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

ITEM: 3.57
(ID # 27925)
MEETING DATE:
Tuesday, June 24, 2025

FROM : TLMA-BUILDING AND SAFETY

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY/BUILDING & SAFETY: Adoption of Ordinance 458.18 Adopting Ordinance No. 458.18, Amending Riverside County Ordinance No. 458 (Regulating Special Flood Hazard Areas and Implementing the National Flood Insurance Program (NFIP)) to Provide Consistency Between Ordinance No. 458 and the NFIP; Certain Community Rating System (CRS) Provisions in the Ordinance; and Revision to Five (5) Department of Water Resources (DWR) Special Flood Hazard Areas. CEQA Exempt per State CEQA Guidelines Section 15061 (b)(3), All Districts. [$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. **Find** that the adoption of Ordinance No. 458.18 and the revisions to the Public Flood Hazard Determination Interactive Map are exempt from the California Environmental Quality Act (CEQA) pursuant to State 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;

2. **Adopt** Ordinance 458.18, an Ordinance of the County of Riverside amending Ordinance No. 458 in its entirely regulating development in flood hazard areas and establishing procedures to implement the National Flood Insurance Program;

3. **Direct** the Floodplain Administrator to amend the Special Flood Hazard Areas in the Public Flood Hazard Determination Interactive Map within ten (10) days after adoption of this resolution; and

4. **Direct** the Clerk of the Board to publish the summary of the ordinance pursuant to California Government Code Section 25124(b).

ACTION:Policy

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Spiegel, seconded by Supervisor Washington and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended and Ordinance 458.18 is adopted with waiver of the reading.

Ayes:	Medina, Spiegel, Washington, Perez and Gutierrez
Nays:	None
Absent:	None
Date:	June 24, 2025
xc:	TLMA-B&S, COB/MC/NS/AB/DL

Kimberly A. Rector
Clerk of the Board
By: _____
Deputy

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	$ 0	$ 0	$ 0	$ 0
NET COUNTY COST	$ 0	$ 0	$ 0	$ 0
SOURCE OF FUNDS			Budget Adjustment: N/A	
			For Fiscal Year: N/A	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

Riverside County Ordinance No. 458 ("Ordinance") establishes policies, procedures and standards for regulating development in designated special flood hazard 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. The proposed amendment is required to ensure continued inclusion in the NFIP, including flood insurance discounts offered by the NFIP Community Rating System. Ordinance No. 458.18 does not prompt any new flood control projects.

On September 10, 2024 (Agenda Item 3.31, ID#25934), the Board of Supervisors adopted an order to initiate an amendment to Ordinance No. 458 to provide consistency between Ordinance No. 458 and the NFIP and to provide other administrative revisions for consistency, clarification and direction.

On May 6, 2025 (Agenda Item 21.3, ID#27546), the Board of Supervisors conducted a public hearing to introduce and adopt on successive weeks Ordinance 458.18.

The current Ordinance No. 458 amendment includes the following revisions:

1. Administrative revisions requested by FEMA.
2. Revisions to five (5) DWR Special Flood Hazards Area.
3. Policy clarifications associated with the FEMA Community Rating System ("CRS") program.

FEMA Revisions:

FEMA requested changes to the current Ordinance 458 to maintain the Ordinance and Riverside County's compliance with the NFIP to specifically reference 44 Code of Federal Regulations 60.3(d) within Ordinance 458. Revisions to the Ordinance will provide consistency, clarification, direction for administering regulations and will maintain Riverside County's compliance with the NFIP.

DWR Revisions:

The DWR revisions focus on updating the special flood hazard zone area in five (5) watercourses located in various areas within unincorporated Riverside County. These revisions are based on better data, including updated topography and hydrology and hydraulics studies. See attachment A for maps of the revised floodplains.

The five (5) watercourses are currently regulated by approximate floodplains that were defined by DWR and were previously adopted by the Board and incorporated into as such in the Ordinance. Upon Board approval, these DWR floodplains will be replaced with the more accurate hazard areas and will provide better guidance for development.

The proposed revisions mentioned above will be displayed on the Special Flood Hazard Areas in the Public Flood Hazard Determination Interactive Map found at http://rcflood.org.

Ordinance No. 458.18 does not prompt any new flood control projects. It is a current County Ordinance that is being amended for the reasons provided above.

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.

CRS Revisions:

The County is part of the FEMA Community Rating System ("CRS") program as it implements programs above the minimum NFIP compliance requirements. The County is currently at CRS Level 6, which results in 20% discount on flood insurance policy for all County residents. This Ordinance update provides additional clarifications to those policies to maintain the CRS level and associated flood insurance discount.

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

Impact on Residents and Businesses

County of Riverside residents and businesses will be better informed about existing flood and erosion hazards. Long-term impacts will be less damage due to flooding and reduced instability in the flood hazard area. Updates to the Ordinance related to CRS will help residents and businesses maintain a discount on the mandatory flood insurance for their properties.

CEQA

Ordinance No. 458.18 is exempt from CEQA pursuant to State 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, 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 in compliance with the NFIP. Any projects proposed by property owners will be subject to its own CEQA review at the time a project is proposed. No further environmental analysis is warranted at this time.

SUPPLEMENTAL:

Additional Fiscal Information

There are minimal administrative costs limited to staff time and the necessary processing of documents associated with amending Ordinance No. 458. There is adequate departmental funding for this activity. These minimal administrative costs will be borne both by RCFC&WCD and Building and Safety.

Contract History and Price Reasonableness

N/A

Attachments

A. Ordinance No. 458.17 Redlines 4.15.25
B. Ordinance No. 458.18 Final 5.5.25
C. Flood Hazards Exhibits DWR 11-15

Jason Farin, Principal Policy Analyst 6/17/2025

Aaron Gettis

Aaron Gettis, Chief of Deputy County Counsel 5/30/2025

ORDINANCE NO. 458.18

AN ORDINANCE OF THE COUNTY OF RIVERSIDE AMENDING ORDINANCE NO. 458 REGULATING FLOOD HAZARD AREAS AND IMPLEMENT 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 the County of Riverside are subject to periodic inundation which may result 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

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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 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 and 65850 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 Program (NFIP), 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 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 it 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 a carports, gazebos and picnic pavilions that do not have at least two rigid walls are not "buildings" and thus would be considered Accessory Structures.

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. Building Code. Means and refers to the latest edition of the California Residential

Code (CRC), California Code of Regulations Title 24, Part 2.5, in effect at the time a building permit application is submitted.

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

i. 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.

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

k. Design Flood. Means the flood associated with the greater of the following two areas:

1. Area with a flood plain subject to a 1-percent or greater chance of flooding in any year.

2. Area designated as a flood hazard area on a community's flood hazard map, or otherwise legally designated.

l. 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.

m. Elevation Certificate (Known as FEMA Form FF-206-FY 22-152 (formerly 086-0-33 in effect as of August 2023 or the latest version thereafter). Means and refers to a form used for recording the finished floor elevations and adjacent ground of a building.

n. 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.

o. 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, the effective date of the County's first adopted floodplain management ordinance.

p. 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).

q. FEMA. Means and refers to the Federal Emergency Management Agency.

r. Flood control project. Means a dam or barrier design and constructed to keep water away from or out of a specified area, including but not limited to levees, floodwalls, and channelization.

s. Flood damage-resistant materials. Means any construction material capable of withstanding direct and prolonged contact with floodwaters without sustaining any damage that requires more than cosmetic repair. (Also defined in CCR Title 24 Part 2)

t. Flood or flooding. Means a general and temporary condition of partial or complete inundation of normally dry land from:

1. The overflow of inland or tidal waters.

2. The unusual and rapid accumulation or runoff of surface waters from any source.

3. Mudslides (i.e., mudflows) which are proximately caused by flooding.

u. 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.

v. 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.

