: Riverside County Ordinance No. 458.14: Amending Riverside County Ordinance 458 (Regulating
Special Flood Hazard Areas and Implementing the National Flood Insurance Program)

Project Location - Specific:

Ordinance 458.14 is applicable within the unincorporated areas of the County of Riverside.

Project location - City: N/A

Project Location - County: Riverside

Project Description:

The proposed project includes the adoption of Riverside County Ordinance 458.14 which will amend Riverside
County Ordinance 458 ("Ordinance"). The Ordinance establishes policies, procedures and standards for regulating
development in designated special flood zone areas and implements the provisions of the National Flood Insurance
Program (NFIP) within the unincorporated areas of the County of Riverside ("County").

Proposed language to the Ordinance clarifying to which development this Ordinance shall apply. In addition,
administrative revisions to the Ordinance are proposed which would provide consistency, clarification and direction
for administering the regulations in the following areas:

- Revising and adding sections for legislative findings, purpose and source of authority
Revising and adding definitions to provide clarification
Revising the list of effective floodplain maps
Clarify roles of the Floodplain Administrator and other agencies
Establish procedure for calculating Substantial Improvement/Damage threshold
Establish process to amend special study floodplain maps prepared by the County and DWR Awareness Maps
through Board Resolution
Clarify Separate Application process for certain development permits and establish procedure to verify if
previous review is still in compliance with current FEMA standards
Revising and updating the basis and procedures for appeals and requests for variances
Update reference numbers for FEMA documents to current forms

Name of Public Agency Approving Project: Transportation and Land Management Agency

Name of Person or Agency Carrying Out Project: COUNTY OF RIVERSIDE TLMA.

Exempt Status: (check one)

- Ministerial (Sec. 21080(b)(1); 15268);
Declared Emergency (Sec. 21080(b)(3); 15269(a));
Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
X Categorical Exemption. Sec. 15061(b)(3)
Statutory Exemptions;

Reasons why project is exempt:

The project is exempt from the provisions of CEQA specifically by the State CEQA Guidelines as identified below.
The project will not result in any specific or general exceptions to the use of the categorical exemptions as detailed
under State CEQA Guidelines Section 15300.2. The project will not cause any impacts to scenic resources, historic
resources, or unique sensitive environments. Further, no unusual circumstances or potential cumulative impacts
would occur that may reasonably create an environmental impact. The project as proposed only includes the

adoption of Riverside County Ordinance 458.14, which will amend Riverside County Ordinance 458; no environmental impacts are anticipated to occur.

- Section 15061 (b) (3). Ordinance No. 458.14 is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the ordinance will have a significant effect on the environment. There is no specific development project connected with this proposed amendment, it is not site specific and it does not commit the County to any development. The County's approval of the amendment does not cause any circumstances to significantly impact the environment or have negative cumulative impacts on the environment because it does not prompt any actual projects or flood control projects; it is merely an adoption of an ordinance with procedures and regulations for development within special flood hazard areas. Any actual project proposed by property owners will have to undergo its own CEQA analysis.

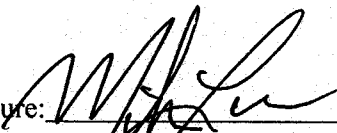
Based upon the identified exemption above, the Transportation and Land Management Agency hereby concludes that no physical environmental impacts are anticipated to occur and the project as proposed is exempt under CEQA. No further environmental analysis is warranted.

Lead Agency

Contact Person: MIKE LARA Area Code/Telephone/Extension: 951-955-2514

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature:  Date: 6/19/14 Title: Building Official

Signed by Lead Agency

Signed by Applicant

Date received for filing at OPR: _____

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

862A



FROM: Transportation and Land Management Agency

SUBMITTAL DATE:
June 19, 2014

SUBJECT: Introduction of Ordinance No. 458.14, amending Riverside County Ordinance No. 458 Regulating Special Flood Hazard Areas and Implementing the National Flood Insurance Program – All Supervisorial Districts [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

INTRODUCE Ordinance No. 458.14, an Ordinance of the County of Riverside amending Ordinance No. 458 in its entirety which regulates development in flood hazard areas and establishes procedures to implement the National Flood Insurance Program; and

BACKGROUND:

Summary

(Continued on page 2)

[Signature]
Mike Zara
Director of Building and Safety

FORM APPROVED COUNTY COUNSEL
BY: *[Signature]* DATE: 6-19-14
SYNTHIA M. GUNZEL Departmental Concurrence

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 0	\$ 0	\$ 0	\$ 0	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	

SOURCE OF FUNDS:	Budget Adjustment: N/A
	For Fiscal Year: N/A

C.E.O. RECOMMENDATION: APPROVE
BY: *[Signature]*
Tina Grande
County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Jeffries, seconded by Supervisor Benoit and duly carried by unanimous vote, IT WAS ORDERED that the above ordinance is approved as introduced with waiver of reading.

Ayes: Jeffries, Tavaglione, Stone, Benoit and Ashley
Nays: None
Absent: None
Date: July 1, 2014
xc: TLMA, COB

Kecia Harper-Ihem
Clerk of the Board
By: *[Signature]*
Deputy

- A-30
- Positions Added
- 4/5 Vote
- Change Order

Prev. Agn. Ref.: 3.11 of 7/29/08; 3-56 of 6/17/14 District: All Agenda Number:

3-48

SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: Introduction of Ordinance No. 458.14, amending Riverside County Ordinance No. 458 Regulating Special Flood Hazard Areas and Implementing the National Flood Insurance Program – All Supervisorial Districts [\$0]

DATE: June 19, 2014

PAGE: Page 2 of 3

BACKGROUND:

Summary (continued)

Riverside County Ordinance No. 458 ("Ordinance") establishes policies, procedures and standards for regulating development in designated special flood zone areas and implements the provisions of the National Flood Insurance Program (NFIP) within the unincorporated areas of the County of Riverside ("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.

On June 17, 2014 (Item 3-56), the Board of Supervisors adopted an order to initiate an amendment to Ordinance No. 458 to add the language required for compliance for the County's continued participation in the NFIP (as further explained below) and to provide other administrative revisions for consistency, clarification and direction.

The Ordinance was initially adopted in 1979, has been amended from time to time as warranted and is subject to review by FEMA periodically. A recent review of the Ordinance by FEMA to assess the adequacy for compliance with the requirements of the National Flood Insurance Program, it was determined that Ordinance No. 458 is not consistent with the minimum provisions required to be in compliance with FEMA's regulations. As stated in Title 44, part 59.24(a) of the Code of Federal Regulations (44CFR§59.24), a community with a non-compliant ordinance for flood plain management regulations subjects the community to suspension from the National Flood Insurance Program. If suspended, then flood insurance would no longer be available for sale within the unincorporated areas of Riverside County. FEMA has provided language that needs to be added to the Ordinance pertaining to which type of development this Ordinance shall apply. By remaining compliant with the NFIP program through this Ordinance amendment, the County allows the residents within its jurisdiction to meet a minimum eligibility requirement for Federal disaster aid, and to continue to purchase flood insurance. Moreover, the County remains eligible for federal grants and loans. The County has a limited time to amend the Ordinance before FEMA will suspend the County from the NFIP. Therefore, time is of the essence in updating the Ordinance to reflect current standards.

In addition, administrative revisions to the Ordinance are proposed which would provide consistency, clarification and direction for administering the regulations in the following areas:

- Revising and adding sections for legislative findings, purpose and source of authority
- Revising and adding definitions to provide clarification
- Revising the list of effective floodplain maps
- Clarify roles of the Floodplain Administrator and other agencies
- Establish procedure for calculating Substantial Improvement/Damage threshold
- Establish process to amend special study floodplain maps prepared by the County and DWR Awareness Maps through Board Resolution
- Clarify Separate Application process for certain development permits and establish procedure to verify if previous review is still in compliance with current FEMA standards
- Revising and updating the basis and procedures for appeals and requests for variances
- Update reference numbers for FEMA documents to current forms

Ordinance No. 458.14 does not prompt any new flood control projects. It is a current County ordinance that is being amended for the reasons provided above. There are no new higher floodproofing standards included in this proposed Ordinance amendment from the ones that are currently in place. This Ordinance amendment is to maintain what currently exists for the protection and aid of the public from the County's continued participation in the NFIP.

SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: Introduction of Ordinance No. 458.14, amending Riverside County Ordinance No. 458 Regulating Special Flood Hazard Areas and Implementing the National Flood Insurance Program – All Supervisorial Districts [\$0]

DATE: June 19, 2014

PAGE: Page 3 of 3

The Department of Building and Safety is responsible for building permit processing and inspections. For this Ordinance, the Director of the Department of Building and Safety is designated as the Floodplain Administrator to administer, implement and enforce the requirements of the Ordinance. The Riverside County Flood Control and Water Conservation District (RCFC&WCD) and the Coachella Valley Water District are responsible for conducting floodplain management reviews within their respective service areas and providing permit recommendations in accordance with the Ordinance and NFIP regulations to the Floodplain Administrator. In addition, RCFC&WCD maintains the records and supporting documentation for floodplain maps.

This amendment has been reviewed and approved as to form by County Counsel.

Impact on Citizens and Businesses

If suspended from the NFIP program, real estate transactions in identified Special Flood Hazard Areas (SFHAs) cannot be completed until potential buyers provide proof of flood insurance. Because NFIP flood insurance policies cannot be sold in suspended communities, buyers would be forced to obtain flood insurance from the private sector which is usually at a significantly higher premium. Continued implementation of Ordinance No. 458 will assist in reducing the risk of flood hazards to future development and construction.

SUPPLEMENTAL:

Additional Fiscal Information

N/A

Contract History and Price Reasonableness

N/A

SUMMARY OF ORDINANCE NO. 458.14
AN ORDINANCE OF THE COUNTY OF RIVERSIDE AMENDING ORDINANCE NO. 458
REGULATING FLOOD HAZARD AREAS AND IMPLEMENT THE NATIONAL FLOOD
INSURANCE PROGRAM

This summary is presented pursuant to California Government Code Section 25124(b): a certified copy of the full text of Ordinance No. 458.14 may be examined at the Office of the Clerk of the Board of Supervisors of the County of Riverside, located at 4080 Lemon Street, 1st Floor, Riverside, California.

Ordinance No. 458.14 amends Ordinance No. 458 in its entirety to add language to the ordinance pertaining to which type of development this ordinance shall apply and make administrative revisions that provide consistency, clarification and direction for administering the regulations and implementing the National Flood Insurance Program in the following areas: revising and adding sections for legislative findings, purpose and source of authority; revising and adding definitions to provide clarification; revising the list of effective floodplain maps; clarify roles of the Floodplain Administrator and other agencies; establish procedure for calculating Substantial Improvement/Damage threshold; establish process to amend special study floodplain maps prepared by the County and DWR Awareness Maps through Board Resolution; clarify Separate Application process for certain development permits and establish procedure to verify if previous review is still in compliance with current FEMA standards; revising and updating the basis and procedures for appeals and requests for variances and update reference numbers for FEMA documents to current forms.

The purpose of the ordinance is to establish policies, procedures and standards for regulating development in designated special flood zone areas and to implement the provisions of the National Flood Insurance Program ("NFIP") within the unincorporated areas of the County of Riverside. The NFIP is administered by the Federal Emergency Management Agency ("FEMA") and makes federally backed flood insurance and for Federal disaster aid available to homeowners, renters and business owners in participating communities and the County of Riverside remains eligible for federal grants and loans. Ordinance No. 458.14 sets forth the procedures for certain permitting of development in the special flood zone areas as well as the required development standards for such permits. Ordinance No. 458.14 would take effect 30 days after its adoption.



OFFICE OF
CLERK OF THE BOARD OF SUPERVISORS
1st FLOOR, COUNTY ADMINISTRATIVE CENTER
P.O. BOX 1147, 4080 LEMON STREET
RIVERSIDE, CA 92502-1147
PHONE: (951) 955-1060
FAX: (951) 955-1071

KECIA HARPER-IHEM
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR
Assistant Clerk of the Board

July 21, 2014

THE PRESS ENTERPRISE
ATTN: LEGALS
P.O. BOX 792
RIVERSIDE, CA 92501

FAX: (951) 368-9018
E-MAIL: legals@pe.com

RE: ADOPTION OF ORDINANCE NO. 458.14

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME** on **Thursday, July 24, 2014**.

We require your affidavit of publication immediately upon completion of the last publication.

Your invoice must be submitted to this office, **WITH TWO CLIPPINGS OF THE PUBLICATION**.

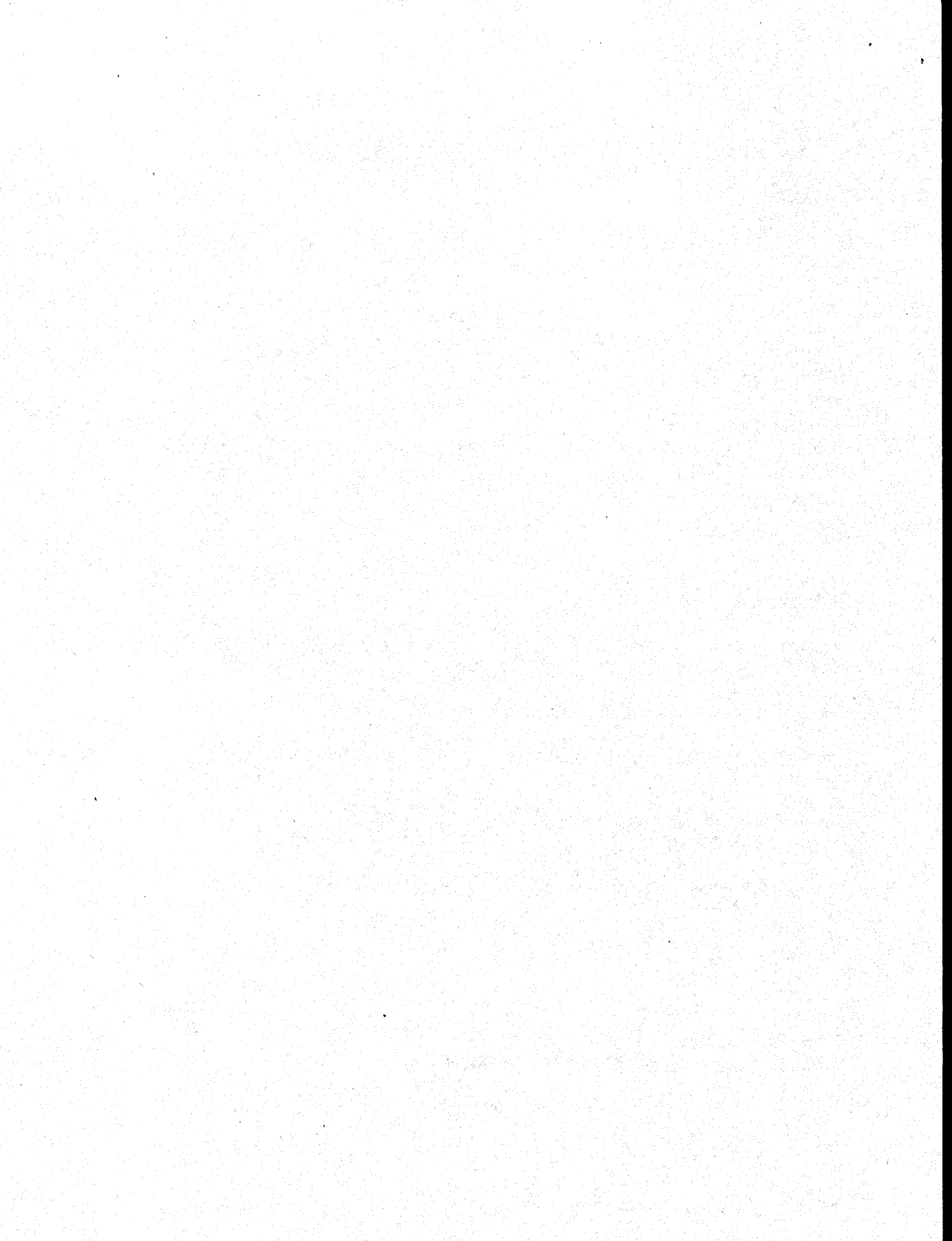
NOTE: PLEASE COMPOSE THIS PUBLICATION INTO A SINGLE COLUMN FORMAT.

Thank you in advance for your assistance and expertise.

Sincerely,

Cecilia Gil

Board Assistant to:
KECIA HARPER-IHEM, CLERK OF THE BOARD



Gil, Cecilia

From: mtinajero@pe.com on behalf of Master, PEC Legals <legalsmaster@pe.com>
Sent: Monday, July 21, 2014 10:09 AM
To: Gil, Cecilia
Subject: Re: [Legals] FOR PUBLICATION: Adoption of Ord. No. 458.14

Received for publication on July 24. Proof with cost to follow.

Thank You!
Legal Advertising

Phone: 1-800-880-0345 / Fax: 951-368-9018 / E-mail: legals@pe.com

Please Note NEW Deadlines: Deadline is 10:30 AM three (3) business days prior to the date you would like to publish.

****Additional days required for larger ad sizes****

On Mon, Jul 21, 2014 at 8:11 AM, Gil, Cecilia <CCGIL@rcbos.org> wrote:

One more...Adoption of Ordinance, for publication on Thursday, July 24, 2014. Please confirm. THANK YOU!

Cecilia Gil

Board Assistant

Clerk of the Board

951-955-8464

MS# 1010



OFFICE OF
CLERK OF THE BOARD OF SUPERVISORS
1st FLOOR, COUNTY ADMINISTRATIVE CENTER
P.O. BOX 1147, 4080 LEMON STREET
RIVERSIDE, CA 92502-1147
PHONE: (951) 955-1060
FAX: (951) 955-1071

KECIA HARPER-IHEM
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR
Assistant Clerk of the Board

July 21, 2014

THE DESERT SUN
ATTN: LEGALS
P.O. BOX 2734
PALM SPRINGS, CA 92263

FAX: (760) 778-4731
E-MAIL: legals@thedesertsun.com

RE: ADOPTION OF ORDINANCE NO. 458.14

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME** on **Thursday, July 24, 2014**.

We require your affidavit of publication immediately upon completion of the last publication.

Your invoice must be submitted to this office, **WITH TWO CLIPPINGS OF THE PUBLICATION**.

