SIMI VALLEY

NEIGHBORHOOD COUNCILS

NEIGHBORHOOD COUNCIL #2
TUESDAY, NOVEMBER 8, 7:30 P.M.
CITY HALL COMMUNITY ROOM
2929 TAPO CANYON ROAD

AGENDA

NC #2 Chair	Richard Grossman
NC #2 Vice Chair	Kimberly Drewes
NC #2 Secretary	Kimmy Tharpe
NC Coordinator	Emily Habib
City Council Liaison	Council Member Glen Becerra

1. Call to Order/Welcome/Pledge of Allegiance

2. Agenda Review

3. Approval of Minutes

4. Correspondence

5. Public Statements/Comments

   This is the time allotted for public statements or comments on matters within the subject matter and jurisdiction of the Executive Board not on the agenda. Statements and comments are limited to no more than five (5) minutes per speaker.

6. Informational Presentation: None

7. New Business

   a. Review of a request to construct a 2-story assisted living facility at 1234 Erringer Road and a new parking lot at the adjacent church at 2000 Royal Avenue

   b. Discussion of possible revisions the City's Flood Damage Prevention Ordinance

   c. Nomination of a representative to the Special Event Support Review Committee

8. Neighborhood Council Coordinator's Report

CITY OF SIMI VALLEY

9. Executive Board Comments

This is the time allotted for Executive Board member statements or comments on matters within the subject matter and jurisdiction of the Neighborhood Councils, to request a future agenda item, or to give an Ad Hoc Committee Report. This is also the time to make any announcements related to community events and other items of interest.

10. Adjournment: Tuesday, December 13, 2017, 7:30 p.m.

/s/

Mara Malch
Deputy Director

If any interested individual has a disability that may require accommodation to participate in this meeting, please contact the Neighborhood Council Coordinator at (805) 583-6756. Upon advance notification, reasonable arrangements will be made to provide accessibility to the meeting.

DRAFT MINUTES

1. Call to Order/Welcome/Pledge of Allegiance/Introductions

Chair Rick Grossman called the meeting to order at 7:30 p.m. Secretary Kimmy Tharpe confirmed that a quorum was present.

Mike Brown	P	Corey Marshall	P
Jayesh Patel	A	Dan McBride	P
Jan Smith	P	Kimmy Tharpe	P
Shawna Smith	P	Marques Crutchfield	P
Medhat Beshai	P	Kimberly Drewes	P
Jim Clement	P	Vacant	
Rick Grossman	P	P=Present; E=Excused; A=Absent	

2. Agenda Review

By consensus of the Executive Board, the agenda was approved as presented.

3. Approval of Minutes

A motion was made by Jan Smith and seconded by Mike Brown to approve the September 13, 2016 minutes as presented. The motion passed unanimously.

4. Correspondence: None

5. Public Statements/Comments

A resident stated he has previously attended Neighborhood Council meetings to become familiar with the program and expressed appreciation for all the hard work that the Executive Board members provide.

Thomas Hartfield introduced himself as one of the candidates running for City Council. He expressed appreciation to everyone for the time that they dedicate to the Neighborhood Councils and explained that he previously served as Vice Chair for Neighborhood Council #2.

6. Informational Presentation

a. 211: A Comprehensive Information and Referral Service for Ventura County

Rossanna Guerra from Interface Children & Family Services, informed the Executive Board about the 211 Ventura County program. She stated that 211 is a free, confidential referral/information helpline and website that connects people to essential health and human services 24 hours a day, seven days a week. The program in Ventura County was the first in California. The average annual number of calls over the years has been approximately 20,000. The local call center has bilingual call specialists immediately available to speak in English, Spanish, and Cantonese. Furthermore, 211 utilizes phone based translation service for information

and referrals in over 150 languages. Among the referrals offered are housing, food, employment, veteran's services and healthcare. It also provides assistance during disasters so that emergency responders can deal with the most urgent issues.

7. New Business

a. **Discussion and recommendations for the Simi Valley Public Library's Strategic Plan**

Kimberly Drewes, Neighborhood Council #2 representative for the Simi Valley Public Library's Strategic Plan Committee, stated that the Committee met and wanted to gather additional feedback regarding improvements to the Library for the next Committee meeting.

Ms. Drewes asked the following questions, followed by comments from the audience and Executive Board members:

Why do you love the Library?

- Ability to search and order books online.
- Increased access to different book options and access to the used bookstore.
- Positive outlet for groups and individuals to musically perform.
- Access to various resource and event brochures.

What could the Library do to be better?

- Modernize the interior look of the building.
- Increase the online book selections and improve the user friendliness of the website. Examples could include book and media overviews, similar to online bookstores.
- Increase the social media presence.
- Provide up to date books about information technology.
- Provide more computers including Mac computers.

What would draw you more to the Library?

- Additional class offerings, such as English immersion and partner with Simi Valley School High Schools to provide tutoring service opportunities.
- Increased marketing of the Library's meeting room availability to Home Owner's Associations and other organizations.
- Provide a Legal Self-Help Center so individuals don't have to commute to Ventura

What are some other programs or ideas to attract more teenagers?

- Update the Teen Lounge to have a coffee bar style, and install a cotton candy machine to regularly attract teenagers.

What would you say is the biggest problem affecting teens?

- Drugs and not enough teen activities.
- Lack of a Teen Center similar to local centers that has monthly dances and social events to provide positive options to youth.

8. Neighborhood Council Coordinator's Report

Jennifer Santos, Management Analyst, stated that she was covering for Emily Habib. Recruitment for Executive Board members will begin in early November and Neighborhood Council #2 will have three openings. She encouraged everyone to have interested applicants apply.

9. Executive Board Comments

Shawna Smith requested to have a presentation about the Code Enforcement process.

Mike Brown requested to discuss concerns related to traffic congestion and possible solutions around Hollow Hills Elementary School and other sites throughout the City. Ms. Santos stated that the Police Department would be able to assist with safety concerns. Ms. Drewes also stated that the Police Department worked with a school in her neighborhood to reduce traffic congestion, which was effective. It was the consensus of the Executive Board to discuss the item at a future meeting.

Corey Marshall attended the Annual Coastal Cleanup Day. The event was successful even though not many people attended. He reported a lot of cleanup efforts still need to be made.

