

AN ORDINANCE RELATING TO FLOOD PLAIN MANAGEMENT

The Board of Supervisors of the Ventura County do ordain as follows:

CHAPTER 1
PURPOSE AND OBJECTIVE

Sec. 1 - Purpose

The purpose of this ordinance is to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed for:

- (1) Restricting or prohibiting uses which are dangerous to health safety, and property due to water or erosion or flood heights or velocities;
- (2) Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- (3) Controlling the alteration of natural floodplain, stream channels and natural protective barriers which help accommodate or channel flood waters;
- (4) Controlling filling, grading, dredging, and other development which may increase flood damage; and
- (5) Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas.

Sec. 2 - Methods of Reducing Flood Losses

In order to accomplish its purposes, this ordinance includes methods and provisions for:

- (1) Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- (2) Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damages at the time of initial construction;

- 3) Controlling the alteration of natural flood plains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;
- (4) Controlling filling, grading, dredging, and other development which may increase flood damage; and
- (5) Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas.

Sec. 3 - Name

This ordinance shall be known as the Ventura County Flood Plain Management Ordinance.

CHAPTER 2 DEFINITIONS

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

"Alluvial Fan" is an area subject to flooding when the floodplain is comprised of low flow channels where sediment accompanies the shallow flooding and the unstable soils scour and erode during a flooding event.

"Appeal" is a request for a review of the Director of Public Works' interpretation of any provision of this ordinance or a request for a variance.

"Area of Shallow Flooding" is a designated AO or AH Zone on the Flood Insurance Rate Map (FIRM). The base flood depths range from one to three feet; a clearly defined channel does not exist; the path of flooding is unpredictable and indeterminate; and, velocity of flow may be evident.

"Base Flood" is the flood having a one percent chance of being equalled or exceeded any given year.

"Breakaway Walls" are any type of walls, whether solid or lattice, and whether constructed of concrete, masonry, wood, metal, plastic or any other suitable building material which are not part of the structural support of the building, and which are so designed as to breakaway under abnormally high tides or wave action without damage to the structural integrity of the building on which they are used or any buildings to which they might be carried by flood waters.

"Coastal High Hazard Area" is the area subject to high velocity waters, including coastal and tidal inundation or tsunamis. The area is designated on a Flood Insurance Rate Map (FIRM) as Zone VI-30.

"Development" is 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 or drilling operations located within the area of special flood hazard.

"Director of Public Works" means the Director of Public Works of the County of Ventura or his designated representative.

"Existing Mobile Home Park or Mobile Home Subdivision" is a parcel (or contiguous parcels) of land divided into two or more mobile home lots for rent or sale for which the construction of facilities for servicing the lots on which the mobile home is 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 before the effective date of this ordinance.

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

"Final Map" shall be the map referred to in the State of California's Subdivision Map Act, Government Code Section 66434 et. seq. Final Maps.

"Flood or Flooding" is a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) The overflow of inland or tidal waters and/or
- (2) The unusual and rapid accumulation of runoff of surface waters from any source.

"Flood Insurance Rate Map" (FIRM) means the official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

"Flood Insurance Study" means the official report provided by the Federal Insurance Administration that includes flood profiles, the Flood Boundary - Floodway Map, and the water surface elevations of the base flood and shall include any adopted amendments thereto.

"Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot above the elevation of the watersurface prior to encroachment into the floodplain.

"Habitable Floor" means any floor usable for living purposes, which includes working, sleeping, eating, cooking or recreation, or a combination thereof. A floor used only for storage purposes is not a habitable floor.

"Mobile Home" means a structure that is transportable in one or more sections, built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. It does not include recreational vehicles or travel trailers.

"New Construction" means structures for which plans and an application for a Development Permit, as specified in Chapter 4, Section 1, are accepted for processing by the Director of Public Works on or after the effective date of this ordinance.

"New Mobile Home Park or Mobile Home Subdivision" is a parcel (or contiguous parcels) of land divided into two or more mobile home lots for rent or sale for which the construction of facilities or servicing the lot (including, at the minimum, the installation for utilities, either final site grading or the pouring of concrete pads, and the construction of streets) is completed on or after the effective date of this ordinance.

"Person" means any natural person, firm, corporation, organization, company, association, business, trust, joint stock organization, partnership, joint venture, club or the agent, servant, manager, officer, employee or lessee of any of them.

"Sand Dunes" are naturally occurring accumulations of sand in ridges or mounds landward of the beach.

"Start of Construction" means the first placement of permanent construction of a structure, other than a mobile home, on a site, such as the pouring of slabs or footings or any work beyond the stage of excavation. 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 as part of the main structure. For a structure, other than a mobile home, without a basement or poured footings, the "start of construction" includes the first permanent framing or assembly of the structure or any part thereof on its piling or foundation. For mobile homes not within a mobile home park or mobile home subdivision, start of construction means the affixing of the mobile home to its permanent site. For mobile homes within mobile home parks or mobile home subdivisions, start of construction is the date on which the construction of facilities for servicing the site on which the mobile home is to be affixed, including, at a minimum, the construction of streets, either final site grading or the pouring of concrete pads, and installation of utilities, is completed.

"Structure" is a walled and roofed building or mobile home that is principally above ground.

"Subdivision" is a dividing of land which creates five (5) or more legal lots from an existing lot.

"Substantial Improvement" means any repair, reconstruction, or improvement to a structure which results in an increase of the gross floor space of the structure of 50 percent or more over that which existed either:

- (1) Before the improvement or repair is started, or
- (2) If the structure has been damaged and is being restored, before the damage occurred.

For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

This term does not include either:

- (1) Any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions, or
- (2) Any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic places.
- (3) Any alteration of a structure designated as a County Historical Landmark by the Ventura County Cultural Heritage Board.

"Variance" means a grant of relief from the requirements of this ordinance which permits construction in a manner that would otherwise be prohibited by this ordinance.

CHAPTER 3 GENERAL PROVISIONS

Sec. 1 - Lands to Which this Ordinance Applies.
This ordinance shall apply to all areas of special flood hazard within the unincorporated area of the County of Ventura.

Sec. 2 - Basis for Establishing the Areas of Special Flood Hazard.

The Areas of Special Flood Hazard identified by the Federal Insurance Administration, through the Federal Emergency Management Agency in a scientific and engineering report entitled "Flood Insurance Study, Ventura County, California", (Unincorporated Areas) dated September 13, 1984, with an accompanying Flood Insurance

Rate Map are hereby adopted by reference and declared to be a part of this ordinance. The Flood Insurance Study is on file with the Ventura County Public Works Agency, 800 South Victoria Avenue, Ventura, California, 93009.

The Flood Insurance Study and Flood Insurance Rate Map may be revised or amended from time to time by the Federal Insurance Administration and shall be adopted by reference and declared to be a part of this Chapter as of the effective date of said revision or amendment.

Sec. 3 - Compliance

No person shall hereafter construct, locate, extend or alter any structure or land without full compliance with the terms and conditions of this ordinance and other applicable regulations.

This ordinance shall not apply to structures for which applications for building permits have been received by the Ventura County Department of Building and Safety prior to the effective date of this ordinance and for which the review of the plans had commenced.

This ordinance shall not apply to grading or construction authorized prior to the effective date of this ordinance pursuant to the Ventura County Zoning Ordinance, Building Code, or Subdivision Ordinance.

Sec. 4 - Abrogation and Greater Restrictions

This ordinance is not intended to repeal, abrogate, or impair any existing easements or covenants, or deed restrictions. However, where this ordinance and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

Sec. 5 - Interpretation

In the interpretation and application of this ordinance, all provisions shall be:

- (1) Considered as minimum requirements; and be
- (2) Liberally construed in favor of the governing body; and be
- (3) Deemed neither to limit nor repeal any other powers granted under state statutes or county ordinances.

Sec. 6 - Warning and Disclaimer of Liability

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based upon engineering and scientific considerations. Larger floods can and will occur. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that the land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damages. This chapter shall not create liability on the part of the County, Flood Control District, any officer or employee thereof, or the Federal Insurance Administration for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made thereunder.

CHAPTER 4
ADMINISTRATION

Sec. 1 - Flood Plain Development Permit Required

A Flood Plain Development Permit shall be obtained before start of construction or development begins within any area of special flood hazard established by this ordinance. Application for a Flood Plain Development Permit shall be made on forms furnished by the Director of Public Works and may include, but not be limited to, plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities; and the location of the foregoing. Specifically, the following information is required:

- (1) Elevation in relation to mean sea level of the lowest habitable floor (including basement) of all structures; in Zone AO, elevation of existing grade and proposed elevation of lowest habitable floor of all structures.
- (2) Elevation in relation to mean sea level to which any structure will be flood proofed;
- (3) Certification by a registered professional engineer or architect that the flood proofing methods for any non residential structure meet the flood proofing criteria set forth in this ordinance; and
- (4) Description of the extent to which any watercourse will be altered or relocated as a result of the proposed development.

Sec. 2 - Designation of Administrator

The Director of Public Works is hereby appointed to administer and implement this ordinance by granting or denying Flood Plain Development Permit applications in accordance with the provisions of this ordinance.

Sec. 3 - Duties and Responsibilities of the Director of Public Works. The duties and responsibilities of the Director of Public Works shall include, but not be limited to:

- (1) Permit Review
 - (a) Review of all applications for Flood Plain Development Permits to determine that the permit requirements of this ordinance have been satisfied.
 - (b) Review all applications for Flood Plain Development Permits to determine if the proposed development adversely affects the flood carrying capacity of the area of special flood hazard. For purposes of this ordinance, "adversely affected" means that the cumulative effect of the proposed development when combined

with all other existing and anticipated development will not increase the water surface elevation of the base flood more than one (1) foot at any point.

- (c) Review of all applications for Flood Plain Development Permits to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is in a flood-prone area, all new construction and substantial improvements (including the placement of prefabricated buildings and mobile homes) shall (i) be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure, (ii) be constructed with materials and utility equipment resistant to flood damage, and (iii) be constructed by methods and practices that minimize flood damage.
- (2) Issuance of Flood Plain Development Permits where applications have been found to be in conformance with the terms of this ordinance.
- (3) Use of other Base Flood Data
When base flood elevation data has not been provided in accordance with Chapter 3, Section 2, Basis for Establishing the Areas of Special Flood Hazard, the Director of Public Works shall obtain, review, and reasonably utilize the best base flood data available from any source such as high water mark(s), floods of record, or private engineering reports in order to administer this ordinance.
- (4) Obtaining and Maintaining Information
 - (a) The Director of Public Works shall obtain and record the actual elevation (in relation to mean sea level) of the lowest habitable floor (including basement) of all new or substantially improved structures.
 - (b) For all new or substantially improved flood proofed structures the Director of Public Works shall:
 - (1) Verify and record the actual elevations to which the structures have been flood proofed (in relation to mean sea level); and
 - (2) Maintain the flood proofing certifications required by this ordinance.
 - (c) The Director of Public Works shall maintain for public inspection all records pertaining to this ordinance.
- (5) Alteration of Watercourse
It is the responsibility of the Director of Public Works to:

- (a) Submit information to the Federal Emergency Management Agency detailing any alterations or relocations of a watercourse that affect the capacity; and
 - (b) Insure that the flood carrying capacity of the altered or relocated watercourse is not reduced.
 - (c) Notify adjacent communities and the California Department of Water Resources prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.
- (6) Interpretation of Flood Insurance Rate Map (FIRM) Boundaries and Regulatory Floodway Boundaries The Director of Public Works will provide interpretations, where needed, as to the exact location of the boundaries of the areas of special flood hazard and regulatory floodways. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in Chapter 6.

CHAPTER 5 PROVISIONS FOR FLOOD HAZARD REDUCTION

Sec. 1 - In all areas of special flood hazard, the following standards are required.

(1) Anchoring

- (a) All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.
- (b) All mobile homes shall be anchored to resist flotation, collapse, or lateral movement by providing over-the-top and frame ties to ground anchors. Specific requirements shall be that:
 - 1. Over-the-top ties be provided at each of the four (4) corners of the mobile home, with two (2) additional ties per side at intermediate locations. For mobile homes less than fifty (50) feet long, only one additional tie per side is required in addition to the corner ties.
 - 2. Frame ties be provided at each corner of the home with five (5) additional ties per side at intermediate points. For mobile homes less than fifty (50) feet long, only four (4) additional ties per side are required in addition to the corner ties.

3. All components of the anchoring system be capable of carrying a force of four thousand eight hundred (4,800) pounds; and
4. Any additions to the mobile home must be similarly anchored.

(2) Construction Materials and Methods

- (a) All new construction and substantial improvements shall be constructed of materials and utility equipment resistant to flood damage.
- (b) All new construction and substantial improvements shall use methods and practices that minimize flood damage.
- (c) All elements that function as part of the structure such as the furnace, hot water heater and air conditioner shall be elevated to or above the base flood elevation or depth number specified on the Flood Insurance Rate Map (FIRM)

(3) Utilities

- (a) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
- (b) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters; and
- (c) On site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

(4) Subdivisions

- (a) All subdivisions shall be consistent with the need to minimize flood damage;
- (b) All subdivisions shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;
- (c) All subdivisions shall have adequate drainage provided to reduce exposure to flood damage; and
- (d) Base flood elevation data shall be provided for subdivisions or development of single lots of five acres or more. Such data shall be provided to and accepted by the Director of Public Works prior to

acceptance of the final map and any public improvements by Ventura County.

(5) Encroachments

The cumulative effect of any proposed development, when combined with all other existing and anticipated development, shall not increase the water surface elevation of the base flood more than one foot at any point.

Sec. 2 - Specific Standards

In all areas of special flood hazard where base flood elevation data has been provided as set forth in Chapter 3, Section 2, or Chapter 4, Section 3 (3), the following provisions are required:

- (1) Residential Construction - New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated to one (1) foot above the base flood elevation.
 - (a) Where average velocities of flow exceed five (5) feet per second, any fill material used to support the structure and its foundations shall be armored to prevent loss of the fill material.
 - (b) When fill is not used and velocities of flow are less than five (5) feet per second, structural components such as piers used to support the structure shall be designed to resist hydrostatic loads.
 - (c) When fill is not used and velocities of flow are equal to or greater than five (5) feet per second and equal to or less than ten (10) feet per second, the components used to support the structure shall be designed to resist hydrostatic and hydrodynamic loads.
 - (d) When depths of water exceed three (3) feet, structural components used to support the structure shall be designed for impact loads.
 - (e) When fill is not used and velocities of flow exceed ten (10) feet per second, the use of structural components to support a structure is prohibited.
- (2) Nonresidential Construction - New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated to one (1) foot above the base flood elevation; or together with attendant utility and sanitary facilities, shall

- (a) Be flood-proofed so that below a level one (1) foot above the base flood elevation the structure is watertight with walls substantially impermeable to the passage of water;
- (b) Be certified by a registered professional engineer or architect that the standards of this section are satisfied. Such certification shall be provided to the Director of Public Works in a form prescribed by the Director of Public Works. The certification shall be provided prior to occupancy of the structure.
- (c) Where velocities of flow are less than five (5) feet per second, structural components of the structure shall be designed to resist hydrostatic loads.
- (d) Where velocities of flow are equal to or greater than five (5) feet per second and equal to or less than ten (10) feet per second, the structure shall be designed to resist hydrostatic and hydrodynamic loads.
- (e) When depths of water exceed three (3) feet, the structure shall be designed for impact loads.
- (f) Where velocities of flow exceed ten (10) feet per second, structures with floors below water surface elevations and the use of structural components to support the structure are prohibited.

(3) Mobile Homes

- (a) Mobile homes shall be anchored in accordance with Chapter 5, Section 1 (1)(b).
- (b) For new mobile home parks and mobile home subdivisions; for expansion to existing mobile home parks and mobile home subdivisions; for existing mobile home parks and mobile home subdivisions where the repair, reconstruction or improvement of the streets, utilities, and pads equals or exceeds fifty (50) percent of value of the streets, utilities, and pads before the repair, reconstruction or improvement has commenced; and for mobile homes not placed in a mobile home park or mobile home subdivision, require that:
 - (1) Stands or lots are elevated on compacted fill or on pilings so that the lowest floor of the mobile home will be one (1) foot above the base flood level;
 - (2) Adequate surface drainage is provided;

- (3) Access for a hauler is provided; and
- (4) In the instance of elevation on pileage, that:
 - (i) Lots are large enough to permit steps
 - (ii) Piling foundations are placed in stable soil no more than ten (10) feet apart; and
 - (iii) Reinforcement is provided for pilings more than six (6) feet above the ground level.
- (4) Shallow Flooding - Located within the Areas of Special Flood Hazard established in Chapter 3, Section 2, are areas designated as AO and AH zones. These areas have special flood hazard associated with base flood depths of one (1) to three (3) feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate; therefore the following provisions apply:
 - (a) All new construction and substantial improvements of residential structures in AO zones shall have the lowest floor, including basement, elevated above the highest adjacent grade to the depth number specified on the community's FIRM plus one (1) foot.
 - (b) All new construction and substantial improvements of residential structures in AH zones shall have the lowest floor, including basement, elevated above the base flood elevation plus one (1) foot.
 - (c) All new construction and substantial improvements of nonresidential structures in AO zones shall:
 - (1) Have the lowest floor, including basement, elevated above the highest adjacent grade to the depth number specified on the FIRM plus one (1) foot, or
 - (2) Together with attendant utility and sanitary facilities be completely flood-proofed to or above that level so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components which have the capability to withstand hydrostatic and hydrodynamic loads and the effects of buoyancy.
 - (a) Where velocities of flow are less than five (5) feet per second, structural components shall be designed to resist hydrostatic loads.

- (b) Where velocities of flow are equal to or greater than five (5) feet per second and equal to or less than ten (10) feet per second, the structural components shall be designed to resist hydrostatic and hydrodynamic loads.
 - (c) Where velocities of flow exceed ten (10) feet per second, structures with floors below water surface elevations are prohibited and the use of structural components to support the structure are prohibited.
 - (d) All new construction and substantial improvements of non-residential structures in AH zones shall:
 - (1) Have the lowest floor, including basement, elevated to the base flood elevation specified on the FIRM plus one (1) foot, or
 - (2) Meet the standards set forth in Chapter 5, Section 2, (4) (c) (2).
- (5) Alluvial Fans - Areas subject to alluvial fan flooding have irregular flow paths that result in erosion of existing channels and the undermining of fill material. Those areas are identified on the Flood Insurance Rate Map as AO zones with velocities.
- (a) All structures must be securely anchored to minimize the impact of the flood and sediment damage.
 - (b) All new construction and substantial improvements must be elevated on pilings, columns, continuous foundations, or armored fill so that the bottom of the lowest floor beam or the bottom of the floor slab is elevated to or above the depth number plus (1) foot.
 - (c) All fill materials must be armored to protect the material from the velocity of the flood flow.
 - (d) All proposals for subdivision development must provide a mitigation plan that identifies the engineering methods used to:
 - (1) Protect the structures from erosion and scour caused by the velocity of the flood flow.
 - (2) Capture or transport flood and sediment flow through the subdivision to a safe point of disposition.

- (e) All mobile homes shall be prohibited within the identified hazard area except within existing mobile home parks or subdivisions.
- (6) Coastal Hazard Areas - Located within the Areas of Special Flood Hazard established in Chapter 3, Section 2, are areas designated as coastal hazard areas. These areas have special flood hazards associated with wave run-up and beach erosion in which the following provisions shall apply.
 - (a) All new construction and substantial improvements shall:
 - (1) Be elevated and secured to adequately anchored pilings and columns so that the lowest portion of structural members of the lowest floor, excluding pilings or columns, is elevated one (1) foot above the base flood level.
 - (2) Have space below the lowest floor free of obstruction, or constructed with breakaway walls intended to collapse under stress without jeopardizing the structural support.
 - (3) Not use any fill for structural support.
 - (b) All new construction shall be located landward of the mean high tide line.
 - (c) Mobile homes shall not be located in the area except in existing mobile home parks or subdivisions.
 - (d) As an alternate to (5)(a) above, new construction and substantial improvements may be placed on compacted fill in those areas where sea walls have been constructed in a manner approved by the Director of Public Works, as well as all other necessary governing bodies, where the fill is protected from erosion resulting from flooding or wave splash, and where adequate set back exists between the sea wall and the nearest portion of the structure.
 - (e) Compliance with the provisions of Chapter 5, Section 2,(6)(a) or Chapter 5, Section 2,(6)(d) shall be certified by a registered professional engineer or architect and provided to the Director of Public Works. This certification shall be provided to the Director of Public Works prior to occupancy of the structure.
- (7) Regulatory Floodway - The regulatory floodway shown in the Flood Insurance Study has been selected and adopted on the principle that the area chosen for the regulatory

floodway must be designed to carry the waters of the base flood without increasing the water surface of that flood more than one foot at any point. In accordance with this principle the following provisions shall apply:

- (a) Encroachments, including fill, new construction, substantial improvements, and other development within the adopted regulatory floodway that would result in any increase in flood levels during the occurrence of the base flood discharge are prohibited.
 - (b) The placement of any mobile homes, except in existing mobile home parks and mobile home subdivisions, within the adopted regulatory floodway is prohibited.
 - (c) The placement of residential structures within the adopted regulatory floodway is prohibited.
- (8) Regulatory Floodway not Defined - Where no floodway is identified, the applicant for a Flood Plain Development Permit shall provide an engineering study for the project area that establishes a setback where no encroachment of any new development will be allowed that would increase the water surface elevation of the base flood plus one (1) foot; or establish a setback from the stream bank equal to five (5) times the width of the stream at the top of the bank or twenty (20) feet on each side from the top of the bank, whichever is greater.

CHAPTER 6 WATER LOADS

Sec. 1 - General

- (1) All buildings and structures covered by this ordinance shall be capable of resisting all loads required by the Ventura County Building Code and, in addition, all loads prescribed in this Chapter without exceeding allowable stresses.
- (2) Water loads are loads or pressures on surfaces of structures caused and induced by the presence of flood waters. They are hydrostatic, hydrodynamic or impact loads.

Sec. 2 - Hydrostatic Loads

- (1) Hydrostatic loads are those caused by water above or below the ground surface, free or confined, which is either stagnant or moves at low velocities up to five (5) feet per second.

- (a) The pressure at any point is equal to the unit weight of water (62.4 pounds per cubic foot) multiplied by the height of water above the point to which confined water would rise if free to do so.
- (2) Hydrostatic loads consist of vertical loads, lateral loads, and uplift.
 - (a) Vertical Loads: These are loads acting vertically downward on horizontal or inclined surfaces of buildings or structures, such as roofs, decks or floors, and walls, caused by the weight of flood waters above them.
 - (b) Lateral Loads: Lateral hydrostatic loads are those which act in a horizontal direction, against vertical or inclined surfaces, both above and below the ground surface and tend to cause lateral displacement and overturning of the building, structure, or parts thereof.
 - (c) Uplift: Uplift loads are those which act in a vertically upward direction on the underside of horizontal or sloping surfaces of buildings or structures, such as basement slabs, footings, floors, decks, roofs and overhangs. Hydrostatic loads acting on inclined, rounded or irregular surfaces may be resolved into vertical or uplift loads and lateral loads based on the geometry of the surfaces and the distribution of hydrostatic pressures.

Sec. 3 - Hydrodynamic Loads

- (1) Hydrodynamic loads, for the purpose of these regulations, are those induced on buildings or structures by the flow of flood water moving at moderate or high velocity around the buildings or structures or parts thereof, above ground level. Such loads may occur below the ground level when openings or conduits exist which allow free flow of flood waters. Hydrodynamic loads are basically of the lateral type and relate to direct impact loads by the moving mass of water, and to drag forces as the water flows around the obstruction.
 - (a) Conversion to Equivalent Hydrostatic Loads - For the purpose of these regulations, and for cases when water velocities do not exceed 10 feet per second, dynamic effects of the moving water may be converted into equivalent hydrostatic loads by increasing the depth of water by an amount dh ,

on the upstream side and above the ground level only, equal to:

$$dh = \frac{a v^2}{2g}, \text{ where}$$

v is the average velocity of the water in feet per second;

g is the acceleration of gravity, 32.2 feet per second per second;

a is the coefficient of drag or shape factor.
(The value of a, unless otherwise evaluated, shall not be less than 1.25)

The equivalent surcharge depth dh shall be added to the depth measured between the design level and the regulatory flood and the resultant pressures applied to, and uniformly distributed across, the vertical projected area of the building or structure which is perpendicular to the flow. Surfaces parallel to the flow or surfaces facing downstream shall be considered subject to hydrostatic pressures for depths to the regulatory flood only.

Sec. 4 - Impact Loads

- (1) **Types:** For the purpose of these regulations, impact loads are those which result from floating debris, ice and any floatable object or mass carried by flood waters striking against buildings and structures or parts thereof. These loads are of two basic types: normal and special.
 - (a) **Normal Impact Loads:** Normal impact loads are those which relate to isolated occurrences of logs or floatable objects of normally encountered sizes striking buildings or parts thereof.
 - (b) **Special Impact Loads:** Special impact loads are those which relate to large conglomerates of floatable objects, such as an accumulation of floating debris, either striking or resting against a building, structure, or parts thereof.
- (2) **Applicability:** Impact loads shall be considered in the design of buildings, structures and parts thereof as stipulated below:
 - (a) **Normal Impact Loads:** A concentrated load acting horizontally at the regulatory flood level or at any point below it, equal to the impact force, produced by a 1,000-pound mass traveling at the velocity of the flood water and acting on a one (1) square foot surface of the structure.

- (i) Deceleration of the mass shall occur over 0.5 seconds.
- (ii) This load shall be applied to the structure in such a manner that stresses are maximized.
- (b) Special Impact Loads: Special impact loads shall be considered in the design of buildings, structures, or parts thereof. Unless a rational and detailed analysis is made and submitted for approval by the Director of Public Works, the intensity of load shall be taken as 100 pounds per foot acting horizontally over a one-foot wide horizontal strip at the regulatory flood level or at any level below it. Where natural or artificial barriers exist which would effectively prevent these special impact loads from occurring, the loads may be ignored in the design.

CHAPTER 7
APPEALS AND VARIANCES

Sec. 1 - Appeal Board

- (1) The Ventura County Board of Supervisors acting as the appeal board shall hear and decide appeals and requests for variances from the requirements of this chapter. The appeal board shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Director of Public Works in the enforcement or administration of this chapter.
- (2) Those aggrieved by the decision of the appeal board, or any taxpayer, may seek judicial review of such decision in the Superior Court pursuant to Section 1094.5 of the Code of Civil Procedure provided that proceedings are commenced within thirty (30) days after such decision is final.
- (3) A decision of the appeal board is final and may not be reconsidered on the day following the day on which the decision was rendered.
- (4) In passing upon such applications, the appeal board shall consider all technical evaluations, all relevant factors, standards specified in other sections or chapters, and:
 - (a) The danger that materials may be swept onto other lands to the injury of others;
 - (b) The danger to life and property due to flooding or erosion damage;

Sec. 2 - Conditions for Variances

- (1) Variances may be issued for the reconstruction, rehabilitation, or restoration of structures listed on the National Register of Historic Places, the State Inventory of Historic Places, or any structure designated as a County Historical Landmark by the Ventura County Cultural Heritage Board, without regard to the procedures set forth in the remainder of this section.
- (2) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- (3) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- (4) Variances shall only be issued upon:
 - (a) A showing of good and sufficient cause such as renovation, rehabilitation, or reconstruction. Variances issued for economic considerations, aesthetics, or because variances have been used in the past are not good and sufficient cause.
 - (b) A determination that failure to grant the variance would result in exceptional hardship to the applicant.
 - (c) A determination 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 victimization to the public, or conflict with existing laws or ordinances.

CHAPTER 8 ENFORCEMENT

Sec. 1 - Abatement of Nuisance

A violation of Chapter 3, Section 3, of this ordinance is declared to be a public nuisance and may be abated. In the event of abatement, the costs of such abatement shall be assessed to the violator. If the violator maintains a nuisance upon real property in which he has no interest, the assessment shall be a charge upon such property to the extent of the violator's interest therein. The assessment shall be collected at the same time and in the same manner as ordinary county taxes are collected, and shall be subject to the same penalties and the same procedure for sale in

case of delinquency as provided for ordinary taxes. All laws applicable to the levy, collection and enforcement of county taxes shall be applicable to such assessment, except as otherwise provided in Government Code Section 25845. The procedure established for the repair, rehabilitation, vacation or demolition of substandard buildings by the Uniform Housing Code, 1982 Edition, commencing with Chapter 11 thereof, to the extent it can reasonably be applied to violations of Chapter 3, Section 3, hereof, is hereby incorporated herein as though fully set forth at this point and is hereby adopted as the procedure for abatement inspection, abatement and for assessing the cost of abatement of such nuisances to the violator or against the land involved, provided that for the purposes of the Uniform Housing Code, the "Director of Public Works" is the "Building Official" and the "Board of Supervisors" is the "Board of Appeals".

Sec. 2 - Emergency Abatement

If it appears to the Director of Public Works that an emergency exists because of a violation of Chapter 3, Section 3, then without following the procedure established by Chapter 8, Section 1, the Director of Public Works may order all work done necessary to remove, abate or mitigate the condition creating such emergency. The Director may do the work with his own employees or may contract to have the work done; in either event, the Director shall keep a record of the cost of the work and charge the cost of the work to the violator, who shall repay the county for the cost thereof.

Sec. 3 - Violations/Penalties

Any person who:

- (a) Violates any provision of this ordinance; or
- (b) Refuses without lawful excuse to attend any hearing, or to produce material evidence in his possession or under his control as required by any subpoena served upon such person as provided in the Uniform Housing Code, 1982 Edition; or
- (c) Fails, neglects or refuses to obey any order of the Director of Public Works or the Board of Supervisors made pursuant to the provisions of the Uniform Housing Code, 1982 Edition, and directed to such person, after such order shall have become final;

shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punishable by a fine of not more than one thousand dollars (\$1,000.00), or by imprisonment in the county jail for not more than six (6) months, or by both such fine and imprisonment.

CHAPTER 9
URGENCY ORDINANCE

Sec. 1 - Effective Date

This ordinance is an urgency ordinance necessary for the preservation of the public peace, health, or safety and shall go into immediate effect. The facts constituting the necessity are:

In order that this ordinance will provide as soon as possible for the availability of the maximum of federal flood insurance for persons in the unincorporated area of the county against significant potential flood damage as a result of the recent devastating grass and brush fires in the county, it is necessary that this ordinance take effect immediately.

ADOPTED this 3rd day of September, 1985, by the following votes:

AYES: Supervisors Lacey, Jones, Erickson, Dougherty

NOES: Supervisors None

ABSENT: Supervisor Flynn

James R. Dougherty
Chair, Board of Supervisors

ATTEST:

RICHARD D. DEAN, County
Clerk, County of Ventura,
State of California, and
ex-officio Clerk of the
Board of Supervisors thereof.

By Ray Willard
Deputy Clerk



BOARD OF SUPERVISORS, COUNTY OF VENTURA, STATE OF CALIFORNIA

TUESDAY, JANUARY 26, 1988, AT 8:30 A.M.

ALL MEMBERS PRESENT
FC-Gen./239/Ords.3741/3750/____ EXCEPT SUPERVISOR DOUGHERTY
After holding public hearing and Don Stepp gives testimony,
upon motion of Supervisor Erickson, seconded by Supervisor Lacey,
and duly carried, the Board hereby reads the ordinance in title
only and continues final adoption to February 2, 1988:

PUBLIC WORKS AGENCY
county of ventura

Director
Arthur E. Goulet

Manager — Administrative Services
Paul W. Ruffin

Deputy Directors
Ron Brazill
Real Property Services
Al F. Knuth
Transportation
T. M. Morgan
Engineering Services
G. J. Nowak
Flood Control/Water Resources

January 5, 1988

Board of Supervisors
County of Ventura
800 S. Victoria Avenue
Ventura, CA 93009

Subject: ADOPTION OF ORDINANCE REPEALING ORDINANCES
3741 AND 3750 AND ENACTING NEW REGULATIONS
FOR FLOOD PLAIN MANAGEMENT

RECOMMENDATION

On January 5, 1988:

- Order that the Notice of Public Hearing be published by the Clerk of the Board pursuant to Section 6061 of the Government Code in a newspaper of general circulation in Ventura County at least ten (10) calendar days before the hearing.
- Set a public hearing on the attached ordinance for 10:00 a.m., January 26, 1988.

On January 26, 1988:

- Introduce the ordinance by title only and hold a public hearing thereon.
- Find the proposed ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) and pass it on first reading.

On February 2, 1988:

- Take up the proposed ordinance by title only and adopt it on second reading.
- Determine that the fee schedule adopted November 19, 1985 for activities relating to the National Flood Insurance Program is applicable to the new ordinance.
- Direct the Clerk of the Board to return two certified copies of the Board action to the Public Works Agency for further processing with the Federal Emergency Management Agency (FEMA).

DISCUSSION

Ordinance 3741, adopted and amended by Ordinance 3750 in 1985, created the Ventura County Flood Plain Management Ordinance in its current form. The ordinance was adopted at the request of FEMA upon conversion of the unincorporated area of Ventura County from the "emergency" to the "regular" phase of the National Flood Insurance Program (NFIP). Federal requirements for the content of the ordinance were met.

On October 1, 1986, FEMA changed the regulations governing the NFIP which necessitated modification of our Flood Plain Management Ordinance. The attached ordinance creates a new Flood Plain Management Ordinance that conforms to federal regulations and repeals the current ordinances.

Highlights of the changes are:

1. The ordinance has been completely renumbered.
2. Elimination of most distinctions between mobile (manufactured) homes and regular housing. This includes removal of requirements for "over-the-top" ties to prevent flotation.
3. Continuation of the "grandfathered" installation of manufactured homes in existing mobile home parks. In accordance with federal criteria, this allows placement of manufactured homes at elevations below flood levels. This "grandfathering" recognizes the impracticality of requiring raised pads within existing parks.
4. Inclusion of a requirement that the county assure all necessary federal and state permits have been acquired. Although we have objected to this requirement, we have been informed that we could be suspended from the NFIP if it is not included.
5. Inclusion of different criteria for determining the need for a Flood Plain Development Permit when modifying an existing structure. The old ordinance requires a permit only if an addition to the structure represented 50% or more of the existing gross floor area. The new ordinance requires a permit if the cost of the modification exceeds 50% of the value of the existing structure.
6. A provision to allow pressure equalization inside and outside of elevated foundations. This means flood water may pass beneath a structure.
7. A provision to allow functionally dependent uses to be placed in a flood plain. Such a use might be gravel mining in a riverbed where facilities necessary for extraction of material

may be placed in the riverbed while the processing plant would be located exterior of the flood plain.