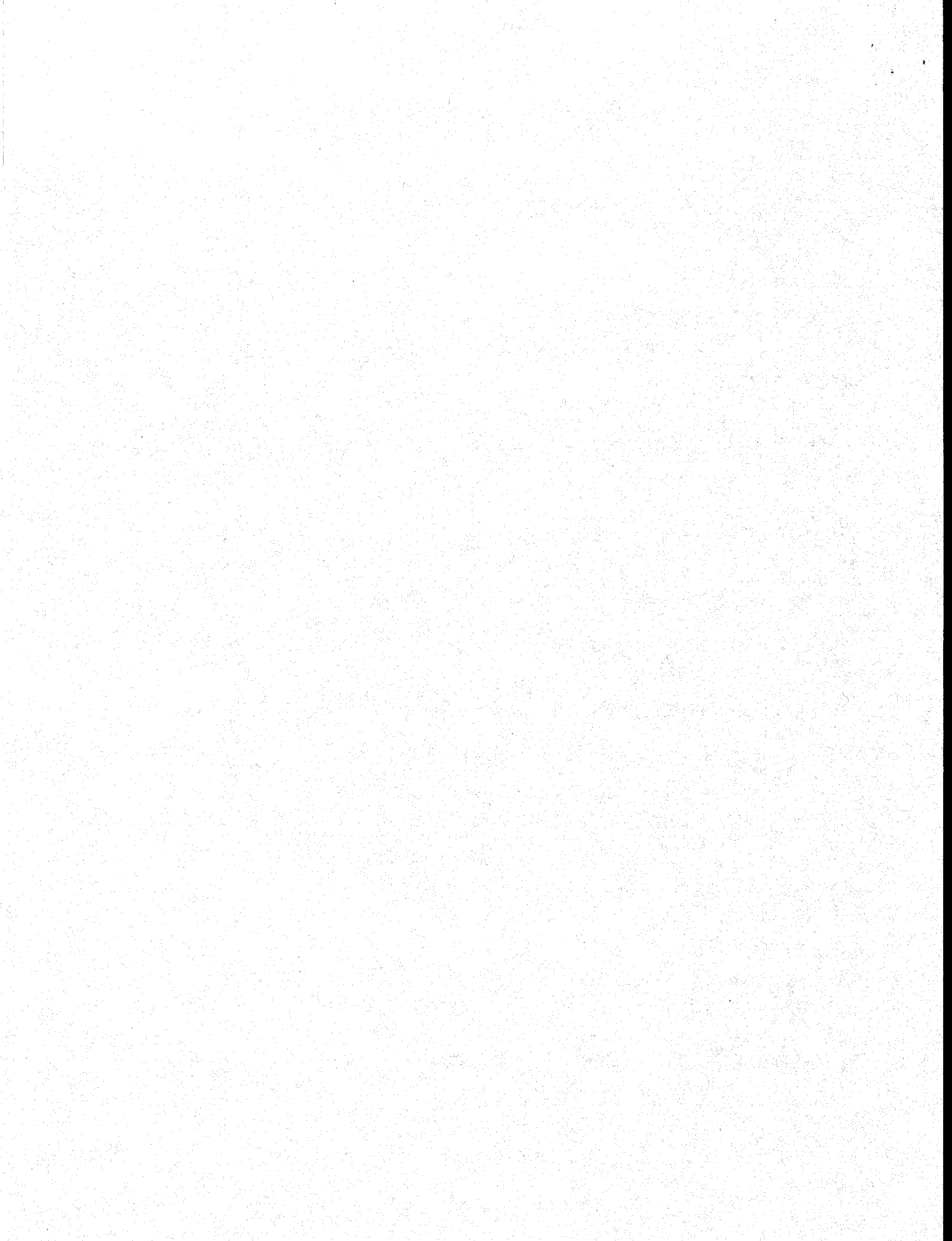
NOTE: PLEASE COMPOSE THIS PUBLICATION INTO A SINGLE COLUMN FORMAT.

Thank you in advance for your assistance and expertise.

Sincerely,

Cecilia Gil

Board Assistant to:
KECIA HARPER-IHEM, CLERK OF THE BOARD



Gil, Cecilia

From: Moeller, Charlene <CMOELLER@palmspri.gannett.com>
Sent: Monday, July 21, 2014 8:38 AM
To: Gil, Cecilia
Subject: RE: FOR PUBLICATION: Adoption of Ord. No. 458.14

Good Morning,

Ad received and will publish on date(s) requested.

Charlene Moeller | Media Sales Legal Notice Coordinator

The Desert Sun Media Group
750 N. Gene Autry Trail, Palm Springs, CA 92262
t 760.778.4578 | f 760.778.4731
legals@thedesertsun.com / dowlegals@thedesertsun.com

The Coachella Valley's #1 Source in News & Advertising!
www.DesertSun.com | twitter @MyDesert | facebook thedesertsun

This email and any files transmitted with it are confidential and intended for the individual to whom they are addressed. If you have received this email in error, please notify the sender and delete the message from your system

From: Gil, Cecilia [<mailto:CCGIL@rcbos.org>]
Sent: Monday, July 21, 2014 8:13 AM
To: tds-legals
Subject: FOR PUBLICATION: Adoption of Ord. No. 458.14

Good morning! Attached is an Adoption of Ordinance, for publication on Thursday, July 24, 2014. Please confirm. THANK YOU!

Cecilia Gil
Board Assistant
Clerk of the Board
951-955-8464
MS# 1010

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

ORDINANCE NO. 458.14

**AN ORDINANCE OF THE COUNTY OF RIVERSIDE
AMENDING ORDINANCE NO. 458 REGULATING FLOOD HAZARD AREAS AND IMPLEMENTING THE
NATIONAL FLOOD INSURANCE PROGRAM**

The Board of Supervisors of the County of Riverside ordains as follows:

Section 1. Ordinance No. 458 is amended in its entirety to read as follows:

"ORDINANCE NO. 458

**AN ORDINANCE OF THE COUNTY OF RIVERSIDE
REGULATING SPECIAL FLOOD HAZARD AREAS AND IMPLEMENTING
THE NATIONAL FLOOD INSURANCE PROGRAM**

The Board of Supervisors of the County of Riverside ordains as follows:

Section 1. FINDINGS. The Board of Supervisors finds that:

- a. The flood hazard areas of Riverside County are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption in commerce and governmental services, extraordinary public expenditures for flood protection and relief from flooding, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.
- b. When floodplains are developed without taking appropriate care and precautions, flood heights, frequencies, and velocities increase, causing a greater threat to humans, damage to property, destruction of natural floodplain functions and adverse impacts to water quality.
- c. The establishment of reasonable preventive and protective measures by enacting development regulations and through participation in a national program of flood insurance makes flood insurance coverage and relief available on reasonable terms and conditions to persons who have need for such protection.

Section 2. PURPOSE. The purpose of the ordinance is to promote the public health, safety, and welfare and minimize public and private costs caused by flooding by regulating development within the special flood hazard areas to be applied uniformly throughout the unincorporated areas of the Riverside County to all publicly and privately owned land within flood prone, mudslide or flood related erosion areas. These regulations are designed to:

- a. Protect human life and health;
- b. Minimize expenditure of public money for costly flood control projects;
- c. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- d. Minimize prolonged business interruptions;
- e. Minimize damage to public facilities and utilities such as water and gas mains; electric, telephone and sewer lines; and streets and bridges located in areas of special flood hazard;
- f. Help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future blighted areas caused by flood damage;
- g. Ensure that potential buyers are notified that property is in an area of special flood hazard; and
- h. Ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

Section 3. AUTHORITY. Local governments have the authority to adopt regulations under Government Code Sections 65302, 65560, 65800, 65850 and 65900, et seq., to promote the public health, safety and general welfare of its residents. This ordinance is adopted pursuant to the requirements of the

National Flood Insurance Act of 1968, Title 42 United States Code Section 4001, et seq. and Code of Federal Regulations, Title 44, Chapter I, Subchapter B, Part 59, as each may be amended, including all other regulations adopted pursuant thereto. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the regulated areas or the uses and development permitted within such areas will be free from flooding or flood damages.

Section 4. DEFINITIONS. Unless specifically defined below, terms or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application. The following terms shall have the following meanings:

- a. **100-Year Flood.** Means and refers to the "Base Flood" as defined herein below.
- b. **Accessory Structure.** Means and refers to a structure, that may not qualify as a "building", located on the same parcel of property as the primary structure or building to be insured and the use of which is incidental and subordinate to the use of the principal structure or building. For example, open structures, such as carports, gazebos and picnic pavilions that do not have at least two rigid walls are not "buildings."
- c. **Awareness Map.** Means and refers to those floodplain maps produced by the Department of Water Resources of the State of California that initially identify flood hazard areas using approximate assessment procedures to map 100 year floodplains for both riverine and alluvial fan conditions. Such "awareness floodplains" will be shown simply as flood hazard areas without specific depth and other flood hazard data.
- d. **Base Flood.** Means and refers to a flood which has a one percent (1%) chance of being equaled or exceeded in any given year (also called the "100-Year Flood"). Base Flood is the term commonly used throughout this ordinance.
- e. **Base Flood Elevation (BFE).** Means and refers to the elevation shown on the Flood Insurance Rate Map for Zones AE, AH, A1-30, VE and V1-V30, and those elevations determined by the County of Riverside for other special flood hazard areas that indicate the water surface elevation resulting from a flood that has a one percent (1%) or greater chance of being equaled or exceeded in any given year.
- f. **Basement.** Means and refers to any area of a building having its floor subgrade (below ground level) on all sides.
- g. **CVWD.** Means and refers to the Coachella Valley Water District, a special district created under California law.
- h. **Colorado River Floodway Fringe.** Means and refers to that area subject to inundation by floods of varying magnitudes generated from the Colorado River, up to and including the floodway flow, but which is not required for the safe conveyance of the floodway flow and is not included in the computation of the Colorado River Floodway base flood elevation.
- i. **Contractor.** Means and refers to a licensed General Contractor or professional construction estimator.
- j. **Development.** Means and refers to any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, drilling operations, storage of equipment or materials.
- k. **Elevation Certificate (known as FEMA Form 086-0-33 expiring on July 31, 2015 or the latest version thereafter).** Means and refers to a form used for recording the finished floor elevations and adjacent ground of a building.
- l. **Encroachment.** Means and refers to activities or construction within the floodway including fill, new construction, substantial improvements, or other development. These activities are prohibited within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses that the proposed encroachments would not result in any increase in flood levels.
- m. **Existing Manufactured Home Park or Subdivision.** Means and refers to 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, either final site grading or pouring of concrete pads, and the construction of streets) is completed before July 5, 1979.

- n. Expansion to an Existing Manufactured Home Park or Subdivision. Means and refers to the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, either final site grading or pouring of concrete pads, or the construction of streets).
- o. FEMA. Means and refers to the Federal Emergency Management Agency.
- p. Flood Insurance Rate Map (FIRM). Means and refers to the official map on which the Federal Emergency Management Agency or Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the unincorporated areas of Riverside County.
- q. Flood Insurance Study. Means and refers to the official report provided by the Federal Insurance Administration that includes discharge rates, flood profiles, the Flood Insurance Rate Map(s), and the water surface elevations of the base floods.
- r. Floodplain Administrator. Means and refers to the Director, or his designee, of the Department of Building and Safety for the County of Riverside.
- s. Floodproofing Means and refers to any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents. For guidelines on dry and wet floodproofing, see FEMA Technical Bulletins TB 1-93, TB 3-93, and TB 7-93.
- t. Floodway. Means and refers to the channel of a river or other watercourse and adjacent land areas necessary to discharge the waters from the 100-Year Flood without increasing the water surface elevation of that flood more than one foot at any one point; or that area 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.
- u. Fraud and Victimization. As related to Section 10 of this ordinance, means and refers to the variance granted must not cause fraud on or victimization of the public. In examining this requirement, Floodplain Administrator will consider the fact that every newly constructed building adds to government responsibilities and remains a part of the community for fifty to one-hundred years. Buildings that are permitted to be constructed below the base flood elevation are subject during all those years to increased risk of damage from floods, while future owners of the property and the community as a whole are subject to all the costs, inconvenience, danger, and suffering that those increased flood damages bring. In addition, future owners may purchase the property, unaware that it is subject to potential flood damage, and can be insured only at very high flood insurance rates.
- v. 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.
- w. Historic Structure. Means and refers to 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; or
 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; or
 3. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of 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.
- x. Lateral Additions. Means and refers to improvements constructed adjacent to an existing structure that increases the square footage of the structure. This commonly includes the structure attachment of a bedroom, den, recreational room and garage. If the lateral addition is attached through a covered breezeway or similar structure open on two (2) or more sides, it will not be included in the substantial improvement calculations and will be conditioned to meet current floodproofing standards.
- y. 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 Taylor Ferry.
- z. LOMR. Means and refers to a "Letter of Map Revision."
- aa. Lowest Floor. Means and refers to the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of applicable non-elevation design requirements of Section 8 of this ordinance.
- bb. 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 a recreational vehicle.
- cc. Manufactured Home Park or Subdivision. Means and refers to a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.
- dd. Market Value. Means and refers to the price agreed to be paid in an open market by a willing buyer to a willing seller, with neither acting under compulsion to buy or sell, giving due consideration to all economic uses of the property at the time of the valuation. The market value of a structure reflects its original quality, subsequent improvements, physical age of building components and current condition. For the purposes of determining substantial improvement, market value pertains only to the structure in question. It does not pertain to the land, landscaping or detached accessory structures on the property. Market value of the structure will be obtained by the Floodplain Administrator using the assessed value of the structure as shown on the last equalization assessment roll. The resulting market value is intended to bring order and equity to the Separate Application process which can be readily determined and administered without undue delays to the applicant. Alternatively, the applicant can submit a formal appraisal to determine the market value.
- ee. Mean Sea Level. Means and refers to the National Geodetic Vertical Datum (NGVD) of 1929, North American Vertical Datum of 1988 (NAVD 88), or other datum, to which base flood elevations are referenced.
- ff. New Construction. Means and refers to structures for which the "Start of Construction" commenced on or after July 5, 1979, and includes any subsequent improvements to such structures.
- gg. New Manufactured Home Park or Subdivision. Means and refers to 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, either final site grading or the pouring of concrete pads, and the construction of streets) is completed on or after July 5, 1979.
- hh. RCFC&WCD. Means and refers to the Riverside County Flood Control and

- Water Conservation District, a special district created under California law.
- ii. **Recreational Vehicle.** Means and refers to a vehicle which is (i) built on a single chassis; (ii) 400 square feet or less when measured at the largest horizontal projection; (iii) designed to be self-propelled or permanently towable by a light duty truck; and (iv) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.
 - jj. **Separate Application.** Means and refers to an additional floodproofing permit application will be required when processing an application for development permit for land which lies within the special flood hazard area of any map referred to in Section 5 of this ordinance.
 - kk. **Special Flood Hazard Area (SFHA).** Means and refers to an area in the floodplain subject to a one percent (1%) or greater chance of flooding in any given year. It is shown on FIRM as Zone A, AO, A1-A30, AE, A99, or, AH. This includes floodplains, flood boundaries and flood hazards within the studies listed in Section 5.
 - ll. **Start of Construction.** Means and refers to the inclusion of a substantial improvement and other proposed new development and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within one hundred eighty (180) 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 excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land 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 or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.
 - mm. **Structure.** Means and refers to all buildings and structures, including agricultural buildings that require a registration certificate and manufactured homes; and their appurtenances such as gas or liquid storage tanks and flow obstructing walls or fences.
 - nn. **Substantial Improvements/Substantially Improved.** Means and refers to any reconstruction, rehabilitation, addition, or other improvement of a structure, in which the cost of this improvement equals or exceeds 50 percent of the market value of the structure before the Start of Construction of the proposed improvement. This term includes structures which have incurred "Substantial Damage" (as it is hereinafter defined), regardless of the actual repair work performed. The term does not include any alterations necessary to comply with existing state or local health, sanitary or safety code specifications or regulations, or any alterations of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.
 - oo. **Substantial Damage.** Means and refers to damage of any origin sustained by a structure whereby the cost of restoring the structure to its condition before its damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.
 - pp. **Vertical Addition.** Means and refers to when an addition is a full or partial second floor. When a vertical addition meets the criteria for a substantial improvement, the entire structure must be elevated since the existing building provides the foundation for the addition.
 - qq. **Violation.** Means and refers to the failure of a structure or other development to be fully compliant with this ordinance. A structure or other development without the elevation certificate, other certifications, or other evidence of

compliance required in this ordinance is presumed to be in violation until such time as that documentation is provided.

Section 5. APPLICATION. This ordinance shall apply to all the special flood hazard areas within the unincorporated areas and within the jurisdiction of the County of Riverside ("County") on file at RCFC&WCD headquarters and shown on the Public Flood Hazard Determination Interactive Map found at <http://rcflood.org>. These special flood hazard areas incorporate:

- 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 28, 2008, with accompanying Flood Insurance Rate Maps, including any subsequent amendments, revisions or additions thereto that hereafter go into effect pursuant to the provisions of the applicable Federal law.
- b. The flood hazard areas shown on the maps prepared by the U.S. Army Corps of Engineers entitled:
 1. San Gorgonio River and Smith Creek, June 1973.
 2. San Gorgonio River and Tributaries, October 1974.
 3. Warm Springs Creek, February 2003.
- c. The special flood hazard areas shown on the following maps prepared for the County of Riverside, including any amendments, revisions or additions thereto that are hereafter adopted by resolution of the Board of Supervisors of the County of Riverside after a public hearing on the proposed adoption:
 1. Cactus Valley, 100-year Flood Plain and Floodway Limits, March 1980.
 2. Cabazon Flood Study, Flood Hazard Areas, June 1980.
 3. Lakeview & Sierra Vista Tracts, 100-year Floodplain Limits, October 1990.
 4. Tocalota Creek, October 1984.
 5. Long Valley Wash, October 2002.
 6. Juniper Flats Floodplain, May 2006.
 7. "Flood Insurance Study for Oasis Area of the Coachella Valley, April 2003."
- d. The flood hazard areas as shown on the Awareness Maps that were prepared by the Department of Water Resources and received by RCFC&WCD on July 25, 2011, including any amendments, revisions or additions thereto that are hereafter adopted by resolution of the Board of Supervisors after a public hearing on the proposed adoption.
- e. The flood hazard areas shown on the map prepared as part of the "Flood Plain Information, Colorado River, Palo Verde Dam to Imperial Dam" dated October 1974, for that area between the Palo Verde Diversion Dam and Taylor Ferry; or on any Flood Insurance Rate Maps, including any amendments or additions thereto that hereafter go into effect pursuant to the provisions of the applicable Federal Law for the Colorado River.
- f. Any maps of flood hazard areas hereafter adopted by resolution of the Board of Supervisors after a public hearing on the proposed adoption.