Kimberly Drewes commended the Neighborhood Councils for their participation in the Simi Valley Days Parade that gave a lot exposure for the program. She announced Thy Java Doth Flow, a modern day Shakespeare production that will take place on October 15, 2016 and October 16, 2016 at the Shrillo Auditorium located at the Seventh Day Adventist Church at 1636 Sinaloa Road. The event comes from the Lit Live program that brings literature to the schools.

Richard Grossman provided an update from the last Neighborhood Council Joint Chairs meeting where they discussed effective procedures to conduct a meeting. He stated that the Rotary Club of Simi Sunset will host the Trick 'r Treat in the Park and Howl-O-Ween Pooch Parade on October 30, 2016, at Rancho Tapo Community Park.

10. Adjournment: Tuesday, November 8, 2016, 7:30 p.m.

By the consensus of the Executive Board, the meeting was adjourned at 8:42 p.m.

CITY OF SIMI VALLEY

Neighborhood Council
Development Project Overview

Project Nos. ..... CUP-S-796 and CUP-2532 MOD#2
Neighborhood Council No. 2
Tentative Planning Commission Meeting Date ..... January 18, 2017
Tentative City Council Meeting Date ..... N.A.
Case Planner ..... Vern Umetsu

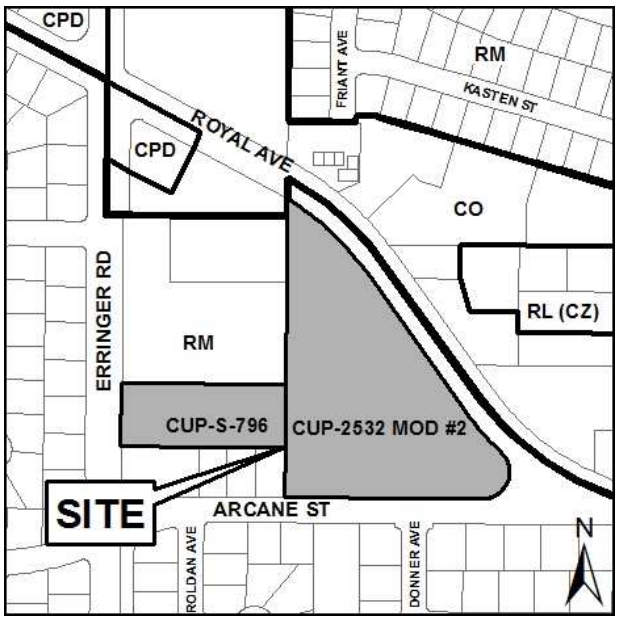
Request:
Approve a Conditional Use Permit to establish a Large Residential Care Facility (CUP-S-796) and a parking lot (CUP-2532 MOD#2).

Applicant:
First Baptist Church of Simi Valley
Attn. John Nicholas
2000 Royal Avenue
Simi Valley, CA 93065
(805) 526-8075

Representative:
Mark Pettit, Lauterbach & Associates
300 Montgomery Ave.
Oxnard, CA 93036
(805) 981-4510

General Plan/Zoning:
Medium Density Residential/RM (Residential Medium Density min. 8,000 sq. ft. lots)

Location:
1234 Erringer Road (assisted living facility) and 2000 Royal Avenue (new parking lot)

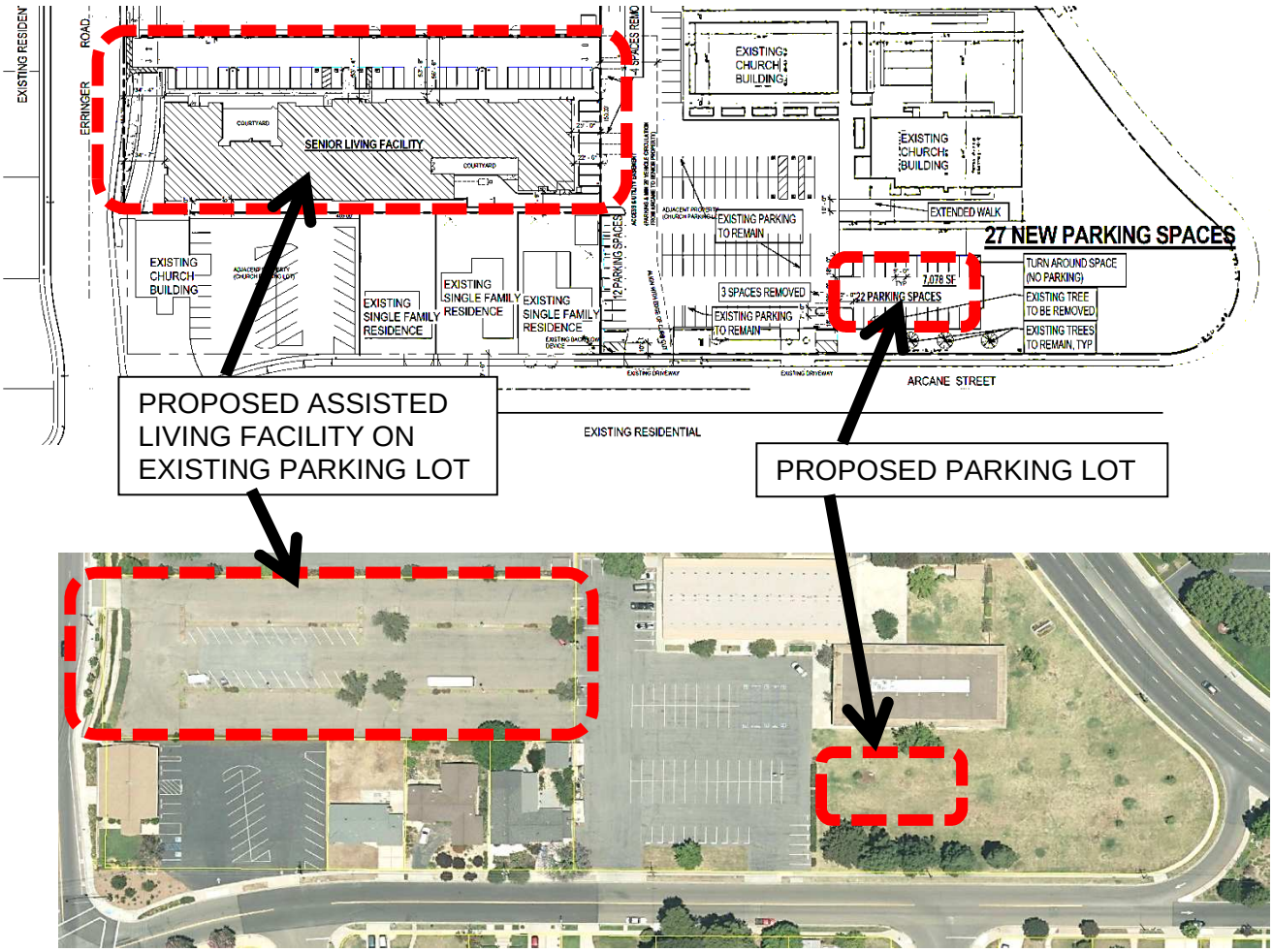


I. Project Description

The applicant, First Baptist Church of Simi Valley, requests approval for the following:

1. A Conditional Use Permit (CUP) to build a new, two story, 96-room, assisted living facility on an existing parking lot (refer to the site plan below). The proposed facility would serve 96 residents who are unable to live on their own. The facility would have several dining rooms, entertainment and exercise facilities, and secured outdoor courtyards. There would also be a hair salon and doctor's office for visiting providers. Six trees will be removed. All six trees were either planted by the Church or established as volunteer plants in the existing parking lot. The $11,600 replacement value of mature trees to be removed will be provided with new trees to be planted on the site.

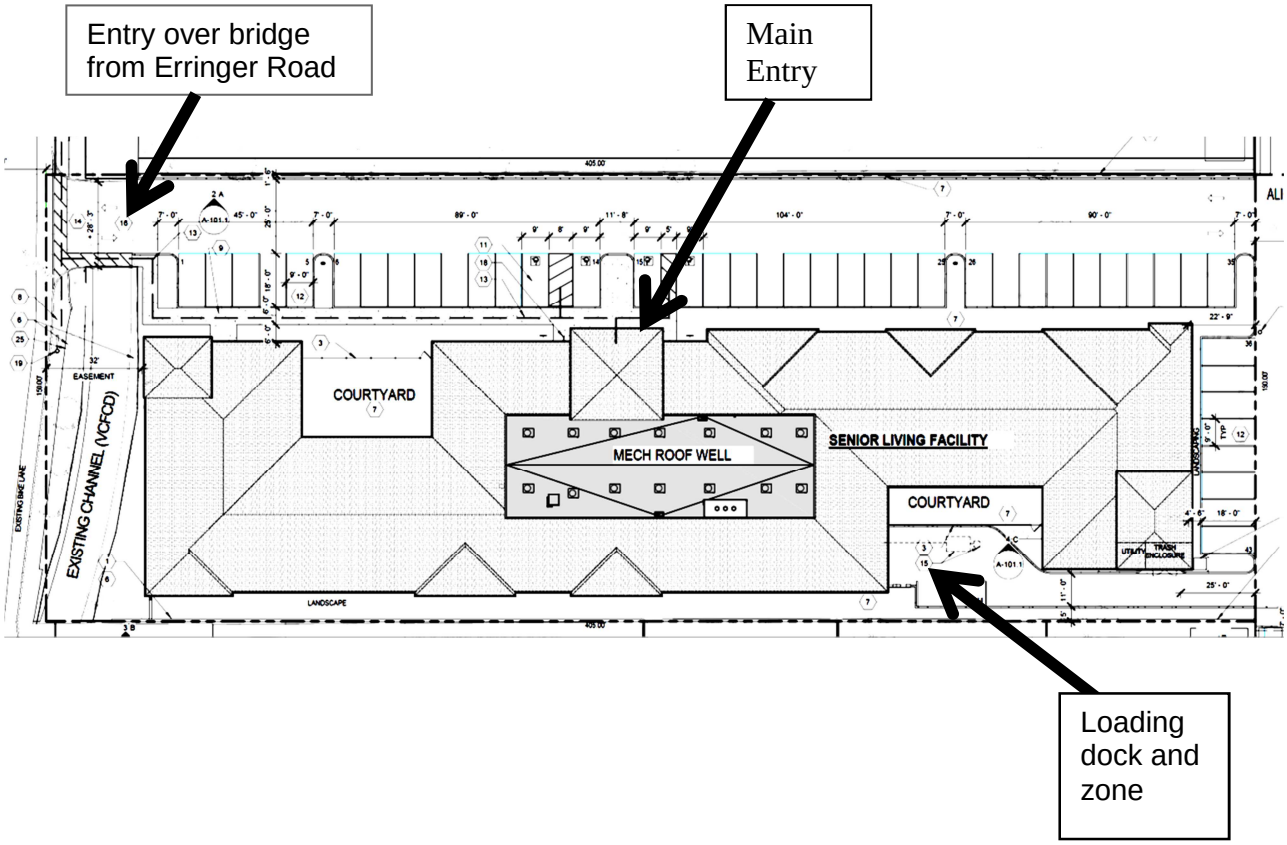
2. A CUP to build a new, 22 space parking lot, located in an existing grass field to the south of the existing church (refer to the site plan below). Two trees would be removed. Both trees were voluntarily planted by the Church. The $7,800 replacement value of mature trees to be removed will be provided with new trees to be planted on the site. The parking lot would be screened from Arcane Street by an existing line of evergreen trees.



II. Project Design

The proposed facility will continue to take primary access from the Erringer Road, over an existing short bridge and open drainage channel along Erringer Road (refer to site plan below). From the Erringer Road bridge, vehicles would directly approach the main building entry with parking along the building frontage. Parking is also provided along the east side of the property. Vehicles could exit the site either via the bridge to Erringer Road, or via a driveway on the east to Arcane Street. A loading zone is provided on the south. The applicant states that he has worked with adjacent neighbors that could be contacted to minimize loading zone impacts. Service vehicles would operate in the loading area between 9:00 a.m. and 5:00 p.m., except in unusual circumstances. In addition, service vehicles would be prohibited from using audible back-up warning "beepers."