In addition to the above changes, the new ordinance continues to prohibit construction of new residential structures in floodways. This prohibition exceeds the federal standard which allows structures provided they do not cause the flood level to rise as a result of the structure's obstruction of the floodway. A floodway is considered a hazardous area which is necessary to pass a 100-year flood. In most cases floodways are within existing streambeds and banks. However, there are some floodway locations, such as in Live Oak Acres, where the prohibition of new residential structures affects existing undeveloped residential lots.

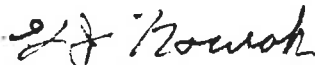
Even though in some cases new residential structures would not cause a rise in the flood level, we feel the prohibition is justified because of the hazard to persons outside the buildings, the lack of safe access during floods, and potential additional public expense for evacuation and damage restoration. The prohibition does not affect other types of structures such as industrial or commercial buildings.

If your Board elects not to continue the existing prohibition Section 5.2.6.2 should be deleted from the proposed ordinance.

Adoption of the ordinance is not an activity governed by the provisions of CEQA since it cannot significantly affect the environment.

This ordinance has been reviewed by FEMA for conformance with federal criteria and by County Counsel for legal sufficiency.

If you have any questions regarding this item, please call the undersigned at extension 2040.



G. J. Nowak, Deputy Director of Public Works
Flood Control and Water Resources Department

WGH/tw (5B/24)

Attachment

COPIES TO:

PWA (2)
Files (6)
Item 5
1/26/88 fw

BOARD OF SUPERVISORS, COUNTY OF VENTURA, STATE OF CALIFORNIA

TUESDAY, NOVEMBER 24, 1987, AT 8:30 A.M.

FC-Gen/ORD.#3741

ALL MEMBERS PRESENT

After holding public hearing and there is no public testimony, upon motion of Supervisor Schaefer, seconded by Supervisor Lacey, and duly carried, the Board hereby approves the following recommendations and grants the appeal:

PUBLIC WORKS AGENCY county of ventura

Director
Arthur E. Goulet

Manager — Administrative Services
Paul W. Ruffin

Deputy Directors
Ron Brazill
Real Property Services
Al F. Knuth
Transportation
T. M. Morgan
Engineering Services
G. J. Nowak
Flood Control/Water Resources

November 24, 1987

Board of Supervisors
County of Ventura
800 S. Victoria Avenue
Ventura, CA 93009

Subject: APPEAL OF MR. AND MRS. VERNE HALLER -
FLOOD PLAIN MANAGEMENT ORDINANCE

RECOMMENDATION

- Determine that:
 - a. Good and sufficient cause exists to grant the variance because of the change in federal criteria.
 - b. Granting the variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud or victimization to the public, or conflict with existing laws or ordinances.
- Grant a variance to permit placement of the mobile home without meeting the requirements of Chapter 5, Section 1(1)(b) of Ordinance No. 3741 relating to placement of over-the-top ties.

DISCUSSION

Mr. and Mrs. Haller intend to place a mobile home on their property in Bardsdale. The site falls within an A6 zone on the Ventura County Flood Insurance Rate Map. Therefore, the placement must conform to the requirements of Ordinance No. 3741, the Ventura County Flood Plain Management Ordinance.

Chapter 5, Section 1(1)(b) of the ordinance sets forth specific requirements for over-the-top tie downs for mobile homes. By letter dated October 27, 1987, Mr. and Mrs. Haller requested relief from these requirements which were established in accordance with the Federal Emergency Management Agency (FEMA) criteria in existence at the time the ordinance was adopted.

On August 25, 1986, FEMA published a final rule in the Federal Register which modified their criteria and, among other things, the requirement for over-the-top tie downs has been deleted.

We are in the process of preparing an amendment to Ordinance No. 3741 to conform to the new federal criteria but have not completed our work.

Granting a variance from the tie down requirements as requested will not violate federal criteria which are now effective. Since the ordinance is intended to carry out the federal rules, we believe the variance should be approved.

All other portions of Ordinance No. 3741 will continue to apply.

If you have any questions regarding this item, please call the undersigned at extension 2040.



G. J. Nowak, Deputy Director of Public Works
Flood Control and Water Resources Department

WGH/tw (5B/22)

COPIES TO:

PWA (2)
V.&B. Haller
Files (3)
Item 5
11/24/87 fw

BOARD OF SUPERVISORS, COUNTY OF VENTURA, STATE OF CALIFORNIA

TUESDAY, SEPTEMBER 29, 1987, AT 8:30 A.M.

FC-Gen./Ord.#3741

ALL MEMBERS PRESENT

After hearing testimony of Andrew Stasse, upon motion of Supervisor Lacey, seconded by Supervisor Flynn, and duly carried, the Board hereby approves the following recommendations:

PUBLIC WORKS AGENCY county of ventura

Director
Arthur E. Goulet

Manager -- Administrative Services
Paul W. Ruffin

Deputy Directors

Ron Brazill
Real Property Services
Al F. Knuth
Transportation
T. M. Morgan
Engineering Services
G. J. Nowak
Flood Control/Water Resources

September 29, 1987

Board of Supervisors
County of Ventura
800 South Victoria Avenue
Ventura, CA 93009

Subject: APPEAL OF ANDREW STASSE FROM DENIAL
OF FLOOD PLAIN DEVELOPMENT PERMIT
VENTURA RIVER @ LIVE OAK ACRES, ZONE 1

RECOMMENDATION:

1. Deny the appeal and request for variance from the requirement of Ordinance No. 3741 to construct a residential structure in the Ventura River floodway.

DISCUSSION

In a letter dated September 9, 1987, Andrew Stasse, on behalf of Jonathan Collins and Karen Cole Stasse requested relief from Ordinance No. 3741 to allow construction of a 700 square foot granny flat separate from other structures on Assessor's Parcel 31-111-195 (813 Santa Ana Boulevard) in Live Oak Acres. Accompanying drawings also indicated a proposed garage.

On July 12, 1987, in accordance with Chapter 5, Section 2(7)(c) of Ordinance No. 3741, the request for a Flood Plain Development Permit was denied. This Section states, "The placement of residential structures within the adopted regulatory floodway is prohibited." The proposed granny flat is a residential structure located in the Ventura River regulatory floodway as indicated on the Ventura County Flood Boundary and Floodway Map, Panel 060413-0545.

Mr. Stasse is appealing the decision to deny the permit and is requesting a variance on the basis that the Ordinance does allow residential building additions of less than 50% of the building area without a permit. He believes that the proposed separate residence, although somewhat larger than 50% of the area of the existing house on the property, is in compliance with the purpose and objectives of the ordinance. A flood hazard report prepared by Hawks and Associates indicates that the proposed building will have no significant impact on water surface elevations.

Chapter 7, Section 1 of Ordinance No. 3741 establishes your Board as the Appeal Board to hear and decide appeals and requests for variances and sets factors you must consider. The following information is provided for your consideration relative to these factors:

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

The proposed residential structure has a first floor four (4) feet above adjacent ground in recognition of a potential water depth at the site of three (3) feet during a 100-year flood. If constructed pursuant to the terms of the ordinance, the danger of materials being swept onto other lands will be minimized.

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

The proposed structure is located within the floodway which is the most dangerous portion of the flood plain. Since the building will be built to resist flooding the primary danger will be to life and limb outside the residence.

The product of depth times velocity in flood areas is an indicator of potential hazard. Guidelines utilized by many governmental agencies indicate that when this product is equal to or above nine (9) there is substantial hazard. In this case the product is 13.5.

3. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.

If the residence is properly constructed in accordance with the terms of Ordinance No. 3741, minimal damage will occur to the granny flat. The contents of the garage will likely suffer damage. We have no knowledge of the impact upon the residents but believe that it will be a stressful situation.

4. The importance of the services provided by the proposed facility to the community.

The structure will be a private residence and provide no services of importance to the community.

5. The availability of alternate locations for the proposed use which are not subject to flooding or erosion damage.

The granny flat is an auxiliary building on a flat lot which is totally in the flood plain. A small portion of the lot is outside the floodway. It appears that the proposed structure could be built on the northwest corner of the lot outside the floodway.

6. The compatibility of the proposed use with existing and anticipated development.

The use is compatible with existing rural type residential development. Among the neighboring properties there are 28 residences and 6 vacant lots within the floodway.

7. The relationship of the proposed use to the comprehensive plan and flood plain management program for the area.

The proposed use is compatible with existing residential zoning. However, it is not consistent with the Ojai Plan which states on page 12 as Policy 1, "Flood plains . . . should be placed in an open space designation on the plan, or development in these areas should be adequately protected from these hazards." In our view, the structure is adverse to the Flood Plain Management Program which attempts to restrict uses which are dangerous to health and safety.

8. The safety of access to the property in times of flood for ordinary and emergency vehicles.

During the regulatory flood, there will be no safe access to the lot or structure.

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

Pursuant to the report by Hawks and Associates, the water depth will be three (3) feet and the velocity at peak flow will approximate 4.5 feet per second. The duration of the flood will be about one half day. There may be floating debris, however, sedimentation at the site should be minimal.

10. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems and streets and bridges.

This structure and residence will create incremental additional demand for governmental services related to restoring flood damaged facilities. The additional residents will also add to problems and costs of providing emergency services such as evacuation and debris clearance to eliminate health hazards. More people will be exposed to the potential trauma associated with floods.

In our opinion, consideration of the above factors does not support sustaining the appeal or granting a variance to permit the proposed residential structure in the floodway.

September 29, 1987

Chapter 7, Section 1, states your Board shall hear appeals when "it is alleged there is an error in any requirement, decision, or determination made by the Director of Public Works in the enforcement or administration" of this Ordinance.

The Ordinance is unequivocal in stating that residential structures are prohibited in floodways, although additions of up to 50% of the existing structure areas are permitted. No error in interpretation has occurred in denying the permit by us pursuant to the terms of the Ordinance. We believe there are no grounds for reversal of the denial, based on error or interpretation.

Chapter 7, Section 2, "Conditions for Variance" requires that variances can be issued only upon a showing of good and sufficient cause, exceptional hardship, a determination that increased flood heights will not result, threats to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization to the public or conflict with existing laws and ordinances. Variances issued for economic considerations or aesthetics are not good and sufficient cause. Renovation of existing structure is good and sufficient cause.

We do not believe the facts of the appeal show that a variance would meet these conditions in regard to good and sufficient cause, hardship and public safety. Therefore, the variance should not be issued.

Alternatives for consideration which might permit building within the terms of the Ordinance include locating the structure in the lot corner outside the floodway, performing detailed hydraulic studies to determine whether or not the floodway boundary could properly be moved to east of the proposed site, or protecting Live Oak Acres from flooding through levee construction along the river. Levee construction is not feasible for the individual homeowner and public funds are not available at this time. Studies necessary to move the floodway limits may be done by either the property owner or the County. This has been discussed with Mr. Stasse. In either case, the final product must be approved by FEMA prior to adoption at the local level. This process can be time consuming.

If you have any questions regarding this item, please call the undersigned at extension 2040.



G. J. Nowak, Deputy Director of Public Works
Flood Control and Water Resources Department

WGH:jg (5B/26)

Attach.

COPIES TO:

Andrew Stasse
PWA (2)
Files (3)
Item 13
9/29/87 fw

BOARD OF SUPERVISORS, COUNTY OF VENTURA, STATE OF CALIFORNIA

TUESDAY, SEPTEMBER 1, 1987, AT 8:30 A.M.

FC-Gen./ORD.3741

ALL MEMBERS PRESENT

After holding hearing and no persons appear to speak, upon motion of Supervisor Schaefer, seconded by Supervisor Lacey, and duly carried, the Board hereby approves the following recommendation:

PUBLIC WORKS AGENCY county of ventura

Director
Arthur E. Goulet

Manager — Administrative Services
Paul W. Ruffin

Deputy Directors
Ron Brazill
Real Property Services
Al F. Knuth
Transportation
T. M. Morgan
Engineering Services
G. J. Nowak
Flood Control/Water Resources

September 1, 1987

Board of Supervisors
County of Ventura
800 S. Victoria Avenue
Ventura, CA 93009

Subject: APPEAL OF HAWKS & ASSOCIATES
ON BEHALF OF A. J. WEST -
FLOOD PLAIN MANAGEMENT ORDINANCE

RECOMMENDATION

- Determine that:
 - a. Good and sufficient cause exists to grant the variance because of the change in federal criteria.
 - b. Granting the variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud or victimization to the public, or conflict with existing laws or ordinances.
- Grant a variance to permit placement of the mobile home without meeting the requirements of Chapter 5, Section 1 (1)(b) relating to placement of over-the-top ties.

DISCUSSION

Mr. A. J. West intends to place a mobile home on his property in Bardsdale. The site falls within an A6 zone on the Ventura County Flood Insurance Rate Map. Therefore, the placement must conform to the requirements of Ordinance No. 3741, the Ventura County Flood Plain Management Ordinance.

Chapter 5, Section 1(1)(b) of the ordinance sets forth specific requirements for over-the-top tie downs for mobile homes. By letter dated August 20, 1987, Hawks & Associates, on behalf of A. J. West, requested relief from these requirements which were established in accordance with the Federal Emergency Management Agency (FEMA) criteria in existence at the time the ordinance was adopted.

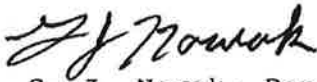
On August 25, 1986, FEMA published a final rule in the Federal Register which modified their criteria and, among other things, the requirement for over-the-top tie downs has been deleted.

We are in the process of preparing an amendment to Ordinance No. 3741 to conform to the new federal criteria but have not completed our work.

Granting a variance from the tie down requirements as requested will not violate federal criteria which are now effective. Since the ordinance is intended to carry out the federal rules, we believe the variance should be approved.

All other portions of Ordinance No. 3741 will continue to apply.

If you have any questions regarding this item, please call the undersigned at extension 2040.



G. J. Nowak, Deputy Director of Public Works
Flood Control and Water Resources Department

WGH/tw (5B/22)

COPIES TO:

PWA (2)
Hawks & Assoc.
Files (3)
Item 4
9/1/87 fw

BOARD OF SUPERVISORS, COUNTY OF VENTURA, STATE OF CALIFORNIA

TUESDAY, AUGUST 18, 1987, AT 8:30 A.M.

FC-Gen./Ord.3741

ALL MEMBERS PRESENT
EXCEPT SUPERVISOR SCHAEFER

After hearing testimony of Rudy Longo, upon motion of Supervisor Lacey, seconded by Supervisor Flynn, and duly carried, the Board hereby approves the following matter:

PUBLIC WORKS AGENCY county of ventura

Director
Arthur E. Goulet

Manager — Administrative Services
Paul W. Ruffin

Deputy Directors
Ron Brazill
Real Property Services
Al F. Knuth
Transportation
T. M. Morgan
Engineering Services
G. J. Nowak
Flood Control/Water Resources

August 18, 1987

Board of Supervisors
County of Ventura
800 S. Victoria Avenue
Ventura, CA 93009

Subject: APPEAL OF RUDY LONGO ON BEHALF
OF RANDY DAVIS - FLOOD PLAIN
MANAGEMENT ORDINANCE

RECOMMENDATION:

- Determine that:
 - a. Good and sufficient cause exists to grant the variance because of the change in federal criteria.
 - b. Granting the variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud or victimization to the public, or conflict with existing laws or ordinances.
- Grant a variance to permit placement of the mobile home without meeting the requirements of Chapter 5, Section 1 (1)(b) relating to placement of over-the-top ties.

DISCUSSION

Mr. Randy Davis intends to place a mobile home on Oso Road in Hawthorn Acres. The site falls within an A5 zone on the Ventura County Flood Insurance Rate Map. Therefore, the placement must conform to the requirements of Ordinance No. 3741, the Ventura County Flood Plain Management Ordinance.

Chapter 5, Section 1(1)(b) of the ordinance sets forth specific requirements for over-the-top tie downs for mobile homes. By letter dated July 28, 1987, Rudy Longo, on behalf of Randy Davis, has requested relief from their requirements which were established in accordance with the Federal Emergency Management Agency (FEMA) criteria in existence at the time the ordinance was adopted.

August 18, 1987

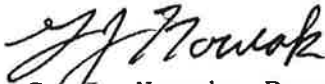
On August 25, 1986, FEMA published a final rule in the Federal Register which modified their criteria and, among other things, the requirement for over-the-top tie downs has been deleted.

We are in the process of preparing an amendment to Ordinance No. 3741 to conform to the new federal criteria but have not completed our work.

Granting a variance from the tie down requirement as requested will not violate federal criteria which are now effective. Since the ordinance is intended to carry out the federal rules, we believe the variance should be approved.

All other portions of Ordinance No. 3741 will continue to apply.

If you have any questions regarding this item, please call the undersigned at extention 2040.



G. J. Nowak, Deputy Director of Public Works
Flood Control and Water Resources Department

WGF:jg (5B/20)

COPIES TO:

PWA (2)
R. Longo
Files (3)
Item 6
8/18/87 fw

BOARD OF SUPERVISORS, COUNTY OF VENTURA, STATE OF CALIFORNIA

TUESDAY, JULY 14, 1987, AT 8:30 A.M.

FC-Gen/Ord.3741/4

ALL MEMBERS PRESENT

After holding public hearing and no persons appear to speak, upon motion of Supervisor Dougherty, seconded by Supervisor Flynn, and duly carried, the Board hereby approves the following matter:

RESOLUTION

ESTABLISHING POLICY AND FEES
RELATING TO THE
NATIONAL FLOOD INSURANCE PROGRAM

It is hereby ordered and resolved as follows:

Applicability

This resolution shall apply to services performed by the staff of the Ventura County Public Works Agency who may be requested by another party to provide Flood Insurance Rate Map data.

Policy

Public Works Agency staff shall respond to those requesting Flood Insurance Rate Map (FIRM) information only under the following circumstances.

- a. The request is made in writing with the site for which information is requested identified by its assessor's parcel number and the location of the structures on the parcel specified.
- b. The site must be located in the unincorporated area.
- c. Appropriate fees must accompany the request.

Payment of Fees

The fees for Public Works Agency services shall be the Agency's actual labor costs incurred in providing the requested service, except that a minimum \$25 fee will be charged which is to be paid at the time of the request. If it appears the service requested will result in a total fee substantially greater than the minimum fee, then a fee deposit for the estimated cost in excess of the minimum fee may be required.

Actual labor costs shall be based on the then existing Public Works Agency Labor Contract Rates, including necessary allowances for overhead and fringe benefits, approved by the Board of Supervisors. Deposits in excess of final actual costs will be refunded and any costs greater than the deposit will be due and payable by the party requesting the service. In no case will there be any adjustment for costs less than the minimum fee.

No service fee shall be charged to the requestor if Ventura County is reimbursed for its costs through another fee or by agreement with another governmental agency.

COUNTY OF VENTURA

By _____

By Maggie Eusebio
Chair, Board of Supervisors

ATTEST:

RICHARD D. DEAN, County Clerk,
County of Ventura, State of
California and ex officio Clerk
of the Board of Supervisors
thereof.

By Raye Willard
Deputy Clerk



(5B/12)

COPIES TO:

PWA (2)
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Files (4)
Item 7
7/14/87 fw

BOARD OF SUPERVISORS, COUNTY OF VENTURA, STATE OF CALIFORNIA

TUESDAY, JUNE 30, 1987, AT 8:30 A. M.

FC-General/ORD.#

ALL MEMBERS PRESENT

Upon motion of Supervisor Lacey, seconded by Supervisor Dougherty, and duly carried, the Board hereby approves the following matter:

PUBLIC WORKS AGENCY county of ventura

Director
Arthur E. Goulet

Manager -- Administrative Services
Paul W. Ruffin

Deputy Directors

Ron Brazill
Real Property Services
Al F. Knuth
Transportation
T. M. Morgan
Engineering Services
G. J. Nowak
Flood Control/Water Resources

June 30, 1987

Board of Supervisors
County of Ventura
800 South Victoria Avenue
Ventura, CA 93009

Subject: VENTURA COUNTY FLOOD PLAIN
MANAGEMENT ORDINANCE - FEES

RECOMMENDATION:

On June 30, 1987:

- Set a time certain of 10:00 on July 14, 1987 to receive oral or written presentations concerning establishment of a policy and fees for response to requests for Flood Insurance Rate Map data.
- Direct the Clerk of the Board to publish notice of the Public Hearing on this matter by the Board of Supervisors, as provided by Section 6066 of the Government Code, once a week for two successive weeks in a newspaper of general circulation printed and published in Ventura County.
- Direct the Clerk of the Board to make the estimated cost data submitted herewith available to any member of the general public requesting this information during the period prior to July 14, 1987 pursuant to Government Code Section 54992.

On July 14, 1987:

- Receive any oral and/or written presentations.
- After consideration of all information received, approve and authorize the Chair to sign the attached Resolution.

DISCUSSION:

On December 3, 1985, your Board adopted a schedule of fees to be charged for services relating to the Ventura County Flood Plain Management Ordinance (Ordinance 3741 as modified).

The fee schedule was for those services which were anticipated at that early stage in our experience with the new program.

As the program has evolved, two areas of work have developed. The first is services relating to processing permits required by Ordinance 3741; the second is providing flood hazard information to the real estate, insurance, and lending industries within Ventura County. The previously approved fee is only for processing permits.

Federal law makes it mandatory that lenders require flood insurance for all structures located in high hazard areas identified as A or V zones on Flood Insurance Rate Maps (FIRM). State law requires full disclosure by sellers to prospective buyers of real estate of flood problems. Both laws have resulted in a significant number of phone calls to the Public Works Agency requesting flood data from the FIRM. A count over a one-month period indicated about 150 contacts.

There is no legal requirement for the County to provide the realtors, agents, lenders, and other individuals with FIRM data. However, these people have found the County to be a convenient source for this data. Another source for this information is available at no cost to anyone by contacting the Federal Emergency Management Agency Map Distribution Center in Baltimore. Maps covering the County and all cities are also available on microfiche from a private vendor locally for \$95.00.

Providing the data at no cost to realtors, insurance agents and lenders results in a net cost to the General Fund for the Flood Plain Management Program. Actual and projected expenses and revenues this year are as follows:

| | <u>Revenue</u> | <u>Expense</u> | <u>Net Cost</u> |
|--------------------------------|----------------|----------------|-----------------|
| As of April 24, 1987 (Actual) | \$3,680 | \$18,006 | \$14,326 |
| As of July 1, 1987 (Projected) | \$4,200 | \$21,000 | \$16,800 |

Approximately 90% of the net cost results from contacts by people requesting information not related to the permit program. Therefore, we propose to reduce the net cost for non permit-related activity by implementing a fee for providing FIRM data only in response to written requests for sites located in the unincorporated area.

The attached resolution sets forth the requirements and fees for activities related to provision of FIRM data.

This item has been coordinated with the Auditor-Controller, County Counsel, and the Chief Administrative Officer.

June 30, 1987

If you have questions regarding this item, please contact the undersigned at extension 2040.



G. J. Nowak, Deputy Director of Public Works
Flood Control and Water Resources Department

WGH/tw/jg (5B/12)

Attach.

COPIES TO:

PWA (2)
Auditor
Files (3)
Item 36
6/30/87 fw

Estimate of Cost
Processing of FIRM Requests

Contract Rates* - 1988

| | |
|-----------------|------------------|
| Senior Engineer | \$69.48 per hour |
| Engineer IV | 59.23 per hour |
| Engineer III | 50.46 per hour |

Average contract rate \$59.72 per hour

*5% added to 1987 rates

Assume form letter response.

Work involved is finding structure location, transferring location to FIRM map, determining flood zone, and preparing response.

Secretarial work is considered in overhead.

Estimated time for 1 engineer - 25 minutes.

Estimated cost $\$59.72/\text{hr.} \times \frac{25 \text{ min.}}{60 \text{ min.}} = \24.88

Use \$25.00.

BOARD OF SUPERVISORS, COUNTY OF VENTURA, STATE OF CALIFORNIA

TUESDAY, JULY 8, 1986, AT 8:30 O'CLOCK A. M.

FC-Gen./Ord. #3741

ALL MEMBERS PRESENT

Upon motion of Supervisor Erickson, seconded by Supervisor Lacey, and duly carried, the Board hereby approves the following recommendation:

PUBLIC WORKS AGENCY county of ventura

Director
Arthur E. Goulet

Manager -- Administrative Services
Paul W. Ruffin

Deputy Directors
Ron Brazill
Real Property Services
Al F. Knuth
Transportation
T. M. Morgan
Engineering Services
G. J. Nowak
Flood Control/Water Resources

July 8, 1986

Board of Supervisors
County of Ventura
800 South Victoria Avenue
Ventura, CA 93009

Subject: APPEAL RELATING TO REQUIREMENTS OF FLOOD PLAIN MANAGEMENT ORDINANCE, BERND DRESSLER, OJAI VALLEY

RECOMMENDATION:

Determine that:

- (a) There is good and sufficient cause to grant the variance because an existing rock wall (to be modified) protects the property from flooding.
- (b) Failure to grant the variance will result in exceptional hardship to the applicant.
- (c) Granting the variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization to the public, or conflict with existing laws or ordinances.

Grant a variance under Ordinance 3741, as amended, to permit construction of an agricultural storage building by Bernd Dressler, subject to the conditions that Mr. Dressler: (1) constructs a "stop log" structure, approved by the Public Works Agency, at his driveway opening in the rock wall, and (2) enters into an agreement with the County holding the County harmless in the event of flood damage to the building.

DISCUSSION:

Mr. Bernd Dressler, 2850 Fordyce Road, Ojai, is requesting that your Board provide relief from the requirements of the Flood Plain Management Ordinance, (Ordinance 3741) as such relates to a proposed 30 foot by 100 foot building he desires to place on his property in East Ojai. The purpose of the structure is to allow storage of farm related equipment and may include a workshop in the future. Staff does not have the authority to grant variances; such authority has been retained by your Board.

BOARD OF SUPERVISORS, COUNTY OF VENTURA, STATE OF CALIFORNIA

TUESDAY, NOVEMBER 5, 1985, AT 8:30 O'CLOCK A.M.

FC-Gen./ORD. #3750/ORD. #3741

ALL MEMBERS PRESENT

Upon motion of Supervisor Erickson, seconded by Supervisor Lacey, and duly carried, the Board hereby approves the following matter:

PUBLIC WORKS AGENCY county of ventura

Director
Arthur E. Goulet

Manager — Administrative Services
Paul W. Ruffin

Deputy Directors

Ron Brazill
Real Property Services
Al F. Knuth
Transportation
T. M. Morgan
Engineering Services
G. J. Nowak
Flood Control/Water Resources

November 5, 1985

Board of Supervisors
County of Ventura
800 South Victoria Avenue
Ventura, CA 93009

Subject: MODIFICATION OF THE VENTURA COUNTY FLOOD PLAIN
MANAGEMENT ORDINANCE (ORD. 3741)

Recommendation:

As an urgency measure, adopt the attached additions to the Ventura County Flood Plain Management Ordinance.

Discussion:

In order to mitigate costs related to structural damage that may occur from flooding in the aftermath of the Wheeler Fire, your Board found it desirable to have increased flood insurance limits available to people living in Ventura County's unincorporated area. To accomplish this purpose, it was necessary to adopt the Ventura County Flood Plain Management Ordinance (Ordinance 3741) to satisfy federal requirements for conversion from the "emergency" to the "regular" portion of the National Flood Insurance Program (NFIP). The ordinance was adopted as an urgency measure on September 3, 1985. We have been informed by the Federal Emergency Management Agency that the ordinance is satisfactory, and that conversion will occur with an effective date of October 31, 1985.

Although the ordinance meets the requirements of the NFIP, it lacks certain clauses necessary to make it fully acceptable for administration at the local level. To correct the deficiencies, the attached ordinance is proposed to add the following features to Ordinance 3741.

1. Language dealing with severability to preserve remaining portions of the ordinance in the event some portion is determined invalid.
2. Language indicating that the meaning of the ordinance is not to be limited or otherwise affected by the title or various chapter or section headings.

3. Provision of a section which will invalidate Flood Plain Development Permits in the event work authorized thereunder is not started within a reasonable time.
4. Provision of a mechanism for levying fees to cover costs of the County in the administration of this ordinance.
5. Addition of language to Chapter 7, Section 1, Appeal Board, to broaden allowable considerations during appeals.
6. A minor change in Chapter 8, Section 1.

The proposed changes have been reviewed by representatives of the NFIP to insure the proposed changes will not invalidate the insurance program in Ventura County and have been approved by County Counsel.

It is intended that the ordinance be passed as an urgency ordinance to insure that it is immediately operational.

Adoption of the ordinance is not an activity governed by the provisions of CEQA.

If you have questions regarding this item, please contact the undersigned at Ext. 2073.


Arthur E. Goulet
Director of Public Works

WGH:ch

Attachment

COPIES TO:

PWA (2)
Auditor
Files (4)
Item 21
11/5/85

fw

BOARD OF SUPERVISORS, COUNTY OF VENTURA, STATE OF CALIFORNIA

TUESDAY, NOVEMBER 5, 1985, AT 8:30 O'CLOCK A. M.

ORD. 3750/FC-Gen./ORD. 3741

ADOPTING ORDINANCE NO. 3750; MODIFICATION
OF THE FLOOD PLAIN MANAGEMENT ORDINANCE 3741

An Ordinance modifying the Ventura County Flood Plain
Management Ordinance

is presented to the Board at this time, and upon motion of
Supervisor Erickson, seconded by Supervisor Lacey,
and duly carried, it is ordered that the same be passed and
adopted as an ordinance of the County of Ventura, to be known
as Ordinance No. 3750.

Board members vote as follows:

Ayes: Supervisors Lacey, Jones, Erickson, Flynn, Dougherty

Noes: None

Absent: None

All members of the Board present voting on the passage and
adoption of said ordinance, it is hereby declared and ordered
that said ordinance is hereby passed and adopted as an ordinance
of the County of Ventura, to be known as Ordinance No. 3750.

It is further ordered that said ordinance shall take effect
and be in force at the expiration of thirty (30) days from the
date hereof and before the expiration of fifteen (15) days the
same shall be published, with the names of the members of the
Board of Supervisor voting for and against the same, at least
once in the Camarillo Daily News a newspaper of general
circulation printed and published in the County of Ventura, State
of California.

COPIES TO:

PWA (2)
Auditor
Files (4)
Item 21A
11/5/85

fw

ORDINANCE NO. 3750

AN ORDINANCE MODIFYING THE
VENTURA COUNTY FLOOD PLAIN MANAGEMENT ORDINANCE

The Board of Supervisors of Ventura County do ordain as follows:

Section 1. Section 7 is added to Chapter 3 of Ordinance 3741 to read as follows:

Section 7 - Severability

If any section, subsection, sentence, clause, phrase or other portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portion or portions of this ordinance. The Board of Supervisors of Ventura County hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, clauses, phrases or other portions be declared invalid or unconstitutional.

Section 2. Section 8 is added to Chapter 3 of Ordinance 3741 to read as follows:

Section 8 - Effect of Headings

Section headings contained herein shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or intent of any of the provisions of this ordinance.

Section 3. Section 4 is added to Chapter 4 of Ordinance 3741 to read as follows:

Section 4 - Fees

- * Before a permit is issued, an applicant shall pay the enforcing officer the fees authorized by this Section.

1. Fees - A schedule of fees shall be adopted by Resolution of the Board of Supervisors of Ventura County. Such fees will reimburse the County for costs incurred in the processing, investigation, renewal and modification of Flood Plain Development Permits.

Section 4. Section 5 is added to Chapter 4 of Ordinance 3741 to read as follows:

Section 5. Commencement of Work

The Permittee shall begin the work authorized by the Flood Plain Development Permit within one hundred eighty (180) calendar days from the date of issuance of this permit. A permit which has become void by reason of noncommencement of work in 180 days may be renewed one time for a 180-day period within thirty (30) days after such permit becomes void at the discretion of the enforcing officer upon payment of a renewal fee; if the enforcing officer does not consent to such renewal, a permit may be granted only upon following the procedures herein established for the original application. In the event a permit becomes void and such permit is not renewed within the time allowed for renewal, the enforcing officer shall, within ninety (90) days after such permit becomes void, return to the former permittee any part of his permit fee in excess of the total of the Application Fee, Plan Check Fee and any other fees paid not relating to inspection of the work during construction, as well as any surety bond, cash bond, or instrument of credit the former permittee may have paid to or filed with the enforcing officer, pursuant to the terms of this ordinance.

Section 5. Section 1 of Chapter 7 of Ordinance 3741 is amended to read as follows:

Section 1 - Appeal Board

- (1) The Ventura County Board of Supervisors acting as the appeal board shall hear and decide appeals and requests for variances from the requirements of this chapter. The appeal board shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Director of Public Works in the enforcement or administration of this chapter.
- (2) Those aggrieved by the decision of the appeal board, or any taxpayer, may seek judicial review of such decision in the Superior Court pursuant to Section 1094.5 of the Code of Civil Procedure provided that proceedings are commenced within ninety (90) days after such decision is final.
- (3) A decision of the appeal board is final and may not be reconsidered on the day following the day on which the decision was rendered.
- (4) In passing upon such applications, the appeal board shall consider all technical evaluations, all relevant factors, standards specified in other sections or chapter, and:
 - (a) The danger that materials may be swept onto other lands to the injury of others;
 - (b) The danger to life and property due to flooding or erosion damage;

- (c) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 - (d) The importance of the services provided by the proposed facility to the community;
 - (e) The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
 - (f) The compatibility of the proposed use with existing and anticipated development;
 - (g) The relationship of the proposed use to the comprehensive plan and flood plain management program for that area;
 - (h) The safety of access to the property in times of flood for ordinary and emergency vehicles;
 - (i) The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and
 - (j) The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems and streets and bridges.
- (5) Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of 1/2 acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, provided the items listed in Chapter 7, Section 1 (4), have been fully considered. As the lot size increases beyond 1/2 acre, the technical justification required for issuing the variance increases.
- (6) Upon consideration of the factors of Chapter 7, Section 1 (4) and the purposes of this chapter, the appeal board may attach such conditions to the granting of appeals and variances as deemed necessary to further the purposes of this chapter.
- (7) The Director of Public Works shall maintain the records of all appeal actions and report any variances to the Federal Insurance Administration upon request.