Section 6. ADMINISTRATION. Notwithstanding the provisions of any other ordinance to the contrary, within the special flood hazard areas shown on the maps referred to in Section 5, no structure, including flow obstructing structures, shall be constructed, located or substantially improved and no land shall be graded, filled or developed, and no permit or approval shall be granted therefor, unless it complies with all the applicable requirements of this ordinance and all other applicable ordinances. If there is any conflict in or between the requirements of this ordinance and another ordinance, the more stringent requirements shall apply. If there is any conflict between the maps referred to in Section 5 of this ordinance the more stringent requirements shall apply.

- a. Designation of the Floodplain Administrator. The Director of the Department of Building and Safety for the County of Riverside, or his designee, is hereby appointed to administer, coordinate, implement and enforce this ordinance by granting or denying development permits in accord with its provisions.
- b. Duties and Responsibilities of the Floodplain Administrator. The duties and responsibilities of the Floodplain Administrator shall include, but not limited to the following:

1. Permit Review. Review all development permit applications to:
 - a) Determine if permit requirements of this ordinance have been satisfied; and
 - b) Make substantial improvement and substantial damage of existing structures determinations; and
 - b) All other required state and federal permits have been obtained.
 2. Assurance. Assure procedures are coordinated with other departments/divisions and implemented by the County staff and take any remedial actions necessary to administer and implement this ordinance.
 3. Referrals. Refer public to RCFC&WCD or CVWD for review, use and development of other Base Flood data.
 4. Submittals. Forward separate applications to RCFC&WCD or CVWD for technical review.
 5. Notification. Notify other appropriate agencies of alteration or relocation of watercourses, changes on Base Flood Elevations due to physical alterations and changes in corporate boundaries.
 6. Retention. Retain records of approved variances for floodplain development.
 7. Reimbursement. Reimburse RCFC&WCD and CVWD for any review and input either agency provides on separate applications.
- c. Consultation and Review by Other Agencies. Due to the subject matter expertise and functions of other agencies, the County intends to submit any separate applications required under this ordinance to the Riverside County Flood Control and Water Conservation District or the Coachella Valley Water District for review and input in accordance with the provisions of this ordinance.
- d. Duties and Responsibilities of RCFC&WCD and CVWD. The duties and responsibilities include the following:
1. Review and process separate applications within their respective jurisdictions.
 2. Maintain a record of all applications reviewed and approved including the application form, accompanying plans and Elevation Certificate.
 3. Obtain, review and reasonably utilize any base flood elevation and floodway data available. Calculating base flood elevation, if necessary.
 4. Issue a report recommending approval, with conditions or modifications, or denial of the proposed separate application plan.
 5. Make interpretations where needed, as to the exact location of the boundaries of the special flood hazard areas.
 6. For RCFC&WCD only, RCFC&WCD shall:
 - a) Maintain a record of floodplain maps and supporting documentation for the special flood hazard areas included in Section 5; and
 - b) Complete and submit a Biennial Report to FEMA.

Section 7.

PROCEDURE.

- a. Insofar as it is feasible, it is intended that the requirements of this ordinance shall be integrated into the processing of applications for development permits under other Riverside County ordinances including, but not limited to, Ordinances Nos. 348, 369, 457, 460 and 555. When the information required, or the procedures involved, in the processing of such applications is not sufficient to assure compliance with the requirements of this ordinance, a separate application shall be filed as hereinafter provided.
- b. Whenever an application for a permit involves land which lies within the special flood hazard area of any map referred to in Section 5 of this ordinance, the Floodplain Administrator that accepts the application shall determine if a separate application shall be filed.

1. If a permit would allow the location of any structure, new construction or substantial improvement thereto, or allow the alteration of land by grading or otherwise, or allow the placement of a recreational vehicle pursuant to section 8.a.8 of this ordinance, and the existing permit procedure does not otherwise provide for a specific and still appropriate, recommendation by RCFC&WCD or CVWD, a separate application shall be filed by the applicant accompanied by a fee as set forth in Section 4 of Riverside County Ordinance No. 671 ("Ordinance No. 671").
2. If a permit would allow the location of any structure, new construction or substantial improvement thereto, or allow the alteration of land by grading or otherwise, or allow the placement of a recreational vehicle pursuant to section 8.a.8 of this ordinance, and the existing permit procedure does provide for a specific, but may no longer be appropriate, recommendation by the RCFC&WCD or CVWD, a separate application shall be filed by the applicant accompanied by a 5.5 hour minimum fee set forth in Ordinance No. 671 Section 17B to begin review.
3. If a permit would allow for an attached deck or enclosed patio, a separate application shall be filed by the applicant accompanied by a 5.5 hour minimum fee set forth in Ordinance No. 671 Section 17B to begin review.

In order for the Floodplain Administrator to determine if the application for a permit qualifies as substantial improvement, the applicant shall provide a contractor's cost estimate.

- c. All separate applications shall be filed with the Floodplain Administrator that accepts the basic application and shall be accompanied by a fee as set forth in Ordinance No. 671. Sites on noncontiguous parcels shall require separate submittals. Each application shall contain plans that, at a minimum, include the following:
 1. A plat map drawn to scale of the property proposed to be developed showing location, type and use of any structures proposed, base flood elevation data, floodways and floodplains, including adjoining properties necessary to be shown for continuity.
 2. Elevation contours, with maximum interval of:

SLOPE INTERVAL	
0 - 2.99%	1'
3 - 9.99%	4'
10% plus	10'
 3. Elevations, in relation to the 1988 North American Vertical Datum, of the area to be developed, including adjoining properties necessary to be shown for continuity. The elevation, in relation to the 1988 North American Vertical Datum, of the lowest floor (including basement) of all new or substantially improved structures, and whether or not such structures contain a basement shall be stated.
 4. The method by which the applicant proposes to comply with the requirements of this ordinance, including proposed elevations of any structures or fills, flood proofing, erosion protection, flow-through area, any proposals to modify existing flow of storm waters and any other relevant information. If any structure is to be flood proofed, the elevation, in relation to the 1988 North American Vertical Datum, to which such structure is to be flood proofed shall be stated.
 5. All applications plans shall be prepared and certified by a civil engineer registered in the State of California.
- d. Upon acceptance of both applications as being complete for filing, the Floodplain Administrator shall forward copies of the basic application and the separate application to the RCFC&WCD, unless the proposed development lies within the area jurisdiction of the CVWD, in which case it shall be forwarded to CVWD.

- e. Within thirty (30) days of receipt thereof, the RCFC&WCD or CVWD, respectively, shall determine if any further information is required in order to process the application and, if required, shall inform the applicant or his representative by regular mail of the need for additional information. RCFC&WCD and CVWD shall review and process separate applications within their respective jurisdictions as provided herein.
- f. When base flood elevation data has not been provided through the maps referred to in Section 5, the RCFC&WCD or CVWD shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a federal or state agency, or other source, in order to administer Section 8.
NOTE: A base flood elevation may be calculated using one of two methods from the FEMA publication, FEMA 265, Managing Floodplain Development in Approximate Zone A Areas – A Guide for Obtaining and Developing Base (100 year) Flood Elevations, dated July 1995. For alluvial fans, the base flood depth and velocity may be calculated using methods from the FEMA publication, Guidelines and Specifications for Flood Hazard Mapping Partners, Appendix G: Guidance for Alluvial Fan Flooding Analyses and Mapping dated April 2003.
- g. Within thirty (30) days after determining that all required information has been obtained, the RCFC&WCD or CVWD shall issue a report approving, with conditions or modifications, or denying the proposed plan.
- h. The applicant shall submit to RCFC&WCD or CVWD certifications, including but not limited to Elevation Certificates, to satisfy the conditions as referenced in 7g, prior to the issuance of any subsequent building permits.
- i. The RCFC&WCD and CVWD shall maintain a record of all applications reviewed and approved pursuant to this Ordinance. Said record shall consist of the application form, accompanying plans and Elevation Certificate.

Section 8. CONSTRUCTION STANDARDS. Within the areas shown on the maps listed in Section 5, the following requirements shall apply:

- a. **Special Flood Hazard Areas.** Within the areas shown on the maps listed in Section 5 as a Special Flood Hazard Area or floodplain, all proposed developments shall meet the following requirements:
 - 1. All permit applications shall be reviewed to determine whether proposed building sites will be reasonably safe from flooding. All new structures, new construction and substantial improvements to existing structures shall:
 - a) Be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
 - b) Be constructed with materials resistant to flood damage.
 - c) Be constructed by methods and practices that minimize flood damages.
 - d) Be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
 - e) Swimming pools shall:
 - 1) Be constructed flush to the ground.
 - 2) Have excavated dirt from the pool removed from the site or spread across the site, no more than four (4) inches thick.
 - 3) Have equipment servicing the pool elevated at or above the Base Flood Elevation.
 - 2. All new construction improvements that are not considered substantial improvement shall be designed according to the requirements of the existing structure.

3. The existing structures shall also comply with current regulations (such as elevating the finished floor) when the substantial improvements to the existing structure consist of the following types: rehabilitation improvements, foundation improvements or replacement, a vertical addition and/or a structurally connected lateral addition.
4. All subdivision proposals and other proposed new development, including manufactured home parks or subdivisions greater than fifty (50) lots or five (5) acres, whichever is less, shall be 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) Prior to grading, a Conditional LOMR has been issued by FEMA.
 - c) Prior to inspection for occupancy, a LOMR has been issued by FEMA for areas shown as floodplain on the effective FIRM.
 - d) All utilities and facilities, such as sewer, gas, electrical, propane tanks, and water systems are located and constructed to minimize or eliminate flood damage.
 - e) Adequate drainage is provided to reduce exposure to flood hazards.
 - f) All other required state and federal permits have been obtained.
 - g) Alteration or relocation of a watercourse: Notify adjacent communities and the California Department of Water Resources prior to alteration or relocation. Submit evidence of such notification to FEMA.
5. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems.
6. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into flood waters, and on-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.
7. All manufactured homes to be placed or substantially improved shall be installed using methods and practices which minimize flood damage. For the purposes of this requirement, 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 may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces. The requirements of section 8.a., subsections 7.a) and 7.b) herein shall only apply to i) manufactured homes located outside of a manufactured home park or subdivision; or ii) in a new manufactured home park or subdivision; or iii) 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 due to flood and are to be placed or substantially improved in an existing manufactured home park or subdivision may either have their chassis supported by reinforced piers or other foundation elements

of at least equivalent strength that are no less than thirty-six (36) 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 section 8.a.7.a) herein.

8. All recreational vehicles to be placed shall:
 - a) Be on the site for fewer than one hundred eighty (180) consecutive days; and
 - b) Be fully licensed and ready for highway use.Otherwise, recreational vehicles shall meet the separate application requirements of section 7.b. and the elevation and anchoring requirements for manufactured homes in section 8.a.7. A recreational vehicle is ready for highway use if 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.
9. Except as otherwise provided under Section 8.a. subsection 7., all new construction and substantial improvements of residential structures shall have the lowest floor (including basement) elevated to or above the base flood level.
10. All new construction and substantial improvements of nonresidential structures shall either:
 - a) Have the lowest floor (including basement) elevated to or above the base flood level; or
 - b) Together with attendant utility and sanitary facilities, be designed so that below the Base Flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy.
11. For all new construction and substantial improvements, fully enclosed areas below the lowest floor that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
12. Within any AO zone on the Flood Insurance Rate Maps, all new construction and substantial improvements of residential structures shall have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the Flood Insurance Rate Map (at least two feet if no depth number is specified).
13. Within any AO zone on the Flood Insurance Rate Maps, all new construction and substantial improvements of nonresidential structures shall either:
 - a) Have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the Flood Insurance Rate Map (at least two feet if no depth number is specified); or
 - b) Together with attendant utility and sanitary facilities, be completely flood proofed to that level so that the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy.

14. Within any AH and AO zones on the Flood Insurance Rate Maps, adequate drainage paths around structures on slopes, to guide floodwaters around and away from proposed structures, shall be provided.
15. Whenever a watercourse or mapped floodplain is to be altered or relocated, the flood carrying capacity of the altered or relocated portion of the watercourse or mapped floodplain shall be maintained. Manufactured slopes that encroach into a floodplain and which are subject to erosive velocities, are considered flood control facilities and must be maintained by a public entity. However, the appropriateness of such encroachment shall be determined at the sole discretion of the RCFC&WCD or the CVWD. Adjacent communities and the Federal Insurance Administration shall be notified of any such alteration or relocation by means of a request for a LOMR for floodplains shown on the effective FIRM panel. Within six (6) 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).
16. All plans prepared for the development of property within a mapped floodplain shall be prepared and certified by a civil engineer registered in the State of California.
17. All proposed development applications shall be reviewed to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law.
18. All new buildings and/or substantial improvements located within the 500 year floodplain limits of Lake Elsinore shall have their lowest floor elevated a minimum of three (3) feet above said water body's 100 year water surface elevation. For the purpose of this ordinance, Lake Elsinore's water surface elevation shall be 1265.7 (NAVD 88).
19. Any flood water storage displaced as a result of fill placement within Lake Elsinore's 100 year floodplain shall be made up by excavating 1.3 times the displaced volume within the elevation range between 1249.4 and 1265.7 (NAVD88).

b. Floodways.

1. No structure shall be constructed, located or substantially improved and no land shall be graded, filled 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 a Special Flood Hazard Area or floodplain.
2. Until such time that a regulatory floodway is adopted, no new construction or other development (including fill) shall be permitted within Zones A, 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 (1) foot or as determined by the RCFC&WCD or the CVWD at any point along the floodplain.

Section 9.

APPEALS.

- a. An applicant, or any interested party, shall have the right to appeal the decision or determination by Floodplain Administrator that is made on an application if appellant believes that an error has been made in the recommendation by the RCFC&WCD or CVWD. The decision of the Floodplain Administrator shall be considered final unless the applicant or an interested party files an appeal with the Clerk of the Board of Supervisors

accompanied by the fee set forth in Ordinance No. 671 within ten days after the decision or determination.

- b. If a timely appeal is filed, the Clerk of the Board shall set a public hearing for the matter to be heard before the Board of Supervisors of the County of Riverside ("Board") not less than five (5) but not more than forty-five (45) days thereafter and shall give notice, by mail no less than ten (10) days prior to the hearing, to the applicant, the appellant, the Floodplain Administrator with whom the application was originally filed and the applicable General Manager-Chief Engineer of the RCFC&WCD or CVWD. The Board shall render its decision on the matter upon the close of the public hearing on the matter.
- c. Appeals may be granted by the Board if the Board finds that there has been an error in any requirement, decision or determination relating to the application for the permit. The Board may reverse or affirm, wholly or partly, or may modify the decision appealed from and the Board's decision is final.

Section 10. **REQUESTS FOR VARIANCES.** An applicant shall also have the right to request that a variance be granted to the construction standards or technical requirements of this ordinance or to the conditions imposed upon a permit.

- a. **Basis for Variance.** The issuance of a variance pursuant to this ordinance is for floodplain management purposes only. Insurance premium rates are determined by statute according to actuarial risk and will not be modified by the granting of a variance. The variance criteria set forth in this section of the ordinance are based on the general principle of zoning law that variances pertain to a piece of property and are not personal in nature. A variance may be granted for a parcel of property with physical characteristics so unusual that complying with the requirements of this ordinance would create an exceptional hardship to the applicant or the surrounding property owners. The characteristics must be unique to the property and not be shared by adjacent parcels. The unique characteristic must pertain to the land itself, not to the structure, its inhabitants, or the property owners. The need to help protect the citizens of Riverside County from flooding is so compelling and the implications of the cost of insuring a structure built below flood level are so serious that variances from the flood elevation or from other requirements in the flood ordinance are quite rare. The long term goal of preventing and reducing flood loss and damage can only be met if variances are strictly limited. Therefore, the variance guidelines provided in this ordinance are more detailed and contain multiple provisions that must be met before a variance can be properly granted. The criteria are designed to screen out those situations in which alternatives other than a variance are more appropriate.
- b. **Application Process.** An application to request a variance shall be made to the Floodplain Administrator, upon the form provided by the Department of Building and Safety, accompanied by a fee as set forth in Ordinance No. 671. Upon receipt of a completed application, the Floodplain Administrator shall request and obtain a technical recommendation from the RCFC&WCD or CVWD. The Floodplain Administrator shall render its decision on the matter within thirty (30) days after receipt of the report and recommendation from RCFC&WCD or CVWD. Any applicant to whom a variance is granted shall be given written notice that the cost of flood insurance will be commensurate with the increased risk resulting from the granting of the variance. Any applicant to whom a variance is granted shall promptly record an instrument evidencing said variance with the Riverside County Recorder's office. Said recordation shall be maintained until such time that the applicable flood hazard area has been removed.
- c. **Conditions for Variances.**
 - 1. Generally, variances may be issued for new construction, substantial improvement, and other proposed new development to be erected on a lot of one-half acre or less in size contiguous to and surrounded

- by lots with existing structures constructed below the base flood level, providing that the procedures of this ordinance have been fully considered. As the lot size increases beyond one-half acre, the technical justification required for issuing the variance increases.
2. Variances may be issued for the repair or rehabilitation of "Historic Structures" (as defined in section 4 of this ordinance) upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as an historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
 3. Variances shall not be issued within any mapped regulatory floodway if any increase in flood levels during the base flood discharge would result.
 4. Variances shall only be issued upon a determination that the variance is the "minimum necessary" considering the flood hazard, to afford relief. "Minimum necessary" means to afford relief with a minimum of deviation from the requirements of this ordinance.
 5. Any applicant to whom a variance is granted shall be given written notice over the signature of a community official that:
 - a) The issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance; and
 - b) Such construction below the base flood level increases risks to life and property. Applicant shall record, or caused to be recorded, a copy of the notice in the Official Records of the County of Riverside and shall be recorded in a manner so that it appears in the chain of title of the affected parcel of land. Applicant shall provide a conformed copy of the recorded notice to the Floodplain Administrator prior to the issuance of the permit to which the variance is approved.
 6. The Floodplain Administrator will maintain a record of all variance actions, including justification for their issuance.
- d. Findings Required for Variances. Variances on the requirements of this ordinance or the conditions of an approved permit may only be granted if the Floodplain Administrator finds:
1. That the approval of a variance was for good and sufficient cause which amount to special circumstances applicable to the subject property that does not generally apply to other property in the same Special Flood Hazard Area.
 2. That failure to grant the variance would result in exceptional hardship to the applicant.
 3. That the granting of a variance will not confer a special privilege not enjoyed by other similarly situated properties.
 4. That strict application of the ordinance deprives the property of privileges enjoyed by other property in the vicinity and in the same Special Flood Hazard Area.
 5. That the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimize the public or conflict with existing laws or ordinances.
 6. That the variance is the minimum necessary, considering the flood hazard, to afford relief.
- e. Appeal. An applicant or interested party may appeal a decision by Floodplain Administrator that is made on an application for a variance in accordance with the procedures provided in Section 9 of this ordinance.