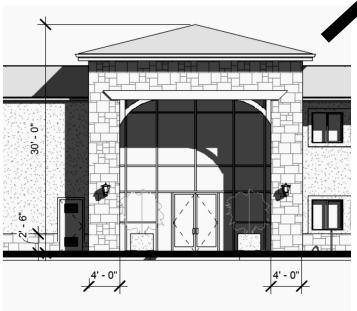
The proposed, two-story building has stone and stucco walls, inset windows, and a flat tile roof (refer to building elevations on page 4). The main entrance reflects this design with a two-story, stone clad walls, a large wood lintel across the top, and over-sized wood bracing at the corners.



Neighborhood Council Project Overview for CUP-S-796 and CUP-2532 MOD#2

Proposed building elevations have stucco and fieldstone walls and tower elements, substantial wood elements to accent the main entry, 3 to 6-inch inset windows, and flat roof tiles as shown below and in the attached exhibits.

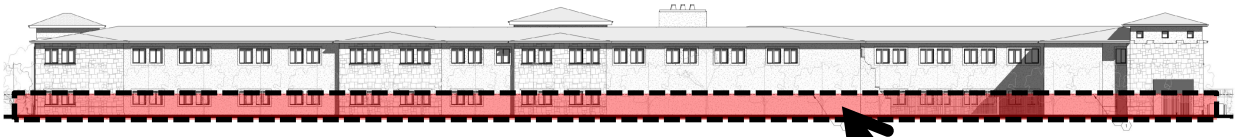
North Elevation Toward Church



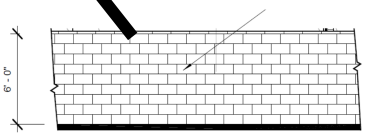
Main Entry

Front Tower at Erringer Road

Erringer Road Frontage

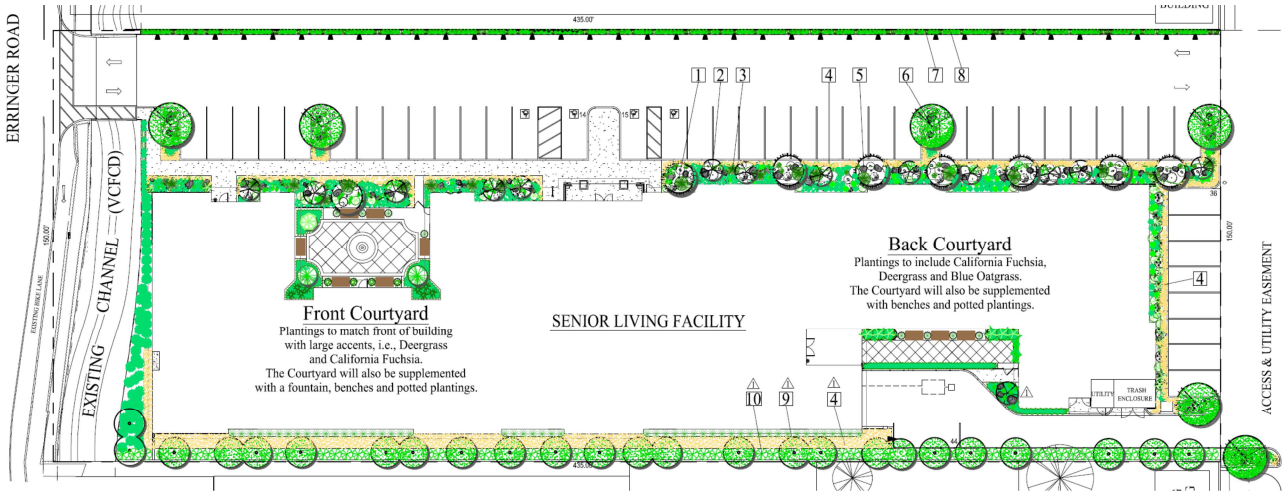


South Elevation, Facing Three Houses, With a Six-Foot High Masonry Wall along the Property Line



Six Ft. High Masonry Wall

Landscaping complements the building architecture with columnar evergreen trees planted next to the building on the front and sides, with spreading canopy evergreen trees planted in the landscape finger islands of the parking lot. A six-foot high masonry wall will be built along the south property line to buffer the three southerly houses and a church (refer to South Elevation on previous page).



III. Project Compatibility

Assisted Living Facility:

The area surrounding the assisted living facility consists of:

1. Three houses and a church on the south;
2. The parking lot of a church on the north;
3. Erringer Road with houses across the street on the west, and
4. The applicant's church facility on the east.

The project is compatible with its surroundings in that:

1. On the south, the applicant states that he has talked with two of the three resident-owners, who have no objections to the proposed use;, the large tree in the back yard of the eastern-most house will be saved; a six-foot high masonry wall will separate the facility from the houses; the loading area vehicles will not use audible back-up "beepers" with hours of loading area operation limited to 9 a.m. to 5 p.m.; and evergreen trees will be planted along this frontage as shown on the landscape plan.
2. On the north, the proposed project's parking lot faces the adjacent church parking lot, with the existing northerly church located over 130 feet from the property line.
3. On the west is the 84-foot wide, four-lane, Erringer Road with three houses beyond. The City Traffic Engineer has determined that the facility will not have significant traffic impacts.
4. On the east is the applicant's existing church. Some traffic may use the driveway at the east end of the parking lot to access Arcane Street. An access and utility easement would be established along this driveway.

In summary, all proposed resident activities would be in the building or in the enclosed courtyard; no traffic impacts are anticipated by the City's Traffic Engineer; the site is served by all utilities, and all overhead utility lines will be undergrounded to the nearest off-site utility pole. The proposed structure is two stories high and has stucco and stone walls punctuated by tower elements, and evergreen trees that will help it be compatible with the neighborhood.

Parking Lot:

The proposed 22 space parking lot is surrounded by the applicant's existing church property. On the south is 20 feet of landscaping to the property line, with mature evergreen trees between the proposed parking lot and Arcane Street; on the north is over 55 feet of landscaping and walkway to the existing church; on the west is an existing parking lot with 90 spaces; and on the east is a landscaped field that varies from 145 to 195 feet in width (refer to air photo on page 2). No impacts from the proposed parking lot are anticipated since it is an extension of the existing 90 space parking lot and all uses and potentially affected areas are contained on the applicant's property.