Section 6. Section 1 of Chapter 8 of Ordinance 3741 is amended to read as follows:

Section 1 - Abatement of Nuisance

A violation of Chapter 3, Section 3 of this ordinance is declared to be a public nuisance and may be abated. In the event of abatement, the costs of such abatement shall be assessed to the violator. If the violator maintains a nuisance upon real property in which he has less than total interest, the assessment shall be a charge upon such property to the extent of the violator's interest therein. The assessment shall be collected at the same time and in the same manner as ordinary county taxes are collected, and shall be subject to the same penalties and the same procedure for sale in case of delinquency as provided for ordinary taxes. All laws applicable to the levy, collection and enforcement of county taxes shall be applicable to such assessment, except as otherwise provided in Government Code Section 25845. The procedure established for the repair, rehabilitation, vacation or demolition of standard buildings by the Uniform Housing Code, 1982 Edition, commencing with Chapter 11 thereof, to the extent it can reasonably be applied to violations of Chapter 3, Section 3, hereof, is hereby incorporated herein as though fully set forth at this point and is hereby adopted as the procedure for abatement inspection, abatement and for assessing the cost of abatement of such nuisances to the violator or against the land involved, provided that for the purposes of the Uniform Housing Code, the "Director of Public Works" is the "Building Official" and the "Board of Supervisors" is the "Board of Appeals".

Section 7. Effective Date

This ordinance is an urgency ordinance necessary for the preservation of the public peace, health and safety shall go into immediate effect. The facts constituting the necessity are:

In order that this ordinance will allow and provide as soon as possible for the full implementation of procedures for the availability of the maximum of federal flood insurance for persons in the unincorporated area of the county against significant flood damage as a result of the recent devastating grass and brush fires in the county, it is necessary that this ordinance take effect immediately.

ADOPTED on November 5, 1985 by
the following votes:

AYES: Supervisors Lacey, Jones, Erickson, Flynn,
Dougherty
NOES: Supervisors None
ABSENT: Supervisor None

James A. Dougherty
Chair, Board of Supervisors

ATTEST:

RICHARD D. DEAN, County
Clerk, County of Ventura,
State of California, and
ex-officio Clerk of the
Board of Supervisors thereof.

By

James D. Hillard
Deputy Clerk



BOARD OF SUPERVISORS, COUNTY OF VENTURA, STATE OF CALIFORNIA

TUESDAY, NOVEMBER 19, 1985, AT 8:30 O'CLOCK A.M.

FC-GEN/ORD.#3741

ALL MEMBERS PRESENT

Upon motion of Supervisor Erickson, seconded by Supervisor Lacey, and duly carried, the Board hereby approves the following matter:

PUBLIC WORKS AGENCY **county of ventura**

Director
Arthur E. Goulet

Manager — Administrative Services
Paul W. Ruffin

Deputy Directors

Ron Brazill
Real Property Services
Al F. Knuth
Transportation
T. M. Morgan
Engineering Services
G. J. Nowak
Flood Control/Water Resources

November 19, 1985

Board of Supervisors
County of Ventura
800 S. Victoria Avenue
Ventura, CA 93009

**Subject: VENTURA COUNTY FLOOD PLAIN MANAGEMENT
ORDINANCE - FEES**

Recommendation:

On November 19, 1985

1. Set a time certain of 10:00 a.m. on December 3, 1985, to hear oral or written presentations concerning establishment of fees for services and permits relating to the Ventura County Flood Plain Management Ordinance (Ordinance #3741).
2. Direct the Clerk of the Board to make the estimated cost and revenue data submitted herewith available to any member of the general public requesting this information during the period prior to December 3, 1985, pursuant to the requirements of Government Code Section 54992.

On December 3, 1985

1. Hear and receive any oral and/or written material made, presented or filed.
2. After consideration of all information received, approve and authorize the Chair to sign the attached Resolution establishing fee requirements.

Discussion:

On September 3, 1985, your Board adopted the Ventura County Flood Plain Management Ordinance in order to conform to various requirements of the National Flood Insurance Program. At that time you were informed that we would return to your Board with a recommended fee schedule for processing of Flood Plain Development Permits (an activity created by the ordinance).

November 19, 1985

The attached resolution sets forth the suggested fees for various activities related to the Ordinance. We have no cost experience relating to this function but, however, we expect the costs to be similar to those of the closely related watercourse/encroachment permit function of the Flood Control District.

Your Board should be aware that administration of Ordinance 3741 is a general function of the County. Since revenues are expected to offset expenses, no General Fund subsidy should be required.

This item has been coordinated with the Auditor-Controller, County Counsel, and the Chief Administrative Officer.

If you have questions regarding this item, please contact the undersigned at Extension 2040.

Very truly yours,



G. J. Nowak, Deputy Director of Public Works
Flood Control and Water Resources Department

WGH/tw

Enclosures

COPIES TO:

PWA (2)
Auditor
Files (3)
Item 25
11/19/85

ko

BOARD OF SUPERVISORS, COUNTY OF VENTURA, STATE OF CALIFORNIA

TUESDAY, DECEMBER 3, 1985, AT 8:30 O'CLOCK A. M.

FC-General/ORD. 3741/ORD. 3750

ALL MEMBERS PRESENT

BOARD OF SUPERVISORS

COUNTY OF VENTURA

STATE OF CALIFORNIA

RESOLUTION ESTABLISHING FEES
RELATING TO THE
VENTURA COUNTY FLOOD PLAIN MANAGEMENT ORDINANCE

It is hereby ordered and resolved as follows:

Applicability

This resolution shall apply to services performed by the staff of the Ventura County Public Works Agency at the request of another party for all purposes relating to issuance of Flood Plain Development Permits or other requested services pursuant to the Ventura County Flood Plain Management Ordinance.

Payment of Fees

The fees for Public Works Agency services shall be the Agency's actual labor costs incurred in providing the requested service, except that there will be a minimum \$55 fee which is to be paid at the time of the request with the exclusion that the federal form known as an Elevation Certificate may be processed for a fee of \$30 when required information is available in the Public Works Agency. The below listed fees are established for the Flood Plain Management Ordinance. If it appears the service requested will result in a total fee substantially greater than the minimum fees indicated, then a fee deposit for the estimated cost in excess of the minimum fee may be requested.

Actual labor costs shall be the products of the then existing Labor Contract Rates, including necessary allowances for overhead and fringe benefits, for the Public Works Agency approved by the Board of Supervisors and the actual recorded time expended for each service. Deposits in excess of final actual costs will be refunded and any costs greater than a deposit will be due and payable by the party requesting the service. In no case will there be any adjustment for costs less than the minimum fee.

No service fee shall be charged to the requestor if Ventura County is reimbursed for its costs through another fee or by agreement with another governmental agency.

Fee Tabulation

| | |
|--|--|
| Application Fee | \$55 |
| Investigation Fee | * |
| Renewal Fee | \$55 |
| Modification Fee | *\$55 minimum |
| Federal Processing Fee | Actual Cost levied by the Federal government |
| Elevation Certificate (FEMA Form 81-31) | \$30 |

*Additional fees up to \$200 may be charged by estimate.
Actual cost to be charged over \$255.

ADOPTED on December 3, 1985

COUNTY OF VENTURA

By

James B. W. [Signature]
Chair, Board of Supervisors

ATTEST:

RICHARD D. DEAN, County Clerk
of the County of Ventura and
ex officio Clerk of the
Ventura County Flood Control
District Board of Supervisors

By

Ray [Signature]
Deputy Clerk



COPIES TO:

PWA (2)
Auditor
Cost Accounting
Files (4)
Item 5
12/3/85

fw

AN ORDINANCE MODIFYING THE
VENTURA COUNTY FLOOD PLAIN MANAGEMENT ORDINANCE

The Board of Supervisors of Ventura County do ordain as follows:

Section 1. Section 7 is added to Chapter 3 of Ordinance 3741 to read as follows:

Section 7 - Severability

If any section, subsection, sentence, clause, phrase or other portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portion or portions of this ordinance. The Board of Supervisors of Ventura County hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, clauses, phrases or other portions be declared invalid or unconstitutional.

Section 2. Section 8 is added to Chapter 3 of Ordinance 3741 to read as follows:

Section 8 - Effect of Headings

Section headings contained herein shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or intent of any of the provisions of this ordinance.

Section 3. Section 4 is added to Chapter 4 of Ordinance 3741 to read as follows:

Section 4 - Fees

Before a permit is issued, an applicant shall pay the enforcing officer the fees authorized by this Section.

1. Fees - A schedule of fees shall be adopted by Resolution of the Board of Supervisors of Ventura County. Such fees will reimburse the County for costs incurred in the processing, investigation, renewal and modification of Flood Plain Development Permits.

Section 4. Section 5 is added to Chapter 4 of Ordinance 3741 to read as follows:

Section 5. Commencement of Work

The Permittee shall begin the work authorized by the Flood Plain Development Permit within one hundred eighty (180) calendar days from the date of issuance of this permit. A permit which has become void by reason of noncommencement of work in 180 days may be renewed one time for a 180-day period within thirty (30) days after such permit becomes void at the discretion of the enforcing officer upon payment of a renewal fee; if the enforcing officer does not consent to such renewal, a permit may be granted only upon following the procedures herein established for the original application. In the event a permit becomes void and such permit is not renewed within the time allowed for renewal, the enforcing officer shall, within ninety (90) days after such permit becomes void, return to the former permittee any part of his permit fee in excess of the total of the Application Fee, Plan Check Fee and any other fees paid not relating to inspection of the work during construction, as well as any surety bond, cash bond, or instrument of credit the former permittee may have paid to or filed with the enforcing officer, pursuant to the terms of this ordinance.

Section 5. Section 1 of Chapter 7 of Ordinance 3741 is amended to read as follows:

Section 1 - Appeal Board

- (1) The Ventura County Board of Supervisors acting as the appeal board shall hear and decide appeals and requests for variances from the requirements of this chapter. The appeal board shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Director of Public Works in the enforcement or administration of this chapter.
- (2) Those aggrieved by the decision of the appeal board, or any taxpayer, may seek judicial review of such decision in the Superior Court pursuant to Section 1094.5 of the Code of Civil Procedure provided that proceedings are commenced within ninety (90) days after such decision is final.
- (3) A decision of the appeal board is final and may not be reconsidered on the day following the day on which the decision was rendered.
- (4) In passing upon such applications, the appeal board shall consider all technical evaluations, all relevant factors, standards specified in other sections or chapter, and:
 - (a) The danger that materials may be swept onto other lands to the injury of others;
 - (b) The danger to life and property due to flooding or erosion damage;

- (c) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 - (d) The importance of the services provided by the proposed facility to the community;
 - (e) The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
 - (f) The compatibility of the proposed use with existing and anticipated development;
 - (g) The relationship of the proposed use to the comprehensive plan and flood plain management program for that area;
 - (h) The safety of access to the property in times of flood for ordinary and emergency vehicles;
 - (i) The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and
 - (j) The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems and streets and bridges.
- (5) Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of 1/2 acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, provided the items listed in Chapter 7, Section 1 (4), have been fully considered. As the lot size increases beyond 1/2 acre, the technical justification required for issuing the variance increases.
- (6) Upon consideration of the factors of Chapter 7, Section 1 (4) and the purposes of this chapter, the appeal board may attach such conditions to the granting of appeals and variances as deemed necessary to further the purposes of this chapter.
- (7) The Director of Public Works shall maintain the records of all appeal actions and report any variances to the Federal Insurance Administration upon request.

Section 6. Section 1 of Chapter 8 of Ordinance 3741 is amended to read as follows:

Section 1 - Abatement of Nuisance

A violation of Chapter 3, Section 3 of this ordinance is declared to be a public nuisance and may be abated. In the event of abatement, the costs of such abatement shall be assessed to the violator. If the violator maintains a nuisance upon real property in which he has less than total interest, the assessment shall be a charge upon such property to the extent of the violator's interest therein. The assessment shall be collected at the same time and in the same manner as ordinary county taxes are collected, and shall be subject to the same penalties and the same procedure for sale in case of delinquency as provided for ordinary taxes. All laws applicable to the levy, collection and enforcement of county taxes shall be applicable to such assessment, except as otherwise provided in Government Code Section 25845. The procedure established for the repair, rehabilitation, vacation or demolition of standard buildings by the Uniform Housing Code, 1982 Edition, commencing with Chapter 11 thereof, to the extent it can reasonably be applied to violations of Chapter 3, Section 3, hereof, is hereby incorporated herein as though fully set forth at this point and is hereby adopted as the procedure for abatement inspection, abatement and for assessing the cost of abatement of such nuisances to the violator or against the land involved, provided that for the purposes of the Uniform Housing Code, the "Director of Public Works" is the "Building Official" and the "Board of Supervisors" is the "Board of Appeals".

Section 7. Effective Date

This ordinance is an urgency ordinance necessary for the preservation of the public peace, health and safety shall go into immediate effect. The facts constituting the necessity are:

In order that this ordinance will allow and provide as soon as possible for the full implementation of procedures for the availability of the maximum of federal flood insurance for persons in the unincorporated area of the county against significant flood damage as a result of the recent devastating grass and brush fires in the county, it is necessary that this ordinance take effect immediately.

ADOPTED on November 5, 1985 by
the following votes:

AYES: Supervisors Lacey, Jones, Erickson, Flynn,
Dougherty
NOES: Supervisors None
ABSENT: Supervisor None

James R. [Signature]
Chair, Board of Supervisors

ATTEST:

RICHARD D. DEAN, County
Clerk, County of Ventura,
State of California, and
ex-officio Clerk of the
Board of Supervisors thereof.

By *Ray [Signature]*
Deputy Clerk



BOARD OF SUPERVISORS, COUNTY OF VENTURA, STATE OF CALIFORNIA

TUESDAY, NOVEMBER 5, 1985, AT 8:30 O'CLOCK A. M.

ORD. 3750/FC-Gen./ORD. 3741

ADOPTING ORDINANCE NO. 3750; MODIFICATION
OF THE FLOOD PLAIN MANAGEMENT ORDINANCE 3741

An Ordinance modifying the Ventura County Flood Plain
Management Ordinance

is presented to the Board at this time, and upon motion of
Supervisor Erickson, seconded by Supervisor Lacey,
and duly carried, it is ordered that the same be passed and
adopted as an ordinance of the County of Ventura, to be known
as Ordinance No. 3750.

Board members vote as follows:

Ayes: Supervisors Lacey, Jones, Erickson, Flynn, Dougherty

Noes: None

Absent: None

All members of the Board present voting on the passage and
adoption of said ordinance, it is hereby declared and ordered
that said ordinance is hereby passed and adopted as an ordinance
of the County of Ventura, to be known as Ordinance No. 3750.

It is further ordered that said ordinance shall take effect
and be in force at the expiration of thirty (30) days from the
date hereof and before the expiration of fifteen (15) days the
same shall be published, with the names of the members of the
Board of Supervisor voting for and against the same, at least
once in the Camarillo Daily News a newspaper of general
circulation printed and published in the County of Ventura, State
of California.

COPIES TO:

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Auditor
Files (4)
Item 21A
11/5/85

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AFFIDAVIT OF PUBLICATION

In the Matter of the Publication

County of Ventura - Ordinance No. 3750

GI-7274

DN 2307

STATE OF CALIFORNIA

County of Ventura ss.

Pat Brown, being duly sworn, deposes:
I am a citizen of the United States, over twenty-one years of age, and am in nowise interested in nor a party to the above entitled matter; I am and at all times stated herein have been Secretary of

the printer and publisher of

The Daily News

which is and at all times stated herein was, a newspaper of general circulation as that term is defined by Article I, Chapter 1 of Division 7 of Title 1, of the Government Code of this State, and published weekly for the dissemination of local and telegraphic news and intelligence of a general character, having a bona fide subscription list of paying subscribers, which paper is not and has not been devoted to the interests or published for the entertainment or instruction of any particular class, profession, trade, calling, race or denomination, or for the entertainment or instruction of any number of such classes, professions, trades, callings, races or denominations; at all said times said newspaper has been established, printed and published at regular intervals in the said county and state, for more than one year next preceding the first publication of the notice herein mentioned; and that said newspaper has been established as a newspaper of general circulation as provided by Article 2, Chapter 1, of Division 7, of Title 1 of the Government Code of this State, by a judgment of the Superior Court of said County and State, which said judgment has not been vacated, modified or set aside prior to date hereof; said notice was set in type not smaller than nonpareil, and was preceded with words printed in blackface type not smaller than nonpareil, describing and expressing in general terms the purport and character of the notice intended to be given; the

said notice

of which the annexed is a full and true printed copy, was printed and published in all the regular issues of said newspaper for

one consecutive publication

weeks, to-wit: on November 15, 1985

and further I sayeth not.

I declare under penalty of perjury that the foregoing is true and correct.

Pat Brown

November 15, 1985

Date

RECEIVED

NOV 20 AM 10:48

News, Camarillo, Calif.

PUBLIC NOTICE

ORDINANCE NO. 3750

AN ORDINANCE MODIFYING THE VENTURA COUNTY FLOOD PLAIN MANAGEMENT ORDINANCE

The Board of Supervisors of Ventura County do ordain as follows:

Section 1. Section 7 is added to Chapter 3 of Ordinance 3741 to read as follows:

Section 7 - Severability
If any section, subsection, sentence, clause, phrase or other portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portion or portions of this ordinance. The Board of Supervisors of Ventura County hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, clauses, phrases or other portions be declared invalid or unconstitutional.

Section 2. Section 8 is added to Chapter 3 of Ordinance 3741 to read as follows:

Section 8 - Effect of Hearings
Section hearings contained herein shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or intent of any of the provisions of this ordinance.

SECTION 3. Section 4 is added to Chapter 4 of Ordinance 3741 to read as follows:

Section 4 - Fees
Before a permit is issued, an applicant shall pay the enforcing officer the fees authorized by this section.
1. Fees - A schedule of fees shall be adopted by Resolution of the Board of Supervisors of Ventura County. Such fees will reimburse the County for costs incurred in the processing, investigation, renewal and modification of Flood Plain Development Permits.

Section 4. Section 5 is added to Chapter 4 of Ordinance 3741 to read as follows:

Section 5 - Commencement of Work

The Permittee shall begin the work authorized by the Flood Plain Development Permit within one hundred eighty (180) calendar days from the date of issuance of this permit. A permit which has become void by reason of noncommencement of work in 180 days may be renewed one time for a 180-day period within thirty (30) days after such permit becomes void at the discretion of the enforcing officer upon payment of a renewal fee. If the enforcing officer does not consent to such renewal, a permit may be granted only upon following the procedures herein

established for the original application. In the event a permit becomes void and such permit is not renewed within the time allowed for renewal, the enforcing officer shall, within ninety (90) day after such permit becomes void, return to the former permittee any part of his permit fee in excess of the total of the Application Fee, Plan Check Fee and any other fees paid not relating to inspection of the work during construction, as well as any surety bond, cash bond, or instrument of credit the former permittee may have paid to or filed with the enforcing officer, pursuant to the terms of this ordinance.

Section 5. Section 1 of Chapter 7 of Ordinance 3741 is amended to read as follows:

Section 1 - Appeal Board
(1) The Ventura County Board of Supervisors acting as the appeal board shall hear and decide appeals and requests for variances from the requirements of this chapter. The appeal board shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Director of Public Works in the enforcement of administration of this chapter.

(2) Those aggrieved by the decision of the appeal board, or any taxpayer, may seek judicial review of such decision in the Superior Court pursuant to Section 1094.5 of the Code of Civil Procedure provided that proceedings are commenced within ninety (90) days after such decision is final.
(3) A decision of the appeal board is final and may not be reconsidered on the day following the day on which the decision was rendered.

(4) In passing upon such applications, the appeal board shall consider all technical evaluation, all relevant factors, standards specified in other sections or chapter, and

(5) The danger that materials may be swept onto other lands to the injury of others:

(6) The danger to life and property due to flooding or erosion damage;

(7) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;

(8) The importance of the services provided by the proposed facility to the community;

(9) The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;

(10) The compatibility of the proposed use with existing and anticipated development;

(11) The relationship of the proposed use to the comprehensive plan and flood plain management program for that area;

(12) The safety of access to the property in times of flood for ordinary and emergency vehicles;

(13) The expected heights, velocity, duration, rate of rise and extent of flood waters, and the effects of wave action, if applicable, extracted at the site and

post actions and request for relief to the Federal Insurance Administration upon request.

Section 5. Section 1 of Chapter 7 of Ordinance 3741 is amended to read as follows:

Section 1 - Abatement of Nuisance
A violation of Chapter 3, Section 1 of this ordinance is declared to be a public nuisance and may be abated in the event of abatement the costs of such abatement be assessed to the violator. If violator maintains a nuisance in real property in which he has a total interest, the assessed shall be a charge upon such property to the extent of the violation.

Section 2. Section 2 of Chapter 7 of Ordinance 3741 is amended to read as follows: The assessed shall be collected at the same and in the same manner as any county taxes, are collected and shall be subject to the same penalties and the same procedure for sale in case of delinquency provided for ordinary taxes.

Section 3. Section 3 of Chapter 7 of Ordinance 3741 is amended to read as follows: The assessed shall be applicable to the levy, collection and enforcement of taxes shall be applicable to assessments, except as otherwise provided in Government Code Section 26845. The procedure for sale in case of delinquency shall be applicable to the levy, collection and enforcement of taxes shall be applicable to assessments, except as otherwise provided in Government Code Section 26845. The procedure for sale in case of delinquency shall be applicable to the levy, collection and enforcement of taxes shall be applicable to assessments, except as otherwise provided in Government Code Section 26845.

Section 4. Section 4 of Chapter 7 of Ordinance 3741 is amended to read as follows: The assessed shall be applicable to the levy, collection and enforcement of taxes shall be applicable to assessments, except as otherwise provided in Government Code Section 26845. The procedure for sale in case of delinquency shall be applicable to the levy, collection and enforcement of taxes shall be applicable to assessments, except as otherwise provided in Government Code Section 26845. The procedure for sale in case of delinquency shall be applicable to the levy, collection and enforcement of taxes shall be applicable to assessments, except as otherwise provided in Government Code Section 26845.

Section 7. Effective Date
This ordinance is an urgency ordinance necessary for the protection of the public peace, health and safety and shall go into immediately effect. The facts constituting it are:

In order that this ordinance be law and provide as soon as possible for the full implementation of the maximum of federal assistance for persons in the upland area of the county a significant flood damage as a result of the recent devastating and drought like in the county necessary that this ordinance effect immediately.

ADOPTED on November 15, 1985 by the following vote:

AYES: Supervisors Lacey, Erickson, Flynn, Dougherty, NOES: Supervisors None

ABSENT: Supervisors None

James R. Dougherty
Chair, Board of Supervisors

ATTEST:
RICHARD D. DEAN, County Clerk of Ventura, State of California, and ex-officio Clerk of Board of Supervisors there

By: Faye Ward
Deputy Clerk

Pub News, November 15, 1985
2307

BOARD OF SUPERVISORS, COUNTY OF VENTURA, STATE OF CALIFORNIA

TUESDAY, DECEMBER 3, 1985, AT 8:30 O'CLOCK A. M.

FC-General/ORD. 3741/ORD. 3750
BOARD OF SUPERVISORS

ALL MEMBERS PRESENT

COUNTY OF VENTURA

STATE OF CALIFORNIA

RESOLUTION ESTABLISHING FEES
RELATING TO THE
VENTURA COUNTY FLOOD PLAIN MANAGEMENT ORDINANCE

It is hereby ordered and resolved as follows:

Applicability

This resolution shall apply to services performed by the staff of the Ventura County Public Works Agency at the request of another party for all purposes relating to issuance of Flood Plain Development Permits or other requested services pursuant to the Ventura County Flood Plain Management Ordinance.

Payment of Fees

The fees for Public Works Agency services shall be the Agency's actual labor costs incurred in providing the requested service, except that there will be a minimum \$55 fee which is to be paid at the time of the request with the exclusion that the federal form known as an Elevation Certificate may be processed for a fee of \$30 when required information is available in the Public Works Agency. The below listed fees are established for the Flood Plain Management Ordinance. If it appears the service requested will result in a total fee substantially greater than the minimum fees indicated, then a fee deposit for the estimated cost in excess of the minimum fee may be requested.

Actual labor costs shall be the products of the then existing Labor Contract Rates, including necessary allowances for overhead and fringe benefits, for the Public Works Agency approved by the Board of Supervisors and the actual recorded time expended for each service. Deposits in excess of final actual costs will be refunded and any costs greater than a deposit will be due and payable by the party requesting the service. In no case will there be any adjustment for costs less than the minimum fee.

No service fee shall be charged to the requestor if Ventura County is reimbursed for its costs through another fee or by agreement with another governmental agency.

Fee Tabulation

| | |
|--|--|
| Application Fee | \$55 |
| Investigation Fee | * |
| Renewal Fee | \$55 |
| Modification Fee | *\$55 minimum |
| Federal Processing Fee | Actual Cost levied by the Federal government |
| Elevation Certificate (FEMA Form 81-31) | \$30 |

*Additional fees up to \$200 may be charged by estimate.
Actual cost to be charged over \$255.

ADOPTED on December 3, 1985

COUNTY OF VENTURA

By

James B. Hillard
Chair, Board of Supervisors

ATTEST:

RICHARD D. DEAN, County Clerk
of the County of Ventura and
ex officio Clerk of the
Ventura County Flood Control
District Board of Supervisors

By

Ray Hillard
Deputy Clerk



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Files (4)
Item 5
12/3/85

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BOARD OF SUPERVISORS, COUNTY OF VENTURA, STATE OF CALIFORNIA

TUESDAY, NOVEMBER 5, 1985, AT 8:30 O'CLOCK A.M.

FC-Gen./ORD. #3750/ORD. #3741

ALL MEMBERS PRESENT

Upon motion of Supervisor Erickson, seconded by Supervisor Lacey, and duly carried, the Board hereby approves the following matter:

PUBLIC WORKS AGENCY county of ventura

Director
Arthur E. Goulet

Manager — Administrative Services
Paul W. Ruffin

Deputy Directors

Ron Brazill
Real Property Services
Al F. Knuth
Transportation
T. M. Morgan
Engineering Services
G. J. Nowak
Flood Control/Water Resources

November 5, 1985

Board of Supervisors
County of Ventura
800 South Victoria Avenue
Ventura, CA 93009

Subject: MODIFICATION OF THE VENTURA COUNTY FLOOD PLAIN
MANAGEMENT ORDINANCE (ORD. 3741)

Recommendation:

As an urgency measure, adopt the attached additions to the Ventura County Flood Plain Management Ordinance.

Discussion:

In order to mitigate costs related to structural damage that may occur from flooding in the aftermath of the Wheeler Fire, your Board found it desirable to have increased flood insurance limits available to people living in Ventura County's unincorporated area. To accomplish this purpose, it was necessary to adopt the Ventura County Flood Plain Management Ordinance (Ordinance 3741) to satisfy federal requirements for conversion from the "emergency" to the "regular" portion of the National Flood Insurance Program (NFIP). The ordinance was adopted as an urgency measure on September 3, 1985. We have been informed by the Federal Emergency Management Agency that the ordinance is satisfactory, and that conversion will occur with an effective date of October 31, 1985.

Although the ordinance meets the requirements of the NFIP, it lacks certain clauses necessary to make it fully acceptable for administration at the local level. To correct the deficiencies, the attached ordinance is proposed to add the following features to Ordinance 3741.

1. Language dealing with severability to preserve remaining portions of the ordinance in the event some portion is determined invalid.
2. Language indicating that the meaning of the ordinance is not to be limited or otherwise affected by the title or various chapter or section headings.

November 5, 1985

3. Provision of a section which will invalidate Flood Plain Development Permits in the event work authorized thereunder is not started within a reasonable time.
4. Provision of a mechanism for levying fees to cover costs of the County in the administration of this ordinance.
5. Addition of language to Chapter 7, Section 1, Appeal Board, to broaden allowable considerations during appeals.
6. A minor change in Chapter 8, Section 1.

The proposed changes have been reviewed by representatives of the NFIP to insure the proposed changes will not invalidate the insurance program in Ventura County and have been approved by County Counsel.

It is intended that the ordinance be passed as an urgency ordinance to insure that it is immediately operational.

Adoption of the ordinance is not an activity governed by the provisions of CEQA.

If you have questions regarding this item, please contact the undersigned at Ext. 2073.



Arthur E. Goulet
Director of Public Works

WGH:ch

Attachment

COPIES TO:

PWA (2)
Auditor
Files (4)
Item 21
11/5/85

fw

BOARD OF SUPERVISORS, COUNTY OF VENTURA, STATE OF CALIFORNIA

TUESDAY, NOVEMBER 19, 1985, AT 8:30 O'CLOCK A.M.

FC-GEN/ORD.#3741

ALL MEMBERS PRESENT

Upon motion of Supervisor Erickson, seconded by Supervisor Lacey, and duly carried, the Board hereby approves the following matter:

PUBLIC WORKS AGENCY county of ventura

Director
Arthur E. Goulet

Manager — Administrative Services
Paul W. Ruffin

Deputy Directors
Ron Brazill
Real Property Services
Al F. Knuth
Transportation
T. M. Morgan
Engineering Services
G. J. Nowak
Flood Control/Water Resources

November 19, 1985

Board of Supervisors
County of Ventura
800 S. Victoria Avenue
Ventura, CA 93009

Subject: VENTURA COUNTY FLOOD PLAIN MANAGEMENT
ORDINANCE - FEES

Recommendation:

On November 19, 1985

1. Set a time certain of 10:00 a.m. on December 3, 1985, to hear oral or written presentations concerning establishment of fees for services and permits relating to the Ventura County Flood Plain Management Ordinance (Ordinance #3741).
2. Direct the Clerk of the Board to make the estimated cost and revenue data submitted herewith available to any member of the general public requesting this information during the period prior to December 3, 1985, pursuant to the requirements of Government Code Section 54992.

On December 3, 1985

1. Hear and receive any oral and/or written material made, presented or filed.
2. After consideration of all information received, approve and authorize the Chair to sign the attached Resolution establishing fee requirements.

Discussion:

On September 3, 1985, your Board adopted the Ventura County Flood Plain Management Ordinance in order to conform to various requirements of the National Flood Insurance Program. At that time you were informed that we would return to your Board with a recommended fee schedule for processing of Flood Plain Development Permits (an activity created by the ordinance).

November 19, 1985

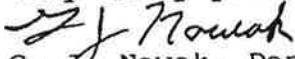
The attached resolution sets forth the suggested fees for various activities related to the Ordinance. We have no cost experience relating to this function but, however, we expect the costs to be similar to those of the closely related watercourse/encroachment permit function of the Flood Control District.

Your Board should be aware that administration of Ordinance 3741 is a general function of the County. Since revenues are expected to offset expenses, no General Fund subsidy should be required.

This item has been coordinated with the Auditor-Controller, County Counsel, and the Chief Administrative Officer.

If you have questions regarding this item, please contact the undersigned at Extension 2040.

Very truly yours,



G. J. Nowak, Deputy Director of Public Works
Flood Control and Water Resources Department

WGH/tw

Enclosures

COPIES TO:

PWA (2)
Auditor
Files (3)
Item 25
11/19/85

ko

BOARD OF SUPERVISORS, COUNTY OF VENTURA, STATE OF CALIFORNIA

TUESDAY, JANUARY 26, 1988, AT 8:30 A.M.

ALL MEMBERS PRESENT
FC-Gen./239/Ords.3741/3750/____ EXCEPT SUPERVISOR DOUGHERTY
After holding public hearing and Don Stepp gives testimony,
upon motion of Supervisor Erickson, seconded by Supervisor Lacey,
and duly carried, the Board hereby reads the ordinance in title
only and continues final adoption to February 2, 1988:

PUBLIC WORKS AGENCY
county of ventura

Director
Arthur E. Goulet

Manager — Administrative Services
Paul W. Ruffin

Deputy Directors
Ron Brazill
Real Property Services
Al F. Knuth
Transportation
T. M. Morgan
Engineering Services
G. J. Nowak
Flood Control/Water Resources

January 5, 1988

Board of Supervisors
County of Ventura
800 S. Victoria Avenue
Ventura, CA 93009

Subject: ADOPTION OF ORDINANCE REPEALING ORDINANCES
3741 AND 3750 AND ENACTING NEW REGULATIONS
FOR FLOOD PLAIN MANAGEMENT

RECOMMENDATION

On January 5, 1988:

- Order that the Notice of Public Hearing be published by the Clerk of the Board pursuant to Section 6061 of the Government Code in a newspaper of general circulation in Ventura County at least ten (10) calendar days before the hearing.
- Set a public hearing on the attached ordinance for 10:00 a.m., January 26, 1988.

On January 26, 1988:

- Introduce the ordinance by title only and hold a public hearing thereon.
- Find the proposed ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) and pass it on first reading.

On February 2, 1988:

- Take up the proposed ordinance by title only and adopt it on second reading.
- Determine that the fee schedule adopted November 19, 1985 for activities relating to the National Flood Insurance Program is applicable to the new ordinance.
- Direct the Clerk of the Board to return two certified copies of the Board action to the Public Works Agency for further processing with the Federal Emergency Management Agency (FEMA).

DISCUSSION

Ordinance 3741, adopted and amended by Ordinance 3750 in 1985, created the Ventura County Flood Plain Management Ordinance in its current form. The ordinance was adopted at the request of FEMA upon conversion of the unincorporated area of Ventura County from the "emergency" to the "regular" phase of the National Flood Insurance Program (NFIP). Federal requirements for the content of the ordinance were met.

On October 1, 1986, FEMA changed the regulations governing the NFIP which necessitated modification of our Flood Plain Management Ordinance. The attached ordinance creates a new Flood Plain Management Ordinance that conforms to federal regulations and repeals the current ordinances.

Highlights of the changes are:

1. The ordinance has been completely renumbered.
2. Elimination of most distinctions between mobile (manufactured) homes and regular housing. This includes removal of requirements for "over-the-top" ties to prevent flotation.
3. Continuation of the "grandfathered" installation of manufactured homes in existing mobile home parks. In accordance with federal criteria, this allows placement of manufactured homes at elevations below flood levels. This "grandfathering" recognizes the impracticality of requiring raised pads within existing parks.
4. Inclusion of a requirement that the county assure all necessary federal and state permits have been acquired. Although we have objected to this requirement, we have been informed that we could be suspended from the NFIP if it is not included.
5. Inclusion of different criteria for determining the need for a Flood Plain Development Permit when modifying an existing structure. The old ordinance requires a permit only if an addition to the structure represented 50% or more of the existing gross floor area. The new ordinance requires a permit if the cost of the modification exceeds 50% of the value of the existing structure.
6. A provision to allow pressure equalization inside and outside of elevated foundations. This means flood water may pass beneath a structure.
7. A provision to allow functionally dependent uses to be placed in a flood plain. Such a use might be gravel mining in a riverbed where facilities necessary for extraction of material

may be placed in the riverbed while the processing plant would be located exterior of the flood plain.