Section 11. **DISCLAIMER OF LIABILITY.** The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Flood heights may be increased by man-made or natural causes, and this ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be

free from flooding or flood damages. This ordinance shall not create liability on the part of the County of Riverside, any officer or employee thereof, or the Federal Insurance Administration or the Riverside County Flood Control and Water Conservation District, or the Coachella Valley Water District, for any flood damages resulting from reliance on this ordinance or any determination made thereunder.

Section 12. VIOLATIONS AND PENALTIES. The procedures, remedies and penalties for violation of this ordinance and for recovery of costs related to enforcement are provided for in Ordinance No. 725, as it is amended from time to time, which is incorporated herein by this reference.

Section 13. SEVERABILITY. If any provision, clause, sentence or paragraph of this ordinance or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the other provisions of this ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are hereby declared to be severable.

Section 14. This ordinance shall take effect thirty (30) days after its adoption."

Section 2. This ordinance shall take effect thirty (30) days after its adoption.

Jeff Stone, Chairman of the Board

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said County, held on July 15, 2014, the foregoing Ordinance consisting of fourteen (14) sections was adopted by said Board by the following vote:

AYES: Jeffries, Tavaglione, Stone, Benoit, and Ashley
NAYS: None
ABSENT: None

Kecia Harper-Ihem, Clerk of the Board
By: Cecilia Gil, Board Assistant

FOR BILLING INQUIRIES:
 CALL (951) 368-9710
 EMAIL billinginquiry@pe.com

THE PRESS-ENTERPRISE

DATE	ORDER NUMBER	PO Number	PRODUCT	SIZE	AMOUNT
7/24 - 7/24/14	0009945899		PE Riverside	3 x 744 Li	3,236.40

RECEIVED RIVERSIDE COUNTY
 CLERK / BOARD OF SUPERVISORS
 2014 AUG 21 AM 11:08

TLMA
 3-61 of 07/15/14

Legal Advertising Invoice	BALANCE DUE
	3,236.40

SALES/CONTACT INFORMATION		ADVERTISER INFORMATION		
Maria Tinajero 951-368-9225	BILLING DATE	BILLED ACCOUNT NUMBER	ADVERTISER/CLIENT NUMBER	ADVERTISER/CLIENT NAME
	07/24/2014	1100141323	1100141323	BOARD OF SUPERVISORS

PLEASE DETACH AND RETURN THIS PORTION WITH YOUR REMITTANCE

THE PRESS-ENTERPRISE
 Legal Advertising Invoice

ADVERTISER/CLIENT NAME		
BOARD OF SUPERVISORS		
BILLING DATE	BILLED ACCOUNT NUMBER	ADVERTISER/CLIENT NUMBER
07/24/2014	1100141323	1100141323
BALANCE DUE	ORDER NUMBER	TERMS OF PAYMENT
3,236.40	0009945899	DUE UPON RECEIPT

BILLING ACCOUNT NAME AND ADDRESS

REMITTANCE ADDRESS

BOARD OF SUPERVISORS
 COUNTY OF RIVERSIDE
 P.O. BOX 1147 RIVERSIDE, CA 92502

The Press-Enterprise
 POST OFFICE BOX 12009
 RIVERSIDE, CA 92502-2209

THE PRESS-ENTERPRISE

1825 Chicago Ave, Suite 100
Riverside, CA 92507
951-684-1200
951-368-9018 FAX

PROOF OF PUBLICATION
(2010, 2015.5 C.C.P)

Publication(s): The Press-Enterprise

PROOF OF PUBLICATION OF

Ad Desc.: Adoption of Ord. No. 458.14 /

I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper in general circulation, printed and published daily in the County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54446, under date of March 29, 1957, Case Number 65673, under date of August 25, 1995, Case Number 267864, under date of February 4, 2013, Case Number RIC 1215735, under date of July 25, 2013, Case Number RIC 1305730, and under date of September 16, 2013, Case Number RIC 1309013; that the notice, of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

07/24/2014

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date: July 24, 2014
At: Riverside, California

BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE
P.O. BOX 1147
RIVERSIDE, CA 92502

Ad Number: 0009945899-01

P.O. Number:

Ad Copy:

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

ORDINANCE NO. 458.14

AN ORDINANCE OF THE COUNTY OF RIVERSIDE
AMENDING ORDINANCE NO. 458 REGULATING FLOOD HAZARD AREAS
AND IMPLEMENTING THE NATIONAL FLOOD INSURANCE PROGRAM

The Board of Supervisors of the County of Riverside ordains as follows:
Section 1. Ordinance No. 458 is amended in its entirety to read as follows:

*ORDINANCE NO. 458

AN ORDINANCE OF THE COUNTY OF RIVERSIDE
REGULATING SPECIAL FLOOD HAZARD AREAS AND IMPLEMENTING
THE NATIONAL FLOOD INSURANCE PROGRAM

The Board of Supervisors of the County of Riverside ordains as follows:

Section 1. FINDINGS. The Board of Supervisors finds that:
a. The flood hazard areas of Riverside County are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption in commerce and governmental services, extraordinary public expenditures for flood protection and relief from flooding, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.

b. When floodplains are developed without taking appropriate care and precautions, flood heights, frequencies, and velocities increase, causing a greater threat to humans, damage to property, destruction of natural floodplain functions and adverse impacts to water quality.

c. The establishment of reasonable preventive and protective measures by enacting development regulations and through participation in a national program of flood insurance makes flood insurance coverage and relief available on reasonable terms and conditions to persons who have need for such protection.

Section 2. PURPOSE. The purpose of the ordinance is to promote the public health, safety, and welfare and minimize public and private costs caused by flooding by regulating development within the special flood hazard areas to be applied uniformly throughout the unincorporated areas of the Riverside County to all publicly and privately owned land within flood prone, mudslide or flood related erosion areas. These regulations are designed to:

a. Protect human life and health;
b. Minimize expenditure of public money for costly flood control projects;
c. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
d. Minimize prolonged business interruptions;
e. Minimize damage to public facilities and utilities such as water and gas mains; electric, telephone and sewer lines; and streets and bridges located in areas of special flood hazard;

f. Help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future blighted areas caused by flood damage;

g. Ensure that potential buyers are notified that property is in an area of special flood hazard; and

h. Ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

Section 3. AUTHORITY. Local governments have the authority to adopt regulations under Government Code Sections 65302, 65560, 65800, 65850 and 65900, et seq., to promote the public health, safety and general welfare of its residents. This ordinance is adopted pursuant to the requirements of the National Flood Insurance Act of 1968, Title 42 United States Code Section 4001, et seq. and Code of Federal Regulations, Title 44, Chapter I, Subchapter B, Part 59, as each may be amended, including all other regulations adopted pursuant thereto. Flood heights may be increased by man made or natural causes. This ordinance does not imply that land outside the regulated areas or the uses and development permitted within such areas will be free from flooding or flood damages.

Section 4. DEFINITIONS. Unless specifically defined below, terms or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application. The following terms shall have the following meanings:

a. 100-Year Flood. Means and refers to the "Base Flood" as defined herein below.

b. Accessory Structure. Means and refers to a structure, that may not qualify as a "building", located on the same parcel of property as the primary structure or building to be insured and the use of which is incidental and subordinate to the use of the principal structure or building. For example, open structures, such as carports, gazebos and picnic pavilions that do not have at least two rigid walls are not "buildings".

c. Awareness Map. Means and refers to those floodplain maps produced by the Department of Water Resources of the State of California that initially identify flood hazard areas using approximate assessment procedures to map 100 year floodplains for both riverine and alluvial fan conditions. Such "awareness floodplains" will be shown simply as flood hazard areas without specific depth and other flood hazard data.

d. Base Flood. Means and refers to a flood which has a one percent (1%) chance of being equaled or exceeded in any given year (also called the "100 Year Flood"). Base Flood is the term commonly used throughout this ordinance.

e. Base Flood Elevation (BFE). Means and refers to the elevation shown on the Flood Insurance Rate Map for Zones AE, AH, A1-30, VE and V1-V30, and those elevation determined by the County of Riverside for other special flood hazard areas that indicates the water surface elevation resulting from a flood that has a one percent (1%) or greater chance of being equaled or exceeded in any given year.

f. Basement. Means and refers to any area of a building having its floor subgrade (below ground level) on all sides.

g. CVWD. Means and refers to the Coachella Valley Water District, a special district created under California law.

h. Colorado River Floodway Fringe. Means and refers to that area subject to inundation by floods of varying magnitudes generated from the Colorado River, up to and including the floodway flow, but which is not required for the safe conveyance of the floodway flow and is not included in the computation of the Colorado River Floodway base flood elevation.

i. Contractor. Means and refers to a licensed General Contractor or professional construction estimator.

j. Development. Means and refers to any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, drilling operations, storage of equipment or materials.

k. Elevation Certificate (known as FEMA Form 086-0-33 expiring on July 31, 2015 or the latest version thereafter). Means and refers to a form used for recording the finished floor elevations adjacent ground of a building.

l. Encroachment. Means and refers to activities or construction within the floodway including fill, new construction, substantial improvements, or other development. These activities are prohibited within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses that the proposed encroachments would not result in any increase in flood levels.

m. Existing Manufactured Home Park or Subdivision. Means and refers to 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, either final site grading or pouring of concrete pads, and the construction of streets) is completed before July 5, 1979.

n. Expansion to an Existing Manufactured Home Park or Subdivision. Means and refers to the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, either final site grading or pouring of concrete pads, or the construction of streets).

o. FEMA. Means and refers to the Federal Emergency Management Agency.
p. Flood Insurance Rate Map (FIRM). Means and refers to the official map on which the Federal Emergency Management Agency or Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the unincorporated areas of Riverside County.

q. Flood Insurance Study. Means and refers to the official report provided by the Federal Insurance Administration that includes discharge rates, flood profiles, the Flood Insurance Rate Map(s), and the water surface elevations of the base floods.

r. Floodplain Administrator. Means and refers to the Director, or his designee, of the Department of Building and Safety for the County of Riverside.

s. Floodproofing. Means and refers to any combination of structural and nonstructural actions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents. For guidelines on dry and wet floodproofing, see FEMA Technical Bulletins TB 1-93, TB 3-93, and TB 7-93.

t. Floodway. Means and refers to the channel of a river or other watercourse and adjacent land areas necessary to discharge the waters from the 100-Year Flood without increasing the water surface elevation of that flood more than one foot at any one point; or that area 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

u. Fraud and Victimization. As related to Section 10 of this ordinance, means and refers to the variance granted must not cause fraud on or victimization of the public. In examining this requirement, Floodplain Administrator will consider the fact that every newly constructed building adds to government responsibilities and remains a part of the community for fifty to one-hundred years. Buildings that are permitted to be constructed below the base flood elevation are subject during all those years to increased risk of damage from floods, while future owners of the property and the community as a whole are subject to all the costs, inconvenience, danger, and suffering that those increased flood damages bring. In addition, future owners may purchase the property, unaware that it is subject to potential flood damage, and can be insured only at very high flood insurance rates.

v. 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.

w. Historic Structure. Means and refers to any structure that:

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; or

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; or

3. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of 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.

x. Lateral Additions. Means and refers to improvements constructed adjacent to an existing structure that increases the square footage of the structure. This commonly includes the structure attachment of a bedroom, den, recreational room and garage. If the lateral addition is attached through a covered breezeway or similar structure open on two (2) or more sides, it will not be included in the substantial improvement calculations and will be conditioned to meet current floodproofing standards.

y. 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 Taylor Ferry.

z. LOMR. Means and refers to a "Letter of Map Revision."

aa. Lowest Floor. Means and refers to the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor, provided, that such enclosure is not built so as to render the structure in violation of applicable non-elevation design requirements of Section 8 of this ordinance.

bb. 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 a recreational vehicle.

cc. Manufactured Home Park or Subdivision. Means and refers to a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

dd. Market Value. Means and refers to the price agreed to be paid in an open market by a willing buyer to a willing seller, with neither acting under compulsion to buy or sell, giving due consideration to all economic uses of the property at the time of the valuation. The market value of a structure reflects its original quality, subsequent improvements, physical age of building components and current condition. For the purposes of determining substantial improvement, market value pertains only to the structure in question. It does not pertain to the land, landscaping or detached accessory structures on the property. Market value of the structure will be obtained by the Floodplain Administrator using the assessed value of the structure as shown on the last equalization assessment roll. The resulting market value is intended to bring order and equity to the Separate Application process which can be readily determined and administered without undue delays to the applicant. Alternatively, the applicant can submit a formal appraisal to determine the market value.

ee. Mean Sea Level. Means and refers to the National Geodetic Vertical Datum (NGVD) of 1929, North American Vertical Datum of 1988 (NAVD 88), or other datum, to which base flood elevations are referenced.

ff. New Construction. Means and refers to structures for which the "Start of Construction" commenced on or after July 5, 1979, and includes any subsequent improvements to such structures.

gg. New Manufactured Home Park or Subdivision. Means and refers to 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, either final site grading or the pouring of concrete pads, and the construction of streets) is completed on or after July 5, 1979.

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

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

jj. Separate Application. Means and refers to an additional floodproofing permit application will be required when processing an application for development permit for land which lies within the special flood hazard area of any map referred to in Section 5 of this ordinance.

kk. Special Flood Hazard Area (SFHA). Means and refers to an area in the floodplain subject to a one percent (1%) or greater chance of flooding in any given year. It is shown on FIRM as Zone A, AO, A1 A30, AE, A99, or AH. This includes floodplains, flood boundaries and flood hazards within the studies listed in Section 5.

ll. Start of Construction. Means and refers to the inclusion of a substantial improvement and other proposed new development and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within one hundred eighty (180) 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 excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land 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 or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

mm. Structure. Means and refers to all buildings and structures, including agricultural buildings that require a registration certificate and manufactured homes, and their appurtenances such as gas or liquid storage tanks and flow obstructing walls or fences.

nn. Substantial Improvements/Substantially Improved. Means and refers to any reconstruction, rehabilitation, addition, or other improvement of a structure, in which the cost of this improvement equals or exceeds 50 percent of the market value of the structure before the Start of Construction of the proposed improvement. This term includes structures which have incurred "Substantial Damage" (as it is hereinafter defined), regardless of the actual repair work performed. The term does not include any alterations necessary to comply with existing state or local health, sanitary or safety code specifications or regulations, or any alterations of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

oo. Substantial Damage. Means and refers to damage of any origin sustained by a structure whereby the cost of restoring the structure to its condition before its damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

pp. Vertical Addition. Means and refers to when an addition is a full or partial second floor. When a vertical addition meets the criteria for a substantial improvement, the entire structure must be elevated since the existing building provides the foundation for the addition.

qq. Violation. Means and refers to the failure of a structure or other development to be fully compliant with this ordinance. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in this ordinance is presumed to be in violation until such time as that documentation is provided.

Section 5. APPLICATION. This ordinance shall apply to all the special flood hazard areas within the unincorporated areas and within the jurisdiction of the County of Riverside ("County") on file at RCFC&WCD headquarters and shown on the Public Flood Hazard Determination Interactive Map found at <http://rcflood.org>. These special flood hazard areas incorporate:

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 28, 2008, with accompanying Flood Insurance Rate Maps, including any subsequent amendments, revisions or additions thereto that hereafter go into effect pursuant to the provisions of the applicable Federal law.

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

1. San Geronio River and Smith Creek, June 1973.
2. San Geronio River and Tributaries, October 1974.
3. Warm Springs Creek, February 2003.
- c. The special flood hazard areas shown on the following maps prepared for the County of Riverside, including any amendments, revisions or additions thereto that are hereafter adopted by resolution of the Board of Supervisors of the County of Riverside after a public hearing on the proposed adoption:
 1. Cactus Valley, 100 year Flood Plain and Floodway Limits, March 1980.
 2. Cabazon Flood Study, Flood Hazard Areas, June 1980.
 3. Lakeview & Sierra Vista Tracts, 100-year Floodplain Limits, October 1990.
 4. Tucalota Creek, October 1984.
 5. Long Valley Wash, October 2002.
 6. Juniper Flats Floodplain, May 2006.
 7. "Flood Insurance Study for Oasis Area of the Coachella Valley, April 2003."
- d. The flood hazard areas as shown on the Awareness Maps that were prepared by the Department of Water Resources and received by RCFC&WCD on July 25, 2011, including any amendments, revisions or additions thereto that are hereafter adopted by resolution of the Board of Supervisors after a public hearing on the proposed adoption.
- e. The flood hazard areas shown on the map prepared as part of the "Flood Plain Information, Colorado River, Palo Verde Dam to Imperial Dam" dated October 1974, for that area between the Palo Verde Diversion Dam and Taylor Ferry; or on any Flood Insurance Rate Maps, including any amendments or additions thereto that hereafter go into effect pursuant to the provisions of the applicable Federal Law for the Colorado River.
- f. Any maps of flood hazard areas hereafter adopted by resolution of the Board of Supervisors after a public hearing on the proposed adoption.