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

x. 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, TB 3, and TB 7 and Policy Document P-2140.

y. 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.

z. Fraud and Victimization. As related to Section 11 of this ordinance and for the purpose of variances from these regulations or the building code, the intentional use of deceit to deprive another of rights or property, making a victim of the deprived person or the public. As it pertains to buildings granted variances to be constructed below the elevation required by the building code, future owners or tenants of such buildings and the community as a whole may bear the burden of increased risk of

damage from floods, increased cost of flood insurance, and increased recovery costs, inconvenience, danger, and suffering.

aa. 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.

bb. 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.

cc. 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.

dd. 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.

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

ff. Letter of Map Changes (LOMC). Means an official determination issued by FEMA that amends or revises an effective Flood Insurance Rate Map or Flood Insurance Study. Letters of Map Change include:

1. Letter of Map Amendment (LOMA): An amendment based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A LOMA amends the current effective Flood Insurance Rate Map and establishes that a specific property, portion of a property, or structure is not located in a special flood hazard area.

2. Letter of Map Revision (LOMR): A revision based on technical data that may show changes to flood zones, flood elevations, special flood hazard area boundaries and floodway delineations, and other planimetric features.,

3. Letter of Map Revision Based on Fill (LOMR-F): A determination that a structure or parcel of land has been elevated by fill above the base flood elevation and is, therefore, no longer located within special flood hazard area. In order to qualify for this determination, the fill must have been permitted and placed in accordance with the community's floodplain management regulations.

4. Conditional Letter of Map Revision (CLOMR): A formal review and comment as to whether a proposed flood protection project or other project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective Flood Insurance Rate Map or Flood Insurance Study; upon submission and approval of certified as-builts documentation, a Letter of Map Revision may be issued by FEMA to revise the effective FIRM.

gg. 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.

hh. 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.

ii. 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.

jj. 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.

kk. 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.

ll. New Construction. Means and refers to structures for which the "Start of Construction" commenced on or after April 15, 1980, the effective date of the County's initial FIRM, and includes any subsequent improvements to such structures.

mm. 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, the effective date of the County's first adopted floodplain management ordinance.

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

oo. Recreational Vehicle. Means and refers to a vehicle which is:

1. Built on a single chassis;
2. 400 square feet or less when measured at the largest horizontal projection;
3. Designed to be self-propelled or permanently towable by a light duty truck; and
4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

pp. Riverine. Means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

qq. Separate Application. 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.

rr. 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 an FHBM or 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.

ss. Start of Construction. Includes substantial improvement and other proposed new development and means the date the building permit was issued, provided the actual start of construction, 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.

tt. Structure. Means for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank that is principally above ground, as well as a manufactured home.

uu. 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.

vv. 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.

ww. Utility and Miscellaneous Group U. Means buildings and structures of an accessory character and miscellaneous structure not classified in any special occupancy, as describe in the building code.

xx. 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.

yy. Variance. Means a grant of relief from the requirements of these regulations which permits construction in a manner otherwise prohibited and where specific enforcement would result in exceptional hardship.

zz. 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.

aaa. Watercourse. Means a river, creek, stream, channel or other topographic feature in, on, through, or over which water flows at least periodically.

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 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 Insurance Study: Riverside County, California Unincorporated Areas" dated April 15, 1980, and all subsequent amendments and revisions, and the accompanying Flood Insurance Rate Maps (FIRMs) dated April 15, 1980, and all subsequent amendments and revisions to such maps, are hereby adopted by reference as a part of these regulations and serve as the basis for establishing flood hazard areas. Where the building code establishes flood hazard areas, such areas are established by this section. Additional maps and studies, when specifically adopted, supplement the Flood Insurance Study and FIRMs to establish additional flood hazard areas. Maps and studies that establish flood hazard areas are on file at the Riverside County Flood Control and Water Conservation District located at 1995 Market Street, Riverside, California 92501.

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 Riverside County, 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 per the provisions of Section 9 of this ordinance:

1. Cabazon Flood Study, Flood Hazard Areas, June 1980.
2. Lakeview & Sierra Vista Tracts, 100-year Floodplain Limits, October 1990.
3. Tucalota Creek, November 2021.

4. Long Valley Wash, October 2002.

5. Juniper Flats Floodplain, May 2006.

6. Coldwater Canyon Wash Flood Hazard Study, January 2018

7. Good Hope Study, October 2019

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 per the provisions of Section 9 of this ordinance.

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 and Flood Hazard Boundary 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. Abrogation and Greater Restrictions. These regulations supersede any ordinance in effect in flood hazard areas. However, these regulations are not intended to repeal,

abrogate or impair any existing ordinances including land development regulations, subdivision regulations, zoning ordinances, stormwater management regulations, or building codes, nor any existing easements, covenants, or deed restrictions. In the event of an overlap or conflict between these regulations and any other ordinance, code, regulation, easement, covenant, or deed restriction, the more restrictive shall govern.

b. 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.

c. 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) Assure that all other required state and federal permits have been obtained.
2. Assurance. Assure procedures are coordinated with other departments/divisions and implemented by 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.

a. 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.

b. 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. Obtain and maintain a record of all applications reviewed and approved including the application form, accompanying plans and Elevation Certificate. In addition to the requirements of the building code and these regulations, and regardless of any limitation on the period required for retention of public records, the Floodplain Administrator shall maintain and permanently keep and make available for public inspection all records that are necessary for the administration of these regulations and the flood provisions of the building codes, including Flood Insurance Studies and Flood Insurance Rate Maps; documents from FEMA that amend or revise FIRMs; records of issuance of permits and denial of permits; determinations of whether proposed work constitutes substantial improvement or repair of substantial damage; required certifications and documentation specified by

the building codes and these regulations; notifications to adjacent communities, FEMA, and the State related to alterations of watercourses; assurance that the flood carrying capacity of altered waterways will be maintained; documentation related to variances, including justification for issuance or denial; and records of enforcement actions taken pursuant to these regulations and the flood resistant provisions of the building codes.

3. Obtain and maintain record of floodproofing per 44 CFR 60.3(b)(5)(ii) and (iii) and the elevation of the lowest floor (including basement) of all new and substantially improved structures.

4. Obtain, review and reasonably utilize any base flood elevation and floodway data available. Calculating base flood elevation, if necessary.

5. Issue a report recommending approval, with conditions or modifications, or denial of the proposed separate application plan.

6. Make interpretations where needed, as to the exact location of the boundaries of the special flood hazard areas.

7. 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.

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 County Ordinances including, but not limited to, Ordinances Nos. 348, 457, 460, 555, and 650. 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.7 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 Ordinance No. 671 Section 4.