In addition to the above changes, the new ordinance continues to prohibit construction of new residential structures in floodways. This prohibition exceeds the federal standard which allows structures provided they do not cause the flood level to rise as a result of the structure's obstruction of the floodway. A floodway is considered a hazardous area which is necessary to pass a 100-year flood. In most cases floodways are within existing streambeds and banks. However, there are some floodway locations, such as in Live Oak Acres, where the prohibition of new residential structures affects existing undeveloped residential lots.

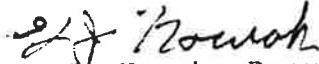
Even though in some cases new residential structures would not cause a rise in the flood level, we feel the prohibition is justified because of the hazard to persons outside the buildings, the lack of safe access during floods, and potential additional public expense for evacuation and damage restoration. The prohibition does not affect other types of structures such as industrial or commercial buildings.

If your Board elects not to continue the existing prohibition Section 5.2.6.2 should be deleted from the proposed ordinance.

Adoption of the ordinance is not an activity governed by the provisions of CEQA since it cannot significantly affect the environment.

This ordinance has been reviewed by FEMA for conformance with federal criteria and by County Counsel for legal sufficiency.

If you have any questions regarding this item, please call the undersigned at extension 2040.


G. J. Nowak, Deputy Director of Public Works
Flood Control and Water Resources Department

WGH/tw (5B/24)

Attachment

COPIES TO:

PWA (2)
Files (6)
Item 5
1/26/88 fw

BOARD OF SUPERVISORS, COUNTY OF VENTURA, STATE OF CALIFORNIA
TUESDAY, FEBRUARY 2, 1988, AT 8:30 A.M.

ORD. 3841/FC-Gen/ORDS.3741/3750

ADOPTING ORDINANCE NO. 3841;

FLOOD PLAIN MANAGEMENT

After holding second hearing and receiving testimony of Pat Baggerly and Pekka K. Merikallio, an Ordinance repealing Ordinance No. 3741 and No. 3750 and enacting regulations for Flood Plain Management is presented to the Board at this time, and upon motion of Supervisor Dougherty, seconded by Supervisor Lacey, and duly carried, it is ordered that the same be passed and adopted as an ordinance of the County of Ventura, to be known as Ordinance No. 3841.

Board members vote as follows:

Ayes: Supervisors Lacey, Schaefer, Erickson, Dougherty,
Flynn

Noes: None

Absent: None

All members of the Board present voting on the passage and adoption of said ordinance, it is hereby declared and ordered that said ordinance is hereby passed and adopted as an ordinance of the County of Ventura, to be known as Ordinance No. 3841.

It is further ordered that said ordinance shall take effect and be in force at the expiration of thirty (30) days from the date hereof, and before the expiration of fifteen (15) days the same shall be published, with the names of the members of the Board of Supervisors voting for and against the same, at least once in the Press Courier, a newspaper of general circulation printed and published in the County of Ventura, State of California.

COPIES TO:

PWA (2)

Auditor

Files (6)

Item 4

2/2/88 fw

ORDINANCE NO. 3541

AN ORDINANCE REPEALING ORDINANCE NO. 3741
AND NO. 3750 AND ENACTING REGULATIONS
FOR FLOOD PLAIN MANAGEMENT

The Board of Supervisors of the Ventura County do ordain as follows:

CHAPTER 1
PURPOSE AND OBJECTIVE

SECTION 1.1 PURPOSE

The purpose of this ordinance is to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed for:

- 1.1.1 Restricting or prohibiting uses which are dangerous to health safety, and property due to water or erosion or flood heights or velocities;
- 1.1.2 Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- 1.1.3 Controlling the alteration of natural floodplain, stream channels and natural protective barriers which help accommodate or channel flood waters;
- 1.1.4 Controlling filling, grading, dredging, and other development which may increase flood damage; and
- 1.1.5 Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas.

SECTION 1.2 METHODS OF REDUCING FLOOD LOSSES

In order to accomplish its purposes, this ordinance includes methods and provisions for:

- 1.2.1 Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- 1.2.2 Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damages at the time of initial construction;

- 1.2.3 Controlling the alteration of natural flood plains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;
- 1.2.4 Controlling filling, grading, dredging, and other development which may increase flood damage; and
- 1.2.5 Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas.

SECTION 1.3 NAME

This ordinance shall be known as the Ventura County Flood Plain Management Ordinance.

CHAPTER 2
DEFINITIONS

SECTION 2.1 DEFINITIONS

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

- 2.1.1 "Alluvial Fan" is an area subject to flooding when the floodplain is comprised of low flow channels where sediment accompanies the shallow flooding and the unstable soils scour and erode during a flooding event.
- 2.1.2 "Appeal" is a request for a review of the Director of Public Works' interpretation of any provision of this ordinance or a request for a variance.
- 2.1.3 "Area of Shallow Flooding" is a designated AO, VO, or AH Zone on the Flood Insurance Rate Map (FIRM). The base flood depths range from one to three feet; a clearly defined channel does not exist; the path of flooding is unpredictable and indeterminate; and, velocity of flow may be evident.
- 2.1.4 "Base Flood" is the flood having a one percent chance of being equalled or exceeded any given year.
- 2.1.5 "Basement" means any area of a building having its floor below ground level on all sides.
- 2.1.6 "Breakaway Walls" are any type of walls, whether solid or lattice, and whether constructed of concrete, masonry, wood, metal, plastic or any other suitable building material which are not part of the structural support of the building, and which

are so designed as to breakaway under abnormally high tides or wave action without damage to the structural integrity of the building on which they are used or any buildings to which they might be carried by flood waters.

- 2.1.7 "Coastal High Hazard Area" is the area subject to high velocity waters, including coastal and tidal inundation or tsunamis. The area is designated on a Flood Insurance Rate Map (FIRM) as Zone VI-30, VE or V.
- 2.1.8 "Development" is 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 or drilling operations located within the area of special flood hazard.
- 2.1.9 "Director of Public Works" means the Director of Public Works of the County of Ventura or his designated representative.
- 2.1.10 "Existing manufactured home park or subdivision" means a manufactured home park for which the construction of facilities for servicing the lot 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) are completed before the effective date of this ordinance.
- 2.1.11 "Expansion to an existing manufactured home park or subdivision" means 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).
- 2.1.12 "Final Map" shall be the map referred to in the State of California's Subdivision Map Act, Government Code Section 66434 et seq. Final Maps.
- 2.1.13 "Flood or Flooding" is a general and temporary condition of partial or complete inundation of normally dry land areas from:
 - (1) The overflow of inland or tidal waters and/or
 - (2) The unusual and rapid accumulation of runoff of surface waters from any source.
 - (3) The collapse or subsidence of land along the

shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in this definition.

- 2.1.14 "Flood Boundary and Floodway Map" is the official map on which the Federal Insurance Administration has delineated both the areas of flood hazard and the floodway.
- 2.1.15 "Flood Insurance Rate Map" (FIRM) means the official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.
- 2.1.16 "Flood Insurance Study" means the official report provided by the Federal Insurance Administration that includes flood profiles, Flood Insurance Rate Map, the Flood Boundary and Floodway Map and the water surface elevations of the base flood and shall include any adopted amendments thereto.
- 2.1.17 "Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot above the elevation of the watersurface prior to encroachment into the floodplain.
- 2.1.18 "Functionally Dependent Use" means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.
- 2.1.19 "Lowest Floor" means 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 that structure

in violation of the applicable nonelevation design requirements of this Ordinance.

- 2.1.20 "Highest Grade" means the highest natural elevation of the ground surface next to the proposed walls of a structure prior to construction.
- 2.1.21 "New Construction" means structures for which plans and an application for a Development Permit, as specified in Section 4.1, are accepted for processing by the Director of Public Works on or after September 3, 1985.
- 2.1.22 "Manufactured home" means 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 connected to the required utilities. For flood plain management purposes the term "manufactured home" also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days.
- 2.1.23 "Manufactured home park or subdivision" means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.
- 2.1.24 "Mean sea level" means, for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929.
- 2.1.25 "Person" means any natural person, firm, corporation, organization, company, association, business, trust, joint stock organization, partnership, joint venture, club or the agent, servant, manager, officer, employee or lessee of any of them.
- 2.1.26 "Sand Dunes" are naturally occurring accumulations of sand in ridges or mounds landward of the beach.
- 2.1.27 "Start of Construction" includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement, or other improvement was within 180 days of the permit date. 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 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.

2.1.28 "Structure" is a walled and roofed building or manufactured home that is principally above ground.

2.1.29 "Subdivision" is a dividing of land which creates five (5) or more legal lots from an existing lot.

2.1.30 "Substantial Improvement" means any repair, reconstruction, or improvement to a structure the cost of which equals or exceeds 50% of the market value of the structure either:

(1) Before the improvement or repair is started, or

(2) If the structure has been damaged and is being restored, before the damage occurred.

For residential buildings or other buildings of two stories or less in height (including basement), substantial improvement may alternatively be defined as the repair, reconstruction or improvement of a structure which equals or exceeds 50% of the gross floor space where floor space is used as a measure of value of the structure which existed either:

(1) Before the improvement or repair is started, or

(2) If the structure has been damaged and is being restored, before the damage occurred.

Gross floor space shall include the areas of all floors within the structure and the area of any attached garage. It shall not include the areas of enclosed patios.

For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

This term does not include either:

(1) Any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which

are solely necessary to assure safe living conditions, or

(2) Any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic places, or

(3) Any alteration of a structure designated as a County Historical Landmark by the Ventura County Cultural Heritage Board.

2.1.31 "Variance" means a grant of relief from the requirements of this ordinance which permits construction in a manner that would otherwise be prohibited by this ordinance.

2.1.32 "Violation" means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. 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.

CHAPTER 3 GENERAL PROVISIONS

SECTION 3.1 LANDS TO WHICH THIS ORDINANCE APPLIES

This ordinance shall apply to all areas of Special Flood Hazard within the unincorporated area of the County of Ventura.

SECTION 3.2 BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD

The Areas of Special Flood Hazard identified by the Federal Insurance Administration, through the Federal Emergency Management Agency in a scientific and engineering report entitled "Flood Insurance Study, Ventura County, California", (Unincorporated Areas) dated September 13, 1984, with an accompanying Flood Insurance Rate Map and Flood Boundary and Floodway Map are hereby adopted by reference and declared to be a part of this ordinance. The Flood Insurance Study is on file with the Ventura County Public Works Agency, 800 South Victoria Avenue, Ventura, California, 93009.

The Flood Insurance Study, Flood Insurance Rate Map and Flood Boundary and Floodway Map may be revised or amended from time to time by the Federal Insurance Administration and shall be adopted by reference

and declared to be a part of this Chapter as of the effective date of said revision or amendment.

SECTION 3.3

COMPLIANCE

No person shall hereafter construct, locate, extend or alter any structure or land without full compliance with the terms and conditions of this ordinance and other applicable regulations.

This ordinance shall not apply to structures for which applications for building permits have been received by the Ventura County Department of Building and Safety prior to September 3, 1985.

This ordinance shall not apply to grading or construction authorized prior to September 3, 1985 pursuant to the Ventura County Zoning Ordinance, Building Code, or Subdivision Ordinance or to grading or construction for which review of the plans commenced prior to September 3, 1985.

SECTION 3.4

ABROGATION AND GREATER RESTRICTIONS

This ordinance is not intended to repeal, abrogate, or impair any existing easements or covenants, or deed restrictions. However, where this ordinance and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

SECTION 3.5

INTERPRETATION

In the interpretation and application of this ordinance, all provisions shall be:

- (1) Considered as minimum requirements; and be
- (2) Liberally construed in favor of the governing body; and be
- (3) Deemed neither to limit nor repeal any other powers granted under state statutes or county ordinances.

SECTION 3.6

WARNING AND DISCLAIMER OF LIABILITY

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based upon engineering and scientific considerations. Larger floods can and will occur. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that the land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding

or flood damages. This chapter shall not create liability on the part of the County, Flood Control District, any officer or employee thereof, or the Federal Insurance Administration for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made thereunder.

SECTION 3.7

SEVERABILITY

If any section, subsection, sentence, clause, phrase or other portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portion or portions of this ordinance. The Board of Supervisors of Ventura County hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, clauses, phrases or other portions be declared invalid or unconstitutional.

SECTION 3.8

EFFECT OF HEADINGS

Section headings contained herein shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or intent of any of the provisions of this ordinance.

CHAPTER 4
ADMINISTRATION

SECTION 4.1

FLOOD PLAIN DEVELOPMENT PERMIT REQUIRED

A Flood Plain Development Permit shall be obtained before start of construction or development begins within any area of Special Flood Hazard established by this ordinance. Application for a Flood Plain Development Permit shall be made on forms furnished by the Director of Public Works and may include, but not be limited to, plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities; and the location of the foregoing. Specifically, the following information is required:

- 4.1.1 Elevation in relation to mean sea level of the lowest floor (including basement) of all structures; in Zone AO, elevation of existing grade and proposed elevation of lowest floor of all structures.

- 4.1.2 Elevation in relation to mean sea level to which any structure will be flood proofed;
- 4.1.3 Certification by a registered professional engineer or architect that the flood proofing methods for any nonresidential structure meet the flood proofing criteria set forth in this ordinance; and
- 4.1.4 Description of the extent to which any watercourse will be altered or relocated as a result of the proposed development.

SECTION 4.2 DESIGNATION OF ADMINISTRATOR

The Director of Public Works is hereby appointed to administer and implement this ordinance by granting or denying Flood Plain Development Permit applications in accordance with the provisions of this ordinance.

SECTION 4.3 DUTIES AND RESPONSIBILITIES OF THE DIRECTOR OF PUBLIC WORKS

The duties and responsibilities of the Director of Public Works shall include, but not be limited to:

- 4.3.1 Permit Review
 - 4.3.1.1 Review of all applications for Flood Plain Development Permits to determine that the permit requirements of this ordinance have been satisfied.
 - 4.3.1.2 Review all applications for Flood Plain Development Permits to determine if the proposed development adversely affects the flood carrying capacity of the area of Special Flood Hazard. For purposes of this ordinance, "adversely affected" means that the cumulative effect of the proposed development when combined with all other existing and anticipated development will not increase the water surface elevation of the base flood more than one (1) foot at any point.
 - 4.3.1.3 Review of all applications for Flood Plain Development Permits to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is in a flood-prone area, all new construction and substantial improvements (including the placement of prefabricated buildings and manufactured homes) shall (i) be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure, (ii) be constructed with materials and utility equipment resistant to flood damage, and (iii) be constructed by methods and practices that minimize flood damage.

- 4.3.2 Issuance of Flood Plain Development Permits where applications have been found to be in conformance with the terms of this ordinance.
- 4.3.3 Use of other Base Flood Data when base flood elevation data has not been provided in accordance with Section 3.2, Basis for Establishing the Areas of Special Flood Hazard, the Director of Public Works shall obtain, review, and reasonably utilize the best base flood data available from any source such as high water mark(s), floods of record, or private engineering reports in order to administer this ordinance.
- 4.3.4 OBTAINING AND MAINTAINING INFORMATION
- 4.3.4.1 The Director of Public Works shall obtain and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures.
- 4.3.4.2 For all new or substantially improved flood proofed structures the Director of Public Works shall:
- (1) Verify and record the actual elevations to which the structures have been flood proofed (in relation to mean sea level); and
 - (2) Maintain the flood proofing certifications required by this ordinance.
- 4.3.4.3 The Director of Public Works shall maintain for public inspection all records pertaining to this ordinance.
- 4.3.5 ALTERATION OF WATERCOURSE
- It is the responsibility of the Director of Public Works to:
- 4.3.5.1 Submit information to the Federal Emergency Management Agency detailing any alterations or relocations of a watercourse that affect the capacity; and
- 4.3.5.2 Insure that the flood carrying capacity of the altered or relocated watercourse is not reduced.
- 4.3.5.3 Notify adjacent communities and the California Department of Water Resources prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.
- 4.3.6 Interpretation of Flood Insurance Rate Map (FIRM) Boundaries

The Director of Public Works will provide interpretations, where needed, as to the exact location of the boundaries of the areas of Special Flood Hazard and regulatory floodways. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in Section 7.1.

4.3.7 Other Permits Required

The Director of Public Works shall review proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by federal or state law.

SECTION 4.4 FEES

Before a permit is issued, an applicant shall pay the enforcing officer the fees authorized by this Section.

4.4.1 Fees - A schedule of fees shall be adopted by Resolution of the Board of Supervisors of Ventura County. Such fees will reimburse the County for costs incurred in the processing, investigation, renewal and modification of Flood Plain Development Permits and for performing other work in the administration of the Ordinance.

SECTION 4.5 COMMENCEMENT OF WORK

The Permittee shall begin the work authorized by the Flood Plain Development Permit within one hundred eighty (180) calendar days from the date of issuance of this permit. A permit which has become void by reason of noncommencement of work in 180 days may be renewed one time for a 180-day period within thirty (30) days after such permit becomes void at the discretion of the enforcing officer upon payment of a renewal fee; if the enforcing officer does not consent to such renewal, a permit may be granted only upon following the procedures herein established for the original application. In the event a permit becomes void and such permit is not renewed within the time allowed for renewal, the enforcing officer shall, within ninety (90) days after such permit becomes void, return to the former permittee any part of his permit fee in excess of the total of the Application Fee, Plan Check Fee and any other fees paid not relating to inspection of the work during construction, as well as any surety bond, cash bond, or instrument of credit the former permittee may

have paid to or filed with the enforcing officer, pursuant to the terms of this ordinance.

CHAPTER 5
PROVISIONS FOR FLOOD HAZARD REDUCTION

- SECTION 5.1 In all areas of special flood hazard, the following standards are required.
- 5.1.1 ANCHORING
 - 5.1.1.1 All new construction and substantial improvements of structures shall be anchored to prevent flotation, collapse, or lateral movement.
 - 5.1.2 Construction Materials and Methods
 - 5.1.2.1 All new construction and substantial improvements of structures shall be constructed of materials and utility equipment resistant to flood damage.
 - 5.1.2.2 All new construction and substantial improvements of structures shall use methods and practices that minimize flood damage.
 - 5.1.2.3 Electrical, heating, ventilation, plumbing and air-conditioning equipment and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
 - 5.1.3 UTILITIES
 - 5.1.3.1 All new and replacement water supply and sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters; and
 - 5.1.3.2 On site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.
 - 5.1.4 SUBDIVISIONS
 - 5.1.4.1 All subdivisions shall be consistent with the need to minimize flood damage;
 - 5.1.4.2 All subdivisions shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;
 - 5.1.4.3 All subdivisions shall have adequate drainage

provided to reduce exposure to flood damage; and

- 5.1.4.4 Base flood elevation data shall be provided for subdivisions or development of single lots of five acres or more. Such data shall be provided to and accepted by the Director of Public Works prior to acceptance of the final map and any public improvements by Ventura County.

SECTION 5.2

SPECIFIC STANDARDS

In all areas of special flood hazard where base flood elevation data has been provided as set forth in Section 3.2, or Section 4.3.3, the following provisions are required:

- 5.2.1 RESIDENTIAL CONSTRUCTION - New construction and substantial improvement of any residential structure or manufactured home shall have the lowest floor, including basement, elevated to one (1) foot above the base flood elevation; and
 - 5.2.1.1 Where average velocities of flow exceed five (5) feet per second, any fill material used to support the structure and its foundations shall be armored to prevent loss of the fill material.
 - 5.2.1.2 Shall have the elevation of the lowest floor certified by a person qualified in the State of California to practice surveying. Such certification shall be provided to the Director of Public Works in a form prescribed by the Director of Public Works. The certification shall be provided prior to occupancy of the structure.
 - 5.2.1.3 When fill is not used and velocities of flow are less than five (5) feet per second, structural components such as piers used to support the structure shall be designed to resist hydrostatic loads.
 - 5.2.1.4 When fill is not used and velocities of flow are equal to or greater than five (5) feet per second, and equal to or less than ten (10) feet per second, the components used to support the structure shall be designed to resist hydrostatic and hydrodynamic loads.
 - 5.2.1.5 When depths of water exceed three (3) feet, structural components used to support the structure shall be designed for impact loads.
 - 5.2.1.6 When fill is not used and velocities of flow exceed

ceed ten (10) feet per second, the use of structural components to support a structure is prohibited.

- 5.2.1.7 Manufactured homes to be placed or substantially improved in an existing manufactured home park or subdivision are not required to meet the requirements of Section 5.2.1. Except where the repair, reconstruction, or improvement of the streets, utilities and pads equals or exceeds 50 percent of the value of the streets, utilities and pads before the repair, reconstruction or improvement commenced.
- 5.2.2 NONRESIDENTIAL CONSTRUCTION - New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated to one (1) foot above the base flood elevation and meet the requirements of Section 5.2.1; or together with attendant utility and sanitary facilities, shall
 - 5.2.2.1 Be flood-proofed so that below a level one foot above the base flood elevation the structure is watertight with walls substantially impermeable to the passage of water;
 - 5.2.2.2 Be certified by a registered professional engineer or architect that the standards of this section are satisfied. Such certification shall be provided to the Director of Public Works in a form prescribed by the Director of Public Works. The certification shall be provided prior to occupancy of the structure.
 - 5.2.2.3 Where velocities of flow are less than five (5) feet per second, structural components of the structure shall be designed to resist hydrostatic loads.
 - 5.2.2.4 Where velocities of flow are equal to or greater than five (5) feet per second and equal to or less than ten (10) feet per second, the structure shall be designed to resist hydrostatic and hydrodynamic loads.
 - 5.2.2.5 When depths of water exceed three (3) feet, the structure shall be designed for impact loads.
 - 5.2.2.6 Where velocities of flow exceed ten (10) feet per second, structures with floors below water surface elevations and the use of structural components to support the structure are prohibited.
- 5.2.3 SHALLOW FLOODING - Located within the Areas of

Special Flood Hazard established in Section 3.2, are areas designated as AO and AH zones. These areas have special flood hazard associated with base flood depths of one (1) to three (3) feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate; therefore the following provisions apply:

- 5.2.3.1 All new construction and substantial improvements of residential structures in AO zones shall have the lowest floor, including basement, elevated above the highest grade to the depth number specified on the community's FIRM plus one (1) foot.
- 5.2.3.2 All new construction and substantial improvements of residential structures in AH zones shall have the lowest floor, including basement, elevated above the base flood elevation plus one (1) foot.
- 5.2.3.3 All new construction and substantial improvements of nonresidential structures in AO zones shall:
 - (1) Have the lowest floor, including basement, elevated above the highest grade to the depth number specified on the FIRM plus one (1) foot, or
 - (2) Together with attendant utility and sanitary facilities be completely flood-proofed to or above that level so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components which have the capability to withstand hydrostatic and hydrodynamic loads and the effects of buoyancy.
 - (a) Where velocities of flow are less than five (5) feet per second, structural components shall be designed to resist hydrostatic loads.
 - (b) Where velocities of flow are equal to or greater than five (5) feet per second and equal to or less than ten (10) feet per second, the structural components shall be designed to resist hydrostatic and hydrodynamic loads.
 - (c) Where velocities of flow exceed ten (10) feet per second, structures with floors below water surface elevations are prohibited and the use of structural components to support the structure are prohibited.

(d) Adequate drainage paths shall be provided around structures on slopes to guide floodwaters around and away from the proposed structures.

(e) All new construction and substantial improvements of non-residential structures in AH zones shall:

(1) Have the lowest floor, including basement, elevated to the base flood elevation specified on the FIRM plus one (1) foot, or

(2) Meet the standards set forth in Section 5.2.3.3 (2).

5.2.4 ALLUVIAL FANS - Areas subject to alluvial fan flooding have irregular flow paths that result in erosion of existing channels and the undermining of fill material. Those areas are identified on the Flood Insurance Rate Map as AO zones with velocities.

5.2.4.1 All structures must be securely anchored to minimize the impact of the flood and sediment damage.

5.2.4.2 All new construction and substantial improvements of structures must be elevated on pilings, columns, continuous foundations, or armored fill so that the bottom of the lowest floor beam or the bottom of the floor slab is elevated to or above the depth number plus (1) foot.

5.2.4.3 All fill materials must be armored to protect the material from the velocity of the flood flow.

5.2.4.4 All proposals for subdivision development must provide a mitigation plan that identifies the engineering methods used to:

(1) Protect the structures from erosion and scour caused by the velocity of the flood flow.

(2) Capture or transport flood and sediment flow through the subdivision to a safe point of disposition.

5.2.5 COASTAL HAZARD AREAS - Located within the Areas of Special Flood Hazard established in Section 3.2, are areas designated as coastal hazard areas identified as Zones VI-30, VE, and V. These areas have special flood hazards associated with wave run-up and beach erosion in which the following provisions shall apply.

- 5.2.5.1 All new construction and substantial improvements shall:
- (1) Be elevated and secured to adequately anchored pilings and columns so that the lowest portion of structural members of the lowest floor, excluding pilings or columns, is elevated one (1) foot above the base flood level.
 - (2) Have space below the lowest floor free of obstruction, or constructed with breakaway walls intended to collapse under stress without jeopardizing the structural support.
 - (3) Not use any fill for structural support.
- 5.2.5.2 All new construction shall be located landward of the mean high tide line.
- 5.2.5.3 Compliance with the provisions of Section 5.2.5.1 shall be certified by a registered professional engineer or architect and provided to the Director of Public Works. This certification shall be provided to the Director of Public Works prior to occupancy of the structure.
- 5.2.6 REGULATORY FLOODWAY - The regulatory floodway shown in the Flood Insurance Study has been selected and adopted on the principle that the area chosen for the regulatory floodway must be designed to carry the waters of the base flood without increasing the water surface of that flood more than one foot at any point. In accordance with this principle the following provisions shall apply:
- 5.2.6.1 Encroachments, including fill, new construction, substantial improvements, and other development within the adopted regulatory floodway that would result in any increase in flood levels for the base flood elevation with floodway as specified in the Flood Insurance Study during the occurrence of the base flood discharge are prohibited.
- 5.2.6.2 The placement of residential structures within the adopted regulatory floodway is prohibited.
- 5.2.7 REGULATORY FLOODWAY NOT DEFINED - Where no floodway is identified, the applicant for a Flood Plain Development Permit shall provide an engineering study for the project area that establishes a setback where no encroachment of any new development will be allowed that would increase the water surface elevation of the base flood plus one (1) foot;

or establish a setback from the stream bank equal to five (5) times the width of the stream at the top of the bank or twenty (20) feet on each side from the top of the bank, whichever is greater.

CHAPTER 6 LOADING

SECTION 6.1 GENERAL

- 6.1.1 All structures covered by this ordinance shall be capable of resisting all loads required by the Ventura County Building Code and, in addition, all loads prescribed in this Chapter without exceeding allowable stresses.
- 6.1.2 Water loads are loads or pressures on surfaces of structures caused and induced by the presence of flood waters. They are hydrostatic, hydrodynamic or impact loads.

SECTION 6.2 HYDROSTATIC LOADS

- 6.2.1 Hydrostatic loads are those caused by water above or below the ground surface, free or confined, which is either stagnant or moves at low velocities up to five (5) feet per second.
 - 6.2.1.1 The pressure at any point is equal to the unit weight of water (62.4 pounds per cubic foot) multiplied by the height of water above the point to which confined water would rise if free to do so.
- 6.2.2 Hydrostatic loads consist of vertical loads, lateral loads, and uplift.
 - 6.2.2.1 Vertical Loads: These are loads acting vertically downward on horizontal or inclined surfaces of buildings or structures, such as roofs, decks or floors, and walls, caused by the weight of flood waters above them.
 - 6.2.2.2 Lateral Loads: Lateral hydrostatic loads are those which act in a horizontal direction, against vertical or inclined surfaces, both above and below the ground surface and tend to cause lateral displacement and overturning of the building, structure, or parts thereof.
 - 6.2.2.3 Uplift: Uplift loads are those which act in a vertically upward direction on the underside of horizontal or sloping surfaces of buildings or structures, such as basement slabs, footings, floors, decks, roofs and overhangs. Hydrostatic

loads acting on inclined, rounded or irregular surfaces may be resolved into vertical or uplift loads and lateral loads based on the geometry of the surfaces and the distribution of hydrostatic pressures.

SECTION 6.3

HYDRODYNAMIC LOADS

6.3.1 Hydrodynamic loads, for the purpose of these regulations, are those induced on structures by the flow of flood water moving at moderate or high velocity around the structures or parts thereof, above ground level. Such loads may occur below the ground level when openings or conduits exist which allow free flow of flood waters. Hydrodynamic loads are basically of the lateral type and relate to direct impact loads by the moving mass of water, and to drag forces as the water flows around the obstruction.

6.3.1.1 Conversion to Equivalent Hydrostatic Loads - For the purpose of these regulations, and for cases when water velocities do not exceed 10 feet per second, dynamic effects of the moving water may be converted into equivalent hydrostatic loads by increasing the depth of water by an amount dh , on the upstream side and above the ground level only, equal to:

$$dh = \frac{a V^2}{2g}, \text{ where}$$

V is the average velocity of the water in feet per second;

g is the acceleration of gravity, 32.2 feet per second per second;

a is the coefficient of drag or shape factor. (The value of a , unless otherwise evaluated, shall not be less than 1.25)

The equivalent surcharge depth dh shall be added to the depth measured between the design level and the regulatory flood and the resultant pressures applied to, and uniformly distributed across, the vertical projected area of the building or structure which is perpendicular to the flow. Surfaces parallel to the flow or surfaces facing downstream shall be considered subject to hydrostatic pressures for depths to the regulatory flood only.

SECTION 6.4

IMPACT LOADS

6.4.1 Types: For the purpose of these regulations, impact loads are those which result from floating debris,

ice and any floatable object or mass carried by flood waters striking against structures or parts thereof. These loads are of two basic types: normal and special.

- 6.4.1.1 Normal Impact Loads: Normal impact loads are those which relate to isolated occurrences of logs or floatable objects of normally encountered sizes striking buildings or parts thereof.
- 6.4.1.2 Special Impact Loads: Special impact loads are those which relate to large conglomerates of floatable objects, such as an accumulation of floating debris, either striking or resting against a building or parts thereof.
- 6.4.2 Applicability: Impact loads shall be considered in the design of structures and parts thereof as stipulated below:
 - 6.4.2.1 Normal Impact Loads: A concentrated load acting horizontally at the regulatory flood level or at any point below it, equal to the impact force, produced by a 1,000-pound mass traveling at the velocity of the flood water and acting on a one (1) square foot surface of the structure.
 - (1) Deceleration of the mass shall occur over 0.5 seconds.
 - (2) This load shall be applied to the structure in such a manner that stresses are maximized.
 - 6.4.2.2 Special Impact Loads: Special impact loads shall be considered in the design of buildings, structures, or parts thereof. Unless a rational and detailed analysis is made and submitted for approval by the Director of Public Works, the intensity of load shall be taken as 100 pounds per foot acting horizontally over a one-foot wide horizontal strip at the regulatory flood level or at any level below it. Where natural or artificial barriers exist which would effectively prevent these special impact loads from occurring, the loads may be ignored in the design.

SECTION 6.5

PRESSURE EQUALIZATION

- 6.5.1 All new construction and substantial improvements, that fully enclose 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. Designs for meeting this requirement

must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria: 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.

- 6.5.2 Pressure equalization shall be appropriate for unfinished or flood resistant enclosures either unused or solely used for parking of vehicles, building access or storage in areas other than basements. All other structures shall be elevated or flood proofed pursuant to the terms of this ordinance.

SECTION 6.6

BREAKAWAY WALLS

A breakaway wall shall have a design safe loading resistance of not less than 10 and no more than 20 pounds per square foot. Use of breakaway walls must be certified by a registered engineer or architect and shall meet the following conditions:

- (1) Breakaway wall collapse shall result from a water load less than that which would occur during the base flood; and
- (2) The elevated portion of the building shall not incur any structural damage due to the effects of winds and water loads acting simultaneously during a 100-year event.

CHAPTER 7 APPEALS AND VARIANCES

SECTION 7.1

APPEAL BOARD

- 7.1.1 The Ventura County Board of Supervisors acting as the appeal board shall hear and decide appeals and requests for variances from the requirements of this chapter. The appeal board shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Director of Public Works in the enforcement or administration of this chapter.
- 7.1.2 Those aggrieved by the decision of the appeal board, or any taxpayer, may seek judicial review of such

decision in the Superior Court pursuant to Section 1094.5 of the Code of Civil Procedure provided that proceedings are commenced within thirty (30) days after such decision is final.

7.1.3 A decision of the appeal board is final and may not be reconsidered on the day following the day on which the decision was rendered.

7.1.4 In passing upon such applications, the appeal board shall consider all technical evaluations, all relevant factors, standards specified in other sections or chapters, and:

- (1) The danger that materials may be swept onto other lands to the injury of others;
- (2) The danger to life and property due to flooding or erosion damage;
- (3) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
- (4) The importance of the services provided by the proposed facility to the community;
- (5) The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
- (6) The compatibility of the proposed use with existing and anticipated development;
- (7) The relationship of the proposed use to the comprehensive plan and flood plain management program for that area;
- (8) The safety of access to the property in times of flood for ordinary and emergency vehicles;
- (9) The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and
- (10) The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems and streets and bridges.
- (11) The use is a functionally dependent use provided the structure or other development

is protected by methods that minimize flood damage during the occurrence of a base flood and creates no additional threats to public safety.

- SECTION 7.1.5 Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of 1/2 acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, provided the items listed in Section 7.1.4, have been fully considered. As the lot size increases beyond one-half (1/2) acre, the technical justification required for issuing the variance increases.
- 7.1.6 Upon consideration of the factors of Section 7.1.4 and the purposes of this chapter, the appeal board may attach such conditions to the granting of appeals and variances as deemed necessary to further the purposes of this chapter.
- 7.1.7 The Director of Public Works shall maintain the records of all appeal actions and report any variances to the Federal Insurance Administration upon request.