Section 6. ADMINISTRATION. Notwithstanding the provisions of any other ordinance to the contrary, within the special flood hazard areas shown on the maps referred to in Section 5, no structure, including flow obstructing structures, shall be constructed, located or substantially improved and no land shall be graded, filled or developed, and no permit or approval shall be granted therefor, unless it complies with all the applicable requirements of this ordinance and all other applicable ordinances. If there is any conflict in or between the requirements of this ordinance and another ordinance, the more stringent requirements shall apply. If there is any conflict between the maps referred to in Section 5 of this ordinance the more stringent requirements shall apply.

a. Designation of the Floodplain Administrator. The Director of the Department of Building and Safety for the County of Riverside, or his designee, is hereby appointed to administer, coordinate, implement and enforce this ordinance by granting or denying development permits in accord with its provisions.

b. Duties and Responsibilities of the Floodplain Administrator. The duties and responsibilities of the Floodplain Administrator shall include, but not limited to the following:

1. Permit Review. Review all development permit applications to:
 - a) Determine if permit requirements of this ordinance have been satisfied; and
 - b) Make substantial improvement and substantial damage of existing structures determinations; and
 - b) All other required state and federal permits have been obtained.
2. Assurance. Assure procedures are coordinated with other departments/divisions and implemented by the County staff and take any remedial actions necessary to administer and implement this ordinance.
3. Referrals. Refer public to RCFC&WCD or CVWD for review, use and development of other Base Flood data.
4. Submittals. Forward separate applications to RCFC&WCD or CVWD for technical review.
5. Notification. Notify other appropriate agencies of alteration or relocation of watercourses, changes on Base Flood Elevations due to physical alterations and changes in corporate boundaries.
6. Retention. Retain records of approved variances for floodplain development.
7. Reimbursement. Reimburse RCFC&WCD and CVWD for any review and input either agency provides on separate applications.

c. Consultation and Review by Other Agencies. Due to the subject matter expertise and functions of other agencies, the County intends to submit any separate applications required under this ordinance to the Riverside County Flood Control and Water Conservation District or the Coachella Valley Water District for review and input in accordance with the provisions of this ordinance.

d. Duties and Responsibilities of RCFC&WCD and CVWD. The duties and responsibilities include the following:

1. Review and process separate applications within their respective jurisdictions.
2. Maintain a record of all applications reviewed and approved including the application form, accompanying plans and Elevation Certificate.
3. Obtain, review and reasonably utilize any base flood elevation and floodway data available. Calculating base flood elevation, if necessary.
4. Issue a report recommending approval, with conditions or modifications, or denial of the proposed separate application plan.
5. Make interpretations where needed, as to the exact location of the boundaries of the special flood hazard areas.
6. For RCFC&WCD only, RCFC&WCD shall:
 - a) Maintain a record of floodplain maps and supporting documentation for the special flood hazard areas included in Section 5; and
 - b) Complete and submit a Biennial Report to FEMA.

Section 7. PROCEDURE.

a. Insofar as it is feasible, it is intended that the requirements of this ordinance shall be integrated into the processing of applications for development permits under other Riverside County ordinances including, but not limited to, Ordinances Nos. 348, 369, 457, 460 and 555. When the information required, or the procedures involved, in the processing of such applications is not sufficient to assure compliance with the requirements of this ordinance, a separate application shall be filed as hereinafter provided.

b. Whenever an application for a permit involves land which lies within the special flood hazard area of any map referred to in Section 5 of this ordinance, the Floodplain Administrator that accepts the application shall determine if a separate application shall be filed.

1. If a permit would allow the location of any structure, new construction or substantial improvement thereto, or allow the alteration of land by grading or otherwise, or allow the placement of a recreational vehicle pursuant to section 6.a.8 of this ordinance, and the existing permit procedure does not otherwise provide for a specific and still appropriate, recommendation by RCFC&WCD or CVWD, a separate application shall be filed by the applicant accompanied by a fee as set forth in Section 4 of Riverside County Ordinance No. 671 ("Ordinance No. 671").

2. If a permit would allow the location of any structure, new construction or substantial improvement thereto, or allow the alteration of land by grading or otherwise, or allow the placement of a recreational vehicle pursuant to section 6.a.8 of this ordinance, and the existing permit procedure does provide for a specific, but may no longer be appropriate, recommendation by the RCFC&WCD or CVWD, a separate application shall be filed by the applicant accompanied by a 5.5 hour minimum fee set forth in Ordinance No. 671 Section 17B to begin review.

3. If a permit would allow for an attached deck or enclosed patio, a separate application shall be filed by the applicant accompanied by a 5.5 hour minimum fee set forth in Ordinance No. 671 Section 17B to begin review.

In order for the Floodplain Administrator to determine if the application for a permit qualifies as substantial improvement, the applicant shall provide a contractor's cost estimate.

c. All separate applications shall be filed with the Floodplain Administrator that accepts the basic application and shall be accompanied by a fee as set forth in Ordinance No. 671. Sites on noncontiguous parcels shall require separate submittals. Each application shall contain plans that, at a minimum, include the following:

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

2. Elevation contours, with maximum interval of:

- SLOPE INTERVAL
- 0 - 2.99% 1'
 - 3 - 9.99% 4'
 - 10% plus 10'

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

4. The method by which the applicant proposes to comply with the requirements of this ordinance, including proposed elevations of any structures or fills, flood proofing, erosion protection, flow-through area, any proposals to modify existing flow of storm waters and any other relevant information. If any structure is to be flood proofed, the elevation, in relation to the 1988 North American Vertical Datum, to which such structure is to be flood proofed shall be stated.

5. All applications plans shall be prepared and certified by a civil engineer registered in the State of California.

d. Upon acceptance of both applications as being complete for filing, the Floodplain Administrator shall forward copies of the basic application and the separate appli-

lication to the RCFC&WCD, unless the proposed development lies within the area jurisdiction of the CVWD, in which case it shall be forwarded to CVWD.

e. Within thirty (30) days of receipt thereof, the RCFC&WCD or CVWD, respectively, shall determine if any further information is required in order to process the application and, if required, shall inform the applicant or his representative by regular mail of the need for additional information. RCFC&WCD and CVWD shall review and process separate applications within their respective jurisdictions as provided herein.

f. When base flood elevation data has not been provided through the maps referred to in Section 5, the RCFC&WCD or CVWD shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a federal or state agency, or other source, in order to administer Section 8. NOTE: A base flood elevation may be calculated using one of two methods from the FEMA publication, FEMA 265, Managing Floodplain Development in Approximate Zone A Areas - A Guide for Obtaining and Developing Base (100 year) Flood Elevations, dated July 1995. For alluvial fans, the base flood depth and velocity may be calculated using methods from the FEMA publication, Guidelines and Specifications for Flood Hazard Mapping Partners, Appendix G: Guidance for Alluvial Fan Flooding Analyses and Mapping dated April 2003.

g. Within thirty (30) days after determining that all required information has been obtained, the RCFC&WCD or CVWD shall issue a report approving, with conditions or modifications, or denying the proposed plan.

h. The applicant shall submit to RCFC&WCD or CVWD certifications, including but not limited to Elevation Certificates, to satisfy the conditions as referenced in 7g, prior to the issuance of any subsequent building permits.

i. The RCFC&WCD and CVWD shall maintain a record of all applications reviewed and approved pursuant to this Ordinance. Said record shall consist of the application form, accompanying plans and Elevation Certificate.

Section 8. CONSTRUCTION STANDARDS. Within the areas shown on the maps listed in Section 5 as a Special Flood Hazard Area or floodplain, all proposed developments shall meet the following requirements:

a. Special Flood Hazard Areas. Within the areas shown on the maps listed in Section 5 as a Special Flood Hazard Area or floodplain, all proposed developments shall meet the following requirements:

1. All permit applications shall be reviewed to determine whether proposed building sites will be reasonably safe from flooding. All new structures, new construction and substantial improvements to existing structures shall:

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

b) Be constructed with materials resistant to flood damage.

c) Be constructed by methods and practices that minimize flood damages.

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

e) Swimming pools shall:

1) Be constructed flush to the ground.

2) Have excavated dirt from the pool removed from the site or spread across the site, no more than four (4) inches thick.

3) Have equipment servicing the pool elevated at or above the Base Flood Elevation.

2. All new construction improvements that are not considered substantial improvement shall be designed according to the requirements of the existing structure.

3. The existing structures shall also comply with current regulations (such as elevating the finished floor) when the substantial improvements to the existing structure consist of the following types: rehabilitation improvements, foundation improvements or replacement, a vertical addition and/or a structurally connected lateral addition.

4. All subdivision proposals and other proposed new development, including manufactured home parks or subdivisions greater than fifty (50) lots or five (5) acres, whichever is less, shall be 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) Prior to grading, a Conditional LOMR has been issued by FEMA.

c) Prior to inspection for occupancy, a LOMR has been issued by FEMA for areas shown as floodplain on the effective FIRM.

d) All utilities and facilities, such as sewer, gas, electrical, propane tanks, and water systems are located and constructed to minimize or eliminate flood damage.

e) Adequate drainage is provided to reduce exposure to flood hazards.

f) All other required state and federal permits have been obtained.

g) Alteration or relocation of a watercourse: Notify adjacent communities and the California Department of Water Resources prior to alteration or relocation. Submit evidence of such notification to FEMA.

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

6. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into flood waters, and on site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

7. All manufactured homes to be placed or substantially improved shall be installed using methods and practices which minimize flood damage. For the purposes of this requirement, 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 may include, but are not limited to, use of over the top or frame ties to ground anchors. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces. The requirements of section 8.a., subsections 7.a) and 7.b) herein shall only apply to i) manufactured homes located outside of a manufactured home park or subdivision; or ii) in a new manufactured home park or subdivision; or iii) 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 due to flood and are to be placed or substantially improved in an existing manufactured home park or subdivision may either have their chassis supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than thirty-six (36) 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 section 8.a.7.a) herein.

8. All recreational vehicles to be placed shall:

a) Be on the site for fewer than one hundred eighty (180) consecutive days; and

b) Be fully licensed and ready for highway use.

Otherwise, recreational vehicles shall meet the separate application requirements of section 7.b. and the elevation and anchoring requirements for manufactured homes in section 8.a.7. A recreational vehicle is ready for highway use if 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.

9. Except as otherwise provided under Section 8.a, subsection 7., all new construction and substantial improvements of residential structures shall have the lowest floor (including basement) elevated to or above the base flood level.

10. All new construction and substantial improvements of nonresidential structures shall either:

a) Have the lowest floor (including basement) elevated to or above the base flood level; or

b) Together with attendant utility and sanitary facilities, be designed so that below the Base Flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy.

11. For all new construction and substantial improvements, fully enclosed areas below the lowest floor that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

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

13. Within any AO zone on the Flood Insurance Rate Maps, all new construction and substantial improvements of nonresidential structures shall either:

a) Have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the Flood Insurance Rate Map (at least two feet if no depth number is specified); or

b) Together with attendant utility and sanitary facilities, be completely flood proofed to that level so that the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy.

14. Within any AH and AO zones on the Flood Insurance Rate Maps, adequate drainage paths around structures on slopes to guide floodwaters around and away

from proposed structures, shall be provided.

15. Whenever a watercourse or mapped floodplain is to be altered or relocated, the flood carrying capacity of the altered or relocated portion of the watercourse or mapped floodplain shall be maintained. Manufactured slopes that encroach into a floodplain and which are subject to erosive velocities, are considered flood control facilities and must be maintained by a public entity. However, the appropriateness of such encroachment shall be determined at the sole discretion of the RCFC&WCD or the CVWD. Adjacent communities and the Federal Insurance Administration shall be notified of any such alteration or relocation by means of a request for a LOMR for floodplains shown on the effective FIRM panel. Within six (6) 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).

16. All plans prepared for the development of property within a mapped floodplain shall be prepared and certified by a civil engineer registered in the State of California.

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

18. All new buildings and/or substantial improvements located within the 500 year floodplain limits of Lake Elsinore shall have their lowest floor elevated a minimum of three (3) feet above said water body's 100 year water surface elevation. For the purpose of this ordinance, Lake Elsinore's water surface elevation shall be 1265. (NAVD 88).

19. Any flood water storage displaced as a result of fill placement within Lake Elsinore's 100 year floodplain shall be made up by excavating 1.3 times the displaced volume within the elevation range between 1249.4 and 1265.7 (NAVD88).

b. Floodways.

1. No structure shall be constructed, located or substantially improved and no land shall be graded, filled 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 a Special Flood Hazard Area or floodplain.

2. Until such time that a regulatory floodway is adopted, no new construction or other development (including fill) shall be permitted within Zones A, 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 (1) foot or as determined by the RCFC&WCD or the CVWD at any point along the floodplain.

Section 9. APPEALS.

a. An applicant, or any interested party, shall have the right to appeal the decision or determination by Floodplain Administrator that is made on an application if appellant believes that an error has been made in the recommendation by the RCFC&WCD or CVWD. The decision of the Floodplain Administrator shall be considered final unless the applicant or an interested party files an appeal with the Clerk of the Board of Supervisors accompanied by the fee set forth in Ordinance No. 671 within ten days after the decision or determination.

b. If a timely appeal is filed, the Clerk of the Board shall set a public hearing for the matter to be heard before the Board of Supervisors of the County of Riverside ("Board") not less than five (5) but not more than forty-five (45) days thereafter and shall give notice, by mail no less than ten (10) days prior to the hearing, to the applicant and the appellant, the Floodplain Administrator with whom the application was originally filed and the applicable General Manager-Chief Engineer of the RCFC&WCD or CVWD. The Board shall render its decision on the matter upon the close of the public hearing on the matter.

c. Appeals may be granted by the Board if the Board finds that there has been an error in any requirement, decision or determination relating to the application for the permit. The Board may reverse or affirm, wholly or partly, or may modify the decision appealed from and the Board's decision is final.

Section 10. REQUESTS FOR VARIANCES. An applicant shall also have the right to request that a variance be granted to the construction standards or technical requirements of this ordinance or to the conditions imposed upon a permit.

a. Basis for Variance. The issuance of a variance pursuant to this ordinance is for floodplain management purposes only. Insurance premium rates are determined by statute according to actuarial risk and will not be modified by the granting of a variance. The variance criteria set forth in this section of the ordinance are based on the general principle of zoning law that variances pertain to a piece of property and are not personal in nature. A variance may be granted for a parcel of property with physical characteristics so unusual that complying with the requirements of this ordinance would create an exceptional hardship to the applicant or the surrounding property owners. The characteristics must be unique to the property and not be shared by adjacent parcels. The unique characteristic must pertain to the land itself, not to the structure, its inhabitants, or the property owners. The need to help protect the citizens of Riverside County from flooding is so compelling and the implications of the cost of insuring a structure built below flood level are so serious that variances from the flood elevation or from other requirements in the flood ordinance are quite rare. The long term goal of preventing and reducing flood loss and damage can only be met if variances are strictly limited. Therefore, the variance guidelines provided in this ordinance are more detailed and contain multiple provisions that must be met before a variance can be properly granted. The criteria are designed to screen out those situations in which alternatives other than a variance are more appropriate.

b. Application Process. An application to request a variance shall be made to the Floodplain Administrator, upon the form provided by the Department of Building and Safety, accompanied by a fee as set forth in Ordinance No. 671. Upon receipt of a completed application, the Floodplain Administrator shall request and obtain a technical recommendation from the RCFC&WCD or CVWD. The Floodplain Administrator shall render its decision on the matter within thirty (30) days after receipt of the report and recommendation from RCFC&WCD or CVWD. Any applicant to whom a variance is granted shall be given written notice that the cost of flood insurance will be commensurate with the increased risk resulting from the granting of the variance. Any applicant to whom a variance is granted shall promptly record an instrument evidencing said variance with the Riverside County Recorder's office. Said recordation shall be maintained until such time that the applicable flood hazard area has been removed.

c. Conditions for Variances.

1. Generally, variances may be issued for new construction, substantial improvement, and other proposed new development to be erected on a lot of one half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing that the procedures of this ordinance have been fully considered. As the lot size increases beyond one half acre, the technical justification required for issuing the variance increases.

2. Variances may be issued for the repair or rehabilitation of "Historic Structures" (as defined in section 4 of this ordinance) upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as an historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.

3. Variances shall not be issued within any mapped regulatory floodway if any increase in flood levels during the base flood discharge would result.

4. Variances shall only be issued upon a determination that the variance is the "minimum necessary" considering the flood hazard, to afford relief. "Minimum necessary" means to afford relief with a minimum of deviation from the requirements of this ordinance.

5. Any applicant to whom a variance is granted shall be given written notice over the signature of a community official that:

a) The issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance; and

b) Such construction below the base flood level increases risks to life and property. Applicant shall record, or caused to be recorded, a copy of the notice in the Official Records of the County of Riverside and shall be recorded in a manner so that it appears in the chain of title of the affected parcel of land. Applicant shall provide a conformed copy of the recorded notice to the Floodplain Administrator prior to the issuance of the permit to which the variance is approved.

6. The Floodplain Administrator will maintain a record of all variance actions, including justification for their issuance.

d. Findings Required for Variances. Variances on the requirements of this ordinance or the conditions of an approved permit may only be granted if the Floodplain Administrator finds:

1. That the approval of a variance was for good and sufficient cause which amount to special circumstances applicable to the subject property that does not generally apply to other property in the same Special Flood Hazard Area.

2. That failure to grant the variance would result in exceptional hardship to the applicant.

3. That the granting of a variance will not confer a special privilege not enjoyed by other similarly situated properties.

4. That strict application of the ordinance deprives the property of privileges enjoyed by other property in the vicinity and in the same Special Flood Hazard Area.

5. That the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimize the public or conflict with existing laws or ordinances.

6. That the variance is the minimum necessary, considering the flood hazard, to afford relief.

e. Appeal. An applicant or interested party may appeal a decision by Floodplain

Administrator that is made on an application for a variance in accordance with the procedures provided in Section 9 of this ordinance.

Section 11. **DISCLAIMER OF LIABILITY.** The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Flood heights may be increased by man-made or natural causes, and this ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the County of Riverside, any officer or employee thereof, or the Federal Insurance Administration or the Riverside County Flood Control and Water Conservation District, or the Coachella Valley Water District, for any flood damages resulting from reliance on this ordinance or any determination made thereunder.