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.7 of this ordinance, and the existing permit procedure does provide for a specific and still appropriate recommendation by the RCFC&WCD or CVWD, a separate application shall be filed by the applicant accompanied by a reduced fee set forth in Ordinance No. 671 Section 4.3 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 reduced fee set forth in Ordinance No. 671 Section 4.3 to begin review.

c. Whenever an application for a permit involves land which lies within the special flood hazard area of any map referred to in Section 5.c.7 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.7 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 reduced fee as set forth in Ordinance No. 671 Section 4.3 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.

d. 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.

e. 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 said District.

f. 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.

g. 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 and subsequent revisions by FEMA. For

alluvial fans, the base flood elevation 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 Flood Risk Analyses and Mapping dated November 2016 and subsequent revisions by FEMA.

h. 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.

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

j. 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 construction standards shall apply:

a. Special Flood Hazard Areas (SFHA). 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 and in accordance with the latest versions of (i) California Residential Code

Section R322 for residential structures, (ii) California Building Code, Title 24, Part 2, Section 1612 for non-residential structures, and (iii) 1 foot above BFE for manufactured homes, including all associated utilities and equipment.

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

d) For residential structures be elevated per California Residential Code Section R322, including any electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities servicing the building or attached to the residential structure to prevent water from entering or accumulating within the components during conditions of flooding.

e) For manufactured homes be elevated above the Base Flood Elevation plus 1 foot, including any electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities servicing the building or attached to the manufactured home to prevent water from entering or accumulating within the components during conditions of flooding.

f) Swimming pools shall:

1) Be constructed flush to the ground.

2) Have excavated dirt from the pool needs to be 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 plus 1 foot.

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 commercial, industrial, 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) In the case of SFHA identified in Section 5.a of this ordinance, prior to grading, a Conditional LOMR has been issued by FEMA.

   c) In the case of SFHA identified in Section 5.a of this ordinance, 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 within the lot 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 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 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 8.a.1.a). 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.

8. All new construction and substantial improvements (including associated machinery and equipment) of non-residential structures shall:

   a) Be constructed and have the lowest floor (including basement) elevated per California Building Code, Title 24, Part 2, Section 1612; or

   b) Together with attendant utility and sanitary facilities, be designed so that below the elevation level specified above 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.

9. 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 per standards in California Residential Code Section R322 and California Building Code, Title 24, Part 2, Section 1612, as applicable. 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. The minimum opening size shall not be less than 3 inches in any direction in the plane of the wall.

10. Within any AO zone on the Flood Insurance Rate Maps, all new construction and substantial improvements of:

a) Residential structures shall be constructed and have the lowest floor (including basement) elevated per California Residential Code Section R322.

Within any AO zone on the Flood Insurance Rate Maps, all mechanical, electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities attached to the manufactured homes must be elevated to that level specified above to prevent water from entering or accumulating within the components during conditions of flooding.

b) Manufactured homes shall have the lowest floor (including basement) elevated 1 foot above the depth specified on the FIRM.

Within any AO zone on the Flood Insurance Rate Maps, all mechanical, electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities attached to the manufactured homes must be

elevated to that level specified above to prevent water from entering or accumulating within the components during conditions of flooding.

11. Within any AO zone on the Flood Insurance Rate Maps, all new construction and substantial improvements of non-residential structures shall be constructed and have the lowest floor (including basement) elevated above the highest adjacent grade per California Building Code, Title 24, Part 2, Section 1612;

12. 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.

13. 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 and Mitigation 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).

14. Require applicants who submit hydrologic and hydraulic engineering analyses to support permit applications to submit to FEMA the data and information necessary to maintain the Flood Insurance Rate Maps when the

analyses indicate changes in base flood elevations, flood hazard area boundaries, or floodway designations. These submissions shall be made within 6 months of such data becoming available.

15. 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.

16. 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.

17. 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).

18. 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).

19. No land shall be graded, filled, altered or modified within the RCFC&WCD and CVWD joint boundary of the Whitewater River Stormwater Channel SFHA, except upon review and approval by both CVWD and RCFC&WCD. The proposed plan shall include a hydraulic analysis demonstrating that the proposal will not result in any increase in flood levels during the occurrence of the base flood discharge or affect levee criteria as set forth by 44 CFR 65.10 or as determined by the RCFC&WCD and CVWD. If a proposed plan qualifies for approval by both CVWD and RCFC&WCD, it shall then meet

all the requirements necessary for approval of a permit in a SFHA as per Section 8.a and/or Section 8.b.

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.

3. Colorado River Floodway – development within the Colorado River floodway shall meet the requirement of both NFIP and the Colorado River Flood Protection Act.

Section 9. REVISION TO SPECIAL FLOOD HAZARD AREAS (SFHA). This section applies to revisions, amendments and adoptions of those SFHA identified in SECTION 5.b, 5.c and 5.d of this ordinance.

a. When RCFC&WCD or the CVWD initiate the revision to the SFHA identified in Sec 5.b, 5.c and 5.d of this ordinance, the following shall apply:

1. The proposed revision will be placed on the Board of Supervisors agenda for a public hearing.

2. The Floodplain Administrator shall reflect the limits of the revised SFHAs in the Public Flood Hazard Determination Interactive Map after adoption of the resolution.

b. When a subdivision/development proposal affected by the SFHA affected in 5.b, 5.c and 5.d of this ordinance is submitted to the County, the following shall apply:

1. The applicant shall submit a hydraulic analysis accompanied by the requisite work maps and exhibits showing the impacts of the development to those SFHAs prior to issuance of conditions of approval.

2. The Public Hearing scheduled for the proposed land division/development shall serve as the intent to revise those SFHAs affected by the development proposal.

3. The applicant shall submit final exhibit showing the revisions to the map, after completion of constructing improvements impacting SFHAs and prior to issuance of occupancy.

4. The Floodplain Administrator shall reflect the limits of the revised SFHAs in the Public Flood Hazard Determination Interactive Map after receipt of final exhibit.

Section 10. 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 County 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 11. 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 10 of this ordinance.

Section 12. 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 13. 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 14. 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 2. EFFECTIVE DATE. This ordinance shall take effect thirty (30) days after its adoption.

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

By: _____
V. Manuel Perez, Chair

ATTEST:
KIMBERLY RECTOR
CLERK OF THE BOARD:

By: _____
Deputy

(SEAL)

APPROVED AS TO FORM

May 28, 2025

By: _____
AARON C. GETTIS
Chief Deputy County Counsel

STATE OF CALIFORNIA)
) ss
COUNTY OF RIVERSIDE)

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said county held on June 24, 2025, the foregoing ordinance consisting of 14 Sections was adopted by the following vote:

AYES: Medina, Spiegel, Washington, Perez, and Gutierrez

NAYS: None

ABSENT: None

DATE: June 24, 2025

KIMBERLY A. RECTOR
Clerk of the Board

BY: _____
Deputy

SEAL

06/24/2025 Item 3.57

ORDINANCE NO. 458.187

AN ORDINANCE OF THE COUNTY OF RIVERSIDE AMENDING ORDINANCE NO. 458 REGULATING FLOOD HAZARD AREAS AND IMPLEMENT 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 the County of Riverside are subject to periodic inundation which may result 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 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 and 65850 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 Program (NFIP), 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 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 it 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 a carports, gazebos and picnic pavilions that do not have at least two rigid walls are not "buildings" and thus would be considered Accessory Structures.

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. Building Code. Means and refers to the latest edition of the California Residential Code (CRC), California Code of Regulations Title 24, Part 2.5, in effect at the time a building permit application is submitted.

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

i. 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.