SECTION 7.2 CONDITIONS FOR VARIANCES

- 7.2.1 Variances may be issued for the reconstruction, rehabilitation, or restoration of structures listed on the National Register of Historic Places, the State Inventory of Historic Places, or any structure designated as a County Historical Landmark by the Ventura County Cultural Heritage Board, without regard to the procedures set forth in the remainder of this section.
- 7.2.2 Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- 7.2.3 Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- 7.2.4 Variances shall only be issued upon:
- (1) A showing of good and sufficient cause such as renovation, rehabilitation, or reconstruction. Variances issued for economic considerations, aesthetics, or because variances have been used in the past are NOT good and sufficient cause.
 - (2) A determination that failure to grant the

variance would result in exceptional hardship to the applicant.

- (3) A determination 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 victimization to the public, or conflict with existing laws or ordinances.

CHAPTER 8 ENFORCEMENT

SECTION 8.1

ABATEMENT OF NUISANCE

A violation of Section 3.3, of this ordinance is declared to be a public nuisance and may be abated. In the event of abatement, the costs of such abatement shall be assessed to the violator. If the violator maintains a nuisance upon real property in which he has less than total interest, the assessment shall be a charge upon such property to the extent of the violator's interest therein. The assessment shall be collected at the same time and in the same manner as ordinary county taxes are collected, and shall be subject to the same penalties and the same procedure for sale in case of delinquency as provided for ordinary taxes. All laws applicable to the levy, collection and enforcement of county taxes shall be applicable to such assessment, except as otherwise provided in Government Code Section 25845. The procedure established for the repair, rehabilitation, vacation or demolition of substandard buildings by the Uniform Housing Code, 1982 Edition, commencing with Chapter 11 thereof, to the extent it can reasonably be applied to violations of Section 3.3, hereof, is hereby incorporated herein as though fully set forth at this point and is hereby adopted as the procedure for abatement inspection, abatement and for assessing the cost of abatement of such nuisances to the violator or against the land involved, provided that for the purposes of the Uniform Housing Code, the "Director of Public Works" is the "Building Official" and the "Board of Supervisors" is the "Board of Appeals".

SECTION 8.2

EMERGENCY ABATEMENT

If it appears to the Director of Public Works that an emergency exists because of a violation of Section 3.3, then without following the procedure established by Section 8.1, the Director of Public Works may order all work done necessary to remove,

abate or mitigate the condition creating such emergency. The Director may do the work with his own employees or may contract to have the work done; in either event, the Director shall keep a record of the cost of the work and charge the cost of the work to the violator, who shall repay the county for the cost thereof.

SECTION 8.3

VIOLATIONS/PENALTIES

Any person who:

- (1) Violates any provision of this ordinance; or
- (2) Refuses without lawful excuse to attend any hearing, or to produce material evidence in his possession or under his control as required by any subpoena served upon such person as provided in the Uniform Housing Code, 1982 Edition; or
- (3) Fails, neglects or refuses to obey any order of the Director of Public Works or the Board of Supervisors made pursuant to the provisions of the Uniform Housing Code, 1982 Edition, and directed to such person, after such order shall have become final; shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punishable by a fine of not more than one thousand dollars (\$1,000.00), or by imprisonment in the county jail for not more than six (6) months, or by both such fine and imprisonment.

CHAPTER 9

REPEAL OF PRIOR FLOOD PLAIN MANAGEMENT ORDINANCE

SECTION 9.1

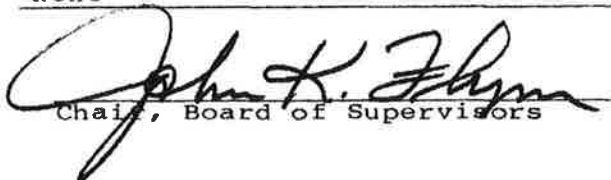
Ordinance No. 3741 and Ordinance No. 3750, together known as the Ventura County Flood Plain Management Ordinance, are hereby repealed.

ADOPTED this 2nd day of February, 1988, by the following votes:

AYES: Supervisors Lacey, Schaefer, Erickson,
Dougherty, Flynn

NOES: Supervisors None

ABSENT: Supervisors None


Chair, Board of Supervisors

ATTEST:

RICHARD D. DEAN, County Clerk,
County of Ventura, State of
California, and ex-officio Clerk
of the Board of Supervisors thereof.

By 
Deputy Clerk

ORDINANCE NO. 3541

AN ORDINANCE REPEALING ORDINANCE NO. 3741
AND NO. 3750 AND ENACTING REGULATIONS
FOR FLOOD PLAIN MANAGEMENT

The Board of Supervisors of the Ventura County do ordain as follows:

CHAPTER 1
PURPOSE AND OBJECTIVE

SECTION 1.1 PURPOSE

The purpose of this ordinance is to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed for:

- 1.1.1 Restricting or prohibiting uses which are dangerous to health safety, and property due to water or erosion or flood heights or velocities;
- 1.1.2 Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- 1.1.3 Controlling the alteration of natural floodplain, stream channels and natural protective barriers which help accommodate or channel flood waters;
- 1.1.4 Controlling filling, grading, dredging, and other development which may increase flood damage; and
- 1.1.5 Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas.

SECTION 1.2 METHODS OF REDUCING FLOOD LOSSES

In order to accomplish its purposes, this ordinance includes methods and provisions for:

- 1.2.1 Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- 1.2.2 Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damages at the time of initial construction;

- 1.2.3 Controlling the alteration of natural flood plains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;
- 1.2.4 Controlling filling, grading, dredging, and other development which may increase flood damage; and
- 1.2.5 Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas.

SECTION 1.3 NAME

This ordinance shall be known as the Ventura County Flood Plain Management Ordinance.

CHAPTER 2
DEFINITIONS

SECTION 2.1 DEFINITIONS

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

- 2.1.1 "Alluvial Fan" is an area subject to flooding when the floodplain is comprised of low flow channels where sediment accompanies the shallow flooding and the unstable soils scour and erode during a flooding event.
- 2.1.2 "Appeal" is a request for a review of the Director of Public Works' interpretation of any provision of this ordinance or a request for a variance.
- 2.1.3 "Area of Shallow Flooding" is a designated AO, VO, or AH Zone on the Flood Insurance Rate Map (FIRM). The base flood depths range from one to three feet; a clearly defined channel does not exist; the path of flooding is unpredictable and indeterminate; and, velocity of flow may be evident.
- 2.1.4 "Base Flood" is the flood having a one percent chance of being equalled or exceeded any given year.
- 2.1.5 "Basement" means any area of a building having its floor below ground level on all sides.
- 2.1.6 "Breakaway Walls" are any type of walls, whether solid or lattice, and whether constructed of concrete, masonry, wood, metal, plastic or any other suitable building material which are not part of the structural support of the building, and which

are so designed as to breakaway under abnormally high tides or wave action without damage to the structural integrity of the building on which they are used or any buildings to which they might be carried by flood waters.

- 2.1.7 "Coastal High Hazard Area" is the area subject to high velocity waters, including coastal and tidal inundation or tsunamis. The area is designated on a Flood Insurance Rate Map (FIRM) as Zone VI-30, VE or V.
- 2.1.8 "Development" is 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 or drilling operations located within the area of special flood hazard.
- 2.1.9 "Director of Public Works" means the Director of Public Works of the County of Ventura or his designated representative.
- 2.1.10 "Existing manufactured home park or subdivision" means a manufactured home park for which the construction of facilities for servicing the lot 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) are completed before the effective date of this ordinance.
- 2.1.11 "Expansion to an existing manufactured home park or subdivision" means 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).
- 2.1.12 "Final Map" shall be the map referred to in the State of California's Subdivision Map Act, Government Code Section 66434 et seq. Final Maps.
- 2.1.13 "Flood or Flooding" is a general and temporary condition of partial or complete inundation of normally dry land areas from:
 - (1) The overflow of inland or tidal waters and/or
 - (2) The unusual and rapid accumulation of runoff of surface waters from any source.
 - (3) The collapse or subsidence of land along the

shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in this definition.

- 2.1.14 "Flood Boundary and Floodway Map" is the official map on which the Federal Insurance Administration has delineated both the areas of flood hazard and the floodway.
- 2.1.15 "Flood Insurance Rate Map" (FIRM) means the official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.
- 2.1.16 "Flood Insurance Study" means the official report provided by the Federal Insurance Administration that includes flood profiles, Flood Insurance Rate Map, the Flood Boundary and Floodway Map and the water surface elevations of the base flood and shall include any adopted amendments thereto.
- 2.1.17 "Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot above the elevation of the watersurface prior to encroachment into the floodplain.
- 2.1.18 "Functionally Dependent Use" means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.
- 2.1.19 "Lowest Floor" means 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 that structure

in violation of the applicable nonelevation design requirements of this Ordinance.

- 2.1.20 "Highest Grade" means the highest natural elevation of the ground surface next to the proposed walls of a structure prior to construction.
- 2.1.21 "New Construction" means structures for which plans and an application for a Development Permit, as specified in Section 4.1, are accepted for processing by the Director of Public Works on or after September 3, 1985.
- 2.1.22 "Manufactured home" means 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 connected to the required utilities. For flood plain management purposes the term "manufactured home" also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days.
- 2.1.23 "Manufactured home park or subdivision" means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.
- 2.1.24 "Mean sea level" means, for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929.
- 2.1.25 "Person" means any natural person, firm, corporation, organization, company, association, business, trust, joint stock organization, partnership, joint venture, club or the agent, servant, manager, officer, employee or lessee of any of them.
- 2.1.26 "Sand Dunes" are naturally occurring accumulations of sand in ridges or mounds landward of the beach.
- 2.1.27 "Start of Construction" includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement, or other improvement was within 180 days of the permit date. 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 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.

2.1.28 "Structure" is a walled and roofed building or manufactured home that is principally above ground.

2.1.29 "Subdivision" is a dividing of land which creates five (5) or more legal lots from an existing lot.

2.1.30 "Substantial Improvement" means any repair, reconstruction, or improvement to a structure the cost of which equals or exceeds 50% of the market value of the structure either:

(1) Before the improvement or repair is started, or

(2) If the structure has been damaged and is being restored, before the damage occurred.

For residential buildings or other buildings of two stories or less in height (including basement), substantial improvement may alternatively be defined as the repair, reconstruction or improvement of a structure which equals or exceeds 50% of the gross floor space where floor space is used as a measure of value of the structure which existed either:

(1) Before the improvement or repair is started, or

(2) If the structure has been damaged and is being restored, before the damage occurred.

Gross floor space shall include the areas of all floors within the structure and the area of any attached garage. It shall not include the areas of enclosed patios.

For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

This term does not include either:

(1) Any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which

are solely necessary to assure safe living conditions, or

(2) Any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic places, or

(3) Any alteration of a structure designated as a County Historical Landmark by the Ventura County Cultural Heritage Board.

2.1.31 "Variance" means a grant of relief from the requirements of this ordinance which permits construction in a manner that would otherwise be prohibited by this ordinance.

2.1.32 "Violation" means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. 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.

CHAPTER 3 GENERAL PROVISIONS

SECTION 3.1 LANDS TO WHICH THIS ORDINANCE APPLIES

This ordinance shall apply to all areas of Special Flood Hazard within the unincorporated area of the County of Ventura.

SECTION 3.2 BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD

The Areas of Special Flood Hazard identified by the Federal Insurance Administration, through the Federal Emergency Management Agency in a scientific and engineering report entitled "Flood Insurance Study, Ventura County, California", (Unincorporated Areas) dated September 13, 1984, with an accompanying Flood Insurance Rate Map and Flood Boundary and Floodway Map are hereby adopted by reference and declared to be a part of this ordinance. The Flood Insurance Study is on file with the Ventura County Public Works Agency, 800 South Victoria Avenue, Ventura, California, 93009.

The Flood Insurance Study, Flood Insurance Rate Map and Flood Boundary and Floodway Map may be revised or amended from time to time by the Federal Insurance Administration and shall be adopted by reference

and declared to be a part of this Chapter as of the effective date of said revision or amendment.

SECTION 3.3

COMPLIANCE

No person shall hereafter construct, locate, extend or alter any structure or land without full compliance with the terms and conditions of this ordinance and other applicable regulations.

This ordinance shall not apply to structures for which applications for building permits have been received by the Ventura County Department of Building and Safety prior to September 3, 1985.

This ordinance shall not apply to grading or construction authorized prior to September 3, 1985 pursuant to the Ventura County Zoning Ordinance, Building Code, or Subdivision Ordinance or to grading or construction for which review of the plans commenced prior to September 3, 1985.

SECTION 3.4

ABROGATION AND GREATER RESTRICTIONS

This ordinance is not intended to repeal, abrogate, or impair any existing easements or covenants, or deed restrictions. However, where this ordinance and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

SECTION 3.5

INTERPRETATION

In the interpretation and application of this ordinance, all provisions shall be:

- (1) Considered as minimum requirements; and be
- (2) Liberally construed in favor of the governing body; and be
- (3) Deemed neither to limit nor repeal any other powers granted under state statutes or county ordinances.

SECTION 3.6

WARNING AND DISCLAIMER OF LIABILITY

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based upon engineering and scientific considerations. Larger floods can and will occur. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that the land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding

or flood damages. This chapter shall not create liability on the part of the County, Flood Control District, any officer or employee thereof, or the Federal Insurance Administration for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made thereunder.

SECTION 3.7

SEVERABILITY

If any section, subsection, sentence, clause, phrase or other portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portion or portions of this ordinance. The Board of Supervisors of Ventura County hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, clauses, phrases or other portions be declared invalid or unconstitutional.

SECTION 3.8

EFFECT OF HEADINGS

Section headings contained herein shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or intent of any of the provisions of this ordinance.

CHAPTER 4
ADMINISTRATION

SECTION 4.1

FLOOD PLAIN DEVELOPMENT PERMIT REQUIRED

A Flood Plain Development Permit shall be obtained before start of construction or development begins within any area of Special Flood Hazard established by this ordinance. Application for a Flood Plain Development Permit shall be made on forms furnished by the Director of Public Works and may include, but not be limited to, plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities; and the location of the foregoing. Specifically, the following information is required:

- 4.1.1 Elevation in relation to mean sea level of the lowest floor (including basement) of all structures; in Zone AO, elevation of existing grade and proposed elevation of lowest floor of all structures.

- 4.1.2 Elevation in relation to mean sea level to which any structure will be flood proofed;
- 4.1.3 Certification by a registered professional engineer or architect that the flood proofing methods for any nonresidential structure meet the flood proofing criteria set forth in this ordinance; and
- 4.1.4 Description of the extent to which any watercourse will be altered or relocated as a result of the proposed development.

SECTION 4.2 DESIGNATION OF ADMINISTRATOR

The Director of Public Works is hereby appointed to administer and implement this ordinance by granting or denying Flood Plain Development Permit applications in accordance with the provisions of this ordinance.

SECTION 4.3 DUTIES AND RESPONSIBILITIES OF THE DIRECTOR OF PUBLIC WORKS

The duties and responsibilities of the Director of Public Works shall include, but not be limited to:

- 4.3.1 Permit Review
 - 4.3.1.1 Review of all applications for Flood Plain Development Permits to determine that the permit requirements of this ordinance have been satisfied.
 - 4.3.1.2 Review all applications for Flood Plain Development Permits to determine if the proposed development adversely affects the flood carrying capacity of the area of Special Flood Hazard. For purposes of this ordinance, "adversely affected" means that the cumulative effect of the proposed development when combined with all other existing and anticipated development will not increase the water surface elevation of the base flood more than one (1) foot at any point.
 - 4.3.1.3 Review of all applications for Flood Plain Development Permits to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is in a flood-prone area, all new construction and substantial improvements (including the placement of prefabricated buildings and manufactured homes) shall (i) be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure, (ii) be constructed with materials and utility equipment resistant to flood damage, and (iii) be constructed by methods and practices that minimize flood damage.

- 4.3.2 Issuance of Flood Plain Development Permits where applications have been found to be in conformance with the terms of this ordinance.
- 4.3.3 Use of other Base Flood Data when base flood elevation data has not been provided in accordance with Section 3.2, Basis for Establishing the Areas of Special Flood Hazard, the Director of Public Works shall obtain, review, and reasonably utilize the best base flood data available from any source such as high water mark(s), floods of record, or private engineering reports in order to administer this ordinance.
- 4.3.4 OBTAINING AND MAINTAINING INFORMATION
- 4.3.4.1 The Director of Public Works shall obtain and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures.
- 4.3.4.2 For all new or substantially improved flood proofed structures the Director of Public Works shall:
- (1) Verify and record the actual elevations to which the structures have been flood proofed (in relation to mean sea level); and
 - (2) Maintain the flood proofing certifications required by this ordinance.
- 4.3.4.3 The Director of Public Works shall maintain for public inspection all records pertaining to this ordinance.
- 4.3.5 ALTERATION OF WATERCOURSE
- It is the responsibility of the Director of Public Works to:
- 4.3.5.1 Submit information to the Federal Emergency Management Agency detailing any alterations or relocations of a watercourse that affect the capacity; and
- 4.3.5.2 Insure that the flood carrying capacity of the altered or relocated watercourse is not reduced.
- 4.3.5.3 Notify adjacent communities and the California Department of Water Resources prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.
- 4.3.6 Interpretation of Flood Insurance Rate Map (FIRM) Boundaries

The Director of Public Works will provide interpretations, where needed, as to the exact location of the boundaries of the areas of Special Flood Hazard and regulatory floodways. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in Section 7.1.

4.3.7 Other Permits Required

The Director of Public Works shall review proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by federal or state law.

SECTION 4.4

FEES

Before a permit is issued, an applicant shall pay the enforcing officer the fees authorized by this Section.

4.4.1

Fees - A schedule of fees shall be adopted by Resolution of the Board of Supervisors of Ventura County. Such fees will reimburse the County for costs incurred in the processing, investigation, renewal and modification of Flood Plain Development Permits and for performing other work in the administration of the Ordinance.

SECTION 4.5

COMMENCEMENT OF WORK

The Permittee shall begin the work authorized by the Flood Plain Development Permit within one hundred eighty (180) calendar days from the date of issuance of this permit. A permit which has become void by reason of noncommencement of work in 180 days may be renewed one time for a 180-day period within thirty (30) days after such permit becomes void at the discretion of the enforcing officer upon payment of a renewal fee; if the enforcing officer does not consent to such renewal, a permit may be granted only upon following the procedures herein established for the original application. In the event a permit becomes void and such permit is not renewed within the time allowed for renewal, the enforcing officer shall, within ninety (90) days after such permit becomes void, return to the former permittee any part of his permit fee in excess of the total of the Application Fee, Plan Check Fee and any other fees paid not relating to inspection of the work during construction, as well as any surety bond, cash bond, or instrument of credit the former permittee may

have paid to or filed with the enforcing officer, pursuant to the terms of this ordinance.

CHAPTER 5
PROVISIONS FOR FLOOD HAZARD REDUCTION

- SECTION 5.1 In all areas of special flood hazard, the following standards are required.
- 5.1.1 ANCHORING
- 5.1.1.1 All new construction and substantial improvements of structures shall be anchored to prevent flotation, collapse, or lateral movement.
- 5.1.2 Construction Materials and Methods
- 5.1.2.1 All new construction and substantial improvements of structures shall be constructed of materials and utility equipment resistant to flood damage.
- 5.1.2.2 All new construction and substantial improvements of structures shall use methods and practices that minimize flood damage.
- 5.1.2.3 Electrical, heating, ventilation, plumbing and air-conditioning equipment and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
- 5.1.3 UTILITIES
- 5.1.3.1 All new and replacement water supply and sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters; and
- 5.1.3.2 On site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.
- 5.1.4 SUBDIVISIONS
- 5.1.4.1 All subdivisions shall be consistent with the need to minimize flood damage;
- 5.1.4.2 All subdivisions shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;
- 5.1.4.3 All subdivisions shall have adequate drainage

provided to reduce exposure to flood damage; and

- 5.1.4.4 Base flood elevation data shall be provided for subdivisions or development of single lots of five acres or more. Such data shall be provided to and accepted by the Director of Public Works prior to acceptance of the final map and any public improvements by Ventura County.

SECTION 5.2

SPECIFIC STANDARDS

In all areas of special flood hazard where base flood elevation data has been provided as set forth in Section 3.2, or Section 4.3.3, the following provisions are required:

- 5.2.1 RESIDENTIAL CONSTRUCTION - New construction and substantial improvement of any residential structure or manufactured home shall have the lowest floor, including basement, elevated to one (1) foot above the base flood elevation; and
 - 5.2.1.1 Where average velocities of flow exceed five (5) feet per second, any fill material used to support the structure and its foundations shall be armored to prevent loss of the fill material.
 - 5.2.1.2 Shall have the elevation of the lowest floor certified by a person qualified in the State of California to practice surveying. Such certification shall be provided to the Director of Public Works in a form prescribed by the Director of Public Works. The certification shall be provided prior to occupancy of the structure.
 - 5.2.1.3 When fill is not used and velocities of flow are less than five (5) feet per second, structural components such as piers used to support the structure shall be designed to resist hydrostatic loads.
 - 5.2.1.4 When fill is not used and velocities of flow are equal to or greater than five (5) feet per second and equal to or less than ten (10) feet per second, the components used to support the structure shall be designed to resist hydrostatic and hydrodynamic loads.
 - 5.2.1.5 When depths of water exceed three (3) feet, structural components used to support the structure shall be designed for impact loads.
 - 5.2.1.6 When fill is not used and velocities of flow exceed

ceed ten (10) feet per second, the use of structural components to support a structure is prohibited.

- 5.2.1.7 Manufactured homes to be placed or substantially improved in an existing manufactured home park or subdivision are not required to meet the requirements of Section 5.2.1. Except where the repair, reconstruction, or improvement of the streets, utilities and pads equals or exceeds 50 percent of the value of the streets, utilities and pads before the repair, reconstruction or improvement commenced.
- 5.2.2 NONRESIDENTIAL CONSTRUCTION - New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated to one (1) foot above the base flood elevation and meet the requirements of Section 5.2.1; or together with attendant utility and sanitary facilities, shall
 - 5.2.2.1 Be flood-proofed so that below a level one foot above the base flood elevation the structure is watertight with walls substantially impermeable to the passage of water;
 - 5.2.2.2 Be certified by a registered professional engineer or architect that the standards of this section are satisfied. Such certification shall be provided to the Director of Public Works in a form prescribed by the Director of Public Works. The certification shall be provided prior to occupancy of the structure.
 - 5.2.2.3 Where velocities of flow are less than five (5) feet per second, structural components of the structure shall be designed to resist hydrostatic loads.
 - 5.2.2.4 Where velocities of flow are equal to or greater than five (5) feet per second and equal to or less than ten (10) feet per second, the structure shall be designed to resist hydrostatic and hydrodynamic loads.
 - 5.2.2.5 When depths of water exceed three (3) feet, the structure shall be designed for impact loads.
 - 5.2.2.6 Where velocities of flow exceed ten (10) feet per second, structures with floors below water surface elevations and the use of structural components to support the structure are prohibited.
- 5.2.3 SHALLOW FLOODING - Located within the Areas of

Special Flood Hazard established in Section 3.2, are areas designated as AO and AH zones. These areas have special flood hazard associated with base flood depths of one (1) to three (3) feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate; therefore the following provisions apply:

- 5.2.3.1 All new construction and substantial improvements of residential structures in AO zones shall have the lowest floor, including basement, elevated above the highest grade to the depth number specified on the community's FIRM plus one (1) foot.
- 5.2.3.2 All new construction and substantial improvements of residential structures in AH zones shall have the lowest floor, including basement, elevated above the base flood elevation plus one (1) foot.
- 5.2.3.3 All new construction and substantial improvements of nonresidential structures in AO zones shall:
 - (1) Have the lowest floor, including basement, elevated above the highest grade to the depth number specified on the FIRM plus one (1) foot, or
 - (2) Together with attendant utility and sanitary facilities be completely flood-proofed to or above that level so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components which have the capability to withstand hydrostatic and hydrodynamic loads and the effects of buoyancy.
 - (a) Where velocities of flow are less than five (5) feet per second, structural components shall be designed to resist hydrostatic loads.
 - (b) Where velocities of flow are equal to or greater than five (5) feet per second and equal to or less than ten (10) feet per second, the structural components shall be designed to resist hydrostatic and hydrodynamic loads.
 - (c) Where velocities of flow exceed ten (10) feet per second, structures with floors below water surface elevations are prohibited and the use of structural components to support the structure are prohibited.

(d) Adequate drainage paths shall be provided around structures on slopes to guide floodwaters around and away from the proposed structures.

(e) All new construction and substantial improvements of non-residential structures in AH zones shall:

(1) Have the lowest floor, including basement, elevated to the base flood elevation specified on the FIRM plus one (1) foot, or

(2) Meet the standards set forth in Section 5.2.3.3 (2).

5.2.4 ALLUVIAL FANS - Areas subject to alluvial fan flooding have irregular flow paths that result in erosion of existing channels and the undermining of fill material. Those areas are identified on the Flood Insurance Rate Map as AO zones with velocities.

5.2.4.1 All structures must be securely anchored to minimize the impact of the flood and sediment damage.

5.2.4.2 All new construction and substantial improvements of structures must be elevated on pilings, columns, continuous foundations, or armored fill so that the bottom of the lowest floor beam or the bottom of the floor slab is elevated to or above the depth number plus (1) foot.

5.2.4.3 All fill materials must be armored to protect the material from the velocity of the flood flow.

5.2.4.4 All proposals for subdivision development must provide a mitigation plan that identifies the engineering methods used to:

(1) Protect the structures from erosion and scour caused by the velocity of the flood flow.

(2) Capture or transport flood and sediment flow through the subdivision to a safe point of disposition.

5.2.5 COASTAL HAZARD AREAS - Located within the Areas of Special Flood Hazard established in Section 3.2, are areas designated as coastal hazard areas identified as Zones VI-30, VE, and V. These areas have special flood hazards associated with wave run-up and beach erosion in which the following provisions shall apply.

5.2.5.1 All new construction and substantial improvements shall:

(1) Be elevated and secured to adequately anchored pilings and columns so that the lowest portion of structural members of the lowest floor, excluding pilings or columns, is elevated one (1) foot above the base flood level.

(2) Have space below the lowest floor free of obstruction, or constructed with breakaway walls intended to collapse under stress without jeopardizing the structural support.

(3) Not use any fill for structural support.

5.2.5.2 All new construction shall be located landward of the mean high tide line.

5.2.5.3 Compliance with the provisions of Section 5.2.5.1 shall be certified by a registered professional engineer or architect and provided to the Director of Public Works. This certification shall be provided to the Director of Public Works prior to occupancy of the structure.

5.2.6 REGULATORY FLOODWAY - The regulatory floodway shown in the Flood Insurance Study has been selected and adopted on the principle that the area chosen for the regulatory floodway must be designed to carry the waters of the base flood without increasing the water surface of that flood more than one foot at any point. In accordance with this principle the following provisions shall apply:

5.2.6.1 Encroachments, including fill, new construction, substantial improvements, and other development within the adopted regulatory floodway that would result in any increase in flood levels for the base flood elevation with floodway as specified in the Flood Insurance Study during the occurrence of the base flood discharge are prohibited.

5.2.6.2 The placement of residential structures within the adopted regulatory floodway is prohibited.

5.2.7 REGULATORY FLOODWAY NOT DEFINED - Where no floodway is identified, the applicant for a Flood Plain Development Permit shall provide an engineering study for the project area that establishes a setback where no encroachment of any new development will be allowed that would increase the water surface elevation of the base flood plus one (1) foot;

or establish a setback from the stream bank equal to five (5) times the width of the stream at the top of the bank or twenty (20) feet on each side from the top of the bank, whichever is greater.

CHAPTER 6 LOADING

SECTION 6.1 GENERAL

- 6.1.1 All structures covered by this ordinance shall be capable of resisting all loads required by the Ventura County Building Code and, in addition, all loads prescribed in this Chapter without exceeding allowable stresses.
- 6.1.2 Water loads are loads or pressures on surfaces of structures caused and induced by the presence of flood waters. They are hydrostatic, hydrodynamic or impact loads.

SECTION 6.2 HYDROSTATIC LOADS

- 6.2.1 Hydrostatic loads are those caused by water above or below the ground surface, free or confined, which is either stagnant or moves at low velocities up to five (5) feet per second.
 - 6.2.1.1 The pressure at any point is equal to the unit weight of water (62.4 pounds per cubic foot) multiplied by the height of water above the point to which confined water would rise if free to do so.
- 6.2.2 Hydrostatic loads consist of vertical loads, lateral loads, and uplift.
 - 6.2.2.1 Vertical Loads: These are loads acting vertically downward on horizontal or inclined surfaces of buildings or structures, such as roofs, decks or floors, and walls, caused by the weight of flood waters above them.
 - 6.2.2.2 Lateral Loads: Lateral hydrostatic loads are those which act in a horizontal direction, against vertical or inclined surfaces, both above and below the ground surface and tend to cause lateral displacement and overturning of the building, structure, or parts thereof.
 - 6.2.2.3 Uplift: Uplift loads are those which act in a vertically upward direction on the underside of horizontal or sloping surfaces of buildings or structures, such as basement slabs, footings, floors, decks, roofs and overhangs. Hydrostatic

loads acting on inclined, rounded or irregular surfaces may be resolved into vertical or uplift loads and lateral loads based on the geometry of the surfaces and the distribution of hydrostatic pressures.

SECTION 6.3

HYDRODYNAMIC LOADS

6.3.1 Hydrodynamic loads, for the purpose of these regulations, are those induced on structures by the flow of flood water moving at moderate or high velocity around the structures or parts thereof, above ground level. Such loads may occur below the ground level when openings or conduits exist which allow free flow of flood waters. Hydrodynamic loads are basically of the lateral type and relate to direct impact loads by the moving mass of water, and to drag forces as the water flows around the obstruction.

6.3.1.1 Conversion to Equivalent Hydrostatic Loads - For the purpose of these regulations, and for cases when water velocities do not exceed 10 feet per second, dynamic effects of the moving water may be converted into equivalent hydrostatic loads by increasing the depth of water by an amount dh , on the upstream side and above the ground level only, equal to:

$$dh = \frac{a v^2}{2g}, \text{ where}$$

V is the average velocity of the water in feet per second;

g is the acceleration of gravity, 32.2 feet per second per second;

a is the coefficient of drag or shape factor. (The value of a , unless otherwise evaluated, shall not be less than 1.25)

The equivalent surcharge depth dh shall be added to the depth measured between the design level and the regulatory flood and the resultant pressures applied to, and uniformly distributed across, the vertical projected area of the building or structure which is perpendicular to the flow. Surfaces parallel to the flow or surfaces facing downstream shall be considered subject to hydrostatic pressures for depths to the regulatory flood only.

SECTION 6.4

IMPACT LOADS

6.4.1 Types: For the purpose of these regulations, impact loads are those which result from floating debris,

ice and any floatable object or mass carried by flood waters striking against structures or parts thereof. These loads are of two basic types: normal and special.

- 6.4.1.1 Normal Impact Loads: Normal impact loads are those which relate to isolated occurrences of logs or floatable objects of normally encountered sizes striking buildings or parts thereof.
- 6.4.1.2 Special Impact Loads: Special impact loads are those which relate to large conglomerates of floatable objects, such as an accumulation of floating debris, either striking or resting against a building or parts thereof.
- 6.4.2 Applicability: Impact loads shall be considered in the design of structures and parts thereof as stipulated below:
 - 6.4.2.1 Normal Impact Loads: A concentrated load acting horizontally at the regulatory flood level or at any point below it, equal to the impact force, produced by a 1,000-pound mass traveling at the velocity of the flood water and acting on a one (1) square foot surface of the structure.
 - (1) Deceleration of the mass shall occur over 0.5 seconds.
 - (2) This load shall be applied to the structure in such a manner that stresses are maximized.
 - 6.4.2.2 Special Impact Loads: Special impact loads shall be considered in the design of buildings, structures, or parts thereof. Unless a rational and detailed analysis is made and submitted for approval by the Director of Public Works, the intensity of load shall be taken as 100 pounds per foot acting horizontally over a one-foot wide horizontal strip at the regulatory flood level or at any level below it. Where natural or artificial barriers exist which would effectively prevent these special impact loads from occurring, the loads may be ignored in the design.

SECTION 6.5

PRESSURE EQUALIZATION

- 6.5.1 All new construction and substantial improvements, that fully enclose 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. Designs for meeting this requirement

must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria: 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.

- 6.5.2 Pressure equalization shall be appropriate for unfinished or flood resistant enclosures either unused or solely used for parking of vehicles, building access or storage in areas other than basements. All other structures shall be elevated or flood proofed pursuant to the terms of this ordinance.

SECTION 6.6

BREAKAWAY WALLS

A breakaway wall shall have a design safe loading resistance of not less than 10 and no more than 20 pounds per square foot. Use of breakaway walls must be certified by a registered engineer or architect and shall meet the following conditions:

- (1) Breakaway wall collapse shall result from a water load less than that which would occur during the base flood; and
- (2) The elevated portion of the building shall not incur any structural damage due to the effects of winds and water loads acting simultaneously during a 100-year event.

CHAPTER 7 APPEALS AND VARIANCES

SECTION 7.1

APPEAL BOARD

- 7.1.1 The Ventura County Board of Supervisors acting as the appeal board shall hear and decide appeals and requests for variances from the requirements of this chapter. The appeal board shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Director of Public Works in the enforcement or administration of this chapter.
- 7.1.2 Those aggrieved by the decision of the appeal board, or any taxpayer, may seek judicial review of such

decision in the Superior Court pursuant to Section 1094.5 of the Code of Civil Procedure provided that proceedings are commenced within thirty (30) days after such decision is final.

7.1.3 A decision of the appeal board is final and may not be reconsidered on the day following the day on which the decision was rendered.

7.1.4 In passing upon such applications, the appeal board shall consider all technical evaluations, all relevant factors, standards specified in other sections or chapters, and:

- (1) The danger that materials may be swept onto other lands to the injury of others;
- (2) The danger to life and property due to flooding or erosion damage;
- (3) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
- (4) The importance of the services provided by the proposed facility to the community;
- (5) The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
- (6) The compatibility of the proposed use with existing and anticipated development;
- (7) The relationship of the proposed use to the comprehensive plan and flood plain management program for that area;
- (8) The safety of access to the property in times of flood for ordinary and emergency vehicles;
- (9) The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and
- (10) The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems and streets and bridges.
- (11) The use is a functionally dependent use provided the structure or other development

is protected by methods that minimize flood damage during the occurrence of a base flood and creates no additional threats to public safety.