Section 12. **VIOLATIONS AND PENALTIES.** The procedures, remedies and penalties for violation of this ordinance and for recovery of costs related to enforcement are provided for in Ordinance No. 725, as it is amended from time to time, which is incorporated herein by this reference.

Section 13. **SEVERABILITY.** If any provision, clause, sentence or paragraph of this ordinance or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the other provisions of this ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are hereby declared to be severable.

Section 14. This ordinance shall take effect thirty (30) days after its adoption."

Section 2. This ordinance shall take effect thirty (30) days after its adoption.

Jeff Stone, Chairman of the Board

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said County, held on July 15, 2014, the foregoing Ordinance consisting of fourteen (14) sections was adopted by said Board by the following vote:

AYES: Jeffries, Tavaglione, Stone, Benoit, and Ashley
NAYS: None
ABSENT: None

Kecia Harper-Ihem, Clerk of the Board
By: Cecilia Gil, Board Assistant

The Desert Sun

mydesert.com

750 N. Gene Autry Trail
Palm Springs, CA 92262
Billing Inquiries: (866) 875-0854
Main Office: (760) 322-8889

ADVERTISING INVOICE/STATEMENT

Make Checks payable to DESERT SUN PUBLISHING CO.
P.O. Box 677368 Dallas, TX 75267-7368
A finance charge of 1.5% per month(18% Annually) will be added to balances not paid by the 20th.

RIV06900000000000000000000050199850094874010826

80

RIVERSIDE COUNTY-BOARD OF SUP.
PO BOX 1147
RIVERSIDE CA 92502-1147

Customer No.	Invoice No.
RIV069	0005019985
For the Period	Thru
06/30/14	08/03/14
Due Date	Amount Due
08/18/14	9,487.40
AMOUNT PAID	

PLEASE RETURN THIS TOP SECTION WITH PAYMENT IN THE ENCLOSED ENVELOPE AND INCLUDE YOUR CUSTOMER NUMBER ON REMITTANCE.

Date	EDT	Class	Description	Times Run	Col	Depth	Total Size	Rate	Amount
0630			BALANCE FORWARD						19,765.07
0703			CREDIT CARD CHARGE						10,608.50-
0724			CREDIT CARD CHARGE						9,234.51-
0629	CLS	0001	CECILIA NO 1061 NOTICE O	4	2	78.00	624.00		346.08
0629	CLS	0001	CECILIA NO 1066 NOTICE O	4	2	76.00	608.00		337.36
0709	CLS	0001	CECILIA NO 1112 BOARD OF	2	2	65.00	260.00		147.70
0709	CLS	0001	CECILIA GIL NO 1113 BOARD OF	2	2	177.00	708.00		391.86
0710	CLS	0001	CECILIA NO 1123 BOARD OF	2	2	80.00	320.00		180.40
0719	CLS	0001	CECILIA NO 1175 BOARD OF	2	2	66.00	264.00		149.88
0720	CLS	0001	CECILIA NO 1179 BOARD OF	2	2	72.00	288.00		162.96
0723	CLS	0001	CECILIA NO 1189 BOARD OF	2	2	112.00	448.00		250.16
0724	CLS	0001	CECILIA NO 1185 - ORD 64	1	10	21.00	210.00		3,204.60
0724	CLS	0001	CECILIA NO 1185 - ORD 64	1	10	11.50	115.00		1,754.90
0724	CLS	0001	CECILIA NO 1198 BOARD OF	2	2	208.00	4832.00		2,639.44
<p>TLMA 3-61 of 07/15/14</p>									<p>\$9565.34</p> <p>2014 AUG 13 PM 3:32</p>
Current		Over 30 Days	Over 60 Days	Over 90 Days	Over 120 Days	Total Due			
9,487.40		.00	.00	.00	.00	9,487.40			
Contract Type	Contract Qnty.	Expiration Date	Current Usage	Total Used	Quantity Remaining	Salesperson			
						BARTELMEY			

The Advertiser shall make payment within 15 days of the billing date indicated on Company's statement, and, in the event that it fails to make payment within such time, Company may reject advertising copy and / or immediately cancel this contract and Advertiser agrees to indemnify Company for all expenses incurred in connection with the collection of amounts payable under this contract, including but not limited to collection fees, attorney's fees and court costs. If this agreement is cancelled due to Advertiser's failure to make timely payment, Company may rebill the Advertiser for the outstanding balance due at the open or earned contract rate, whichever is applicable.

TO ENSURE PROPER CREDIT, PLEASE RETURN THE TOP SECTION AND INCLUDE YOUR CUSTOMER NUMBER ON REMITTANCE.

Customer Number	Name	Invoice Number	Amount Paid
RIV069	RIVERSIDE COUNTY-BOARD OF SUP.	0005019985	

THE DESERT SUN PUBLISHING CO.
ADVERTISING INVOICE/STATEMENT

1198

The Desert Sun
750 N Gene Autry Trail
Palm Springs, CA 92262
760-778-4578 / Fax 760-778-4731

State Of California ss:
County of Riverside

Advertiser:

RIVERSIDE COUNTY-BOARD OF SUP.
4080 LEMON ST
RIVERSIDE CA 925013

2000447211

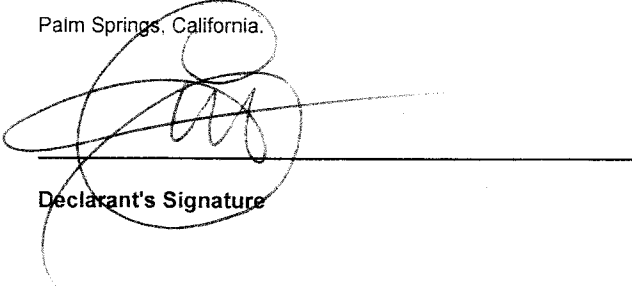
I am over the age of 18 years old, a citizen of the United States and not a party to, or have interest in this matter. I hereby certify that the attached advertisement appeared in said newspaper (set in type not smaller than non paniel) in each and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

Newspaper: .The Desert Sun

7/24/2014

I acknowledge that I am a principal clerk of the printer of The Desert Sun, printed and published weekly in the City of Palm Springs, County of Riverside, State of California. The Desert Sun was adjudicated a newspaper of general circulation on March 24, 1988 by the Superior Court of the County of Riverside, State of California Case No. 191236.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 24th day of July, 2014 in Palm Springs, California.



Declarant's Signature

No 1198
BOARD OF SUPERVISORS OF THE COUNTY
OF RIVERSIDE, STATE OF CALIFORNIA

ORDINANCE NO. 458.14
AN ORDINANCE OF THE COUNTY OF RIVER-
SIDE AMENDING ORDINANCE NO. 458 REGU-
LATING FLOOD HAZARD AREAS AND IMPLE-
MENTING THE NATIONAL FLOOD INSURANCE
PROGRAM

The Board of Supervisors of the County of River-
side ordains as follows:

Section 1. Ordinance No. 458 is amended in its
entirety to read as follows:

*ORDINANCE NO. 458

AN ORDINANCE OF THE COUNTY OF RIVER-
SIDE REGULATING SPECIAL FLOOD HAZARD
AREAS AND IMPLEMENTING THE NATIONAL
FLOOD INSURANCE PROGRAM

The Board of Supervisors of the County of River-
side ordains as follows:

Section 1. FINDINGS. The Board of Supervisors
finds that:

a. The flood hazard areas of Riverside County are
subject to periodic inundation which results in loss
of life and property, health and safety hazards,
disruption in commerce and governmental serv-
ices, extraordinary public expenditures for flood
protection and relief from flooding, and impairment
of the tax base, all of which adversely affect the
public health, safety, and general welfare.

b. When floodplains are developed without taking
appropriate care and precautions, flood heights,
frequencies, and velocities increase, causing a
greater threat to humans, damage to property, de-
struction of natural floodplain functions and ad-
verse impacts to water quality.

c. The establishment of reasonable preventive and
protective measures by enacting development
regulations and through participation in a national
program of flood insurance makes flood insurance
coverage and relief available on reasonable terms
and conditions to persons who have need for such
protection.

Section 2. PURPOSE. The purpose of the ordi-
nance is to promote the public health, safety, and
welfare and minimize public and private costs
caused by flooding by regulating development
within the special flood hazard areas to be applied
uniformly throughout the unincorporated areas of
the Riverside County to all publicly and privately
owned land within flood prone, mudslide or flood
related erosion areas. These regulations are de-
signed to:

a. Protect human life and health;

b. Minimize expenditure of public money for costly
flood control projects;

c. Minimize the need for rescue and relief efforts
associated with flooding and generally undertaken
at the expense of the general public;

d. Minimize prolonged business interruptions;

e. Minimize damage to public facilities and utilities
such as water and gas mains, electric, telephone
and sewer lines, and streets and bridges located
in areas of special flood hazard;

f. Help maintain a stable tax base by providing for
the sound use and development of areas of spe-
cial flood hazard so as to minimize future blighted
areas caused by flood damage;

g. Ensure that potential buyers are notified that
property is in an area of special flood hazard; and

h. Ensure that those who occupy the areas of spe-
cial flood hazard assume responsibility for their
actions.

Section 3. AUTHORITY. Local governments
have the authority to adopt regulations under Gov-
ernment Code Sections 65302, 65560, 65800,
65850 and 65900, et seq., to promote the public
health, safety and general welfare of its residents.
This ordinance is adopted pursuant to the require-
ments of the National Flood Insurance Act of
1968, Title 42 United States Code Section 4001,
et seq., and Code of Federal Regulations, Title 44,
Chapter I, Subchapter B, Part 59, as each may be
amended, including all other regulations adopted
pursuant thereto. Flood heights may be increased
by man made or natural causes. This ordinance
does not imply that land outside the regulated
areas or the uses and development permitted
within such areas will be free from flooding or
flood damages.

Section 4. DEFINITIONS. Unless specifically de-
fined below, terms or phrases used in this ordi-
nance shall be interpreted so as to give them the
meaning they have in common usage and to give
this ordinance its most reasonable application. The
following terms shall have the following meanings:

a. 100-Year Flood. Means and refers to the "Base
Flood" as defined herein below.

b. Accessory Structure. Means and refers to a
structure, that may not qualify as a "building", lo-
cated on the same parcel of property as the pri-
mary structure or building to be insured and the
use of which is incidental and subordinate to the
use of the principal structure or building. For ex-
ample, open structures, such as carports, gazebos
and picnic pavilions that do not have at least two
rigid walls are not "buildings."

c. Awareness Map. Means and refers to those
floodplain maps produced by the Department of
Water Resources of the State of California that ini-
tially identify flood hazard areas using approxi-
mate assessment procedures to map 100 year
floodplains for both riverine and alluvial fan condi-
tions. Such "awareness floodplains" will be shown
simply as flood hazard areas without specific
depth and other flood hazard data.

d. Base Flood. Means and refers to a flood which
has a one percent (1%) chance of being equaled
or exceeded in any given year (also called the
"100 Year Flood"). Base Flood is the term com-
monly used throughout this ordinance.

e. Base Flood Elevation (BFE). Means and refers

1. Listed individually in the National Register
Historic Places (a listing maintained by the De-
partment of Interior) or preliminarily determined by
Secretary of the Interior as meeting the require-
ments for individual listing on the National Reg-
ister; or

2. Certified or preliminarily determined by the
Secretary of the Interior as contributing to the his-
torical significance of a registered historic district
preliminarily determined by the Secretary of
the Interior; or

3. Individually listed on a state inventory of his-
toric places in states with historic preservation
programs which have been approved by the Sec-
retary of Interior; or

4. Individually listed on a local inventory of his-
toric places in communities with historic preserva-
tion programs that have been certified either by an
approved state program as determined by the Sec-
retary of the Interior or directly by the Secretary
of the Interior in states without approved program

x. Lateral Additions. Means and refers to impor-
tments constructed adjacent to an existing struc-
ture that increases the square footage of the struc-
ture. This commonly includes the structure att-
achment of a bedroom, den, recreational room,
garage. If the lateral addition is attached thro-
ugh a covered breezeway or similar structure open
two (2) or more sides, it will not be included in
substantial improvement calculations and will
be conditioned to meet current floodproofing stan-
dards.

y. Levee Design Flood. Means and refers to
flooding of the Colorado River equivalent to a
rate of 75,000 cubic feet per second from the
Verde Diversion Dam to Taylor Ferry.

z. LOMR. Means and refers to a "Letter of In-
tervention".

aa. Lowest Floor. Means and refers to the low-
est floor of the lowest enclosed area (including be-
llement). An unfinished or flood resistant enclo-
sure usable solely for parking of vehicles, building
access or storage in an area other than a basem-
ent area is not considered a building's lowest floor
provided, that such enclosure is not built so as to
render the structure in violation of applicable
elevation design requirements of Section 8 of
this ordinance.

bb. 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 foun-
dation when attached to the required utilities. The
term "Manufactured Home" does not include
recreational vehicles.

cc. Manufactured Home Park or Subdivision
Means and refers to a parcel (or contiguous par-
cels) of land divided into two or more manu-
factured home lots for rent or sale.

dd. Market Value. Means and refers to the price
agreed to be paid in an open market by a will-
ing buyer to a willing seller, with neither acting
under compulsion to buy or sell, giving due consid-
eration to all economic uses of the property at the
time of the valuation. The market value of a struc-
ture reflects its original quality, subsequent im-
provements, physical age of building components
in current condition. For the purposes of determi-
ning substantial improvement, market value pert-
ains only to the structure in question. It does not
pertain to the land, landscaping or detached access-
ory structures on the property. Market value of a
structure will be obtained by the Floodplain Adm-
istrator using the assessed value of the struc-
ture as shown on the last equalization assessment
report. The resulting market value is intended to bring
order and equity to the Separate Application pro-
cess which can be readily determined and adminis-
tered without undue delays to the applicant. Alternat-
ively, the applicant can submit a formal appraisal
to determine the market value.

ee. Mean Sea Level. Means and refers to the Na-
tional Geodetic Vertical Datum (NGVD) of 1929
North American Vertical Datum of 1988 (NAVD
88), or other datum, to which base flood elevations
are referenced.

ff. New Construction. Means and refers to struc-
tures for which the "Start of Construction" com-
menced on or after July 5, 1979, and includes all
subsequent improvements to such structures.

gg. New Manufactured Home Park or Subdivision
Means and refers to a manufactured home park
subdivision for which the construction of facilities
for servicing the lots on which the manufacture
homes are to be affixed (including at a minimum
the installation of utilities, either final site grad-
ing or the pouring of concrete pads, and the constru-
ction of streets) is completed on or after July 5,
1979.

hh. RCFC&WCD. Means and refers to the Rive-
side County Flood Control and Water Conserva-
tion District, a special district created under Cal-
ifornia law.

ii. Recreational Vehicle. Means and refers to a ve-
hicle which is (i) built on a single chassis; (ii) 400
square feet or less when measured at the largest
horizontal projection; (iii) designed to be self-
propelled or permanently towable by a light duty
truck; and (iv) designed primarily not for use as a
permanent dwelling but as temporary living quar-
ters for recreational, camping, travel, or seasonal
use.

jj. Separate Application. Means and refers to an
additional floodproofing permit application will be
required when processing an application for devel-
opment permit for land which lies within the spe-
cial flood hazard area of any map referred to in
Section 5 of this ordinance.

kk. Special Flood Hazard Area (SFHA). Means
and refers to an area in the floodplain subject to a
one percent (1%) or greater chance of flooding in
any given year. It is shown on FIRM as Zone A
AO, A1 A30, AE, A99, or AH. This includes
floodplains, flood boundaries and flood hazards
within the studies listed in Section 5.

ll. Start of Construction. Means and refers to the
incision of a substantial improvement and other

simply as flood hazard areas without specific depth and other flood hazard data.

d. **Base Flood.** Means and refers to a flood which has a one percent (1%) chance of being equalled or exceeded in any given year (also called the "100 Year Flood"). Base Flood is the term commonly used throughout this ordinance.

e. **Base Flood Elevation (BFE).** Means and refers to the elevation shown on the Flood Insurance Rate Map for Zones AE, AH, A1-30, VE and V1-V30, and those elevations determined by the County of Riverside for other special flood hazard areas that indicate the water surface elevation resulting from a flood that has a one percent (1%) or greater chance of being equalled or exceeded in any given year.

f. **Basement.** Means and refers to any area of a building having its floor subgrade (below ground level) on all sides.

g. **CVWD.** Means and refers to the Coachella Valley Water District, a special district created under California law.

h. **Colorado River Floodway Fringe.** Means and refers to that area subject to inundation by floods of varying magnitudes generated from the Colorado River, up to and including the floodway flow, but which is not required for the safe conveyance of the floodway flow and is not included in the computation of the Colorado River Floodway base flood elevation.

i. **Contractor.** Means and refers to a licensed General Contractor or professional construction estimator.

j. **Development.** Means and refers to any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, drilling operations, storage of equipment or materials.

k. **Elevation Certificate** (known as FEMA Form 086-0-33 expiring on July 31, 2015 or the latest version thereafter). Means and refers to a form used for recording the finished floor elevations and adjacent ground of a building.

l. **Encroachment.** Means and refers to activities or construction within the floodway including fill, new construction, substantial improvements, or other development. These activities are prohibited within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses that the proposed encroachments would not result in any increase in flood levels.

m. **Existing Manufactured Home Park or Subdivision.** Means and refers to 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, either final site grading or pouring of concrete pads, and the construction of streets) is completed before July 5, 1979.

n. **Expansion to an Existing Manufactured Home Park or Subdivision.** Means and refers to the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, either final site grading or pouring of concrete pads, or the construction of streets).

o. **FEMA.** Means and refers to the Federal Emergency Management Agency.

p. **Flood Insurance Rate Map (FIRM).** Means and refers to the official map on which the Federal Emergency Management Agency or Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the unincorporated areas of Riverside County.

q. **Flood Insurance Study.** Means and refers to the official report provided by the Federal Insurance Administration that includes discharge rates, flood profiles, the Flood Insurance Rate Map(s), and the water surface elevations of the base floods.

r. **Floodplain Administrator.** Means and refers to the Director, or his designee, of the Department of Building and Safety for the County of Riverside.

s. **Floodproofing.** Means and refers to any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents. For guidelines on dry and wet floodproofing, see FEMA Technical Bulletin TB 1-93, TB 3-93, and TB 7-93.

t. **Floodway.** Means and refers to the channel of a river or other watercourse and adjacent land areas necessary to discharge the waters from the 100-Year Flood without increasing the water surface elevation of that flood more than one foot at any one point; or that area 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.

u. **Fraud and Victimization.** As related to Section 10 of this ordinance, means and refers to the variance granted must not cause fraud on or victimization of the public. In examining this requirement, Floodplain Administrator will consider the fact that every newly constructed building adds to government responsibilities and remains a part of the community for fifty to one-hundred years. Buildings that are permitted to be constructed below the base flood elevation are subject during all those years to increased risk of damage from floods, while future owners of the property and the community as a whole are subject to all the costs, inconvenience, danger, and suffering that those increased flood damages bring. In addition, future owners may purchase the property, unaware that it is subject to potential flood damage, and can be insured only at very high flood insurance rates.

v. **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.

w. **Historic Structure.** Means and refers to any structure that is:

and refers to an area in the floodplain subject to a one percent (1%) or greater chance of flooding in any given year. It is shown on FIRM as Zone A, AO, A1 A30, AE, A99, or AH. This includes floodplains, flood boundaries and flood hazards within the studies listed in Section 5.