IV. Issues

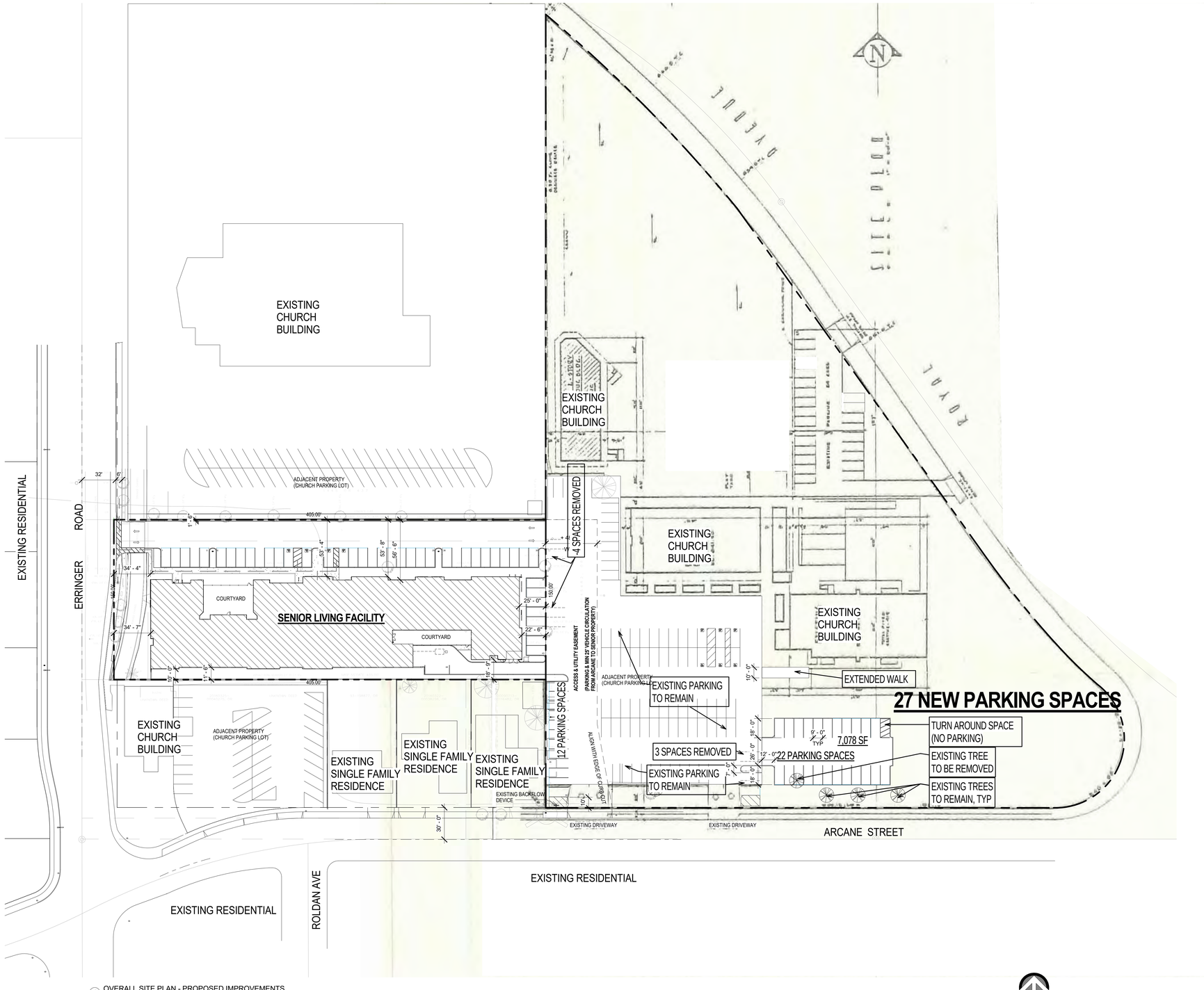
There are no issues.

V. Environmental Review

Environmental review is on-going. Traffic, drainage, and tree reports conclude that the proposed project will not have significant environmental impacts. The findings in these studies have been verified by City staff or its consultants.

VI. Exhibits

Project exhibits are attached.



1 OVERALL SITE PLAN - PROPOSED IMPROVEMENTS
1" = 40'-0"

LAUTERBACH & ASSOCIATES
ARCHITECTS INC.
Mark A. Pettis, Architect
Owner of Record: Architect, Inc. Suite 3, Ventura, CA 93003
300 MONTGOMERY AVENUE, OXNARD, CALIFORNIA 93036 | 805-988-0912 | FAX 805-984-1450 | www.laa-arch.com

JM SQUARED
300 MONTGOMERY AVE., OXNARD, CA 93036

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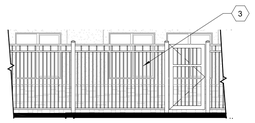
OVERALL SITE PLAN
PROPOSED IMPROVEMENTS

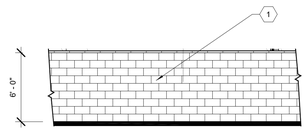
SENIOR LIVING WITH MEMORY CARE
1234 ERRINGER ROAD, SIMI VALLEY, CA 93065
AP# 638-0-300-050