- SECTION 7.1.5 Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of 1/2 acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, provided the items listed in Section 7.1.4, have been fully considered. As the lot size increases beyond one-half (1/2) acre, the technical justification required for issuing the variance increases.
- 7.1.6 Upon consideration of the factors of Section 7.1.4 and the purposes of this chapter, the appeal board may attach such conditions to the granting of appeals and variances as deemed necessary to further the purposes of this chapter.
- 7.1.7 The Director of Public Works shall maintain the records of all appeal actions and report any variances to the Federal Insurance Administration upon request.

SECTION 7.2 CONDITIONS FOR VARIANCES

- 7.2.1 Variances may be issued for the reconstruction, rehabilitation, or restoration of structures listed on the National Register of Historic Places, the State Inventory of Historic Places, or any structure designated as a County Historical Landmark by the Ventura County Cultural Heritage Board, without regard to the procedures set forth in the remainder of this section.
- 7.2.2 Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- 7.2.3 Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- 7.2.4 Variances shall only be issued upon:
- (1) A showing of good and sufficient cause such as renovation, rehabilitation, or reconstruction. Variances issued for economic considerations, aesthetics, or because variances have been used in the past are NOT good and sufficient cause.
 - (2) A determination that failure to grant the

variance would result in exceptional hardship to the applicant.

- (3) A determination 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 victimization to the public, or conflict with existing laws or ordinances.

CHAPTER 8 ENFORCEMENT

SECTION 8.1

ABATEMENT OF NUISANCE

A violation of Section 3.3, of this ordinance is declared to be a public nuisance and may be abated. In the event of abatement, the costs of such abatement shall be assessed to the violator. If the violator maintains a nuisance upon real property in which he has less than total interest, the assessment shall be a charge upon such property to the extent of the violator's interest therein. The assessment shall be collected at the same time and in the same manner as ordinary county taxes are collected, and shall be subject to the same penalties and the same procedure for sale in case of delinquency as provided for ordinary taxes. All laws applicable to the levy, collection and enforcement of county taxes shall be applicable to such assessment, except as otherwise provided in Government Code Section 25845. The procedure established for the repair, rehabilitation, vacation or demolition of substandard buildings by the Uniform Housing Code, 1982 Edition, commencing with Chapter 11 thereof, to the extent it can reasonably be applied to violations of Section 3.3, hereof, is hereby incorporated herein as though fully set forth at this point and is hereby adopted as the procedure for abatement inspection, abatement and for assessing the cost of abatement of such nuisances to the violator or against the land involved, provided that for the purposes of the Uniform Housing Code, the "Director of Public Works" is the "Building Official" and the "Board of Supervisors" is the "Board of Appeals".

SECTION 8.2

EMERGENCY ABATEMENT

If it appears to the Director of Public Works that an emergency exists because of a violation of Section 3.3, then without following the procedure established by Section 8.1, the Director of Public Works may order all work done necessary to remove,

abate or mitigate the condition creating such emergency. The Director may do the work with his own employees or may contract to have the work done; in either event, the Director shall keep a record of the cost of the work and charge the cost of the work to the violator, who shall repay the county for the cost thereof.

SECTION 8.3

VIOLATIONS/PENALTIES

Any person who:

- (1) Violates any provision of this ordinance; or
- (2) Refuses without lawful excuse to attend any hearing, or to produce material evidence in his possession or under his control as required by any subpoena served upon such person as provided in the Uniform Housing Code, 1982 Edition; or
- (3) Fails, neglects or refuses to obey any order of the Director of Public Works or the Board of Supervisors made pursuant to the provisions of the Uniform Housing Code, 1982 Edition, and directed to such person, after such order shall have become final; shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punishable by a fine of not more than one thousand dollars (\$1,000.00), or by imprisonment in the county jail for not more than six (6) months, or by both such fine and imprisonment.

CHAPTER 9

REPEAL OF PRIOR FLOOD PLAIN MANAGEMENT ORDINANCE

SECTION 9.1

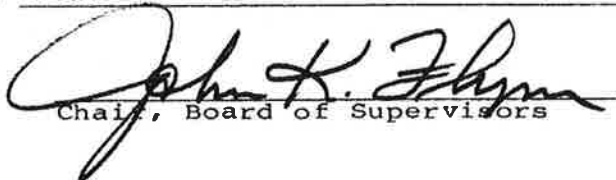
Ordinance No. 3741 and Ordinance No. 3750, together known as the Ventura County Flood Plain Management Ordinance, are hereby repealed.

ADOPTED this 2nd day of February, 1988, by the following votes:

AYES: Supervisors Lacey, Schaefer, Erickson,
Dougherty, Flynn

NOES: Supervisors None

ABSENT: Supervisors None


Chair, Board of Supervisors

ATTEST:

RICHARD D. DEAN, County Clerk,
County of Ventura, State of
California, and ex-officio Clerk
of the Board of Supervisors thereof.

By 
Deputy Clerk

BOARD OF SUPERVISORS, COUNTY OF VENTURA, STATE OF CALIFORNIA

TUESDAY, FEBRUARY 2, 1988, AT 8:30 A.M.

ORD. 3841/FC-Gen/ORDS.3741/3750

ADOPTING ORDINANCE NO. 3841;

FLOOD PLAIN MANAGEMENT

After holding second hearing and receiving testimony of Pat Baggerly and Pekka K. Merikallio, an Ordinance repealing Ordinance No. 3741 and No. 3750 and enacting regulations for Flood Plain Management is presented to the Board at this time, and upon motion of Supervisor Dougherty, seconded by Supervisor Lacey, and duly carried, it is ordered that the same be passed and adopted as an ordinance of the County of Ventura, to be known as Ordinance No. 3841.

Board members vote as follows:

Ayes: Supervisors Lacey, Schaefer, Erickson, Dougherty,
Flynn

Noes: None

Absent: None

All members of the Board present voting on the passage and adoption of said ordinance, it is hereby declared and ordered that said ordinance is hereby passed and adopted as an ordinance of the County of Ventura, to be known as Ordinance No. 3841.

It is further ordered that said ordinance shall take effect and be in force at the expiration of thirty (30) days from the date hereof, and before the expiration of fifteen (15) days the same shall be published, with the names of the members of the Board of Supervisors voting for and against the same, at least once in the Press Courier, a newspaper of general circulation printed and published in the County of Ventura, State of California.

COPIES TO:

PWA (2)

Auditor

Files (6)

Item 4

2/2/88 fw

Ord 3741

CERTIFICATE OF PUBLICATION

No. _____

Public Notice

Ordinance No. 3741

(Above space for filing stamp)

STATE OF CALIFORNIA }
COUNTY OF VENTURA } ss

I, Erin Muldoon,
hereby certify that the Ventura County Star-Free Press is a
newspaper of general circulation within the provisions of the
Government Code of the State of California, printed and
published in the City of San Buenaventura, County of Ventura,
State of California; that I am the principal clerk of the printer
of said newspaper; that the annexed clipping is a true printed
copy and published in said newspaper on the following dates,
to wit:

September 13, 1985

I certify under penalty of perjury that the foregoing is true and
correct, at San Buenaventura, California, on the

13 day of September, 19 85

Erin Muldoon

(Signature)

I hereby certify that the Affidavit of Publication to
which this stamp is affixed attests to the publication
of the Ventura County Ordinance duly adopted by
the Board of Supervisors as set out in said affidavit.

RICHARD D. DEAN, County Clerk and Ex-officio
Clerk of the Board of Supervisors, County of
Ventura, State of California.

By, Richard D. Dean

Deputy

RECEIVED
1985 SEP 17 AM 9:14
OFFICE OF THE CLERK
BOARD OF SUPERVISORS

Public Notices

PUBLIC NOTICE
ORDINANCE NO. 3741
AN ORDINANCE RELATING
TO FLOOD PLAIN
MANAGEMENT

The Board of Supervisors of the Ventura County do ordain as follows:

CHAPTER 1
PURPOSE AND OBJECTIVE
Sec. 1. PURPOSE

The purpose of this ordinance is to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed for:

- (1) Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion or flood heights or velocities;
- (2) Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- (3) Controlling the alteration of natural floodplains, stream channels, and natural protective barriers which help accommodate or channel flood waters;
- (4) Controlling filling, grading, dredging, and other development which may increase flood damage; and
- (5) Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas.

Sec. 2. METHODS OF
REDUCING FLOOD LOSSES

In order to accomplish its purposes, this ordinance includes methods and provisions for:

- (1) Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- (2) Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- (3) Controlling the alteration of natural flood plains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;
- (4) Controlling filling, grading, dredging, and other development which may increase flood damage; and
- (5) Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas.

Sec. 3. NAME

This ordinance shall be known as the Ventura County Flood Plain Management Ordinance.

CHAPTER 2
DEFINITIONS

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

"ALLUVIAL FAN" is an area subject to flooding when the floodplain is comprised of low flow channels where sediment accompanies the shallow flood and the unstable soils scour and erode during a flooding event.

"APPEAL" is a request for a review of the Director of Public Works' interpretation of any provision of this ordinance or a request for a variance.

"AREA OF SPECIAL FLOODING" is a designated AO or AH Zone on the Flood Insurance Rate Map (FIRM). The base flood depths range from one to three feet; a clearly defined channel does not exist; the path of flooding is unpredictable and indeterminate; and velocity of flow may be evident.

Public Notices

plans and an application for a Development Permit, as specified in Chapter 4, Section 1, are accepted for processing by the Director of Public Works on or after the effective date of this ordinance.

"NEW MOBILE HOME PARK OR MOBILE HOME SUBDIVISION" is a parcel (or contiguous parcels) of land divided into two or more mobile home lots for rent or sale for which the construction of facilities or servicing the lot (including, at the minimum, the installation for utilities, either final site grading or the pouring of concrete pads, and the construction of streets) is completed on or after the effective date of this ordinance.

"PERSON" means any natural person, firm, corporation, organization, company, association, business, trust, joint stock organization, partnership, joint venture, club or the agent, servant, manager, officer, employee or lessee of any of them.

"SAND DUNES" are naturally occurring accumulations of sand in ridges or mounds landward of the beach.

"START OF CONSTRUCTION" means the first placement of permanent construction of a structure, other than a mobile home, on a site, such as the pouring of slabs or footings or any work beyond the stage of excavation. 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 as part of the main structure. For a structure, other than a mobile home, without a basement or poured footings, the "start of construction" includes the first permanent framing or assembly of the structure or any part thereof on its piling or foundation. For mobile homes not within a mobile home park or mobile home subdivision, start of construction means the affixing of the mobile home to its permanent site. For mobile homes within mobile home parks or mobile home subdivisions, start of construction is the date on which the construction of facilities for servicing the site on which the mobile home is to be affixed, including, at a minimum, the construction of streets, either final site grading or the pouring of concrete pads, and installation of utilities, is completed.

"STRUCTURE" is a walled and roofed building or mobile home that is principally above ground.

"SUBDIVISION" is a dividing of land which creates five (5) or more legal lots from an existing lot.

"SUBSTANTIAL IMPROVEMENT" means any repair, reconstruction, or improvement to a structure which results in an increase of the gross floor space of the structure of 50 percent or more over that which existed either:

- (1) Before the improvement or repair is started; or
- (2) If the structure has been damaged and is being restored, before the damage occurred.

For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. This term does not include alterations.

Public Notices

trict any officer or employee thereof, or the Federal Insurance Administration for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made thereunder.

CHAPTER 4
ADMINISTRATION
Sec. 1. FLOOD PLAIN DEVELOPMENT PERMIT REQUIRED

A Flood Plain Development Permit shall be obtained before start of construction or development begins within any area of special flood hazard established by this ordinance. Application for a Flood Plain Development Permit shall be made on forms furnished by the Director of Public Works and may include, but not be limited to, plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities; and the location of the foregoing. Specifically, the following information is required:

- (1) Elevation in relation to mean sea level of the lowest habitable floor (including basement) of all structures; in Zone AO, elevation of existing grade and proposed elevation of lowest habitable floor of all structures;
- (2) Elevation in relation to mean sea level to which any structure will be flood proofed;
- (3) Certification by a registered professional engineer or architect that the flood proofing methods for any non-residential structure meet the flood proofing criteria set forth in this ordinance; and
- (4) Description of the extent to which any watercourse will be altered or relocated as a result of the proposed development.

Sec. 2. DESIGNATION OF ADMINISTRATOR

The Director of Public Works is hereby appointed to administer and implement this ordinance by granting or denying Flood Plain Development Permit applications in accordance with the provisions of this ordinance.

Sec. 3. DUTIES AND RESPONSIBILITIES OF THE DIRECTOR OF PUBLIC WORKS

The duties and responsibilities of the Director of Public Works shall include, but not be limited to:

- (1) Permit Review
 - (a) Review of all applications for Flood Plain Development Permits to determine that the permit requirements of this ordinance have been satisfied;
 - (b) Review all applications for Flood Plain Development Permits to determine if the proposed development adversely affects the flood carrying capacity of the area of special flood hazard. For purposes of this ordinance, "adversely affected" means that the cumulative effect of the proposed development when combined with all other existing and anticipated development will not increase the water surface elevation of the base flood more than one (1) foot at any point.
 - (c) Review of all applications for Flood Plain Development Permits to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is in a flood-prone area, all new con-

Public Notices

corners of the mobile home, with two (2) additional ties per side at intermediate locations. For mobile homes less than fifty (50) feet long, only one additional tie per side is required in addition to the corner ties.

2. Frame ties be provided at each corner of the home with five (5) additional ties per side at intermediate points. For mobile homes less than fifty (50) feet long, only four (4) additional ties per side are required in addition to the corner ties.

3. All components of the anchoring system be capable of carrying a force of four thousand eight hundred (4,800) pounds; and

4. Any additions to the mobile home must be similarly anchored.

(2) Construction Materials and Methods

(a) All new construction and substantial improvements shall be constructed of materials and utility equipment resistant to flood damage.

(b) All new construction and substantial improvements shall use methods and practices that minimize flood damage.

(c) All elements that function as part of the structure such as the furnace, hot water heater and air conditioner shall be elevated to or above the base flood elevation or depth number specified on the Flood Insurance Rate Map (FIRM).

(d) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.

(e) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the system into flood waters; and

(f) On site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

(4) Subdivisions

(a) All subdivisions shall be consistent with the need to minimize flood damage;

(b) All subdivisions shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;

(c) All subdivisions shall have adequate drainage provided to reduce exposure to flood damage; and

(d) Base flood elevation data shall be provided for subdivisions or development of single lots of five acres or more. Such data shall be provided to and accepted by the Director of Public Works prior to acceptance of the final map and any public improvements by Ventura County.

(5) Encroachments
The cumulative effect of any proposed development, when combined with all other existing and anticipated development, shall not increase the water surface elevation of the base flood more than one foot at any point.

Sec. 2. SPECIFIC STANDARDS

In all areas of special flood hazard where base flood elevation data has been provided as set forth in Chapter 3, Section 2, or Chapter 4, Section 3 (2), the following provisions are required:

Public Notices

(2) Adequate surface drainage is provided;

(3) Access for a hauler is provided; and

(4) In the instance of elevation or pileage, that:

(i) Lots are large enough to permit slopes

(ii) Piling foundations are placed in stable soil no more than ten (10) feet apart; and

(iii) Reinforcement is provided for piling more than six (6) feet above the ground level.

(4) Shallow Flooding - Located within the Areas of Special Flood Hazard established in Chapter 3, Section 2, are areas designated as AO and AH zones. These areas have special flood hazard associated with base flood depths of one (1) to three (3) feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate; therefore the following provisions apply:

(a) All new construction and substantial improvements of residential structures in AO zones shall have the lowest floor, including basement, elevated above the highest adjacent grade to the depth number specified on the community's FIRM plus one (1) foot.

(b) All new construction and substantial improvements of residential structures in AH zones shall have the lowest floor, including basement, elevated above the base flood elevation plus one (1) foot.

(c) All new construction and substantial improvements of nonresidential structures in AO zones shall:

(1) Have the lowest floor, including basement, elevated above the highest adjacent grade to the depth number specified on the FIRM plus one (1) foot; or

(2) Together with attendant utility and sanitary facilities be completely flood-proofed to or above that level so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components which have the capability to withstand hydrostatic and hydrodynamic loads and the effects of buoyancy.

(a) Where velocities of flow are less than five (5) feet per second, structural components shall be designed to resist hydrostatic loads.

(b) Where velocities of flow are equal to or greater than five (5) feet per second and equal to or less than ten (10) feet per second, the structural components shall be designed to resist hydrostatic and hydrodynamic loads.

(c) Where velocities of flow exceed ten (10) feet per second, structures with floors below water surface elevations are prohibited and the use of structural components to support the structure are prohibited.

(d) All new construction and substantial improvements of non-residential structures in AH zones shall:

(1) Have the lowest floor, including basement, elevated to the base flood elevation specified on the FIRM plus one (1) foot; or

(2) Meet the standards set forth in Chapter 3, Section 2, (4);

(3) Alluvial Fans - Areas subject to alluvial fan flooding have irregular flow paths that result in erosion of existing channels

Public Notice

regulatory floodway that result in any increase in levels during the occurrence of the base flood discharge prohibited.

(b) The placement of mobile homes, except mobile home parks and home subdivisions, will be adopted regulatory flood prohibited.

(c) The placement of final structures within the regulatory floodway is prohibited.

(8) Regulatory Flood Defined - Where no flood identified, the applicable Flood Plain Development Permit shall provide an end study for the project that establishes a setback or encroachment of any not would increase the water elevation of the base plus one (1) foot; or set back from the stream equal to five (5) times the width of the stream at the bank or twenty (20) feet side from the top of the whichever is greater.

CHAPTER 6
WATER LOADS

Sec. 1. General

(1) All buildings and structures covered by this ordinance shall be capable of resisting loads required by the County Building Code. In addition, all loads prescribed in this Chapter without allowable stresses.

(2) Water loads are pressures on surfaces caused and induced by presence of flood water or hydrostatic, hydrodynamic or impact loads.

Sec. 2. Hydrostatic load

(1) Hydrostatic load those caused by water below the ground surface or confined, which is stagnant or moves at velocities up to five (5) feet per second.

(2) The pressure at a point is equal to the unit weight of water (62.4 pounds per foot) multiplied by the height of water above the point. Confined water would fit to do so.

(3) Hydrostatic loads of vertical loads, lateral and uplift.

(a) Vertical Loads: T loads acting vertically upward on horizontal or surfaces of buildings or structures, such as roofs, floors, and walls, caused by weight of flood water.

(b) Lateral Loads: Hydrostatic loads which act in a horizontal direction, against vertical or inclined surfaces, both above and below the ground surface tend to cause lateral movement and overturning of building structures, or thereof.

(c) Uplift: Uplift to those which act in an upward direction on the side of horizontal or surfaces of buildings or structures, such as basement footings, floors, decks, overhangs. Hydrostatic acting on inclined, roof irregular surfaces may be solved into vertical loads and lateral loads.

(d) The geometry of the and the distribution of water pressures.

Sec. 3. Hydrodynamic

BOARD OF SUPERVISORS, COUNTY OF VENTURA, STATE OF CALIFORNIA

TUESDAY, SEPTEMBER 3, 1985, AT 8:30 O'CLOCK A. M.

236/FC-Gen/ORD.#3741

ALL MEMBERS PRESENT
EXCEPT SUPERVISOR FLYNN

Upon motion of Supervisor Erickson, seconded by Supervisor Lacey, and duly carried, the Board hereby approves the following matter by 4/5ths vote:

PUBLIC WORKS AGENCY county of ventura

Director
Arthur E. Goulet

Manager - Administrative Services
Paul W. Ruffin

Deputy Directors

Ron Brazill
Real Property Services
Al F. Knuth
Transportation
T. M. Morgan
Engineering Services
G. J. Nowak
Flood Control/Water Resources

September 3, 1985

Board of Supervisors
County of Ventura
800 S. Victoria Avenue
Ventura, CA 93009

Subject: ADOPTION OF FLOOD PLAIN MANAGEMENT ORDINANCE
(4/5 VOTE REQUIRED)

Recommendation:

1. As an urgency measure, adopt the attached Flood Plain Management Ordinance.
2. Authorize filing of the Notice of Exemption with the County Clerk.
3. Direct the Clerk of the Board to immediately return two certified copies of the Board action to the Public Works Agency for further processing with FEMA.

Discussion:

The County of Ventura has been a participant in the flood insurance program since September, 1970. Since that time, we have been in the entrance, or emergency, portion of the program. This allows purchase of flood insurance in limited amounts in the unincorporated territory. For example, the owner of a single family residential structure may acquire only \$35,000 insurance on the structure and \$10,000 on the structure's contents.

In order to convert from the emergency portion of the program to the regular, it is necessary for the federal government, through the Federal Emergency Management Agency (FEMA), to complete a Flood Insurance Study (FIS) for the unincorporated territory of Ventura County and for the County to adopt a flood plain management ordinance that allows control of the floodprone areas identified by the FIS. The Flood Plain Management Ordinance, which is the subject of this letter, is intended to meet this requirement.

Conversion from the emergency program to the regular program provides a substantial increase in insurance coverage; for example, the single family residential structure may now be covered to \$185,000 and its contents to \$60,000.

The citizens in the unincorporated area affected by the Wheeler fire face potential severe damage to their homes if not total loss. The increase in insurance coverage, although not a preventative measure, will allow at least partial recovery in the event damage occurs.

We are informed that, if the ordinance is adopted now, the conversion process may be completed by the end of September. This will be early enough to provide mitigation of damage through insurance for affected people. Since the conversion process is dependent upon adoption of the ordinance and time is already short, this adoption is urgent.

The ordinance does not apply to all land within Ventura County. The ordinance adopts the FIS and applies to those lands in the unincorporated area which the FIS identifies as being within areas of special flood hazard either from ocean or rain related flooding.

The ordinance:

- (1) provides for creation of a Flood Plain Development Permit which is required prior to construction of new structures within floodplains or alteration of any watercourses.
- (2) establishes criteria for the administration of the ordinance by the Public Works Agency Director as a ministerial activity.
- (3) provides information to be used in the design of structures for hydrostatic, hydrodynamic, and impact loading.
- (4) requires a technical certification by a licensed professional engineer, architect, or land surveyor, as appropriate.
- (5) establishes a procedure for appeals, variances, and mitigation of those facilities not placed in accordance with the terms of the ordinance.
- (6) for the most part, is based upon a model ordinance prepared by FEMA. The document has been given a preliminary review by FEMA and is believed to be in conformance with their requirements.

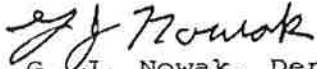
September 3, 1985

The ordinance is still being drafted by County Counsel and Public Works Agency staff and therefore will not be available until the meeting.

We will also be returning to your Board with a recommended fee schedule for processing Flood Plain Development Permits.

The adoption of the ordinance is considered exempt from CEQA requirements per Section 15268 of that act.

If you have any questions regarding this item, please contact the undersigned at Ext. 2040.



G. J. Nowak, Deputy Director of Public Works
Flood Control & Water Resources Department

WGH:ch
Attach.

COPIES TO:

PWA (2)
Sheriff-Emergency
Auditor
Risk Management
Files (4)
Item 25
9/3/85 fw

BOARD OF SUPERVISORS, COUNTY OF VENTURA, STATE OF CALIFORNIA

TUESDAY, SEPTEMBER 3, 1985, AT 8:30 O'CLOCK A. M.

ORD. 3741/236/FC-Gen

ADOPTING ORDINANCE NO. 3741; RELATING TO
FLOOD PLAIN MANAGEMENT

An Ordinance relating to Flood Plain Management

is presented to the Board at this time, and upon motion of Supervisor Erickson, seconded by Supervisor Lacey, and duly carried, it is ordered that the same be passed and adopted as an ordinance of the County of Ventura, to be known as Ordinance No. 3741.

Board members vote as follows:

Ayes: Supervisors Lacey, Jones, Erickson, Dougherty

Noes: None

Absent: Supervisor Flynn

All members of the Board present voting on the passage and adoption of said ordinance, it is hereby declared and ordered that said ordinance is hereby passed and adopted as an ordinance of the County of Ventura, to be known as Ordinance No. 3741.

It is further ordered that said ordinance shall take effect and be in force immediately upon adoption

and before the expiration of fifteen (15) days the same shall be published, with the names of the members of the Board of Supervisor voting for and against the same, at least once in the Star Free Press a newspaper of general circulation printed and published in the County of Ventura, State of California.

COPIES TO:

PWA (2)
Sheriff-Emergency Serv.
Auditor
Risk Management
Files (4)
Item 25A
9/3/85 fw



Ordinance Number

3890

Date Adopted

3/21/1989

Subject

VENTURA COUNTY ORDINANCE MODIFYING ORDINANCE 3841 RELATING TO
FLOOD PLAIN MANAGEMENT

Comments

ORDINANCE NO. 3890
AN ORDINANCE MODIFYING ORDINANCE NO. 3841
RELATING TO FLOOD PLAIN MANAGEMENT

The Board of Supervisors of the County of Ventura do ordain as follows:

Section 7.2 of Ordinance No. 3841 is amended to read as follows:

SECTION 7.2 CONDITIONS FOR VARIANCES

- 7.2.1 Variances may be issued for the reconstruction, rehabilitation, or restoration of structures listed on the National Register of Historic Places, the State Inventory of Historic Places, or any structure designated as a County Historical Landmark by the Ventura County Cultural Heritage Board, without regard to the procedures set forth in the remainder of this section.
- 7.2.2 Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result except that a variance may be approved if the Administrator of the Federal Insurance Administration has previously given conditional approval.
- 7.2.3 Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- 7.2.4 Variances shall only be issued upon:
 - (1) A showing of good and sufficient cause such as renovation, rehabilitation, or reconstruction. Variances issued for economic considerations, aesthetics, or because variances have been used in the past are not good and sufficient cause.
 - (2) A determination that failure to grant the variance would result in exceptional hardship to the applicant.
 - (3) A determination that the granting of a variance will not result in increased flood heights except where the increased flood heights have been given conditional approval of the Administrator of the

Federal Insurance Administration, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization to the public, or conflict with existing laws or ordinances.

Section 5.2.4 is amended to read as follows:

- 5.2.4 ALLUVIAL FANS - Areas subject to alluvial fan flooding have irregular flow paths that result in erosion of existing channels and the undermining of fill material. Those areas are identified on the Flood Insurance Rate Map as AO zones with velocities.
- 5.2.4.1 All structures must be securely anchored to minimize the impact of the flood and sediment damage.
- 5.2.4.2 All new construction and substantial improvements of structures ~~must be elevated on pilings, columns, continuous foundations, or armored fill so that the bottom of the lowest floor beam or the bottom of the floor slab is~~ shall have the lowest floor, including basement, elevated to or above the depth number plus one (1) foot.
- 5.2.4.3 All fill materials must be armored to protect the material from the velocity of the flood flow.
- 5.2.4.4 All proposals for subdivision development must provide a mitigation plan that identifies the engineering methods used to:
 - (1) Protect the structures from erosion and scour caused by the velocity of the flood flow.
 - (2) Capture or transport flood and sediment flow through the subdivision to a safe point of disposition.

ADOPTED this 21st day of March, 1989,
by the following votes:

AYES: Supervisors Erickson, Dougherty, Flynn and Lacey.

NOES: Supervisors None.

ABSENT: Supervisor Schaefer.

Susan K. Lacey
Chair, Board of Supervisors

ATTEST:

RICHARD D. DEAN, County Clerk,
County of Ventura, State of
California, and ex-officio Clerk
of the Board of Supervisors thereof.

By Roberta Rodriguez
Deputy Clerk



BOARD OF SUPERVISORS, COUNTY OF VENTURA, STATE OF CALIFORNIA

TUESDAY, MARCH 21, 1989, AT 8:30 A.M.

ALL MEMBERS PRESENT
EXCEPT SUPERVISOR SCHAEFER

ORD. #3890/ORD. #3841/239/FC-General

ADOPTING ORDINANCE NO. #3890 - RELATING
TO FLOOD PLAIN MANAGEMENT

An Ordinance Modifying Ordinance No. 3841 Relating to Flood Plain Management, is presented to the Board at this time, and upon motion of Supervisor Dougherty, seconded by Supervisor Erickson, and duly carried, it is ordered that the same be passed and adopted as an ordinance of the County of Ventura, to be known as Ordinance No. 3890.

Board members vote as follows:

Ayes: Supervisors Erickson, Dougherty, Flynn and Lacey.

Noes: None.

Absent: Supervisor Schaefer.

All members of the Board present voting on the passage and adoption of said ordinance, it is hereby declared and ordered that said ordinance is hereby passed and adopted as an ordinance of the County of Ventura, to be known as Ordinance No. 3890.

It is further ordered that said ordinance shall take effect and be in force at the expiration of thirty (30) days from the date hereof, and before the expiration of fifteen (15) days the same shall be published, with the names of the members of the Board of Supervisors voting for and against the same, at least once in the Santa Paula Chronicle, a newspaper of general circulation printed and published in the County of Ventura, State of California.

COPIES TO:

PWA (2)

Auditor

Files (5)

Item 4A

3/21/89 rr

PROOF OF PUBLICATION

(2015.5 C.C.P.)

This space is for the County Clerk's Filing Stamp

RECEIVED

1989 APR 12 AM 9:41

OFFICE OF CLERK
BOARD OF SUPERVISORS

STATE OF CALIFORNIA,
County of Ventura
City of Santa Paula

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of the Daily Chronicle

a newspaper of general circulation, printed and published in the City of Santa Paula County of Ventura, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Ventura, State of California, under the date of Nov. 1951,

Case Number.....⁴¹⁷HI 1744; that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

April 3

all in the year 1989.

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

Dated at Santa Paula

California, this 5 day of April, 1989

Signature

I hereby certify that the Affidavit of Publication to which this stamp is affixed attests to the publication of the Ventura County Ordinance duly adopted by the Board of Supervisors as set out in said affidavit.

RICHARD D. DEAN, County Clerk and Ex-officio Clerk of the Board of Supervisors, County of Ventura, State of California.

By Robert Rodriguez
Deputy

Ordinance No. 3890, An Ordinance Modifying Ordinance No. 3841 Relating to Flood Plain Management. The Board of Supervisors of the County of Ventura do ordain as follows: Section 7.2 of Ordinance No. 3841 is amended to read as follows: Section 7.2 Conditions For Variances, 7.2.1 Variances may be issued for the reconstruction, rehabilitation, or restoration of structures listed on the National Register of Historic Places, the State Inventory of Historic Places, or any structure designated as a County Historical Landmark by the Ventura County Cultural Heritage Board, without regard to the procedures set forth in the remainder of this section. 7.2.2 Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result except that a variance may be approved if the Administrator of the Federal Insurance Administration has previously given conditional approval. 7.2.3 Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief. 7.2.4 Variances shall only be issued upon: (1) A showing of good and sufficient cause such as renovation, rehabilitation, or reconstruction. Variances issued for economic considerations, aesthetics, or because variances have been used in the past are not good and sufficient cause. (2) A determination that failure to grant the variance would result in exceptional hardship to the applicant. (3) A determination that the granting of a variance will not result in increased flood heights except where the increased flood heights have been given conditional approval of the Administrator of the Federal Insurance Administration, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization to the public, or conflict with existing laws or ordinances. Section 5.2.4 is amended to read as follows: 5.2.4 Alluvial Fans - Areas subject to alluvial fan flooding have irregular flow paths that result in erosion of existing channels and the undermining of all material. Those areas are identified on the Flood Insurance Rate Map as AO zones with velocities. 5.2.4.1 All structures must be securely anchored to minimize the impact of the flood and sediment damage. 5.2.4.2 All new construction and substantial improvements of structures shall have the lowest floor, including basement, elevated to or above the depth number plus one (1) foot. 5.2.4.3 All fill materials must be armored to protect the material from the velocity of the flood flow. 5.2.4.4 All proposals for subdivision development must provide a mitigation plan that identifies the engineering methods used to: (1) Protect the structures from erosion and scour caused by the velocity of the flood flow. (2) Capture or transport flood and sediment flow through the subdivision to a safe point of disposition. Adopted this 21st day of March, 1989, by the following votes: Ayes: Supervisors Erickson, Dougherty, Flynn and Lacey. Noes: Supervisors None. Absent: Supervisor Schaefer. Susan K. Lacey, Chair, Board of Supervisors. RICHARD D. DEAN, County Clerk, County of Ventura, State of California, and ex-officio Clerk of the Board of Supervisors thereof. By Roberta Rodriguez, Deputy Clerk. To be published in the Daily Chronicle April 3, 1989. Publication No. 89-88.

BOARD OF SUPERVISORS, COUNTY OF VENTURA, STATE OF CALIFORNIA

TUESDAY, FEBRUARY 21, 1989, AT 8:30 A.M.

239/FC-General/ORD. #

ALL MEMBERS PRESENT

Upon motion of Supervisor Flynn, seconded by Supervisor Dougherty, and duly carried, the Board hereby approves the following matter:

PUBLIC WORKS AGENCY
county of ventura

Director
Arthur E. Goulet

Manager — Administrative Services
Paul W. Ruffin

February 21, 1989

Board of Supervisors
County of Ventura
800 South Victoria Avenue
Ventura, Ca 93009

Deputy Directors
Ron Brazill
Real Property Services
Al F. Knuth
Transportation
T. M. Morgan
Engineering Services
G. J. Nowak
Flood Control/Water Resources

Subject: FLOOD PLAIN MANAGEMENT ORDINANCE - AMENDMENTS

RECOMMENDATIONS:

On February 21, 1989:

- Order that the attached Notice of Public Hearing be published by the Clerk of the Board pursuant to Section 6061 of the Government Code in a newspaper of general circulation in Ventura County at least ten (10) calendar days before the hearing.
- Set a public hearing on the attached ordinance for 10:00 A.M., March 14, 1989.

On March 14, 1989:

- Introduce the ordinance by title only and hold a public hearing thereon.
- Subsequent to the public hearing and after consideration of the comments received, pass the ordinance on first reading.

On March 21, 1989:

- Take up the proposed ordinance by title only and adopt it on second reading.
- Direct the Clerk of the Board to return two certified copies of the Board action to the Public Works Agency for further processing with the Federal Emergency Management Agency (FEMA).