11. **Start of Construction.** Means and refers to the inclusion of a substantial improvement and other proposed new development and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within one hundred eighty (180) 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 excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land 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 or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

12. **Structure.** Means and refers to all buildings and structures, including agricultural buildings that require a registration certificate and manufactured homes; and their appurtenances such as gas or liquid storage tanks and flow obstructing walls or fences.

13. **Substantial Improvements/Substantially Improved.** Means and refers to any reconstruction, rehabilitation, addition, or other improvement of a structure, in which the cost of this improvement equals or exceeds 50 percent of the market value of the structure before the Start of Construction of the proposed improvement. This term includes structures which have incurred "Substantial Damage" (as it is herein defined), regardless of the actual repair work performed. The term does not include any alterations necessary to comply with existing state or local health, sanitary or safety code specifications or regulations, or any alterations of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

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

15. **Vertical Addition.** Means and refers to when an addition is a full or partial second floor. When a vertical addition meets the criteria for a substantial improvement, the entire structure must be elevated since the existing building provides the foundation for the addition.

16. **Violation.** Means and refers to the failure of a structure or other development to be fully compliant with this ordinance. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in this ordinance is presumed to be in violation until such time as that documentation is provided.

Section 5. APPLICATION. This ordinance shall apply to all the special flood hazard areas within the unincorporated areas and within the jurisdiction of the County of Riverside ("County") on file at RCFC&WCD headquarters and shown on the Public Flood Hazard Determination Interactive Map found at <http://rcfd.org>. These special flood hazard areas incorporate:

- 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 28, 2008, with accompanying Flood Insurance Rate Maps, including any subsequent amendments, revisions or additions thereto that hereafter go into effect pursuant to the provisions of the applicable Federal law.
- b. The flood hazard areas shown on the maps prepared by the U.S. Army Corps of Engineers entitled:
 1. San Geronio River and Smith Creek, June 1979.
 2. San Geronio River and Tributaries, October 1974.
 3. Warm Springs Creek, February 2003.
- c. The special flood hazard areas shown on the following maps prepared for the County of Riverside, including any amendments, revisions or additions thereto that are hereafter adopted by resolution of the Board of Supervisors of the County of Riverside after a public hearing on the proposed adoption:
 1. Cactus Valley, 100 year Flood Plain and Floodway Limits, March 1980.
 2. Cabazon Flood Study, Flood Hazard Areas, June 1980.
 3. Lakeview & Sierra Vista Tracts, 100-year Floodplain Limits, October 1990.
 4. Tusalota Creek, October 1984.
 5. Long Valley Wash, October 2002.
 6. Jumper Flats Floodplain, May 2006.
 7. "Flood Insurance Study for Oasis Area of the Coachella Valley, April 2003."
- d. The flood hazard areas as shown on the Awareness Maps that were prepared by the Department of Water Resources and received by RCFC&WCD on July 25, 2011, including any amendments, revisions or additions thereto that are hereafter adopted by resolution of the Board of Supervisors after a public hearing on the proposed adoption.
- e. The flood hazard areas shown on the map pre-

ference, and the existing permit procedure does not otherwise provide for a specific and still appropriate, recommendation by RCFC&WCD or CVWD, a separate application shall be filed by the applicant accompanied by a fee as set forth in Section 4 of Riverside County Ordinance No. 671 ("Ordinance No. 671").

2. If a permit would allow the location of any structure, new construction or substantial improvement thereto, or allow the alteration of land by grading or otherwise, or allow the placement of a recreational vehicle pursuant to section 8.a.2 of this ordinance, and the existing permit procedure does provide for a specific, but may no longer be appropriate, recommendation by the RCFC&WCD or CVWD, a separate application shall be filed by the applicant accompanied by a 5.5 hour minimum fee set forth in Ordinance No. 671 Section 17B to begin review.

3. If a permit would allow for an attached deck or enclosed patio, a separate application shall be filed by the applicant accompanied by a 5.5 hour minimum fee set forth in Ordinance No. 671 Section 17B to begin review.

In order for the Floodplain Administrator to determine if the application for a permit qualifies as a substantial improvement, the applicant shall provide a contractor's cost estimate.

c. All separate applications shall be filed with the Floodplain Administrator that accepts the basic application and shall be accompanied by a fee as set forth in Ordinance No. 671. Sites on noncontiguous parcels shall require separate submittals. Each application shall contain plans that, at a minimum, include the following:

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

SLOPE/INTERVAL	
0 - 2.99%	1'
3 - 9.99%	4'
10% plus	10'
3. Elevations, in relation to the 1988 North American Vertical Datum, of the area to be developed, including adjoining properties necessary to be shown for continuity. The elevation, in relation to the 1988 North American Vertical Datum, of the lowest floor (including basement) of all new or substantially improved structures, and whether or not such structures contain a basement shall be stated.
4. The method by which the applicant proposes to comply with the requirements of this ordinance, including proposed elevations of any structures or fills, flood proofing, erosion protection, flow-through area, any proposals to modify existing flow of storm waters and any other relevant information. If any structure is to be flood proofed, the elevation, in relation to the 1988 North American Vertical Datum, to which such structure is to be flood proofed shall be stated.
5. All applications plans shall be prepared and certified by a civil engineer registered in the State of California.

d. Upon acceptance of both applications as being complete for filing, the Floodplain Administrator shall forward copies of the basic application and the separate application to the RCFC&WCD, unless the proposed development lies within the area jurisdiction of the CVWD, in which case it shall be forwarded to CVWD.

e. Within thirty (30) days of receipt thereof, the RCFC&WCD or CVWD, respectively, shall determine if any further information is required in order to process the application and, if required, shall inform the applicant or his representative by regular mail of the need for additional information. RCFC&WCD and CVWD shall review and process separate applications within their respective jurisdictions as provided herein.

f. When base flood elevation data has not been provided through the maps referred to in Section 5, the RCFC&WCD or CVWD shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a federal or state agency, or other source, in order to administer Section 8.

NOTE: A base flood elevation may be calculated using one of two methods from the FEMA publication, FEMA 265, Managing Floodplain Development in Approximate Zone A Areas - A Guide for Obtaining and Developing Base (100 year) Flood Elevations, dated July 1995. For alluvial fans, the base flood depth and velocity may be calculated using methods from the FEMA publication, Guidelines and Specifications for Flood Hazard Mapping Partners, Appendix G: Guidance for Alluvial Fan Flooding Analyses and Mapping dated April 2003.

g. Within thirty (30) days after determining that all required information has been obtained, the RCFC&WCD or CVWD shall issue a report approving, with conditions or modifications, or denying the proposed plan.

h. The applicant shall submit to RCFC&WCD or CVWD certifications, including but not limited to Elevation Certificates, to satisfy the conditions as referenced in 7g, prior to the issuance of any subsequent building permits.

i. The RCFC&WCD and CVWD shall maintain a record of all applications reviewed and approved pursuant to this Ordinance. Said record shall consist of the application form, accompanying plans and Elevation Certificate.

Section 8. CONSTRUCTION STANDARDS. Within the areas shown on the maps listed in Section 5, the following requirements shall apply:

a. **Special Flood Hazard Areas.** Within the areas shown on the maps listed in Section 5 as a Special Flood Hazard Area or floodplain, all proposed developments shall meet the following requirements:

1. All permit applications shall be reviewed to determine whether proposed building sites will be

wheels or jacking system, is attached to the structure only by quick disconnect type utilities and secu devices, and has no permanently attached attachments.

9. Except as otherwise provided under Section 8.a. subsection 7., all new construction and substantial improvements of residential structures shall have the lowest floor (including basement elevated to or above the base flood level).

10. All new construction and substantial improvements of nonresidential structures shall either:

- a) Have the lowest floor (including basement) elevated to or above the base flood level; or
- b) Together with attendant utility and sanitary facilities, be designed so that below the Base Flood level the structure is watertight with walls substantially impermeable to the passage of water, with structural components having the capability resisting hydrostatic and hydrodynamic loads and the effects of buoyancy.

11. For all new construction and substantial improvements, fully enclosed areas below the lowest floor that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of openings shall be no higher than one foot above grade. Openings may be equipped with screen covers, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

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

13. Within any AO zone on the Flood Insurance Rate Maps, all new construction and substantial improvements of nonresidential structures shall either:

- a) Have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the Flood Insurance Rate Map (at least two feet if depth number is specified); or
- b) Together with attendant utility and sanitary facilities, be completely flood proofed to that level that the structure is watertight with walls substantially impermeable to the passage of water, with structural components having the capability resisting hydrostatic and hydrodynamic loads and the effects of buoyancy.

14. Within any AH and AO zones on the Flood Insurance Rate Maps, adequate drainage patterns around structures on slopes, to guide floodwater around and away from proposed structures, shall be provided.

15. Whenever a watercourse or mapped floodplain is to be altered or relocated, the flood carrying capacity of the altered or relocated portion of the watercourse or mapped floodplain shall be maintained. Manufactured slopes that encroach into floodplains and which are subject to erosive velocities, are considered flood control facilities and must be maintained by a public entity. However the appropriateness of such encroachment shall be determined at the sole discretion of the RCFC&WCD or the CVWD. Adjacent communities and the Federal Insurance Administration shall be notified of any such alteration or relocation by means of a request for a LOMR. Floodplains shown on the effective FIRM pane within six (6) months of information becoming available or project completion, whichever comes first, the Floodplain Administrator shall submit assurance that the permit applicant submits technical or scientific data to FEMA for a Letter of Map Revision (LOMR).

16. All plans prepared for the development of property within a mapped floodplain shall be prepared and certified by a civil engineer registered in the State of California.

17. All proposed development applications shall be reviewed to assure that all necessary permits have been received from those government agencies from which approval is required by Federal or State law.

18. All new buildings and/or substantial improvements located within the 500 year floodplain limit of Lake Elsinore shall have their lowest floor elevated a minimum of three (3) feet above said water body's 100 year water surface elevation. For the purpose of this ordinance, Lake Elsinore's water surface elevation shall be 1265.7 (NAVD 88).

19. Any flood water storage displaced as a result of fill placement within Lake Elsinore's 100 year floodplain shall be made up by excavating 1 times the displaced volume within the elevatic range between 1249.4 and 1265.7 (NAVD88).

b. **Floodways.**

1. No structure shall be constructed, located, substantially improved and no land shall be graded, filled 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 a Special Flood Hazard Area or floodplain.
2. Until such time that a regulatory floodway is adopted, no new construction or other development (including fill) shall be permitted within Zone A, 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 (1) foot or as determined by the RCFC&WCD or the CVWD at a point along the floodplain.

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; or

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; or

3. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of 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.

x. Lateral Additions. Means and refers to improvements constructed adjacent to an existing structure that increases the square footage of the structure. This commonly includes the structure attachment of a bedroom, den, recreational room and garage. If the lateral addition is attached through a covered breezeway or similar structure open on two (2) or more sides, it will not be included in the substantial improvement calculations and will be conditioned to meet current floodproofing standards.

y. 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 Taylor Ferry.

z. LOMR. Means and refers to a "Letter of Map Revision."

aa. Lowest Floor. Means and refers to the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of applicable non-elevation design requirements of Section 8 of this ordinance.

bb. 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 a recreational vehicle.

cc. Manufactured Home Park or Subdivision. Means and refers to a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

dd. Market Value. Means and refers to the price agreed to be paid in an open market by a willing buyer to a willing seller, with neither acting under compulsion to buy or sell, giving due consideration to all economic uses of the property at the time of the valuation. The market value of a structure reflects its original quality, subsequent improvements, physical age of building components and current condition. For the purposes of determining substantial improvement, market value pertains only to the structure in question. It does not pertain to the land, landscaping or detached accessory structures on the property. Market value of the structure will be obtained by the Floodplain Administrator using the assessed value of the structure as shown on the last equalization assessment roll. The resulting market value is intended to bring order and equity to the Separate Application process which can be readily determined and administered without undue delays to the applicant. Alternatively, the applicant can submit a formal appraisal to determine the market value.

ee. Mean Sea Level. Means and refers to the National Geodetic Vertical Datum (NGVD) of 1929, North American Vertical Datum of 1985 (NAVD 85), or other datum, to which base flood elevations are referenced.

ff. New Construction. Means and refers to structures for which the "Start of Construction" commenced on or after July 5, 1979, and includes any subsequent improvements to such structures.

gg. New Manufactured Home Park or Subdivision. Means and refers to 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, either final site grading or the pouring of concrete pads, and the construction of streets) is completed on or after July 5, 1979.

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

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

jj. Separate Application. Means and refers to an additional floodproofing permit application will be required when processing an application for development permit for land which lies within the special flood hazard area of any map referred to in Section 5 of this ordinance.

kk. Special Flood Hazard Area (SFHA). Means and refers to an area in the floodplain subject to a one percent (1%) or greater chance of flooding in any given year. It is shown on FIRM as Zone A, AO, AT A30, AE, A99, or AH. This includes floodplains, flood boundaries and flood hazards within the studies listed in Section 5.

ll. Start of Construction. Means and refers to the inclusion of a substantial improvement and other proposed new development and means the date

prepared as part of the "Flood Plain Information, Colorado River, Palo Verde Dam to Imperial Dam" dated October 1974, for that area between the Palo Verde Diversion Dam and Taylor Ferry, or on any Flood Insurance Rate Maps, including any amendments or additions thereto that hereafter go into effect pursuant to the provisions of the applicable Federal Law for the Colorado River.

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

Section 6. ADMINISTRATION. Notwithstanding the provisions of any other ordinance to the contrary, within the special flood hazard areas shown on the maps referred to in Section 5, no structure, including flow obstructing structures, shall be constructed, located or substantially improved and no land shall be graded, filled or developed, and no permit or approval shall be granted therefor, unless it complies with all the applicable requirements of this ordinance and all other applicable ordinances. If there is any conflict in or between the requirements of this ordinance and another ordinance, the more stringent requirements shall apply. If there is any conflict between the maps referred to in Section 5 of this ordinance the more stringent requirements shall apply.

a. Designation of the Floodplain Administrator. The Director of the Department of Building and Safety for the County of Riverside, or his designee, is hereby appointed to administer, coordinate, implement and enforce this ordinance by granting or denying development permits in accordance with its provisions.

b. Duties and Responsibilities of the Floodplain Administrator. The duties and responsibilities of the Floodplain Administrator shall include, but not limited to the following:

1. Permit Review. Review all development permit applications to:
 - a) Determine if permit requirements of this ordinance have been satisfied; and
 - b) Make substantial improvement and substantial damage of existing structures determinations; and
 - c) All other required state and federal permits have been obtained.
2. Assurance. Assure procedures are coordinated with other departments/divisions and implemented by the County staff and take any remedial actions necessary to administer and implement this ordinance.
3. Referrals. Refer public to RCFC&WCD or CVWD for review, use and development of other Base Flood data.
4. Submittals. Forward separate applications to RCFC&WCD or CVWD for technical review.
5. Notification. Notify other appropriate agencies of alteration or relocation of watercourses, changes on Base Flood Elevations due to physical alterations and changes in corporate boundaries.
6. Retention. Retain records of approved variances for floodplain development.
7. Reimbursement. Reimburse RCFC&WCD and CVWD for any review and input either agency provides on separate applications.

c. Consultation and Review by Other Agencies. Due to the subject matter expertise and functions of other agencies, the County intends to submit any separate applications required under this ordinance to the Riverside County Flood Control and Water Conservation District of the Coachella Valley Water District for review and input in accordance with the provisions of this ordinance.

d. Duties and Responsibilities of RCFC&WCD and CVWD. The duties and responsibilities include the following:

1. Review and process separate applications within their respective jurisdictions.
2. Maintain a record of all applications reviewed and approved including the application form, accompanying plans and Elevation Certificate.
3. Obtain, review and reasonably utilize any base flood elevation and floodway data available. Calculating base flood elevation, if necessary.
4. Issue a report recommending approval, with conditions or modifications, or denial of the proposed separate application plan.
5. Make interpretations where needed, as to the exact location of the boundaries of the special flood hazard areas.
6. For RCFC&WCD only, RCFC&WCD shall:
 - a) Maintain a record of floodplain maps and supporting documentation for the special flood hazard areas included in Section 5; and
 - b) Complete and submit a Biennial Report to FEMA.

Section 7. PROCEDURE.

a. Insofar as it is feasible, it is intended that the requirements of this ordinance shall be integrated into the processing of applications for development permits under other Riverside County ordinances including, but not limited to, Ordinances Nos. 348, 369, 457, 460 and 555. When the information required, or the procedures involved, in the processing of such applications is not sufficient to assure compliance with the requirements of this ordinance, a separate application shall be filed as hereinafter provided.

b. Whenever an application for a permit involves land which lies within the special flood hazard area of any map referred to in Section 5 of this ordinance, the Floodplain Administrator that accepts the application shall determine if a separate application shall be filed:

1. If a permit would allow the location of any structure, new construction or substantial improvement thereof, or allow the alteration of land by grading or otherwise, or allow the placement of a recreational vehicle pursuant to section 8.a.8 of this ordinance, and the existing permit procedure does not otherwise provide for a specific and still appropriate, recommendation by RCFC&WCD or CVWD, a separate application shall be filed by the applicant accompanied by a fee as set forth in Section 4 of Riverside County Ordinance No. 671 ("Ordinance No. 671").
2. If a permit would allow the location of any structure, new construction or substantial improvement

reasonably safe from flooding. All new structures, new construction and substantial improvements to existing structures shall:

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

e. Swimming pools shall:

- 1) Be constructed flush to the ground.
- 2) Have excavated dirt from the pool removed from the site or spread across the site, no more than four (4) inches thick.
- 3) Have equipment servicing the pool elevated at or above the Base Flood Elevation.