PROPERTY OWNER: FIRST BAPTIST CHURCH OF SIMI VALLEY
2000 ROYAL AVE, SIMI VALLEY, CA 93065

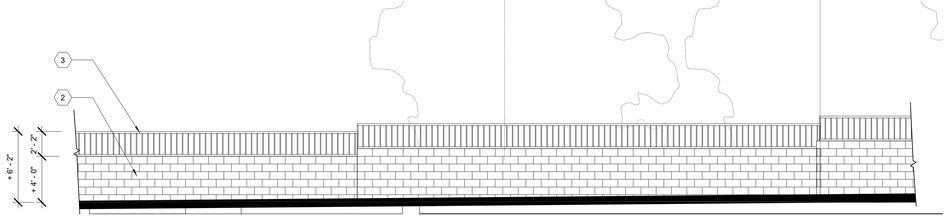
A-100.1



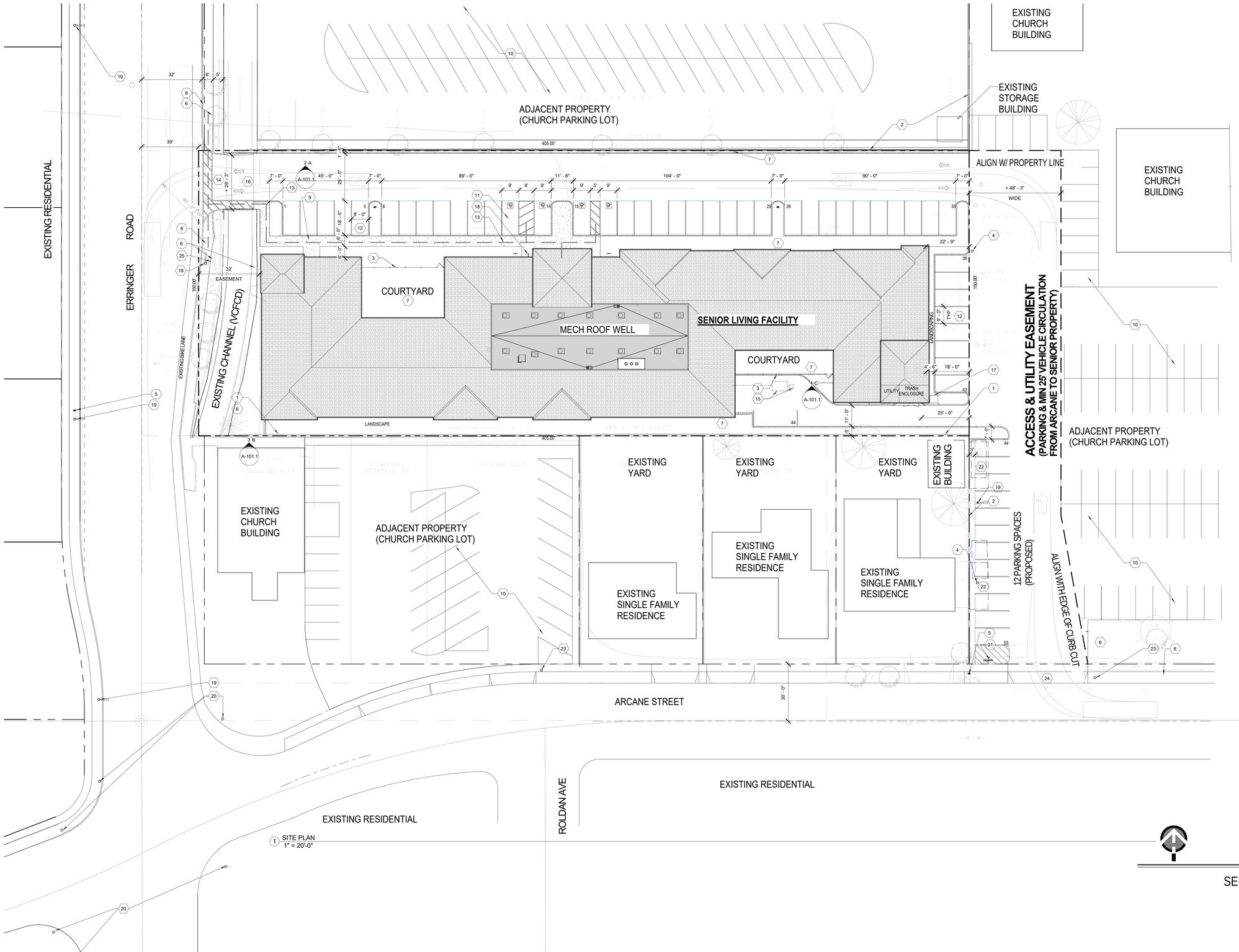
4 COURTYARD FENCE - C
3/16" = 1'-0"



3 PROPERTYLINE WALL - B
3/16" = 1'-0"



2 PROPERTYLINE WALL - A
3/16" = 1'-0"



1 SITE PLAN
1" = 20'-0"

SHEET KEYNOTES

1. 6'-0" HIGH CMU WALL WITH CMU CAP
2. EXISTING BLOCK WALL
3. WROUGHT IRON FENCE
4. EXISTING UTILITY POLE TO BE RELOCATED UNDERGROUND AS REQUIRED
5. EXISTING FIRE HYDRANT
6. EXISTING LANDSCAPING
7. LANDSCAPING
8. EXISTING SIDEWALK
9. CONCRETE SIDEWALK
10. EXISTING PARKING
11. ACCESSIBLE PARKING STALL, TYP
12. STANDARD PARKING STALL, TYP
13. ACCESSIBLE PATH OF TRAVEL
14. EXISTING DRIVEWAY WITH 10'- 0" RADIUS CURB RETURNS
15. GREASE INTERSEPTOR & SAMPLE WELL PER CITY STDS
16. EXISTING BRIDGE ACCESS OVER FLOOD CONTROL CHANNEL
17. ELECTRICAL TRANSFORMER
18. BICYCLE RACK
19. EXISTING STREET LIGHT ON UTILITY POLE
20. EXISTING TRAFFIC SIGNAL POLE
21. EXISTING BACKFLOW DEVICE TO REMAIN
22. EXISTING STORAGE CONTAINER TO BE RELOCATED
23. EXISTING UTILITY POLE
24. EXISTING DRIVEWAY
25. DEVELOPER TO REVISE THE EXISTING LANDSCAPING ALONG THE PROJECT FRONTAGE TO ENHANCE DRIVEWAY SIGHT DISTANCE WHERE REQUIRED

GENERAL NOTES

1. AT THE EXISTING DRIVEWAYS NOTHING IS TO BE CONSTRUCTED OR LANDSCAPED SUCH THAT THE LINE OF SIGHT IS BLOCKED.
2. VEHICLES USING THE SOUTH LOADING AREA WILL NOT USE BACK-UP BEEPERS, SPECIFIY THE HOURS OF USAGE & IDENTIFY THE TYPE OF VEHICLES TO USE THE LOADING AREA

PROJECT ANALYSIS

ASSESSOR PARCEL NO.:	638-0-300-050
ZONING:	RM (RESIDENTIAL MEDIUM DENSITY)
LAND USE:	PARKING LOT
PARCEL SIZE: GROSS:	60,750 SF (1.39 ACRES)
TYPE OF CONSTRUCTION:	V-N SPRINKLERED
OCCUPANCY:	R-2.1
BUILDING AREA:	
FIRST FLOOR:	24,614 SF (40%)
SECOND FLOOR:	24,248 SF
TOTAL:	48,862 SF
NO. OF UNITS:	
MEMORY CARE:	21 BEDS
SENIOR LIVING:	57 BEDS + 18 BEDROOMS
TOTAL:	96
PAVING AREA:	19,520 SF (35%)
+(E) CONC. CHANNEL	1,547 SF
LANDSCAPE AREA:	15,069 SF (25%)
PARKING REQUIRED:	48 SPACES (HALF A PARKING SPACE PER UNIT)
PARKING PROVIDED:	48 SPACES (4 ON ADJACENT CHURCH PROPERTY)