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

k. Design Flood. Means the flood associated with the greater of the following two areas:

1. Area with a flood plain subject to a 1-percent or greater chance of flooding in any year.

2. Area designated as a flood hazard area on a community's flood hazard map, or otherwise legally designated.

l. 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.

m. Elevation Certificate (Known as FEMA Form FF-206-FY 22-152 (formerly

086-0-33 in effect as of ~~March 1, 2018~~August 2023 or the latest version thereafter). Means and refers to a form used for recording the finished floor elevations and adjacent ground of a building.

n. 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.

o. 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, the effective date of the County's first adopted floodplain management ordinance.

p. 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).

q. FEMA. Means and refers to the Federal Emergency Management Agency.

r. Flood control project. Means a dam or barrier design and constructed to keep water away from or out of a specified area, including but not limited to levees, floodwalls, and channelization.

s. Flood damage-resistant materials. Means any construction material capable of withstanding direct and prolonged contact with floodwaters without

sustaining any damage that requires more than cosmetic repair. (Also defined in CCR Title 24 Part 2)

t. Flood or flooding. Means a general and temporary condition of partial or complete inundation of normally dry land from:

(1) The overflow of inland or tidal waters.

(2) The unusual and rapid accumulation or runoff of surface waters from any source.

(3) Mudslides (i.e., mudflows) which are proximately caused by flooding.

u. 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.

v. 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.

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

x. 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~~ and Policy Document P-2140.

y. 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.

z. Fraud and Victimization. As related to Section 11 of this ordinance and for the purpose of variances from these regulations or the building code, the intentional use of deceit to deprive another of rights or property, making a victim of the deprived person or the public. As it pertains to buildings granted variances to be constructed below the elevation required by the building code, future owners or tenants of such buildings and the community as a whole may bear the burden of increased risk of damage from floods, increased cost of flood insurance, and increased recovery costs, inconvenience, danger, and suffering.

aa. 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.

bb. 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.

cc. 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.

dd. 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.

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

ff. Letter of Map Changes (LOMC). Means an official determination issued by FEMA that amends or revises an effective Flood Insurance Rate Map or Flood Insurance Study. Letters of Map Change include:

(1) Letter of Map Amendment (LOMA): An amendment based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A LOMA amends the current effective Flood Insurance Rate Map and establishes that a specific property, portion of a property, or structure is not located in a special flood hazard area.

(2) Letter of Map Revision (LOMR): A revision based on technical data that may show changes to flood zones, flood elevations, special flood hazard area boundaries and floodway delineations, and other planimetric features.,

(3) Letter of Map Revision Based on Fill (LOMR-F): A determination that a structure or parcel of land has been elevated by fill above the base flood elevation and is, therefore, no longer located within special flood hazard area. In order to qualify for this determination, the fill must have been permitted and placed in accordance with the community's floodplain management regulations.

(4) Conditional Letter of Map Revision (CLOMR): A formal review and comment as to whether a proposed flood protection project or other project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective Flood Insurance Rate Map or Flood Insurance Study; upon submission and approval of certified as-builts documentation, a Letter of Map Revision may be issued by FEMA to revise the effective FIRM.

gg. 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.

hh. 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.

ii. 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.

jj. 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.

kk. 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.

ll. New Construction. Means and refers to structures for which the "Start of Construction" commenced on or after April 15, 1980, the effective date of the County's initial FIRM, and includes any subsequent improvements to

such structures.

mm. 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, the effective date of the County's first adopted floodplain management ordinance.

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

oo. 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.

pp. Riverine. Means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

qq. Separate Application. 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.

rr. 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 an FHBM or 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.

ss. Start of Construction. Includes substantial improvement and other proposed new development and means the date the building permit was issued, provided the actual start of construction, 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.

tt. Structure. Means for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank that is principally above ground, as well as a manufactured home.

uu. 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.

vv. 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.

ww. Utility and Miscellaneous Group U. Means buildings and structures of an accessory character and miscellaneous structure not classified in any special occupancy, as describe in the building code.

xx. 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.

yy. Variance. Means a grant of relief from the requirements of these regulations which permits construction in a manner otherwise prohibited and where specific enforcement would result in exceptional hardship.

zz. 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.

aaa. Watercourse. Means a river, creek, stream, channel or other topographic feature in, on, through, or over which water flows at least periodically.

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 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 Insurance Study: Riverside County, California Unincorporated Areas" dated April 15, 1980, and all subsequent amendments and revisions, and the accompanying Flood Insurance Rate Maps (FIRMs) dated April 15, 1980, and all subsequent amendments and revisions to such maps, are hereby adopted by reference as a part of these regulations and serve as the basis for establishing flood hazard areas. Where the building code establishes flood hazard areas, such areas are established by this section. Additional maps and studies, when specifically adopted, supplement the Flood Insurance Study and FIRMs to establish additional flood hazard areas. Maps and studies that establish flood hazard areas are on file at the Riverside County Flood Control and Water Conservation District located at 1995 Market Street, Riverside, California 92501.

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 Riverside County, 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 per the provisions of Section 9 of this ordinance:

1. Cabazon Flood Study, Flood Hazard Areas, June 1980.

2. Lakeview & Sierra Vista Tracts, 100-year Floodplain Limits, October 1990.

3. Tucalota Creek, November 2021.

4. Long Valley Wash, October 2002.

5. Juniper Flats Floodplain, May 2006.

6. Coldwater Canyon Wash Flood Hazard Study, January 2018

7. Good Hope Study, October 2019

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 per the provisions of Section 9 of this ordinance.

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 and Flood Hazard Boundary 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. Abrogation and Greater Restrictions. These regulations supersede any ordinance in effect in flood hazard areas. However, these regulations are not intended to repeal, abrogate or impair any existing ordinances including land development regulations, subdivision regulations, zoning ordinances, stormwater management regulations, or building codes, nor any existing easements, covenants, or deed restrictions. In the event of an overlap or conflict between these regulations and any other ordinance, code, regulation, easement, covenant, or deed restriction, the more restrictive shall govern.

b. 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.

c. 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) Assure that all other required state and federal permits have been obtained.

2. Assurance. Assure procedures are coordinated with other departments/divisions and implemented by 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.

d. 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.

e. 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. Obtain and maintain a record of all applications reviewed and approved including the application form, accompanying plans and Elevation Certificate. In addition to the requirements of the building code and these regulations, and regardless of any limitation on the period required for retention of public records, the Floodplain

Administrator shall maintain and permanently keep and make available for public inspection all records that are necessary for the administration of these regulations and the flood provisions of the building codes, including Flood Insurance Studies and Flood Insurance Rate Maps; documents from FEMA that amend or revise FIRMs; records of issuance of permits and denial of permits; determinations of whether proposed work constitutes substantial improvement or repair of substantial damage; required certifications and documentation specified by the building codes and these regulations; notifications to adjacent communities, FEMA, and the State related to alterations of watercourses; assurance that the flood carrying capacity of altered waterways will be maintained; documentation related to variances, including justification for issuance or denial; and records of enforcement actions taken pursuant to these regulations and the flood resistant provisions of the building codes.

3. Obtain and maintain record of floodproofing per 44 CFR 60.3(b)(5)(ii) and (iii) and the elevation of the lowest floor (including basement) of all new and substantially improved structures.

4. Obtain, review and reasonably utilize any base flood elevation and floodway data available. Calculating base flood elevation, if necessary.

5. Issue a report recommending approval, with conditions or modifications, or denial of the proposed separate application plan.