Board of Supervisors
February 14, 1989
Page 2

DISCUSSION:

Ordinance No. 3841, the Flood Plain Management Ordinance, prohibits construction in flood plains identified on the Flood Insurance Rate Maps (FIRM) which would increase base flood elevations more than one foot. It also prohibits any increase in elevations within floodways on the Flood Boundary and Floodway Maps. These prohibitions comply with federal requirements in effect at the time of adoption of said Ordinance No. 3841 and could prevent construction of the Freeman Diversion structure on the Santa Clara River which will cause an increase of about seven feet in the 100-year flood elevation.

In May 1988, the Administrator of the Federal Insurance Administration (FIA) promulgated a new rule that allows increased elevations when the Administrator has given prior conditional approval. Essentially, this means studies must be presented to FIA in Washington, D.C. for approval prior to construction. Actual revision of the involved FIRM occurs after completion of construction when "As-Built" drawings are available.

The proposed amendment to Section 7.2 provides for a variance which would allow an increase in the water surface elevations more than one (1) foot after prior approval by FIA. Subsequent to the effective date of the ordinance, United Water Conservation District will be able to apply for a variance to allow construction of the Freeman Diversion to proceed.

The proposed amendment to Section 5.2.4. corrects an error made when Ordinance No. 3841 was originally adopted. In areas subject to shallow flooding or alluvial fans (AO zones) there is no need to require that the bottom of the lowest floor beam or bottom of the floor slab elevation to be higher than one foot above the base flood elevations. The amendment changes it to the finished floor or top of the floor slab and allows a slightly lower floor elevation and also conforms this section with other sections of the ordinance.

The adoption of this ordinance is categorically exempt from the provisions of the California Environmental Quality Act under Classes 7 and 8 contained in Appendix 2 of the Administrative Supplement to the State CEQA guidelines. A Notice of Exemption will be filed after your Board's action.

The ordinance has been reviewed by County Counsel for legal sufficiency. A copy has been provided in annotated form for your convenience.

If you have questions regarding this item, please call the undersigned at extension 2040.

Very truly yours,



G. J. Nowak, Deputy Director of Public Works
Flood Control and Water Resources Department

GJN:dkt

A-047

COPIES TO:

PWA (2)
Files (4)
Item 24
2/21/89 rr

BOARD OF SUPERVISORS, COUNTY OF VENTURA, STATE OF CALIFORNIA

TUESDAY, MARCH 21, 1989, AT 8:30 A.M.

239/FC-General/ORD. #3841/ORD. #3890

ALL MEMBERS PRESENT
EXCEPT SUPERVISOR SCHAEFER

Upon motion of Supervisor Dougherty, seconded by Supervisor Erickson, and duly carried, the Board hereby approves the following matter:

PUBLIC WORKS AGENCY
county of ventura

Director
Arthur E. Goulet

Manager - Administrative Services
Paul W. Ruffin

February 21, 1989

Board of Supervisors
County of Ventura
800 South Victoria Avenue
Ventura, Ca 93009

Deputy Directors

Ron Brazill
Real Property Services
Al F. Knuth
Transportation
T. M. Morgan
Engineering Services
G. J. Nowak
Flood Control/Water Resources

Subject: FLOOD PLAIN MANAGEMENT ORDINANCE - AMENDMENTS

RECOMMENDATIONS:

On February 21, 1989:

- Order that the attached Notice of Public Hearing be published by the Clerk of the Board pursuant to Section 6061 of the Government Code in a newspaper of general circulation in Ventura County at least ten (10) calendar days before the hearing.
- Set a public hearing on the attached ordinance for 10:00 A.M., March 14, 1989.

On March 14, 1989:

- Introduce the ordinance by title only and hold a public hearing thereon.
- Subsequent to the public hearing and after consideration of the comments received, pass the ordinance on first reading.

On March 21, 1989:

- Take up the proposed ordinance by title only and adopt it on second reading.
- Direct the Clerk of the Board to return two certified copies of the Board action to the Public Works Agency for further processing with the Federal Emergency Management Agency (FEMA).

Board of Supervisors
February 14, 1989
Page 2

DISCUSSION:

Ordinance No. 3841, the Flood Plain Management Ordinance, prohibits construction in flood plains identified on the Flood Insurance Rate Maps (FIRM) which would increase base flood elevations more than one foot. It also prohibits any increase in elevations within floodways on the Flood Boundary and Floodway Maps. These prohibitions comply with federal requirements in effect at the time of adoption of said Ordinance No. 3841 and could prevent construction of the Freeman Diversion structure on the Santa Clara River which will cause an increase of about seven feet in the 100-year flood elevation.

In May 1988, the Administrator of the Federal Insurance Administration (FIA) promulgated a new rule that allows increased elevations when the Administrator has given prior conditional approval. Essentially, this means studies must be presented to FIA in Washington, D.C. for approval prior to construction. Actual revision of the involved FIRM occurs after completion of construction when "As-Built" drawings are available.

The proposed amendment to Section 7.2 provides for a variance which would allow an increase in the water surface elevations more than one (1) foot after prior approval by FIA. Subsequent to the effective date of the ordinance, United Water Conservation District will be able to apply for a variance to allow construction of the Freeman Diversion to proceed.

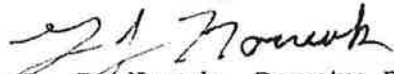
The proposed amendment to Section 5.2.4. corrects an error made when Ordinance No. 3841 was originally adopted. In areas subject to shallow flooding or alluvial fans (AO zones) there is no need to require that the bottom of the lowest floor beam or bottom of the floor slab elevation to be higher than one foot above the base flood elevations. The amendment changes it to the finished floor or top of the floor slab and allows a slightly lower floor elevation and also conforms this section with other sections of the ordinance.

The adoption of this ordinance is categorically exempt from the provisions of the California Environmental Quality Act under Classes 7 and 8 contained in Appendix 2 of the Administrative Supplement to the State CEQA guidelines. A Notice of Exemption will be filed after your Board's action.

The ordinance has been reviewed by County Counsel for legal sufficiency. A copy has been provided in annotated form for your convenience.

If you have questions regarding this item, please call the undersigned at extension 2040.

Very truly yours,



G. J. Nowak, Deputy Director of Public Works
Flood Control and Water Resources Department

GJN:dkf

A-047

COPIES TO:

PWA (2)
Auditor
Files (5)
Item 4
3/21/89 rr

BOARD OF SUPERVISORS, COUNTY OF VENTURA, STATE OF CALIFORNIA

TUESDAY, MARCH 14, 1989, AT 8:30 A.M.

239/FC-General/ORD. #

ALL MEMBERS PRESENT
EXCEPT SUPERVISORS SCHAEFER

After public hearing, upon motion of Supervisor Dougherty, seconded by Supervisor Erickson, and duly carried, the Board hereby reads ordinance in title only, and continues final adoption one week:

PUBLIC WORKS AGENCY
county of ventura

Director
Arthur E. Goulet

Manager — Administrative Services
Paul W. Ruffin

Deputy Directors

Ron Brazill
Real Property Services
Al F. Knuth
Transportation
T. M. Morgan
Engineering Services
G. J. Nowak
Flood Control/Water Resources

February 21, 1989

Board of Supervisors
County of Ventura
800 South Victoria Avenue
Ventura, Ca 93009

Subject: FLOOD PLAIN MANAGEMENT ORDINANCE - AMENDMENTS

RECOMMENDATIONS:

On February 21, 1989:

- Order that the attached Notice of Public Hearing be published by the Clerk of the Board pursuant to Section 6061 of the Government Code in a newspaper of general circulation in Ventura County at least ten (10) calendar days before the hearing.
- Set a public hearing on the attached ordinance for 10:00 A.M., March 14, 1989.

On March 14, 1989:

- Introduce the ordinance by title only and hold a public hearing thereon.
- Subsequent to the public hearing and after consideration of the comments received, pass the ordinance on first reading.

On March 21, 1989:

- Take up the proposed ordinance by title only and adopt it on second reading.
- Direct the Clerk of the Board to return two certified copies of the Board action to the Public Works Agency for further processing with the Federal Emergency Management Agency (FEMA).

Board of Supervisors
February 14, 1989
Page 2

DISCUSSION:

Ordinance No. 3841, the Flood Plain Management Ordinance, prohibits construction in flood plains identified on the Flood Insurance Rate Maps (FIRM) which would increase base flood elevations more than one foot. It also prohibits any increase in elevations within floodways on the Flood Boundary and Floodway Maps. These prohibitions comply with federal requirements in effect at the time of adoption of said Ordinance No. 3841 and could prevent construction of the Freeman Diversion structure on the Santa Clara River which will cause an increase of about seven feet in the 100-year flood elevation.

In May 1988, the Administrator of the Federal Insurance Administration (FIA) promulgated a new rule that allows increased elevations when the Administrator has given prior conditional approval. Essentially, this means studies must be presented to FIA in Washington, D.C. for approval prior to construction. Actual revision of the involved FIRM occurs after completion of construction when "As-Built" drawings are available.

The proposed amendment to Section 7.2 provides for a variance which would allow an increase in the water surface elevations more than one (1) foot after prior approval by FIA. Subsequent to the effective date of the ordinance, United Water Conservation District will be able to apply for a variance to allow construction of the Freeman Diversion to proceed.

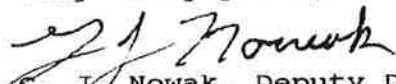
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The adoption of this ordinance is categorically exempt from the provisions of the California Environmental Quality Act under Classes 7 and 8 contained in Appendix 2 of the Administrative Supplement to the State CEQA guidelines. A Notice of Exemption will be filed after your Board's action.

The ordinance has been reviewed by County Counsel for legal sufficiency. A copy has been provided in annotated form for your convenience.

If you have questions regarding this item, please call the undersigned at extension 2040.

Very truly yours,



G. J. Nowak, Deputy Director of Public Works
Flood Control and Water Resources Department

GJN:dkt

A-047

COPIES TO:

PWA (2)
Auditor
Files (4)
Item 11
3/14/89 rr

BOARD OF SUPERVISORS, COUNTY OF VENTURA, STATE OF CALIFORNIA

TUESDAY, JUNE 27, 1989, AT 8:30 A.M.

ORD. #3902/FC-General ORD. #3841

ADOPTING ORDINANCE NO. 3902 - MODIFYING THE VENTURA
COUNTY FLOOD PLAIN MANAGEMENT ORDINANCE

An Ordinance Modifying the Ventura County Flood Plain Management Ordinance, is presented to the Board at this time, and upon motion of Supervisor Dougherty, seconded by Supervisor Flynn, and duly carried, it is ordered that the same be passed and adopted as an ordinance of the County of Ventura, to be known as Ordinance No. 3902.

Board members vote as follows:

Ayes: Supervisors Schaefer, Erickson, Dougherty, Flynn and Lacey.

Noes: None.

Absent: None.

All members of the Board present voting on the passage and adoption of said ordinance, it is hereby declared and ordered that said ordinance is hereby passed and adopted as an ordinance of the County of Ventura, to be known as Ordinance No. 3902.

It is further ordered that said ordinance shall take effect and be in force immediately, and before the expiration of fifteen (15) days the same shall be published, with the names of the members of the Board of Supervisors voting for and against the same, at least once in the Ojai Valley News, a newspaper of general circulation printed and published in the County of Ventura, State of California.

COPIES TO:

PWA (2)

Files (4)

Item 50A

6/27/89 rr

ORDINANCE NO 3902

AN ORDINANCE MODIFYING THE
VENTURA COUNTY FLOOD PLAIN MANAGEMENT ORDINANCE

The Board of Supervisors of Ventura County does ordain as follows:

SECTION I DEFINITIONS

Section 2.1.16.1 is added to Chapter 2, Definitions of the Ventura County Flood Plain Management Ordinance, to read as follows:

Section 2.1.16.1. The term "Flood Insurance Study" also includes the report presenting base flood elevation data, flood profiles, and floodway maps prepared by Hawks and Associates, 2323 Portola Road, Suite 150, Ventura, California 93003 dated November 1988 and entitled "Freeman Diversion Project, Proposed Floodway Revision".

SECTION 2 EFFECTIVE DATE

This ordinance is an urgency ordinance necessary for the preservation of the public peace, health and safety and shall go into immediate effect. The facts constituting the necessity are:

The seawater intrusion problem in the Oxnard Plain demands immediate implementation of effective projects to avoid deterioration of existing conditions. This ordinance is necessary to prevent delays in the issuance of permits for construction of the Freeman Diversion Structure, as well as potential loss of federal funds.

ADOPTED this 27th day of June, 1989, by the following votes:

AYES: Supervisors Schaefer, Erickson, Dougherty, Flynn and
Lacey.

Noes: Supervisors None.

ABSENT: Supervisors None

Lisa K. Lacey
Chair, Board of Supervisors

ATTEST:

RICHARD D. DEAN, County Clerk
County of Ventura, State of
California, and ex-officio Clerk
of the Board of Supervisors thereof.

BY *Roberta Rodriguez*
Deputy Clerk



ORDINANCE NO 3902

AN ORDINANCE MODIFYING THE
VENTURA COUNTY FLOOD PLAIN MANAGEMENT ORDINANCE

The Board of Supervisors of Ventura County does ordain as follows:

SECTION I DEFINITIONS

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The seawater intrusion problem in the Oxnard Plain demands immediate implementation of effective projects to avoid deterioration of existing conditions. This ordinance is necessary to prevent delays in the issuance of permits for construction of the Freeman Diversion Structure, as well as potential loss of federal funds.

ADOPTED this 27th day of June, 1989, by the following votes:

AYES: Supervisors Schaefer, Erickson, Dougherty, Flynn and
Lacey.

Noes: Supervisors None.

ABSENT: Supervisors None

Lisa K. Lacey
Chair, Board of Supervisors

ATTEST:

RICHARD D. DEAN, County Clerk
County of Ventura, State of
California, and ex-officio Clerk
of the Board of Supervisors thereof.

BY Roberta Rodriguez
Deputy Clerk



BOARD OF SUPERVISORS, COUNTY OF VENTURA, STATE OF CALIFORNIA

TUESDAY, OCTOBER 9, 1990, AT 8:30 A.M.

ORD. 3954/FC-GENERAL

ADOPTING ORDINANCE NO. 3954 - VENTURA
COUNTY FLOOD PLAIN MANAGEMENT ORDINANCE

An Ordinance Amending the Ventura County Flood Plain Management Ordinance, is presented to the Board at this time, and upon motion of Supervisor Erickson, seconded by Supervisor Dougherty, and duly carried, it is ordered that the same be passed and adopted as an ordinance of the County of Ventura, to be known as Ordinance No. 3954.

Board members vote as follows:

Ayes: Supervisors Erickson, Flynn and Dougherty and Lacey.

Noes: None.

Absent: Supervisor Schaefer.

All members of the Board present voting on the passage and adoption of said ordinance, it is hereby declared and ordered that said ordinance is hereby passed and adopted as an ordinance of the County of Ventura, to be known as Ordinance No. 3954.

It is further ordered that said ordinance shall take effect and be in force at the expiration of thirty (30) days from the date hereof, and before the expiration of fifteen (15) days the same shall be published, with the names of the members of the Board of Supervisors voting for and against the same, at least once in the Star Free Press, a newspaper of general circulation printed and published in the County of Ventura, State of California.

COPIES TO:

PWA (2)

Auditor

Files (3)

Item 4

10/9/90 rr

ADOPTED this 21st day of March, 1989,
by the following votes:

AYES: Supervisors Erickson, Dougherty, Flynn and Lacey.

NOES: Supervisors None.

ABSENT: Supervisor Schaefer.

Susan K. Lacey
Chair, Board of Supervisors

ATTEST:

RICHARD D. DEAN, County Clerk,
County of Ventura, State of
California, and ex-officio Clerk
of the Board of Supervisors thereof.
By Roberta Rodriguez
Deputy Clerk



BOARD OF SUPERVISORS, COUNTY OF VENTURA, STATE OF CALIFORNIA

TUESDAY, JUNE 27, 1989, AT 8:30 A.M.

ORD. #3902/FC-General, ORD. #3841

ADOPTING ORDINANCE NO. 3902 - MODIFYING THE VENTURA
COUNTY FLOOD PLAIN MANAGEMENT ORDINANCE

An Ordinance Modifying the Ventura County Flood Plain Management Ordinance, is presented to the Board at this time, and upon motion of Supervisor Dougherty, seconded by Supervisor Flynn, and duly carried, it is ordered that the same be passed and adopted as an ordinance of the County of Ventura, to be known as Ordinance No. 3902.

Board members vote as follows:

Ayes: Supervisors Schaefer, Erickson, Dougherty, Flynn and Lacey.

Noes: None.

Absent: None.

All members of the Board present voting on the passage and adoption of said ordinance, it is hereby declared and ordered that said ordinance is hereby passed and adopted as an ordinance of the County of Ventura, to be known as Ordinance No. 3902.

It is further ordered that said ordinance shall take effect and be in force immediately, and before the expiration of fifteen (15) days the same shall be published, with the names of the members of the Board of Supervisors voting for and against the same, at least once in the Ojai Valley News, a newspaper of general circulation printed and published in the County of Ventura, State of California.

COPIES TO:

PWA (2)

Files (4)

Item 50A

6/27/89 rr

5.2.3.1 Manufactured homes that are placed or substantially improved within Zones A1-30, AH, or AE on the Ventura County FIRM, but which are:

(a) outside of a manufactured home park or subdivision,

(b) in a new manufactured home park or subdivision.

(c) in an expansion to an existing manufactured home park or subdivision, or

(d) in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood, shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to an elevation one (1) foot or more above the base flood elevation, and be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement.

5.2.3.2 Manufactured homes to be placed or substantially improved on sites in an existing manufactured home park or subdivision that are within zones A1-30, AH or AE on the Ventura County FIRM that are not subject to the provisions of Subdivision 5.2.3.1 shall be elevated so that either:

(a) the lowest floor of the manufactured home is at or above the base flood elevation, plus one (1) foot, or

(b) the manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than thirty-six (36) inches in height above grade, and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

5.2.3.3. Manufactured homes placed or substantially improved within Zones V1-30, V or VE in the Ventura County FIRM on sites:

(a) outside of a manufactured home park or subdivision,

(b) in a new manufactured home park or subdivision,

BOARD OF SUPERVISORS, COUNTY OF VENTURA, STATE OF CALIFORNIA

TUESDAY, OCTOBER 9, 1990, AT 8:30 A.M.

ORD. 3954/FC-GENERAL

ADOPTING ORDINANCE NO. 3954 - VENTURA

COUNTY FLOOD PLAIN MANAGEMENT ORDINANCE

An Ordinance Amending the Ventura County Flood Plain Management Ordinance, is presented to the Board at this time, and upon motion of Supervisor Erickson, seconded by Supervisor Dougherty, and duly carried, it is ordered that the same be passed and adopted as an ordinance of the County of Ventura, to be known as Ordinance No. 3954.

Board members vote as follows:

Ayes: Supervisors Erickson, Flynn and Dougherty and Lacey.

Noes: None.

Absent: Supervisor Schaefer.

All members of the Board present voting on the passage and adoption of said ordinance, it is hereby declared and ordered that said ordinance is hereby passed and adopted as an ordinance of the County of Ventura, to be known as Ordinance No. 3954.

It is further ordered that said ordinance shall take effect and be in force at the expiration of thirty (30) days from the date hereof, and before the expiration of fifteen (15) days the same shall be published, with the names of the members of the Board of Supervisors voting for and against the same, at least once in the Star Free Press, a newspaper of general circulation printed and published in the County of Ventura, State of California.

COPIES TO:

PWA (2)

Auditor

Files (3)

Item 4

10/9/90 rr

ORDINANCE NO. 3954

An Ordinance Amending
the
Ventura County Flood Plain Management Ordinance

The Board of Supervisors of Ventura County do ordain as follows:

1. Section 2.1 Definitions is amended by adding definitions of Alluvial Fan Flooding, Apex, Historic Structure, New Manufactured Home Park, Recreational Vehicle, and Substantial Damage as follows. Said definitions shall be inserted in alphabetical order, and the Subdivisions of Section 2.1 renumbered accordingly.
 - a. "Alluvial Fan Flooding" means flooding occurring on the surface of an alluvial fan or similar landform which originates at the apex and is characterized by high velocity flows; active processes of erosion, sediment transport, and deposition; and, unpredictable flow paths.
 - b. "Apex" means a point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.
 - c. "Historic Structure" means 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;
 - (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 preliminary determined by the Secretary to qualify as a registered historic district;
 - (3) Individually listed on a state inventory of historic places in states with historic preservation programs that have been approved by the Secretary of the Interior; or
 - (4) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - (a) By an approved state program as determined by the Secretary of the Interior or

(b) Directly by the Secretary of the Interior in states without approved programs.

- d. "New Manufactured Home Park or subdivision" means 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, the construction of streets, and either final site-grading or the pouring of concrete pads) is completed on or after September 3, 1985.
 - e. "Recreational Vehicle" means 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.
 - f. "Substantial Damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.
- 2. Within Section 2.1 Definitions, the definition of "Development" shall be modified by inserting "or storage of equipment and materials" between "operations" and "located."
 - 3. Within Section 2.1 Definitions, the definition of "Existing manufactured home park or subdivision" shall be modified by removing "the effective date of this ordinance" and inserting "September 3, 1985", in its place.
 - 4. Within Section 2.1 Definitions, the definition of "New Construction" shall be modified by inserting "and includes any subsequent improvements to such structures" following "1985".
 - 5. Within Section 2.1 Definitions, the definition of the term "Manufactured Home" shall be modified by removing the last sentence beginning "For flood plain..." and ending "180 consecutive days." and adding "The term "manufactured home" does not include a "recreational vehicle" following "...required utilities."

6. Within Section 2.1 Definitions, the definition of the term "Start of Construction" shall be modified by inserting "rehabilitation, addition," between the words "reconstruction," and "placement" and adding "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" at the end of the definition following "main structure."
7. Within Section 2.1 Definitions, the definition of the term "Substantial Improvement" shall be modified by deletion of the existing definition and replacement with the following:

"Substantial Improvement" means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include:

 - (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
 - (2) Any alteration of a "historic structure" provided that the alteration will not preclude the structure's continued designation as a "historic structure".
8. Within Subdivision 5.2.1 of Section 5.2 RESIDENTIAL CONSTRUCTION, the words "or manufactured home" between "structure" and "shall" shall be removed.
9. Subdivision 5.2.1.7 of Section 5.2. beginning "Manufactured homes" and ending "commenced" shall be removed.
10. Commencing with existing Subdivision 5.2.3 of Section 5.2 Shallow Flooding and ending with Subdivision 5.2.7 of Section 5.2 Regulatory Floodway Not Defined, the paragraphs shall be renumbered commencing with Subdivision 5.2.4 Shallow Flooding and ending with Subdivision 5.2.8 Regulatory Floodway Not Defined.
11. Within Section 5.2 Specific Standards, add new Subdivisions 5.2.3, 5.2.3.1, 5.2.3.2, 5.2.3.3, 5.2.3.4 and 5.2.3.4.1, Manufactured Homes and Recreational Vehicles as follows:
 - 5.2.3 MANUFACTURED HOMES AND RECREATIONAL VEHICLES - Manufactured homes and recreational vehicles shall meet the following standards.

5.2.3.1 Manufactured homes that are placed or substantially improved within Zones A1-30, AH, or AE on the Ventura County FIRM, but which are:

(a) outside of a manufactured home park or subdivision,

(b) in a new manufactured home park or subdivision.

(c) in an expansion to an existing manufactured home park or subdivision, or

(d) in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood, shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to an elevation one (1) foot or more above the base flood elevation, and be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement.

5.2.3.2 Manufactured homes to be placed or substantially improved on sites in an existing manufactured home park or subdivision that are within zones A1-30, AH or AE on the Ventura County FIRM that are not subject to the provisions of Subdivision 5.2.3.1 shall be elevated so that either:

(a) the lowest floor of the manufactured home is at or above the base flood elevation, plus one (1) foot, or

(b) the manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than thirty-six (36) inches in height above grade, and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

5.2.3.3. Manufactured homes placed or substantially improved within Zones V1-30, V or VE in the Ventura County FIRM on sites:

(a) outside of a manufactured home park or subdivision,

(b) in a new manufactured home park or subdivision,

(c) in an expansion to an existing mobile home park or subdivision, or

(d) in an existing mobile home park or subdivision on which a manufactured home has incurred "substantial damage" as the result of a flood shall meet the standards of Subdivision 5.2.6 Coastal Hazard Areas.

5.2.3.4 Recreational Vehicles placed on sites within areas of special flood hazard on the Ventura County FIRM must either:

(a) be on the site for fewer than 180 consecutive days,

(b) be fully licensed and ready for highway use, or

(c) within Zones A1-30, AH and AE, meet the requirements of Subdivision 5.2.3.1, or

(d) within Zones V1-30, V, and VE, meet the requirements of Subdivision 5.2.6 Coastal Hazard Areas.

5.2.3.4.1 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.

12. Within renumbered Subdivision 5.2.6 of Section 5.2 COASTAL HAZARD AREAS, add Subdivision 5.2.6.1 (4) as follows: (4) have the pile or column foundation and structure attached thereto anchored to resist floatation, collapse and lateral movement due to the affects of wind and water loads acting simultaneously on all building components. Water loading values shall be those associated with the base flood. Wind loads shall be those required by the Building Official.

13. Within renumbered Subdivision 5.2.6.2 of Section 5.2 delete the reference to "Section 5.2.5.1" and insert "Subdivision 5.2.6.1 of Section 5.2" in its place.

14. Within Section 6.5, Pressure Equalization at Subdivision 6.5.1, insert "usable solely for parking of vehicles, building access, or storage in an area other than a basement and which are" between the words "are" and "subject."

15. Within Section 7.2 Conditions for Variances, remove the existing Subdivision 7.2.1 and replace with the following:
7.2.1 Variances may be issued for repair or rehabilitation of historic structures upon a determination that the proposed

repair or rehabilitation will not preclude the structures continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.

16. Within renumbered Subdivision 5.2.4 of Section 5.2, change the subdivision identification of renumbered Subdivision 5.2.4.3(2)(e) to renumbered Subdivision 5.2.4.4.

17. Within renumbered Subdivision 5.2.4.4 of Section 5.2, change "Section 5.2.3.4" to "Subdivision 5.2.4.3".

Adopted this 9th day of October, 1990
by the following votes:

AYES: Supervisors Erickson, Flynn,
Dougherty and Lacey.

NOES: Supervisors None.

ABSENT: Supervisors Schaefer.

Lisa K. Lacey
Chair, Board of Supervisors
CHAIR, PRO TEMPORE

ATTEST:

RICHARD D. DEAN, County Clerk,
County of Ventura, State of
California, and ex-officio Clerk
of the Board of Supervisors thereof.

By

Roberta Rodriguez
Deputy Clerk



Ventura County Flood Plain Management Ordinance Ordinance 3954

CHAPTER 1: PURPOSE AND OBJECTIVES

Section 1.1 PURPOSE

The purpose of this ordinance is to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed for:

- 1.1.1 Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion or flood heights or velocities;
- 1.1.2 Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction.
- 1.1.3 Controlling the alteration of natural floodplain, stream channels and natural protective barriers which help accommodate or channel flood waters;
- 1.1.4 Controlling filling, grading, dredging, and other development which may increase flood damage; and
- 1.1.5 Preventing or regulating the construction of flood barriers which shall unnaturally divert flood waters or which may increase flood hazards in other areas.

Section 1.2 METHODS OF REDUCING FLOOD LOSSES

In order to accomplish its purposes, this ordinance includes methods and provisions for:

- 1.2.1 Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- 1.2.2 Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damages at the time of initial construction;
- 1.2.3 Controlling the alteration of natural flood plains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;
- 1.2.4 Controlling filling, grading, dredging, and other development which may increase flood damage; and
- 1.2.5 Preventing or regulating the construction of flood barriers which shall unnaturally divert flood waters or which may increase flood hazards in other areas.

Section 1.3 NAME

This ordinance shall be known as the Ventura County Flood Plain Management Ordinance.

CHAPTER 2: DEFINITIONS

Section 2.1 DEFINITIONS

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

- 2.1.1 "Alluvial Fan" is an area subject to flooding when the floodplain is comprised of low flow channels where sediment accompanies the shallow flooding and the unstable soils scour and erode during a flooding event.
- 2.1.2 "Alluvial Fan Flooding" means flooding occurring on the surface of an alluvial fan or similar landform which originates at the apex and is characterized by high velocity flows; active processes of erosion, sediment transport, and deposition; and, unpredictable flow paths.
- 2.1.3 "Appeal" is a request for a review of the Director of Public Works' interpretation of any provision of this ordinance or a request for a variance.
- 2.1.4 "Apex" means a point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.
- 2.1.5 "Area of Shallow Flooding" is a designated AO, VO, or AH Zone on the Flood Insurance Rate Map (FIRM). The base flood depths range from one to three feet; a clearly defined channel does not exist; the path of flooding is unpredictable and indeterminate; and, velocity of the flow may be evident.
- 2.1.6 "Base Flood" is the flood having a one percent chance of being equaled or exceeded any given year.
- 2.1.7 "Basement" means any area of a building having its floor below ground level on all sides.
- 2.1.8 "Breakaway Walls" are any type of walls, whether solid or lattice, and whether constructed of concrete, masonry, wood, metal, plastic or any other suitable building material which are not part of the structural support of the building, and which are so designed as to breakaway under abnormally high tides or wave action without damage to the structural integrity of the building on which they are used or any buildings to which they might be carried by flood waters.
- 2.1.9 "Coastal High Hazard Area" is the area subject to high velocity waters, including coastal and tidal inundation or tsunamis. The area is designated on a Flood Insurance Rate Map (FIRM) as Zone V1-30, VE or V.

- 2.1.10 "Development" is 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 or drilling operations or storage of equipment and materials located within the area of special flood hazard.
- 2.1.11 "Director of Public Works" means the Director of Public Works of the County of Ventura or his designated representative.
- 2.1.12 "Existing manufactured home park or subdivision" means a manufactured home park for which the construction of facilities for servicing the lot 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) are completed before September 3, 1985.
- 2.1.13 "Expansion to an existing manufactured home park or subdivision" means 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).
- 2.1.14 "Final Map" shall be the map referred to in the State of California's Subdivision Map Act, Government Code Section 66434 et. seq. Final Maps.
- 2.1.15 "Flood or Flooding" is a general and temporary condition of partial or complete inundation of normally dry land areas from:
 - (1) The overflow of inland or tidal waters and/or
 - (2) The unusual and rapid accumulation of runoff of surface waters from any source.
 - (3) The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in this definition.
- 2.1.16 "Flood Boundary and Floodway Map" is the official map on which the Federal Insurance Administration has delineated both the areas of flood hazard and the floodway.
- 2.1.16.1 The term "Flood Insurance Study" also includes the report presenting base flood elevation data, flood profiles, and floodway maps prepared by Hawks and Associates, 2323 Portola Road, Suite 150, Ventura, California 93003 dated November 1988, and entitled "Freeman Diversion Project, Proposed Floodway Revision."

- 2.1.17 "Flood Insurance Rate Map" (FIRM) means the official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.
- 2.1.18 "Flood Insurance Study" means the official report provided by the Federal Insurance Administration that includes flood profiles, Flood Insurance Rate Map, the Flood Boundary and Floodway Map and the water surface elevations of the base flood and shall include any adopted amendments.
- 2.1.19 "Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot above the elevation of the water surface prior to encroachment into the floodplain.
- 2.1.20 "Functionally Dependent Use" means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.
- 2.1.21 "Highest Grade" means the highest natural elevation of the ground surface next to the proposed walls of a structure prior to construction.
- 2.1.22 "Historic Structure" means 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;
 - (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;
 - (3) Individually listed on a state inventory of historic places in states with historic preservation programs that have been approved by the Secretary of the Interior; or
 - (4) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - (a) By an approved state program as determined by the Secretary of the Interior or
 - (b) Directly by the Secretary of the Interior in states without approved programs.
- 2.1.23 "Lowest Floor" means 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 that structure in violation of the applicable non-elevation design requirements of this Ordinance.

- 2.1.24 "Manufactured Home" means 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 connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle."
- 2.1.25 "Manufactured home park or subdivision" means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.
- 2.1.26 "Mean sea level" means, for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929.
- 2.1.27 "New Construction" means structures for which plans and an application for a Development Permit, as specified in Section 4.1, are accepted for processing by the Director of Public Works on or after September 3, 1985, and includes any subsequent improvements to such structures.
- 2.1.28 "New Manufactured Home Park or Subdivision" means 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 the utilities, the construction of streets, and either final site-grading or the pouring of concrete pads) is completed on or after September 3, 1985.
- 2.1.29 "Person" means any natural person, firm, corporation, organization, company, association, business, trust, joint stock organization, partnership, joint venture, club or the agent, servant, manager, officer, employee or lessee of any of them.
- 2.1.30 "Recreational Vehicle" means 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.
- 2.1.31 "Sand Dunes" are naturally occurring accumulations of sand in ridges or mounds landward of the beach.
- 2.1.32 "Start of Construction" includes substantial improvement, 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 180 days of the permit date. 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.

- 2.1.33 "Structure" is a walled and roofed building or manufactured home that is principally above ground.
- 2.1.34 "Subdivision" is a dividing of land which creates five (5) or more legal lots from an existing lot.
- 2.1.35 "Substantial Damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.
- 2.1.36 Substantial Improvement" means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include:
 - (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
 - (2) Any alteration of a "historic structure" provided that the alteration shall not preclude the structure's continued designation as a "historic structure."
- 2.1.37 "Variance" means a grant of relief from the requirements of this ordinance which permits construction in a manner that would otherwise be prohibited by this ordinance.
- 2.1.38 "Violation" means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. 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.

CHAPTER 3: GENERAL PROVISIONS

Section 3.1 LANDS TO WHICH THIS ORDINANCE APPLIES

This ordinance shall apply to all areas of Special Flood Hazard within the unincorporated area of the County of Ventura.

Section 3.2 BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD

The Areas of Special Flood Hazard identified by the Federal Insurance Administration, through the Federal Emergency Management Agency in a scientific and engineering report entitled "Flood Insurance Study, Ventura County, California", (Unincorporated Areas) dated September 13, 1984, with an accompanying Flood Insurance Rate Map and Flood Boundary and Floodway Map are hereby adopted by reference and declared to be a part of this ordinance. The Flood Insurance Study is on file with the Ventura County Public Works Agency, 800 South Victoria Avenue, Ventura, California, 93009.