SHEET INDEX

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A-201	EXTERIOR ELEVATIONS
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2 of 4	GRADING & DRAINAGE PLAN (SENIOR SITE)
3 of 4	CROSS SECTIONS & DETAILS (SENIOR SITE)
4 of 4	WATER & SEWER PLAN (SENIOR SITE)
1 of 3	COVER SHEET (CHURCH SITE)
2 of 3	GRADING & DRAINAGE PLAN (CHURCH SITE)
3 of 3	SECTION & DETAIL (CHURCH SITE)
1	PRELIMINARY LANDSCAPE PLAN (SENIOR SITE)
2	PROPOSED PLANTINGS & LANDSCAPE MATERIALS
3	PRELIMINARY LANDSCAPE PLAN (CHURCH SITE)

VICINITY MAP

PROJECT LOCATION
Royal Ave
Arcane St
Simi Valley Metro
Simi Valley Outer Island Visitor Service
Pacific Cargo
New Valley Baptist Church
Cultier St
Sycamore Dr
Kingsley Ave
Kingsley Pl
Kingsley Way
Kingsley Ave
Sycamore Dr
Sycamore Pl
Sycamore Way
Sycamore Ave
Sycamore Ave
Stow St
Stow St
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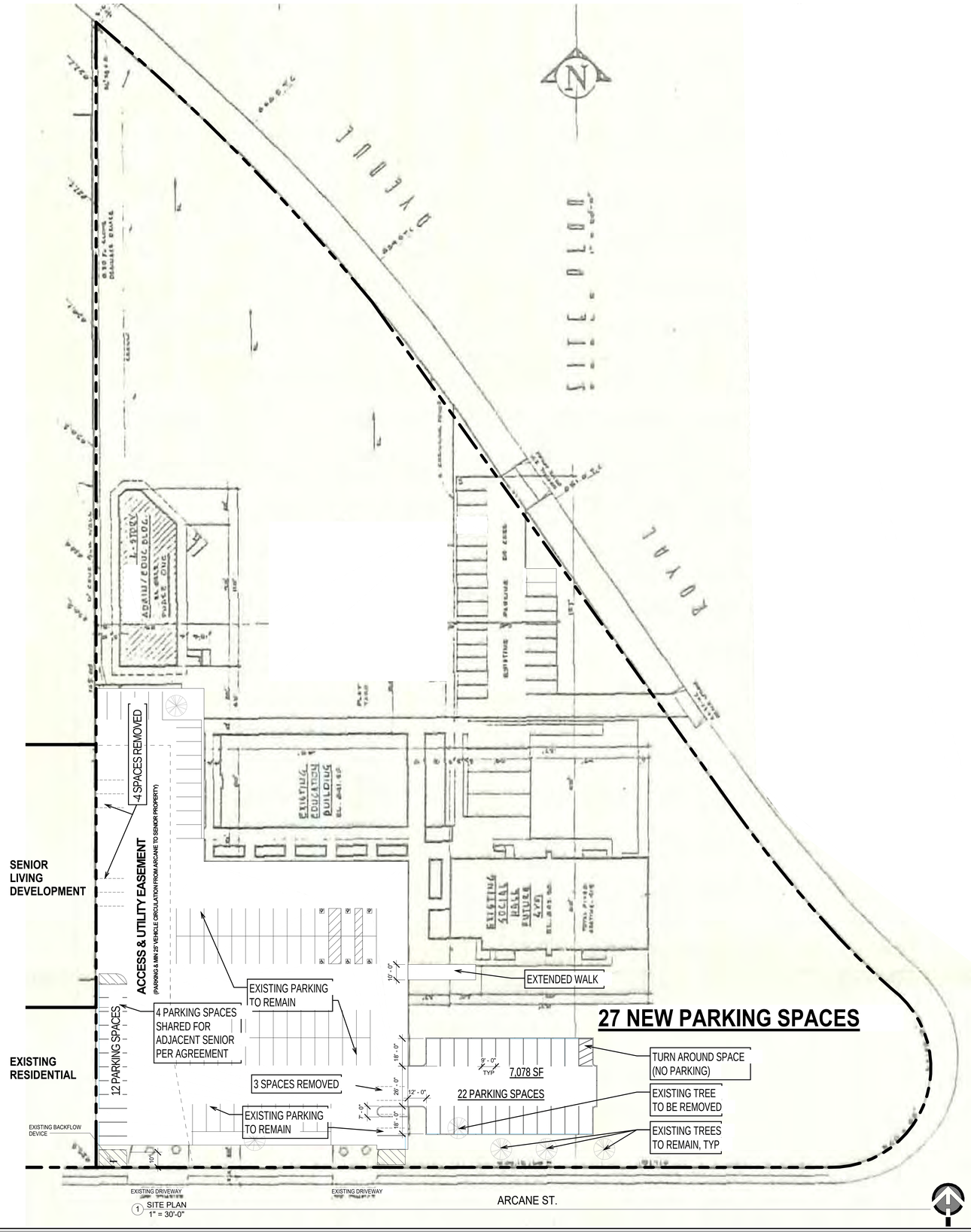


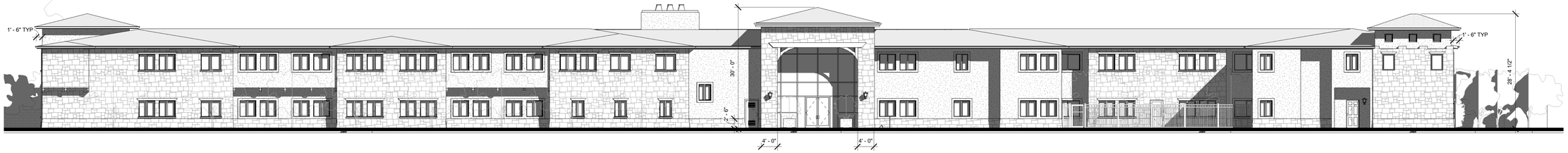
1 SITE PLAN
1" = 30'-0"