6. Make interpretations where needed, as to the exact location of the boundaries of the special flood hazard areas.

7. 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

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 County Ordinances including, but not limited to, Ordinances Nos. 348, ~~369,~~ 457, 460, ~~and~~ 555, and 650. 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.7~~9~~ 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 Ordinance No. 671 Section 4.

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.7~~9~~ of this ordinance,

and the existing permit procedure does provide for a specific and still appropriate recommendation by the RCFC&WCD or CVWD, a separate application shall be filed by the applicant accompanied by a reduced ~~5.5-hour minimum~~ fee set forth in Ordinance No. 671 Section 4.3~~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 reduced~~5.5-hour minimum~~ fee set forth in Ordinance No. 671 Section 4.3~~17B~~ to begin review.

c. Whenever an application for a permit involves land which lies within the special flood hazard area of any map referred to in Section 5.c.7 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.7 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 reduced~~5.5 hour minimum~~ fee as set forth in Ordinance No. 671 Section 4.3 to begin review~~17B~~.

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.

d. 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.

e. 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 said District.

f. 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.

g. 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 and subsequent revisions by FEMA. For alluvial fans, the base flood elevation 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 Flood Risk~~Flooding~~ Analyses and Mapping dated November 2016 and subsequent revisions by FEMA~~April 2003~~.

h. 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.

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

j. 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 construction standards ~~requirements~~ shall apply:

a. Special Flood Hazard Areas (SFHA). 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 and in accordance with the latest versions of (i) California Residential Code Section R322 for residential structures, (ii) California Building Code, Title 24, Part 2, Section 1612 for non-residential structures, and (iii) 1 foot above BFE for manufactured homes, including all associated utilities and equipment.~~.~~

c) Be constructed by methods and practices that minimize flood

damages.

d) For residential structures be elevated ~~constructed~~ per California Residential Code Section R322, including any electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities servicing the building or attached to the residential structure to prevent water from entering or accumulating within the components during conditions of flooding.

e) For manufactured homes be elevated above the Base Flood Elevation plus 1 foot, including any electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities servicing the building or attached to the manufactured home to prevent water from entering or accumulating within the components during conditions of flooding.

f) Swimming pools shall:

1) Be constructed flush to the ground.

2) Have excavated dirt from the pool needs to be 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 plus 1 foot.

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 commercial, industrial, 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) In the case of SFHA identified in Section 5.a of this ordinance, prior to grading, a Conditional LOMR has been issued by FEMA.

c) In the case of SFHA identified in Section 5.a of this ordinance, 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 within the lot 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 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 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 8.a.1.a). 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.

8. All new construction and substantial improvements (including associated machinery and equipment) of non-residential structures shall:

a) Be constructed and have the lowest floor (including basement) elevated per California Building Code, Title 24, Part 2, Section 1612; or

b) Together with attendant utility and sanitary facilities, be designed so that below the elevation level specified above 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.

9. 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 per standards in California Residential Code Section R322 and California Building Code, Title 24, Part 2, Section 1612, as applicable. 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. The minimum opening size shall not be less than 3 inches in any direction in the plane of the wall.

10. Within any AO zone on the Flood Insurance Rate Maps, all new construction and substantial improvements of:

a) Residential structures shall be constructed and have the lowest floor (including basement) elevated per California Residential Code Section R322.

Within any AO zone on the Flood Insurance Rate Maps, all mechanical, electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities attached to the manufactured homes must be elevated to that level specified above to prevent water from entering or accumulating within the components during conditions of flooding.

b) Manufactured homes shall have the lowest floor (including basement) elevated 1 foot above the depth specified on the FIRM~~BFE~~.

Within any AO zone on the Flood Insurance Rate Maps, all mechanical, electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities attached to the manufactured homes must be elevated to that level specified above to prevent water from entering or accumulating within the components during conditions of flooding.

11. Within any AO zone on the Flood Insurance Rate Maps, all new construction and substantial improvements of non-residential structures shall be constructed and have the lowest floor (including basement) elevated above the highest adjacent grade per California Building Code, Title 24, Part 2, Section 1612;

12. 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.

13. 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 and Mitigation

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).

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

15. 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.

16. 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.

17. 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).

18. 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).

19. No land shall be graded, filled, altered or modified within the RCFC&WCD and CVWD joint boundary of the Whitewater River Stormwater Channel SFHA, except upon review and approval by both CVWD and RCFC&WCD. The proposed plan shall include a hydraulic analysis demonstrating that the proposal will not result in any increase in flood levels during the occurrence of the base flood discharge or affect levee criteria as set forth by 44 CFR 65.10 or as determined by the RCFC&WCD and CVWD. If a proposed plan qualifies for approval by both CVWD and RCFC&WCD, it shall then meet all the requirements necessary for approval of a permit in a SFHA as per Section 8.a and/or Section 8.b.

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.

3. Colorado River Floodway – development within the Colorado River floodway shall meet the requirement of both NFIP and the Colorado River Flood Protection Act.

Section 9. REVISION TO SPECIAL FLOOD HAZARD AREAS (SFHA). This section applies to revisions, amendments and adoptions of those SFHA identified in SECTION 5.b, 5.c and 5.d of this ordinance.

a. When RCFC&WCD or the CVWD initiate the revision to the SFHA identified in Sec 5.b, 5.c and 5.d of this ordinance, the following shall apply:

1. The proposed revision will be placed on the Board of Supervisors agenda for a public hearing.

2. The Floodplain Administrator shall reflect the limits of the revised SFHAs in the Public Flood Hazard Determination Interactive Map after adoption of the resolution.

b. When a subdivision/development proposal affected by the SFHA affected in 5.b, 5.c and 5.d of this ordinance is submitted to the County, the following shall apply:

1. The applicant shall submit a hydraulic analysis accompanied by the requisite work maps and exhibits showing the impacts of the development to those SFHAs prior to issuance of conditions of

approval.

2. The Public Hearing scheduled for the proposed land division/development shall serve as the intent to revise those SFHAs affected by the development proposal.

3. The applicant shall submit final exhibit showing the revisions to the map, after completion of constructing improvements impacting SFHAs and prior to issuance of occupancy.

4. The Floodplain Administrator shall reflect the limits of the revised SFHAs in the Public Flood Hazard Determination Interactive Map after receipt of final exhibit.

Section 10. 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 County 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 11. 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 10 of this ordinance.

Section 12. 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 13. 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 14. 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 2. EFFECTIVE DATE. This ordinance shall take effect thirty (30) days after its adoption.