2. All new construction improvements that are not considered substantial improvement shall be designed according to the requirements of the existing structure.

3. The existing structures shall also comply with current regulations (such as elevating the finished floor) when the substantial improvements to the existing structure consist of the following types: rehabilitation improvements, foundation improvements or replacement of vertical addition and/or a structurally connected lateral addition.

4. All subdivision proposals and other proposed new development, including manufactured home parks or subdivisions greater than fifty (50) lots or five (5) acres, whichever is less, shall be 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) Prior to grading, a Conditional LOMR has been issued by FEMA.
- c) Prior to inspection for occupancy, a LOMR has been issued by FEMA for areas shown as floodplain on the effective FIRM.
- d) All utilities and facilities, such as sewer, gas, electrical, propane tanks, and water systems are located and constructed to minimize or eliminate flood damage.
- e) Adequate drainage is provided to reduce exposure to flood hazards.
- f) All other required state and federal permits have been obtained.
- g) Alteration or relocation of a watercourse. Notify adjacent communities and the California Department of Water Resources prior to alteration or relocation. Submit evidence of such notification to FEMA.

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

6. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into flood waters, and on site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

7. All manufactured homes to be placed or substantially improved shall be installed using methods and practices which minimize flood damage. For the purposes of this requirement, 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 may include, but are not limited to, use of over the top or frame ties to ground anchors. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces. The requirements of section 8.a., subsections 7.a) and 7.b) herein shall only apply to i) manufactured homes located outside of a manufactured home park or subdivision; or ii) in a new manufactured home park or subdivision; or iii) 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 due to flood 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 thirty-six (36) 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 section 8.a.7.a) herein.

8. All recreational vehicles to be placed shall:
 - a) Be on the site for fewer than one hundred eighty (180) consecutive days; and
 - b) Be fully licensed and ready for highway use.
 Otherwise, recreational vehicles shall meet the separate application requirements of section 7.b. and the elevation and anchoring requirements for manufactured homes in section 8.a.7. A recreational vehicle is ready for highway use if 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.
9. Except as otherwise provided under Section 8.a. subsection 7, all new construction and substantial improvements of residential structures shall have the lowest floor (including basement) elevated to or above the base flood level.

Section 9. APPEALS.

a. An applicant, or any interested party, shall have the right to appeal the decision or determination by Floodplain Administrator that is made on an application if appellant believes that an error has been made in the recommendation by the RCFC&WCD or CVWD. The decision of the Floodplain Administrator shall be considered final unless the applicant or an interested party files an appeal with the Clerk of the Board of Supervisors accompanied by the fee set forth in Ordinance No. 671 within ten days after the decision or determination.

b. If a timely appeal is filed, the Clerk of the Board shall set a public hearing for the matter to be heard before the Board of Supervisors of the County of Riverside ("Board") not less than five (5) but not more than forty-five (45) days thereafter and shall give notice, by mail no less than ten (10) days prior to the hearing, to the applicant, the appellant, the Floodplain Administrator with whom the application was originally filed and the applicable General Manager/Chief Engineer of the RCFC&WCD or CVWD. The Board shall render its decision on the matter upon the close of the public hearing on the matter.

c. Appeals may be granted by the Board if the Board finds that there has been an error in any requirement, decision or determination relating to the application for the permit. The Board may reverse or affirm, wholly or partly, or may modify the decision appealed from and the Board's decision is final.

Section 10. REQUESTS FOR VARIANCES. An applicant shall also have the right to request that a variance be granted to the construction standards or technical requirements of this ordinance or the conditions imposed upon a permit.

a. Basis for Variance. The issuance of a variance pursuant to this ordinance is for floodplain management purposes only. Insurance premium rates are determined by statute according to actuarial rates and will not be modified by the granting of a variance. The variance criteria set forth in this section of the ordinance are based on the general principle of zoning law that variances pertain to a piece of property and are not personal in nature. A variance may be granted for a parcel of property with physical characteristics so unusual that complying with the requirements of this ordinance would create an exceptional hardship to the applicant or the surrounding property owners. The characteristics must be unique to the property and not be shared by adjacent parcels. The unique characteristic must pertain to the land itself, not to the structure, its inhabitants, or the property owners. The need to help protect the citizens of Riverside County from flooding is so compelling and the implications of the cost of insuring a structure built below flood level are so serious that variances from the flood elevation or from other requirements in the flood ordinance are quite rare. The long term goal of preventing and reducing flood loss and damage can only be met if variances are strictly limited. Therefore, the variance guidelines provided in this ordinance are more detailed and contain multiple provisions that must be met before a variance can be properly granted. The criteria are designed to screen out those situations in which alternatives other than a variance are more appropriate.

b. Application Process. An application to request a variance shall be made to the Floodplain Administrator, upon the form provided by the Department of Building and Safety, accompanied by a fee as set forth in Ordinance No. 671. Upon receipt of a completed application, the Floodplain Administrator shall request and obtain a technical recommendation from the RCFC&WCD or CVWD. The Floodplain Administrator shall render its decision on the matter within thirty (30) days after receipt of the report and recommendation from RCFC&WCD or CVWD. Any applicant to whom a variance is granted shall be given written notice that the cost of flood insurance will be commensurate with the increased risk resulting from this granting of the variance. Any applicant to whom a variance is granted shall promptly record an instrument evidencing said variance with the Riverside County Recorder's office. Said recordation shall be maintained until such time that the applicable flood hazard area has been removed.

c. Conditions for Variances.

1. Generally, variances may be issued for new construction, substantial improvement and other proposed new development to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing that the procedures of this ordinance have been fully considered. As the lot size increases beyond one-half acre, the technical justification required for issuing the variance increases.
2. Variances may be issued for the repair or rehabilitation of "Historic Structures" (as defined in section 4 of this ordinance) upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as an historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
3. Variances shall not be issued within any mapped regulatory floodway if any increase in flood levels during the base flood discharge would result.
4. Variances shall only be issued upon a determination that the variance is the "minimum necessary" considering the flood hazard, to afford relief. "Minimum necessary" means to afford relief with a minimum of deviation from the requirements of this ordinance.
5. Any applicant to whom a variance is granted shall be given written notice over the signature of a community official that:
 - a) The issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance; and
 - b) Such construction below the base flood level in-

action 3. means and refers to the improvement and other ad and means the date ad, provided the actual reconstruction, repair, or other improved eighty (80) days. The actual start of permanent on a site, such as the installation of piles, or any work beyond the placement of a foundation. Permanent land preparation, and filling, nor does it pents and/or walkways; tion for a basement, ins or the erection of it include the installa- sory buildings, such occupied as dwelling structure. For a sub- tual start of construc- n of any wall, ceiling, of a building, whether s the external dimen- refers to all buildings icultural buildings that ate and manufactured ces such as gas or v obstructing walls or nts/Substantially im- to any reconstruction, her improvement of a of this improvement nt of the market value art of Construction of This term includes ed "Substantial Dam- 1). The term does not ssary to comply with h, sanitary or safety ations, or any altera- the National Register Inventory of Historic Means and refers to ained by a structure yd the structure to its ed condition would f the market value of age occurred. and refers to when an econd floor. When a teria for a substantial ure must be evalu- i provides the founda- ent to the failure of a nt to be fully compli- ture or other devel- certificate, other cer- of compliance re- ssumed to be in viola- tumentation is pro- This ordinance shall l hazard areas withi nd within the jurisdic- e ("County") on file at and shown on the rmination Interactive org. These special le- shown on the maps rance Administration Study for the Coun- nt 28, 2008, with ac- e Rate Maps, includ- ents, revisions or ad- go into effect pur- e applicable Federal own on the maps pre- ps of Engineers enti- d Smith Creek, June Tributaries, October uary 2003. areas shown on the e County of River- nts, revisions or ad- fter adopted by res- ors of the County of ng on the proposed Flood Plain and Flood- Flood Hazard Areas, acts, 100-year Flood- 984. r 2002. ay 2006. y Oasis Area of the shown on the Awar- d by the Department ived by RCFC&WCD y amendments, revi- are hereafter adopt- of Supervisors after ed adoption. own on the map pre-

4. of Riverside County Ordinance No. 671 ("Ordinance No. 671").
2. If a permit would allow the location of any structure, new construction or substantial improvement thereto, or allow the alteration of land by grading or otherwise, or allow the placement of a recreational vehicle pursuant to section 8.a.8 of this ordinance, and the existing permit procedure does provide for a specific, but may no longer be appropriate, recommendation by the RCFC&WCD or CVWD, a separate application shall be filed by the applicant accompanied by a 5.5 hour minimum fee set forth in Ordinance No. 671 Section 17B to begin review.
3. If a permit would allow for an attached deck or enclosed patio, a separate application shall be filed by the applicant accompanied by a 5.5 hour minimum fee set forth in Ordinance No. 671 Section 17B to begin review.
In order for the Floodplain Administrator to determine if the application for a permit qualifies as substantial improvement, the applicant shall provide a contractor's cost estimate.
c. All separate applications shall be filed with the Floodplain Administrator that accepts the basic application and shall be accompanied by a fee as set forth in Ordinance No. 671. Sites on noncontiguous parcels shall require separate submittals. Each application shall contain plans that, at a minimum, include the following:
1. A plat map drawn to scale of the property proposed to be developed showing location, type and use of any structures proposed, base flood elevation data, floodways and floodplains, including adjoining properties necessary to be shown for continuity.
2. Elevation contours, with maximum interval of: SLOPEINTERVAL
0 - 2.99% 1'
3 - 9.99% 4'
10% plus 10'
3. Elevations, in relation to the 1988 North American Vertical Datum, of the area to be developed, including adjoining properties necessary to be shown for continuity. The elevation, in relation to the 1988 North American Vertical Datum, of the lowest floor (including basement) of all new or substantially improved structures, and whether or not such structures contain a basement shall be stated.
4. The method by which the applicant proposes to comply with the requirements of this ordinance, including proposed elevations of any structures or fills, flood proofing, erosion protection, flow-through area, any proposals to modify existing flow of storm waters and any other relevant information. If any structure is to be flood proofed, the elevation, in relation to the 1988 North American Vertical Datum, to which such structure is to be flood proofed shall be stated.
5. All applications plans shall be prepared and certified by a civil engineer registered in the State of California.
d. Upon acceptance of both applications as being complete for filing, the Floodplain Administrator shall forward copies of the basic application and the separate application to the RCFC&WCD, unless the proposed development lies within the area jurisdiction of the CVWD, in which case it shall be forwarded to CVWD.
e. Within thirty (30) days of receipt thereof, the RCFC&WCD or CVWD, respectively, shall determine if any further information is required in order to process the application and, if required, shall inform the applicant or his representative by regular mail of the need for additional information. RCFC&WCD and CVWD shall review and process separate applications within their respective jurisdictions as provided herein.
f. When base flood elevation data has not been provided through the maps referred to in Section 5, the RCFC&WCD or CVWD shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a federal or state agency, or other source, in order to administer Section 8.
NOTE: A base flood elevation may be calculated using one of two methods from the FEMA publication, FEMA 265, Managing Floodplain Development in Approximate Zone A Areas - A Guide for Obtaining and Developing Base (100 year) Flood Elevations, dated July 1995. For alluvial fans, the base flood depth and velocity may be calculated using methods from the FEMA publication, Guidelines and Specifications for Flood Hazard Mapping Partners, Appendix G: Guidance for Alluvial Fan Flooding Analyses and Mapping dated April 2003.
g. Within thirty (30) days after determining that all required information has been obtained, the RCFC&WCD or CVWD shall issue a report approving, with conditions or modifications, or denying the proposed plan.
h. The applicant shall submit to RCFC&WCD or CVWD certifications, including but not limited to Elevation Certificates, to satisfy the conditions as referenced in 7g, prior to the issuance of any subsequent building permits.
i. The RCFC&WCD and CVWD shall maintain a record of all applications reviewed and approved pursuant to this Ordinance. Said record shall consist of the application form, accompanying plans and Elevation Certificate.
Section 8. CONSTRUCTION STANDARDS.
Within the areas shown on the maps listed in Section 5, the following requirements shall apply:
a. Special Flood Hazard Areas. Within the areas shown on the maps listed in Section 5 as a Special Flood Hazard Area or floodplain, all proposed developments shall meet the following requirements:
1. All permit applications shall be reviewed to determine whether proposed building sites will be

B.a. subsection 7, all new construction and substantial improvements of residential structures shall have the lowest floor (including basement) elevated to or above the base flood level.
10. All new construction and substantial improvements of nonresidential structures shall either:
a) Have the lowest floor (including basement) elevated to or above the base flood level; or
b) Together with attendant utility and sanitary facilities, be designed so that below the Base Flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy.
11. For all new construction and substantial improvements, fully enclosed areas below the lowest floor that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
12. Within any AO zone on the Flood Insurance Rate Maps, all new construction and substantial improvements of residential structures shall have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the Flood Insurance Rate Map (at least two feet if no depth number is specified).
13. Within any AO zone on the Flood Insurance Rate Maps, all new construction and substantial improvements of nonresidential structures shall either:
a) Have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the Flood Insurance Rate Map (at least two feet if no depth number is specified); or
b) Together with attendant utility and sanitary facilities, be completely flood proofed to that level so that the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy.
14. Within any AH and AO zones on the Flood Insurance Rate Maps, adequate drainage paths around structures on slopes, to guide floodwaters around and away from proposed structures, shall be provided.
15. Whenever a watercourse or mapped floodplain is to be altered or relocated, the flood carrying capacity of the altered or relocated portion of the watercourse or mapped floodplain shall be maintained. Manufactured slopes that encroach into a floodplain and which are subject to erosive velocities, are considered flood control facilities and must be maintained by a public entity. However, the appropriateness of such encroachment shall be determined at the sole discretion of the RCFC&WCD or the CVWD. Adjacent communities and the Federal Insurance Administration shall be notified of any such alteration or relocation by means of a request for a LOMR for floodplains shown on the effective FIRM panel. Within six (6) 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).
16. All plans prepared for the development of property within a mapped floodplain shall be prepared and certified by a civil engineer registered in the State of California.
17. All proposed development applications shall be reviewed to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law.
18. All new buildings and/or substantial improvements located within the 500 year floodplain limits of Lake Elsinore shall have their lowest floor elevated a minimum of three (3) feet above said water body's 100 year water surface elevation. For the purpose of this ordinance, Lake Elsinore's water surface elevation shall be 1265.7 (NAVD 88).
19. Any flood water storage displaced as a result of fill placement within Lake Elsinore's 100 year floodplain shall be made up by excavating 1.3 times the displaced volume within the elevation range between 1249.4 and 1265.7 (NAVD88).
b. Floodways.
1. No structure shall be constructed, located or substantially improved and no land shall be graded, filled 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 a Special Flood Hazard Area or floodplain.
2. Until such time that a regulatory floodway is adopted, no new construction or other development (including fill) shall be permitted within Zones A, 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 (1) foot or as determined by the RCFC&WCD or the CVWD at any point along the floodplain.

a) The issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance; and
b) Such construction below the base flood level increases risks to life and property. Applicant shall record, or caused to be recorded, a copy of the notice in the Official Records of the County of Riverside and shall be recorded in a manner so that it appears in the chain of title of the affected parcel of land. Applicant shall provide a conformed copy of the recorded notice to the Floodplain Administrator prior to the issuance of the permit to which the variance is approved.
6. The Floodplain Administrator will maintain a record of all variance actions, including justification for their issuance.
d. Findings Required for Variances. Variances on the requirements of this ordinance or the conditions of an approved permit may only be granted if the Floodplain Administrator finds:
1. That the approval of a variance was for good and sufficient cause which amount to special circumstances applicable to the subject property that does not generally apply to other property in the same Special Flood Hazard Area.
2. That failure to grant the variance would result in exceptional hardship to the applicant.
3. That the granting of a variance will not confer a special privilege not enjoyed by other similarly situated properties.
4. That strict application of the ordinance deprives the property of privileges enjoyed by other property in the vicinity and in the same Special Flood Hazard Area.
5. That the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimize the public or conflict with existing laws or ordinances.
6. That the variance is the minimum necessary, considering the flood hazard, to afford relief.
e. Appeal. An applicant or interested party may appeal a decision by Floodplain Administrator that is made on an application for a variance in accordance with the procedures provided in Section 9 of this ordinance.
Section 11. DISCLAIMER OF LIABILITY. The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Flood heights may be increased by man-made or natural causes, and this ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the County of Riverside, any officer or employee thereof, or the Federal Insurance Administration or the Riverside County Flood Control and Water Conservation District, or the Coachella Valley Water District, for any flood damages resulting from reliance on this ordinance or any determination made thereunder.
Section 12. VIOLATIONS AND PENALTIES. The procedures, remedies and penalties for violation of this ordinance and for recovery of costs related to enforcement are provided for in Ordinance No. 725, as it is amended from time to time, which is incorporated herein by this reference.
Section 13. SEVERABILITY. If any provision, clause, sentence or paragraph of this ordinance or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the other provisions of this ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are hereby declared to be severable.
Section 14. This ordinance shall take effect thirty (30) days after its adoption.
Section 2. This ordinance shall take effect thirty (30) days after its adoption.
Jeff Stone, Chairman of the Board
I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said County, held on July 15, 2014, the foregoing Ordinance consisting of fourteen (14) sections was adopted by said Board by the following vote:
AYES: Jeffries, Tavaglione, Stone, Benoit, and Ashley
NAYS: None
ABSENT: None
Kecia Harper-Ihem, Clerk of the Board
By: Cecilia Gil, Board Assistant
Published: 7/24/14