The Flood Insurance Study, Flood Insurance Rate Map and Flood Boundary and Floodway Map may be revised or amended from time to time by the Federal Insurance Administration and shall be adopted by reference and declared to be a part of this Chapter as of the effective date of said revision or amendment.

Section 3.3 COMPLIANCE

No person shall hereafter construct, locate, extend, or alter any structure or land without full compliance with the terms and conditions of this ordinance and other applicable regulations.

This ordinance shall not apply to structures for which application for building permits have been received by the Ventura County Department of Building and Safety prior to September 3, 1985.

This ordinance shall not apply to grading or construction authorized prior to September 3, 1985, pursuant to the Ventura County Zoning Ordinance, Building Code, or Subdivision Ordinance or to grading or construction for which review of the plans commenced prior to September 3, 1985.

Section 3.4 ABROGATION AND GREATER RESTRICTIONS

This ordinance is not intended to repeal, abrogate, or impair any existing easements or covenants, or deed restrictions. However, where this ordinance and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

Section 3.5 INTERPRETATION

In the interpretation and application of this ordinance, all provisions shall be:

- (1) Considered as minimum requirements; and be
- (2) Liberally construed in favor of the governing body; and be
- (3) Deemed neither to limit nor repeal any other powers granted under state statutes or county ordinances.

Section 3.6 WARNING AND DISCLAIMER OF LIABILITY

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based upon engineering and scientific considerations. Larger floods can and shall occur. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that the land outside the areas of special flood hazard or uses permitted within such areas shall be free from flooding or flood damages. This chapter shall not create liability on the part of the County, Watershed Protection District, any officer or employee of either, or the Federal Insurance Administration for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made.

Section 3.7 SEVERABILITY

If any section, subsection, sentence, clause, phrase or other portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portion or portions of this ordinance. The Board of Supervisors of Ventura County declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase or portion irrespective of the fact that any one or more sections, subsections, clauses, phrases or other portions might be declared invalid or unconstitutional.

Section 3.8 EFFECT OF HEADINGS

Section headings contained herein shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or intent of any of the provisions of this ordinance.

CHAPTER 4: ADMINISTRATION

Section 4.1 FLOOD PLAIN DEVELOPMENT PERMIT REQUIRED

A Flood Plain Development Permit shall be obtained before start of construction or development begins within any area of Special Flood

Hazard established by this ordinance. Application for a Flood Plain Development Permit shall be made on forms furnished by the Director of Public Works and may include but not be limited to, plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities; and the location of the foregoing. Specifically, the following information is required:

- 4.1.1 Elevation in relation to mean sea level of the lowest floor (including basement) of all structures; in Zone AO, elevation of existing grade and proposed elevation of lowest floor of all structures.
- 4.1.2 Elevation in relation to mean sea level to which any structure shall be flood proofed;
- 4.1.3 Certification by a registered professional engineer or architect that the flood proofing methods for any nonresidential structure meet the flood proofing criteria set forth in this ordinance; and
- 4.1.4 Description of the extent to which any watercourse shall be altered or relocated as a result of the proposed development.

Section 4.2 DESIGNATION OF ADMINISTRATOR

The Director of Public Works is appointed to administer and implement this ordinance by granting or denying Flood Plain Development Permit applications in accordance with the provisions of this ordinance.

Section 4.3 DUTIES AND RESPONSIBILITIES OF THE DIRECTOR OF PUBLIC WORKS

The duties and responsibilities of the Director of Public Works shall include, but not be limited to:

- 4.3.1 Permit Review
 - 4.3.1.1 Review of all applications for Flood Plain Development Permits to determine that the permit requirements of this ordinance have been satisfied.
 - 4.3.1.2 Review all applications for Flood Plain Development Permits to determine if the proposed development adversely affects the flood carrying capacity of the area of Special Flood Hazard. For purposes of this ordinance, "adversely affected" means that the cumulative effect of the proposed development when combined with all other existing and anticipated development shall not increase the water surface elevation of the base flood more than one foot at any point.
 - 4.3.1.3 Review of all applications for Flood Plain Development Permits to determine whether proposed building sites shall be reasonably safe from flooding. If a proposed building site is in a flood-prone area, all new construction and substantial improvements (including the placement of prefabricated buildings and manufactured homes) shall (i) be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure, (ii) be constructed with materials and

- utility equipment resistant to flood damage, and (iii) be constructed by methods and practices that minimize flood damage.
- 4.3.2 Issuance of Flood Plain Development Permits where applications have been found to be in conformance with the terms of this ordinance.
- 4.3.3 Use of other Base Flood Data when base flood elevation data has not been provided in accordance with Section 3.2, Basis for Establishing the Areas of Special Flood Hazard, the Director of Public Works shall obtain, review, and reasonably utilize the best base flood data available from any source such as high water mark(s), floods of record, or private engineering reports in order to administer this ordinance.
- 4.3.4 Obtaining and Maintaining Information
- 4.3.4.1 The Director of Public Works shall obtain and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures.
- 4.3.4.2 For all new or substantially improved flood proofed structures, the Director of Public Works shall:
- (1) Verify and record the actual elevations to which the structures have been flood proofed (in relation to mean sea level); and
 - (2) Maintain the flood proofing certifications required by this ordinance.
- 4.3.4.3 The Director of Public Works shall maintain for public inspection all records pertaining to this ordinance.
- 4.3.5 Alteration of Watercourse
- It is the responsibility of the Director of Public Works to:
- 4.3.5.1 Submit information to the Federal Emergency Management Agency detailing any alterations or relocations of a watercourse that affect the capacity; and
- 4.3.5.2 Insure that the flood carrying capacity of the altered or relocated watercourse is not reduced.
- 4.3.5.3 Notify adjacent communities and the California Department of Water Resources prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.
- 4.3.6 Interpretation of Flood Insurance Rate Map (FIRM) Boundaries.
- The Director of Public Works shall provide interpretations, where needed, as to the exact location of the boundaries of the areas of Special Flood Hazard and regulatory floodways. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in Section 7.1.
- 4.3.7 Other Permits Required
- The Director of Public Works shall review proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by federal or state law.

Section 4.4 FEES

Before a permit is issued, an applicant shall pay the enforcing officer the fees authorized by this section.

- 4.4.1 Fees – A schedule of fees shall be adopted by resolution of the Board of Supervisors of Ventura County. Such fees shall reimburse the County for costs incurred in the processing, investigation, renewal and modification of Flood Plain Development Permits and for performing other work in the administration of the ordinances.

Section 4.5 COMMENCEMENT OF WORK

The Permittee shall begin the work authorized by the Flood Plain Development Permit within one hundred eight calendar days from the date of issuance of this permit. A permit which has become void by reason of non-commencement of work in 180 days may be renewed one time for a 180-day period within 30 days after such permit becomes void at the discretion of the enforcing officer upon payment of a renewal fee. If the enforcing officer does not consent to such renewal, a permit may be granted only upon following the procedures herein established for the original application. In the event a permit becomes void and such permit is not renewed within the time allowed for renewal, the enforcing officer shall, within 90 days after such permit becomes void, return to the former permittee any part of his permit fee in excess of the total of the Application Fee, Plan Check Fee and any other fees paid not relating to inspection of the work during construction, as well as any surety bond, cash bond, or instrument of credit the former permittee may have paid to or filed with the enforcing officer under the terms of this ordinance.

CHAPTER 5: PROVISIONS FOR FLOOD HAZARD REDUCTION

Section 5.1 STANDARDS

In all areas of special flood hazard, the following standards are required:

- 5.1.1 Anchoring
 - 5.1.1.1 All new construction and substantial improvements of structures shall be anchored to prevent flotation, collapse, or lateral movement.
- 5.1.2 Construction Materials and Methods
 - 5.1.2.1 All new construction and substantial improvements of structures shall be constructed of materials and utility equipment resistant to flood damage.
 - 5.1.2.2 All new construction and substantial improvements of structures shall use methods and practices that minimize flood damage.
 - 5.1.2.3 Electrical, heating, ventilation, plumbing and air-conditioning equipment and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

5.1.3 Utilities

5.1.3.1 All new and replacement water supply and sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters; and

5.1.3.2 On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

5.1.4 Subdivisions

5.1.4.1 All subdivisions shall be consistent with the need to minimize flood damage.

5.1.4.2 All subdivisions shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage.

5.1.4.3 All subdivisions shall have adequate drainage provided to reduce exposure to flood damage; and

5.1.4.4 Base flood elevation data shall be provided for subdivisions or development of single lots of five acres or more. Such data shall be provided to and accepted by the Director of Public Works prior to acceptance of the final map and any public improvements by Ventura County.

Section 5.2 SPECIFIC STANDARDS

In all areas of special flood hazard where base flood elevation data has been provided as set forth in Section 3.2, or Section 4.3.3, the following provisions are required.

5.2.1 RESIDENTIAL CONSTRUCTION – New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated to one foot above the base flood elevation; and

5.2.1.1 Where average velocities of flow exceed five feet per second, any fill material used to support the structure and its foundations shall be armored to prevent loss of the fill material.

5.2.1.2 Shall have the elevation of the lowest floor certified by a person qualified in the State of California to practice surveying. Such certification shall be provided to the Director of Public Works in a form prescribed by the Director of Public Works. The certification shall be provided prior to occupancy of the structure.

5.2.1.3 When fill is not used and velocities of flow are less than five feet per second, structural components such as piers used to support the structure shall be designed to resist hydrostatic loads.

5.2.1.4 When fill is not used and velocities of flow are equal to or greater than five feet per second and equal to or less than 10 feet per second, the components used to support the structure shall be designed to resist hydrostatic and hydrodynamic loads.

- 5.2.1.5 When depths of water exceed three feet, structural components used to support the structure shall be designed for impact loads.
- 5.2.1.6 When fill is not used and velocities of flow exceed 10 feet per second, the use of structural components to support a structure is prohibited.
- 5.2.2 NONRESIDENTIAL CONSTRUCTION – New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated to one foot above the base flood elevation and meet the requirements of Section 5.2.1; or together with attendant utility and sanitary facilities, shall:
 - 5.2.2.1 Be flood-proofed so that below a level one foot above the base flood elevation the structure is watertight with walls substantially impermeable to the passage of water;
 - 5.2.2.2 Be certified by a registered professional engineer or architect that the standards of this section are satisfied. Such certification shall be provided to the Director of Public Works in a form prescribed by the Director of Public Works. The certification shall be provided prior to occupancy of the structure.
 - 5.2.2.3 Where velocities of flow are less than five feet per second, structural components of the structure shall be designed to resist hydrostatic loads.
 - 5.2.2.4 Where velocities of flow are equal to or greater than five feet per second and equal to or less than 10 feet per second, the structure shall be designed to resist hydrostatic and hydrodynamic loads.
 - 5.2.2.5 When depths of water exceed three feet, the structure shall be designed for impact loads.
 - 5.2.2.6 Where velocities of flow exceed 10 feet per second, structures with floors below water surface elevations and the use of structural components to support the structure are prohibited.
- 5.2.3 MANUFACTURED HOMES AND RECREATIONAL VEHICLES – Manufactured homes and recreational vehicles shall meet the following standards:
 - 5.2.3.1 Manufactured homes that are placed or substantially improved within Zone A1-30, AH, or AE on the Ventura County FIRM, but which are:
 - (a) outside of a manufactured home park or subdivision,
 - (b) in a new manufactured home park or home park or subdivision, or
 - (c) in an expansion to an existing manufactured home park or subdivision, or
 - (d) in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood, shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to an elevation one foot or more above the base flood elevation, and be securely anchored to an adequately

anchored foundation system to resist flotation, collapse and lateral movement.

5.2.3.2 Manufactured homes to be placed or substantially improved on sites in an existing manufactured home park or subdivision that are within zones A1-30, AH or AE on the Ventura County FIRM that are not subject to the provisions of Subdivision 5.2.3.1 shall be elevated so that either:

- (a) the lowest floor of the manufactured home is at or above the base flood elevation, plus one foot, or
- (b) the manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade, and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

5.2.3.3 Manufactured homes placed or substantially improved within Zones V1-30, V or VE in the Ventura County FIRM on sites:

- (a) outside of a manufactured home park or subdivision,
- (b) in a new manufactured home park or subdivision,
- (c) in an expansion to an existing mobile home park or subdivision, or
- (d) in an existing mobile home park or subdivision on which a manufactured home has incurred "substantial damage" as the result of a flood shall meet the standards of Subdivision 5.2.6 Coastal Hazard Areas.

5.2.3.4 Recreational Vehicles placed on sites within areas of special flood hazard on the Ventura County FIRM must either:

- (a) be on the site for fewer than 180 consecutive days,
- (b) be fully licensed and ready for highway use, or
- (c) within Zones A1-30, AH and AE, meet the requirements of Subdivision 5.2.3.1, or
- (d) within Zones V1-30, V, and VE, meet the requirements of Subdivision 5.2.6 Coastal Hazard Areas.

5.2.3.4.1 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.

5.2.4 SHALLOW FLOODING – Located within the Areas of Special Flood Hazard established in Section 3.2, are areas designated as AO and AH zones. These areas have special flood hazard associated with base flood depths of one to three feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate; therefore the following provisions apply:

5.2.4.1 All new construction and substantial improvements of residential structures in AO zones shall have the lowest floor, including basement,

elevated above the highest grade to the depth number specified on the community's FIRM plus one foot.

5.2.4.2 All new construction and substantial improvements of residential structures in AH zones shall have the lowest floor, including basement, elevated above the base flood elevation plus one foot.

5.2.4.3 All new construction and substantial improvements of nonresidential structures in AO zones shall:

(1) Have the lowest floor, including basement, elevated above the highest grade to the depth number specified on the FIRM plus one foot, or

(2) Together with attendant utility and sanitary facilities to be completely flood-proofed to or above that level so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components which have the capability to withstand hydrostatic and hydrodynamic loads and the effects of buoyancy.

(a) Where velocities of flow are less than five feet per second, structural components shall be designed to resist hydrostatic loads.

(b) Where velocities of flow are equal to or greater than five feet per second and equal to or less than 10 feet per second, the structural components shall be designed to resist hydrostatic and hydrodynamic loads.

(c) Where velocities of flow exceed 10 feet per second, structures with floors below water surface elevations are prohibited and the use of structural components to support the structure are prohibited.

(d) Adequate drainage paths shall be provided around structures on slopes to guide floodwaters around and away from the proposed structures.

5.2.4.4 All new construction and substantial improvements of non-residential structures in AH zones shall:

(1) Have the lowest floor, including basement, elevated to the base flood elevation specified on the FIRM plus one foot, or

(2) Meet the standards set forth in Section 5.2.4.3.

5.2.5 ALLUVIAL FANS – Areas subject to alluvial fan flooding have irregular flow paths that result in erosion of existing channels and the undermining of the fill material. Those areas are identified on the Flood Insurance Rate Map as AO zones with velocities.

5.2.5.1 All structures must be securely anchored to minimize the impact of the flood and sediment damage.

5.2.5.2 All new construction and substantial improvements of structures shall have the lowest floor, including basement, elevated to or above the depth number plus one foot.

- 5.2.5.3 All fill materials must be armored to protect the material from the velocity of the flood flow.
- 5.2.5.4 All proposals for subdivision development must provide a mitigation plan that identifies the engineering methods used to:
 - (1) Protect the structures from erosion and scour caused by the velocity of the flood flow.
 - (2) Capture or transport flood and sediment flow through the subdivision to a safe point of disposition.
- 5.2.6 COASTAL HAZARD AREAS – Located within the Areas of Special Flood Hazard established in Section 3.2, are areas designated as coastal hazard areas identified as Zones VI-30, VE, and V. These areas have special flood hazards associated with wave run-up and beach erosion in which the following provisions shall apply.
- 5.2.6.1 All new construction and substantial improvements shall:
 - (1) Be elevated and secured to adequately anchored pilings and columns so that the lowest portion of structural members of the lowest floor, excluding pilings or columns, is elevated one foot above the base flood level.
 - (2) Have space below the lowest floor free of obstruction, or constructed with breakaway walls intended to collapse under stress without jeopardizing the structural support.
 - (3) Not use any fill for structural support.
 - (4) Have the pile or column foundation and structure attached thereto anchored to resist floatation, collapse and lateral movement due to the affects of wind and water loads acting simultaneously on all building components. Water loading values shall be those associated with the base flood. Wind loads shall be those required by the Building Official.
- 5.2.6.2 All new construction shall be located landward of the mean high tide line.
- 5.2.6.3 Compliance with the provisions of Section 5.2.6.1 of Section 5.2 shall be certified by a registered professional engineer or architect and provided to the Director of Public Works. This certification shall be provided to the Director of Public Works prior to occupancy of the structure.
- 5.2.7 REGULATORY FLOODWAY – The regulatory floodway shown in the Flood Insurance Study has been selected and adopted on the principle that the area chosen for the regulatory floodway must be designed to carry the waters of the base flood without increasing the water surface of that flood more than one foot at any point. In accordance with this principle the following provisions shall apply:
 - 5.2.7.1 Encroachments, including fill, new construction, substantial improvements, and other development within the adopted regulatory floodway that would result in any increase in flood levels for the base flood elevation with floodway as specified in the Flood Insurance Study during the occurrence of the base flood discharge are prohibited.

- 5.2.7.2 The placement of residential structures within the adopted regulatory floodway is prohibited.
- 5.2.8 REGULATORY FLOODWAY NOT DEFINED – Where no floodway is identified, the applicant for a Flood Plain Development Permit shall provide an engineering study for the project area that establishes a setback where no encroachment of any new development shall be allowed that would increase the water surface elevation of the base flood plus one foot; or establish a setback from the stream bank equal to five times the width of the stream at the top of the bank or 20 feet on each side from the top of the bank, whichever is greater.

CHAPTER 6: LOADING

Section 6.1 GENERAL

- 6.1.1 All structures covered by this ordinance shall be capable of resisting all loads required by the Ventura County Building Code and, in addition, all loads prescribed in this Chapter without exceeding allowable stresses.
- 6.1.2 Water loads are loads or pressures on surfaces of structures caused and induced by the presence of flood waters. They are hydrostatic, hydrodynamic or impact loads.

Section 6.2 HYDROSTATIC LOADS

- 6.2.1 Hydrostatic loads are those caused by water above or below the ground surface, free or confined, which is either stagnant or moves at low velocities up to five feet per second.
- 6.2.1.1 The pressure at any point is equal to the unit weight of water (62.4 pounds per cubic foot) multiplied by the height of water above the point to which confined water would rise if free to do so.
- 6.2.2 Hydrostatic loads consist of vertical loads, lateral loads, and uplift.
- 6.2.2.1. Vertical Loads: These are loads acting vertically downward on horizontal or inclined surfaces of buildings or structures, such as roofs, decks or floors, and walls, caused by the weight of flood waters above them.
- 6.2.2.2. Lateral Loads: Lateral hydrostatic loads are those which act in a horizontal direction, against vertical or inclined surfaces, both above and below the ground surface and tend to cause lateral displacement and overturning of the building, structure, or parts thereof.
- 6.2.2.3. Uplift: Uplift loads are those which act in a vertically upward direction on the underside of horizontal or sloping surfaces of buildings or structures, such as basement slabs, footings, floors, decks, roofs and overhangs. Hydrostatic loads acting on inclined, rounded or irregular surfaces may be resolved into vertical or uplift loads and lateral loads based on the geometry of the surfaces and the distribution of hydrostatic pressures.

Section 6.3 HYDRODYNAMIC LOADS

6.3.1 Hydrodynamic loads, for the purpose of these regulations, are those induced on structures by the flow of flood water moving at moderate or high velocity around the structures or parts thereof, above ground level. Such loads may occur below the ground level when openings or conduits exist which allow free flow of flood waters. Hydrodynamic loads are basically of the lateral type and relate to direct impact loads by the moving mass of water, and to drag forces as the water flows around the obstruction.

6.3.1.1 Conversion to Equivalent Hydrostatic Loads – For the purpose of these regulations, and for cases when water velocities do not exceed 10 feet per second, dynamic effects of the moving water may be converted into equivalent hydrostatic loads by increasing the depth of water by an amount dh , on the upstream side and above the ground level only, equal to:

$$dh = \frac{a V^2}{2g}, \text{ where}$$

V is the average velocity of the water in feet per second;

g is the acceleration of gravity, 32.2 feet per second squared;

a is the coefficient of drag or shape factor. (The value of a , unless otherwise evaluated, shall not be less than 1.25)

The equivalent surcharge depth dh shall be added to the depth measured between the design level and the regulatory flood and the resultant pressures applied to, and uniformly distributed across, the vertical projected area of the building or structure which is perpendicular to the flow. Surfaces parallel to the flow or surfaces facing downstream shall be considered subject to hydrostatic pressures for depths to the regulatory flood only.

Section 6.4 IMPACT LOADS

6.4.1 Types: For the purpose of these regulations, impact loads are those which result from floating debris, ice and any floatable object or mass carried by flood waters striking against structures or parts thereof. These loads are of two basic types: normal and special.

6.4.1.1 Normal Impact Loads: Normal impact loads are those which relate to isolated occurrences of logs or floatable objects of normally encountered sizes striking buildings or parts thereof.

6.4.1.2 Special Impact Loads: Special impact loads are those which relate to large conglomerates of floatable objects, such as an accumulation of floating debris, either striking or resting against a building or parts thereof.

6.4.2 Applicability: Impact loads shall be considered in the design of structures and parts thereof as stipulated below:

6.4.2.1 Normal Impact Loads: A concentrated load acting horizontally at the regulatory flood level or at any point below it, equal to the impact force, produced by a 1,000-pound mass traveling at the velocity of the flood water and acting on a one square foot surface of the structure.

(1) Deceleration of the mass shall occur over 0.5 seconds.

(2) This load shall be applied to the structure in such a manner that stresses are maximized.

6.4.2.2. Special Impact Loads: Special impact loads are considered in the design of buildings, structures, or parts thereof. Unless a rational and detailed analysis is made and submitted for approval by the Director of Public Works, the intensity of load shall be taken as 100 pounds per foot acting horizontally over a one-foot wide horizontal strip at the regulatory flood level or at any level below it. Where natural or artificial barriers exist which would effectively prevent these special impact loads from occurring, the loads may be ignored in the design.

Section 6.5 PRESSURE EQUALIZATION

6.5.1 All new construction and substantial improvements, that fully enclose areas below the lowest floor that are usable solely for parking of vehicles, building access, or storage in an area other than a basement and which 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. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria: 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.

6.5.2 Pressure equalization shall be appropriate for unfinished or flood resistant enclosures either unused or solely used for parking of vehicles, building access, or storage in areas other than basements. All other structures shall be elevated or flood proofed pursuant to the terms of this ordinance.

Section 6.6 BREAKAWAY WALLS

A breakaway wall shall have a design safe loading resistance of not less than 10 and no more than 20 pounds per square foot. Use of breakaway walls must be certified by a registered engineer or architect and shall meet the following conditions:

(1) Breakaway wall collapse shall result from a water load less than that which would occur during the base flood; and

- (2) The elevated portion of the building shall not incur any structural damage due to the effects of winds and water loads acting simultaneously during a 100-year event.

CHAPTER 7: APPEALS AND VARIANCES

Section 7.1 APPEAL BOARD

- 7.1.1 The Ventura County Board of Supervisors acting as the appeal board shall hear and decide appeals and requests for variances from the requirements of this chapter. The appeal board shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Director of Public Works in the enforcement or administration of this chapter.
- 7.1.2 Those aggrieved by the decision of the appeal board, or any taxpayer, may seek judicial review of such decision in the Superior Court pursuant to Section 1094.5 of the Code of Civil Procedure provided that proceedings are commenced within 30 days after such decision is final.
- 7.1.3 A decision of the appeal board is final and may not be reconsidered on the day following the day on which the decision was rendered.
- 7.1.4 In passing upon such applications, the appeal board shall consider all technical evaluations, all relevant factors, standards specified in other sections or chapters, and:
 - (1) The danger that materials may be swept onto other lands to the injury of others;
 - (2) The danger to life and property due to flooding or erosion damage;
 - (3) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 - (4) The importance of the services provided by the proposed facility to the community;
 - (5) The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
 - (6) The compatibility of the proposed use with existing and anticipated development;
 - (7) The relationship of the proposed use to the comprehensive plan and flood plain management program for that area;
 - (8) The safety of access to the property in times of flood for ordinary and emergency vehicles;
 - (9) The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and
 - (10) The costs of providing governmental services during and after flood conditions, including maintenance and repair of public

utilities and facilities such as sewer, gas, electrical, and water systems and streets and bridges.

(11) The use is a functionally dependent use provided the structure or other development is protected by methods that minimize flood damage during the occurrence of a base flood and creates no additional threats to public safety.

- 7.1.5 Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of ½ acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, provided the items listed in Section 7.1.4, have been fully considered. As the lot size increases beyond ½ acre, the technical justification required for issuing the variance increases.
- 7.1.6 Upon consideration of the factors of Section 7.1.4 and the purposes of this chapter, the appeal board may attach such conditions to the granting of appeals and variances as deemed necessary to further the purposes of this chapter.
- 7.1.7 The Director of Public Works shall maintain the records of all appeal actions and report any variances to the Federal Insurance Administration upon request.

Section 7.2 CONDITIONS FOR VARIANCES

- 7.2.1 Variances may be issued for repair or rehabilitation of historic structures on a determination that the proposed repair or rehabilitation shall not preclude the structures continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
- 7.2.2 Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result except that a variance may be approved if the Administrator of the Federal Insurance Administration has previously given conditional approval.
- 7.2.3 Variances shall only be issued on a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- 7.2.4 Variances shall only be issued upon:
 - (1) A showing of good and sufficient cause such as renovation, rehabilitation, or reconstruction. Variances issued for economic considerations, aesthetics, or because variances have been used in the past are not good and sufficient cause.
 - (2) A determination that failure to grant the variance would result in exceptional hardship to the applicant.
 - (3) A determination that the granting of a variance shall not result in increased flood heights except where the increased flood heights have been given conditional approval of the

Administrator of the Federal Insurance Administration, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization to the public, or conflict with existing laws or ordinances.

CHAPTER 8 ENFORCEMENT

Section 8.1 ABATEMENT OF NUISANCE

A violation of Section 3.3, of this ordinance, is declared to be a public nuisance and may be abated. In the event of abatement, the costs of such abatement shall be assessed to the violator. If the violator maintains a nuisance on real property in which he has less than total interest, the assessment shall be a charge on such property to the extent of the violator's interest therein. The assessment shall be collected at the same time and in the same manner as ordinary county taxes are collected, and shall be subject to the same penalties and the same procedure for sale in case of delinquency as provided for ordinary taxes. All laws applicable to the levy, collection and enforcement of county taxes shall be applicable to such assessment, except as otherwise provided in Government Code Section 25845. The procedure established for the repair, rehabilitation, vacation or demolition of substandard buildings by the Uniform Housing Code, 1982 Edition, commencing with Chapter 11, to the extent it can reasonably be applied to violations of Section 3.3 of this ordinance, is hereby incorporated as though fully set forth at this point and is hereby adopted as the procedure for abatement inspection, abatement, and for assessing the cost of abatement of such nuisances to the violator or against the land involved, provided that for the purposes of the Uniform Housing Code, the "Director of Public Works" is the "Building Official" and the "Board of Supervisors" is the "Board of Appeals."

Section 8.2 EMERGENCY ABATEMENT

If it appears to the Director of Public Works that an emergency exists because of a violation of Section 3.3, then without following the procedure established by Section 8.1, the Director of Public Works may order all work done necessary to remove, abate, or mitigate the condition creating such emergency. The Director may do the work with his own employees or may contract to have the work done; in either event, the Director shall keep a record of the cost of the work and charge the cost of the work to the violator, who shall repay the county for the cost.

Section 8.3 VIOLATIONS/PENALTIES

Any person who:

- (1) Violates any provision of this ordinance; or

- (2) Refuses without lawful excuse to attend any hearing, or to produce material evidence in his possession or under his control as required by any subpoena served on him as provided in the Uniform Housing Code, 1982 Edition; or
- (3) Fails, neglects or refuses to obey any order of the Director of Public Works or the Board of Supervisors made pursuant to the provisions of the Uniform Housing Code, 1982 Edition, and directed to such person, after such order shall have become final; shall be deemed guilty of a misdemeanor and, on conviction, shall be punishable by a fine of not more than one thousand dollars (\$1,000), or by imprisonment in the county jail for not more than six months, or by both the fine and the imprisonment.

CHAPTER 9: REPEAL OF PRIOR FLOOD PLAIN MANAGAEMENT ORDINANCE

Section 9.1 Ordinance No. 3741 and Ordinance No. 3750, together known as the Ventura County Flood Plain Management Ordinance, are hereby repealed.

Adopted by the Board of Supervisors of the Flood Control District as Ordinance 3841 on February 2, 1988

Amended by the Board of Supervisors of the Flood Control District as Ordinance 3890 on March 21, 1989

Amended by the Board of Supervisors of the Flood Control District as Ordinance 3902 on June 27, 1989

Amended by the Board of Supervisors of the Flood Control District as Ordinance 3954 on October 9, 1990

Adopted by the Board of Supervisors of Ventura County on October 9, 1990



**BOARD MINUTES
BOARD OF SUPERVISORS, COUNTY OF VENTURA, STATE OF CALIFORNIA**

**SUPERVISORS STEVE BENNETT, LINDA PARKS,
KATHY I. LONG, PETER C. FOY AND JOHN ZARAGOZA
July 22, 2014 at 10:30 a.m.**

**Public Hearing Regarding Adoption of an Ordinance Amending the Ventura County Flood Plain Management Ordinance Originally Enacted as Ordinance No. 3841 as Amended by Ordinance Nos. 3890, 3902 and 3954; and Find that Adoption of the Ordinance is Exempt from the California Environmental Quality Act (CEQA); All Watershed Protection District Zones; All Supervisorial Districts.
(Heard on June 17, 2014 Item 26) (Public Works Agency)**

- (X) All Board members are present, except Supervisor Foy is absent.
- (X) The Board holds a public hearing.
- (X) The following person is heard: Tully Clifford.
- (X) Upon motion of Supervisor Zaragoza, seconded by Supervisor Long, and duly carried, the Board hereby approves staff recommendations as stated in the Board letter.

By: _____

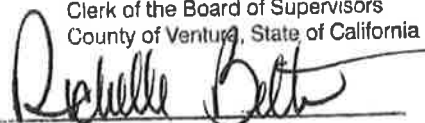

Brian Palmer

Chief Deputy Clerk of the Board

I hereby certify that the annexed instrument is a true and correct copy of the document which is on file in this office.

Dated: MICHAEL POWERS
Clerk of the Board of Supervisors
County of Ventura, State of California

By: _____


Deputy Clerk of the Board



Ordinance No. 4465

An Ordinance Amending the Ventura County Flood Plain Management Ordinance,
Originally Enacted as Ordinance No. 3841 as Amended by Ordinance Nos. 3890, 3902 and 3954.

The Board of Supervisors of Ventura County ordains as follows:

ARTICLE 1. Findings

The Board of Supervisors hereby finds that:

- A. The Board of Supervisors originally enacted regulations for flood plain management by adopting Ordinance No. 3741, which ordinance was later modified by Ordinance No. 3750.
- B. The Board of Supervisors repealed Ordinance Nos. 3741 and 3750 and enacted new flood plain management regulations by adopting Ordinance No. 3841, which ordinance became known as the Ventura County Flood Plain Management Ordinance.
- C. The Board of Supervisors modified the Ventura County Flood Plain Management Ordinance by adopting Ordinance Nos. 3890, 3902 and 3954.
- D. The Federal Emergency Management Agency has notified the County of Ventura that its Flood Plain Management Ordinance, as modified, must be further modified in order to allow new flood maps to go into effect and for the County of Ventura to remain qualified under the National Flood Insurance Program's Community Rating System.
- E. The amendments adopted in this ordinance are intended to meet the requirements of the National Flood Insurance Program.
- F. The adoption of this ordinance is exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Sections 15307 and 15308.

ARTICLE 2. Amendments

- A. Sections 1.1.6 and 1.2.6 are added to Chapter 1 of the Ventura County Flood Plain Management Ordinance as follows:
 - 1.1.6 Prohibiting man-made alteration of sand dunes which would increase potential flood damage.
 - 1.2.6 Prohibiting man-made alteration of sand dunes which would increase potential flood damage.
- B. New sections 2.1.19 and 2.1.33 are added to Chapter 2 of the Ventura County Flood Plain Management Ordinance, as follows:
 - 2.1.19 "Flood proofing" means any combination of structural and non-structural 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 flood proofing, refer to FEMA Technical Bulletins TB1-93, TB3-93, and TB7-93.

2.1.33 "Special Flood Hazard Area (SFHA)" means an area in the floodplain subject to the 1 percent or greater chance of flooding in any given year. It is shown on the FHBM or FIRM as Zone A, AO, A1-A30, AE, A99, AH, V1-V30, VE or V.

- C. Previous sections 2.1.19 – 2.1.31 are renumbered as sections 2.1.20 – 2.1.32 and previous sections 2.1.32-2.1.38 are renumbered as 2.1.34-2.1.40, to reflect the additions of new sections 2.1.19 and 2.1.33.

- D. Section 4.3.5.3 of Chapter 4 of the Ventura County Flood Plain Management Ordinance is amended to read :

4.3.5.3 Notify adjacent communities and the California Department of Water Resources within six months of information becoming available or project completion, whichever comes first, of any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.

- E. Section 5.1.1.1 of Chapter 5 of the Ventura County Flood Plain Management Ordinance is amended to read: .

5.1.1.1 All new construction and substantial improvements of structures, including manufactured homes, shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.

- F. Section 5.2.6.4 of Chapter 5 of the Ventura County Flood Plain Management Ordinance is added to read:

5.2.6.4 Any man-made alteration of sand dunes which would increase potential flood damage is prohibited.

ARTICLE 3. Effective Date

This Ordinance shall become effective on the 30th day after the date of its adoption.

PASSED AND ADOPTED this 22nd day of July, 2014, by the following vote:

AYES: Supervisors Parks, Long, Zaragoza, and Bennett.

NOES: None

ABSENT: Fay


CHAIR, BOARD OF SUPERVISORS

ATTEST:

MICHAEL POWERS
Clerk of the Board of Supervisors
County of Ventura, State of California

By: 
Deputy Clerk of the Board