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

By: _____
CHUCK WASHINGTON, Chair

ATTEST:
Kecia Harper-Ihem
CLERK OF THE BOARD

By: _____
Deputy

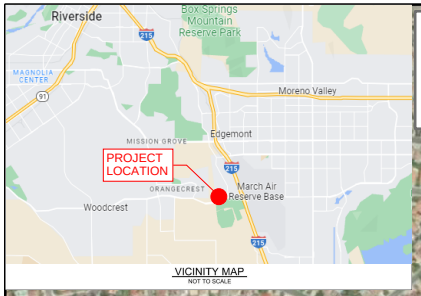
(SEAL)

APPROVED AS TO FORM

_____, 2025

By: _____
AARON C. GETTIS,
Deputy County Counsel

DWR12 & DWR15 NEAR VAN BUREN BLVD & VILLAGE WEST DR
EXHIBIT 12 & 15



TRACT NO.30717-1
M.B. 343/34-47

TRACT NO.21834-4
M.B. 196/58-63

TRACT NO.22653-5
M.B. 263/6-10

CITY OF RIVERSIDE

RIVERSIDE COUNTY

MESQUITE CANYON RD

ORANGE VISTA PKWY

RED POPPY LN

EAST DETENTION BASIN

215

ESCONDIDO FWRY N
ESCONDIDO FWRY S

PERRIS VALLEY MERIDIAN PKWY SD LINE A

PERRIS VALLEY - SD LINE CCC
STORM DRAIN

ECONIMIC DR

MERIDIAN PKWY

OPPORTUNITY WAY

VAN BUREN BOULEVARD

VAN BUREN BOULEVARD

ZONE 2

ZONE 4

KRAMERIA AVENUE

VILLAGE WEST DRIVE

NOTE:
SUPERVISOR: JOSE MEDINA, DISTRICT 1
RCFC ZONE: ZONE 2 AND ZONE 4

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

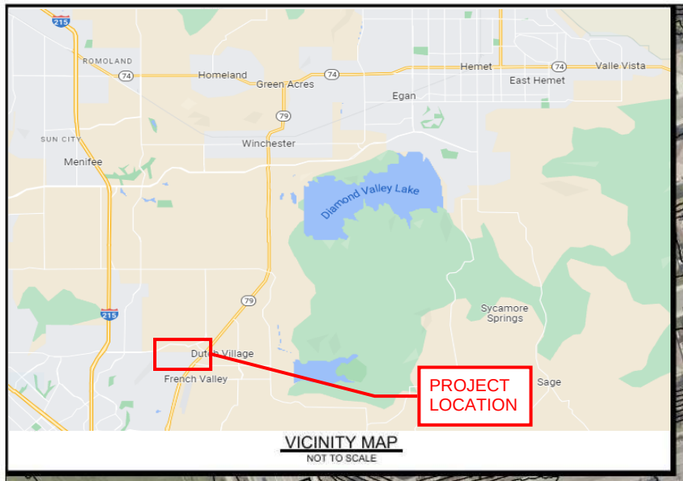
- EFFECTIVE DWR 100-YEAR FLOODPLAIN (TO BE REMOVED)
- PROPOSED DWR-12 100-YEAR FLOODPLAIN
- PROPOSED DWR-15 100-YEAR FLOODPLAIN
- RCFC_FACILITIES
- CITY BOUNDARIES
- RCFC ZONE AREAS

N
W E
S

0 500 1,000 1,500 2,000
Feet

PHOTOGRAPHY DATA	TOPOGRAPHY DATA	BENCHMARK DATA
BY: ESRI DATE: 2024	DATUM: NAD83, NAVD88 BY: USGS OPEN TOPOGRAPHIC DATE: 2018	Z 12726

DWR 14: WARM SPRINGS TRIBUTARY B SOUTH EXHIBIT 14



VICINITY MAP
NOT TO SCALE

NOTE:

SUPERVISOR : CHUCK WASHINGTON, DISTRICT 3
RCFC ZONE: ZONE 7

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

DWR 14: WARM SPRINGS TRIBUTARY B SOUTH DWR AWARENESS MAPPING

- EFFECTIVE DWR 100-YEAR FLOODPLAIN (TO BE REMOVED)
- PROPOSED DWR 100-YEAR FLOODPLAIN
- RCFC FACILITIES
- CITY BOUNDARIES

N
W E
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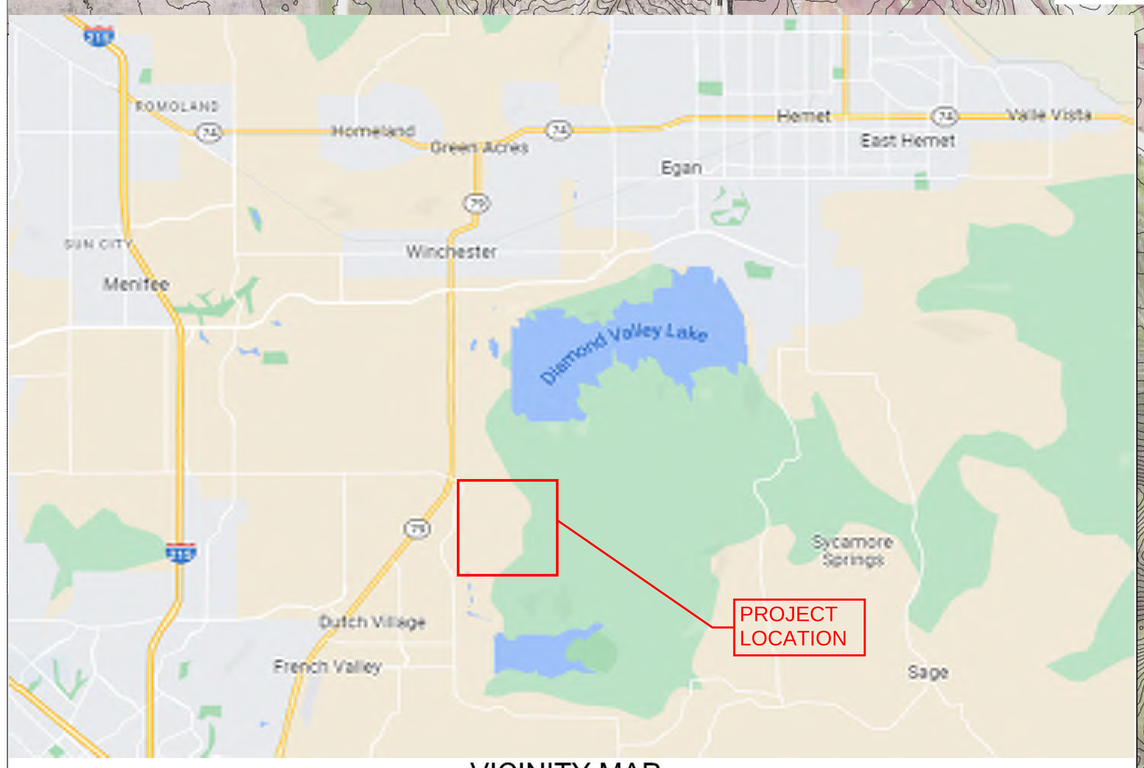
0' 125' 250' 500'

PHOTOGRAPHY DATA	TOPOGRAPHY DATA	BENCHMARK DATA
BY: COUNTY OF RIVERSIDE DATE: 2019	DATUM: NAD83, NAVD88 BY: RCFC & WCD DATE: SEPTEMBER 12, 2007	Z 13668

DWR 13: WARM SPRINGS TRIBUTARY B NORTH
EXHIBIT 13



VICINITY MAP
NOT TO SCALE

SCOTT ROAD
WASHINGTON STREET
SAN DIEGO CANAL
79
KELLER ROAD
WINCHESTER ROAD
KOON ROAD
TRACT NO. 32151
TRACT NO. 36687
ABELIA STREET
WASHINGTON STREET

NOTE:

SUPERVISOR : CHUCK WASHINGTON, DISTRICT 3
RCFC ZONE: ZONE 4

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT
DWR 13: WARM SPRINGS TRIBUTARY B NORTH
DWR AWARENESS MAPPING

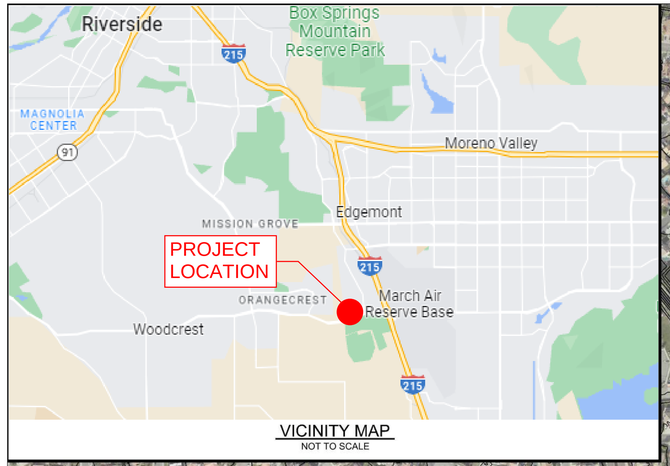
EFFECTIVE DWR 100-YEAR FLOODPLAIN (TO BE REMOVED)
PROPOSED DWR 100-YEAR FLOODPLAIN

N
W E
S

0' 125' 250' 500' 1000'

PHOTOGRAPHY DATA	TOPOGRAPHY DATA	BENCHMARK DATA
BY: COUNTY OF RIVERSIDE DATE: 2019	DATUM: NAD83, NAVD88 BY: RCFC & WCD DATE: JULY 05, 2003 & 2012 & 2018	Z 13665

DWR12: VAN BUREN AND VILLAGE
EXHIBIT 12



VICINITY MAP
NOT TO SCALE

TRACT NO. 30717-1
M.B. 343/34-47

TRACT NO. 21834-4
M.B. 196/58-63

TRACT NO. 22653-5
M.B. 283/8-10

CITY OF RIVERSIDE

RIVERSIDE COUNTY

MESQUITE CANYON RD

ORANGE VISTA PKWY

RED POPPY LN

PERRIS VALLEY - SD LINE A

PERRIS VALLEY - MERIDIAN PKWY SD LINE A

RCFC DWG NO. 2-0923

PERRIS VALLEY - SD LINE CCC
STORM DRAIN RCFC DWG NO. 2-0923

ESCONDIDO FWRY N

ESCONDIDO FWRY S

ECONIMIC DR

MERIDIAN PKWY

OPPORTUNITY WAY

Z 12726

VAN BUREN BOULEVARD

COYOTE BUSH ROAD

VILLAGE WEST DRIVE

KRAMERIA AVENUE

NOTE:
SUPERVISOR: JOSE MEDINA, DISTRICT 1
RCFC ZONE: ZONE 2 AND ZONE 4

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

DWR12: VAN BUREN AND VILLAGE
DWR AWARENESS MAPPING

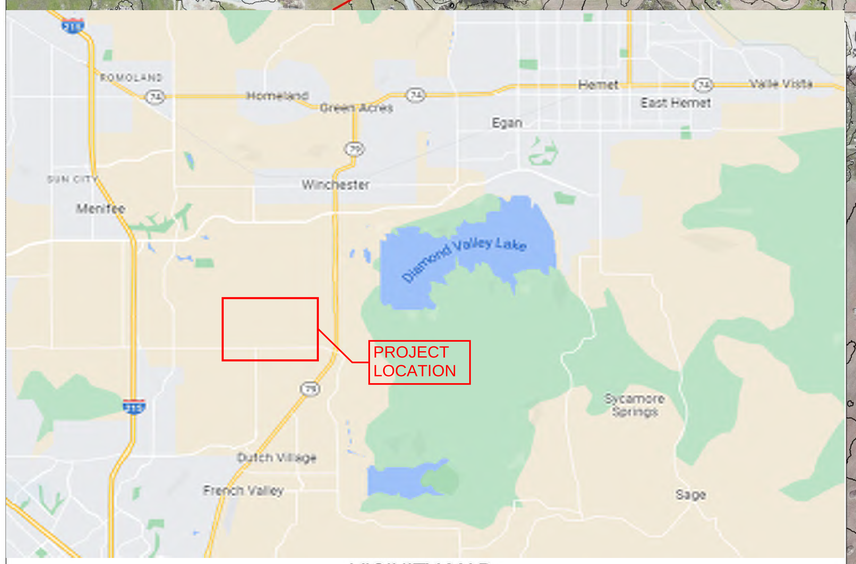
- EFFECTIVE DWR 100-YEAR FLOODPLAIN (TO BE REMOVED)
- PROPOSED DWR 100-YEAR FLOODPLAIN
- RCFC FACILITIES
- CITY BOUNDARIES

N
W E
S

0' 80' 160' 320' 640' 1280'

PHOTOGRAPHY DATA	TOPOGRAPHY DATA	BENCHMARK DATA
BY: COUNTY OF RIVERSIDE DATE: 2019	DATUM: NAD83, NAVD88 BY: USGS OPEN TOPOGRAPHIC DATE: 2018	Z 12726

DWR11: WARM SPRINGS TRIBUTARY A - NORTH
EXHIBIT 11



VICINITY MAP
NOT TO SCALE

WINCHESTER

EUCALYPTUS ROAD

WICKERD ROAD

DAVIS ROAD

LORETTA AVENUE

BEELER ROAD

ASHFORD LANE

SCOTT ROAD

LEON ROAD

MAINLINE

VIA LOS ROSAS

Z 10173

H-G H-F H-E H-D H-C H-B H-A G-Y G-X G-Z G-W G-V G-U G-T G-S G-R G-Q G-P G-O G-N G-M G-L G-K G-J G-I G-H G-G G-F G-E G-D G-C G-B G-A G-Z F-R F-Q F-P F-S F-T F-I F-H F-C F-O F-N F-M F-L F-K F-J F-U F-V F-W F-X F-Y F-G F-F F-E F-D F-B F-A E-Z E-W E-V E-T E-S E-Y E-X E-U E-R E-Q E-P E-O E-N E-M E-L E-K E-J E-I E-H E-G E-F E-E E-D E-C

Cross Section Station
(Water Surface Elevation NAVD 88)

MAINLINE		
E-C	513+55	(1389.9)
E-D	515+60	(1391.0)
E-E	517+13	(1391.3)
E-F	518+49	(1392.0)
E-G	519+55	(1392.5)
E-H	520+56	(1392.5)
E-I	521+53	(1391.4)
E-J	522+63	(1394.0)
E-K	523+63	(1394.2)
E-L	524+81	(1394.5)
E-M	526+02	(1394.8)
E-N	527+60	(1395.4)
E-O	529+60	(1396.6)
E-P	531+60	(1397.8)
E-Q	533+60	(1399.0)
E-R	535+60	(1399.9)
E-S	537+60	(1401.7)
E-T	539+60	(1403.8)
E-U	541+04	(1404.2)
E-V	542+60	(1404.5)
E-W	543+60	(1404.8)
E-X	545+25	(1405.4)
E-Y	547+39	(1406.6)
E-Z	548+79	(1406.7)
F-A	549+79	(1406.8)
F-B	550+53	(1406.8)
F-C	551+02	(1406.9)
F-D	552+19	(1407.0)
F-E	553+80	(1407.1)
F-F	555+53	(1407.3)
F-G	557+23	(1407.6)
F-H	558+81	(1407.9)
F-I	559+86	(1408.0)
F-J	560+90	(1408.2)
F-K	562+55	(1408.4)
F-L	564+02	(1408.7)
F-M	565+10	(1408.8)
F-N	566+14	(1409.1)
F-O	568+14	(1409.4)
F-P	570+10	(1409.6)
F-Q	571+09	(1409.7)
F-R	572+08	(1409.8)

MAINLINE (CONTINUED)		
F-S	573+39	(1410.0)
F-T	575+07	(1410.2)
F-U	577+09	(1410.6)
F-V	578+08	(1410.8)
F-W	580+08	(1411.2)
F-X	581+44	(1411.3)
F-Y	582+44	(1411.5)
F-Z	583+44	(1411.8)
G-A	585+13	(1412.2)
G-B	586+13	(1412.5)
G-C	588+13	(1413.2)
G-D	590+13	(1414.0)
G-E	592+14	(1414.6)
G-F	594+13	(1415.0)
G-G	596+21	(1415.5)
G-H	598+20	(1416.0)
G-I	600+28	(1416.8)
G-J	602+26	(1417.8)
G-K	604+27	(1418.6)
G-L	606+27	(1419.1)
G-M	608+27	1419.5)
G-N	610+27	(1420.0)
G-O	612+33	(1420.7)
G-P	613+98	(1421.6)
G-Q	615+63	(1422.2)
G-R	617+55	(1422.8)
G-S	619+23	(1423.0)
G-T	620+80	(1423.2)
G-U	623+25	(1423.5)
G-V	625+20	(1424.0)
G-W	627+95	(1425.2)
G-X	630+37	(1426.2)
G-Y	633+40	(1427.6)
G-Z	635+63	(1428.9)
H-A	637+66	(1430.0)
H-B	639+31	(1430.6)
H-C	640+84	(1431.5)
H-D	642+79	(1433.4)
H-E	645+50	(1435.4)
H-F	684+57	(1437.8)
H-G	650+40	(1439.3)

NOTE:

SUPERVISOR : CHUCK WASHINGTON, DISTRICT 3
RCFC ZONE: ZONE 4

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT
DWR11: WARM SPRINGS TRIBUTARY A - NORTH
DWR AWARENESS MAPPING

- EFFECTIVE DWR 100-YEAR FLOODPLAIN (TO BE REMOVED)
- PROPOSED DWR 100-YEAR FLOODPLAIN
- PROJECT CROSS SECTION
- PROJECT CENTERLINE
- CITY BOUNDARIES
- PROJECT PERIMETER AREA

N W E S

0 75' 150' 300' 600' 1,200'

PHOTOGRAPHY DATA	TOPOGRAPHY DATA	BENCHMARK DATA
BY: COUNTY OF RIVERSIDE DATE: 2019	DATUM: NAD83, NAVD88 BY: RCFC & WCD DATE: 2008, 2011, 2012	Z 10173

THE PRESS-ENTERPRISE
KEEP YOUR EYES ON THE 'PRISE
pe.com

3512 14 Street
Riverside, California 92501
(951) 368-9229
cgonzales@scng.com

County of Riverside - Clerk of the Board
PO Box 1147
Riverside, California 92502

Account Number:	5209148
Ad Order Number:	0011743723
Customer's Reference/PO Number:	
Publication:	The Press-Enterprise
Publication Dates:	07/03/2025
Total Amount:	$459.96
Payment Amount:	$0.00
Amount Due:	$459.96
Notice ID:	Vs9X8cltyv8FmPXSuq6q
Invoice Text:	BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA SUMMARY OF ORDINANCE NO. 458.18 AN ORDINANCE OF THE COUNTY OF RIVERSIDE AMENDING ORDINANCE NO. 458 RELATED TO REGULATING DEVELOPMENT IN DESIGNATED SPECIAL FLOOD ZONE AREAS Riverside County Ordinance No. 458 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. On September 10, 2024, the Board of Supervisors adopted an order to initiate an amendment (MT25934) to Ordinance No. 458 to include consistency between Ordinance No. 458 and the NFIP and to provide other administrative revisions for consistency, clarity, and direction. The current amendment would include the following: (1) Administrative revisions requested by FEMA; (2) Revisions to DWR Special Flood Hazards Area; and (3) Policy clarifications associated with Community Rating System (CRS) program. On May 6, 2025 (MT27546), the Board of Supervisors conducted a public hearing to introduce and adopt on successive weeks Ordinance 458.18. Ordinance No. 458.18 does not prompt any new flood control projects. It is a current County Ordinance that is being amended for the reasons provided above. This ordinance amendment is to maintain what currently exists for the protection and aid of the public from the County's continued participation in NFIP. V. Manuel Perez, Chair of the Board I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said County, held on June 24, 2025, the foregoing Ordinance was adopted by said Board

THE PRESS-ENTERPRISE
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pe.com

The Press-Enterprise
3512 14 Street
Riverside, California 92501
(951) 368-9229

County of Riverside - Clerk of the Board
PO Box 1147
Riverside, California 92502

Publication: The Press-Enterprise

PROOF OF PUBLICATION OF

Ad Desc: 0011743723

FILE NO. 0011743723

PROOF OF PUBLICATION

I am a citizen of the United States. I am over the age of eighteen years and not party to or interested in the above-entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper of 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, 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:

07/03/2025

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

Date: July 3, 2025.
At: Riverside, California

Christine Gonzalez

Signature

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

SUMMARY OF ORDINANCE NO. 458.18
AN ORDINANCE OF THE COUNTY OF RIVERSIDE AMENDING ORDINANCE NO. 458 RELATED TO REGULATING DEVELOPMENT IN DESIGNATED SPECIAL FLOOD ZONE AREAS

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Ordinance No. 458.18 does not prompt any new flood control projects. It is a current County Ordinance that is being amended for the reasons provided above. This ordinance amendment is to maintain what currently exists for the protection and aid of the public from the County's continued participation in NFIP.

V. Manuel Perez, Chair of the Board

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said County, held on **June 24, 2025,** the foregoing Ordinance was adopted by said Board by the following vote:

AYES: Medina, Spiegel, Washington, Perez, and Gutierrez
NAYS: None
ABSENT: None

Kimberly A. Rector, Clerk of the Board
By: Naomy Sicra, Clerk of the Board Assistant
The Press-Enterprise
Published: 7/3/25

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2025 JUL 15 AM 8:12

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AFFIDAVIT OF PUBLICATION

RD OF SUP. RIVERSIDE COUNTY-BOA
Riverside County-Board Of Sup.
4080 Lemon ST # 127
Riverside CA 92501-3609

STATE OF WISCONSIN, COUNTY OF BROWN

The Desert Sun, a newspaper published in the city of Palm Springs, Riverside County, State of California, and personal knowledge of the facts herein state and that the notice hereto annexed was Published in said newspapers in the issue:

07/03/2025

and that the fees charged are legal.
Sworn to and subscribed before on 07/03/2025

Legal Clerk

Notary, State of WI, County of Brown

10-25-26

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RYAN SPELLER
Notary Public
State of Wisconsin

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V. Manuel Perez, Chair of the Board

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NAYS: None
ABSENT: None
Kimberly A. Rector, Clerk of the Board
By: Naomy Sicra, Clerk of the Board Assistant
July 3,2025

BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
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Kimberly A. Rector, Clerk of the Board
By: Naomy Sicra, Clerk of the Board Assistant
July 3,2025