PROJECT ANALYSIS

ASSESSOR PARCEL NO.:	638-0-290-120
ZONING:	RM (RESIDENTIAL MEDIUM DENSITY)
LAND USE:	CHURCH FACILITY
PARCEL SIZE: GROSS:	232,174.8 SF (5.33 ACRES)
BUILDINGS:	EXISTING
PARKING (EXISTING): STANDARD: ACCESSIBLE:	101 SPACES 6 SPACES
ADDITIONAL PARKING:	27 SPACES
TOTAL PARKING PROVIDED:	134 SPACES

VICINITY MAP

PROJECT LOCATION
Royal Ave
Arcane St
Cuter St
Sycamore Dr
Sycamore Ave
Erringer Rd
Stearns St
Easton St
Sinsi Valley Mandir
Human Services Agency
US Storage Centers
The Church of Jesus Christ of Latter
Pacific Centers
Sinsi Valley Community Church
Sinsi Valley Cars and Horse Service
Christian Science Church and Reading Room
Dr Ron's Animal Hospital & Emergency
Sinsi Valley Ave
Tierra Rejada Rd
Madera Rd
Los Angeles Ave
Tapo St
Alamo St
Sycamore Dr
Stearns St



1 NORTH (FRONT)
3/32" = 1'-0"

2 SOUTH (REAR)
3/32" = 1'-0"

3 EAST - PARKING LOT
1/8" = 1'-0"

4 WEST - ERRINGER ROAD
1/8" = 1'-0"

SHEET KEYNOTES

1. 6'-0" HIGH CMU WALL IN FOREGROUND
2. ARBOR FOR CREEPING FIG VINE

MATERIALS / COLORS

A	CONCRETE TILE ROOF:	'MERITAGE BLEND' SAXONY BY BORAL
B	EXTERIOR PLASTER (LIGHT SAND FINISH): WALL	DEC722 'BAJA WHITE' BY DUNN-EDWARDS PAINTS
C	ACCENT AND TRIM FINISH:	DEC707 'FOXTAIL' BY DUNN-EDWARDS PAINTS
D	STONE VENEER:	'BUCKS COUNTY ROCKFACE' BY BORAL
E	WINDOWS:	DUAL GLAZED LOW 'E' CLEAR GLASS IN DARK ANODIZED ALUMINUM FRAMES

EXTERIOR ELEVATIONS

LAUTERBACH & ASSOCIATES
ARCHITECTS INC.
David C. Kellerson, Architect • Ilona Scott, Architect • Mark S. Pettit, Architect
300 MONTGOMERY AVENUE, OXNARD, CALIFORNIA 93030 | phone (805) 483-2370 | fax (805) 483-4370 | www.la-arch.com

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300 MONTGOMERY AVE., OXNARD, CA 93036

Print Date: 9/8/16 11:39:12 AM
Proj. No.: 20-150703

SENIOR LIVING WITH MEMORY CARE
1234 ERRINGER ROAD, SIMI VALLEY, CA 93065
APN 638-0-300-050

PROPERTY OWNER: FIRST BAPTIST CHURCH OF SIMI VALLEY
2000 ROYAL AVE, SIMI VALLEY, CA 93065

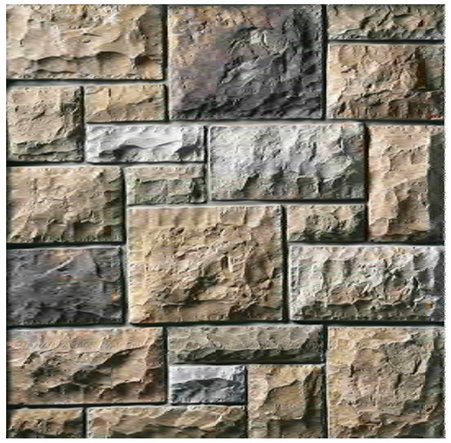
A-201

A. CONCRETE ROOF TILE: MERITAGE BLEND, SAXONY BY BORAL

B1. WALL FIELD PAINT: BAJA WHITE BY DUNN-EDWARDS

B2. WALL TEXTURE: LIGHT SAND FINISH

C. TRIM PAINT: FOXTAIL BY DUNN-EDWARDS



D. ACCENT STONE: BUCKS COUNTRY ROCKFACE BY BORAL

E. WINDOWS / STOREFRONT: DUAL GLAZED LOW E CLEAR GLASS IN DARK ANODIZED ALUMINUM FRAMES

F. CHIMNEY CAP

G. EXTERIOR LIGHT FIXTURE

H. BIKE RACK

J. METAL PERIMETER FENCE AT COURTYARDS

K. COURTYARD BENCH

L. COURTYARD FOUNTAIN

M. COURTYARD PAVERS

TYPICAL BEDROOM / LIVING AREA

CONFERENCE ROOM

DINING AREA

EXERCISE ROOM

MATERIALS BOARD

LAUTERBACH & ASSOCIATES
ARCHITECTS INC.
David C. Kellerson, Architect • Ilona Scott, Architect • Mark S. Perlis, Architect
300 MONTGOMERY AVENUE, OXNARD, CALIFORNIA 93030 | phone (805) 485-8300 | fax (805) 485-8310 | www.la-arch.com

JM SQUARED
300 MONTGOMERY AVE. OXNARD, CA 93036

Print Date: 9/8/16 11:46:10 AM
Proj. No.: 20-150703

SENIOR LIVING WITH MEMORY CARE
1234 ERRINGER ROAD, SIMI VALLEY, CA 93065
APi# 638-0-300-050

PROPERTY OWNER: FIRST BAPTIST CHURCH OF SIMI VALLEY
2000 ROYAL AVE, SIMI VALLEY, CA 93065

A-111

An Alpine Theme Along the Building's Front

Plantings selected are low water using Japanese Black Pine and Manzanita mixed with low growing flowering shrubs, groundcovers and accents planted among groups of boulders. Plants will include Fountaingrass, Trailing Manzanita, Santolina, Rockrose, Duddleya, California Poppy and Blue Oatgrass. Decomposed granite will cover the ground along the curb.

North Property Line Wall

Plantings include Creeping Fig to grow onto and soften the wall and Daylilies at the base of the wall.

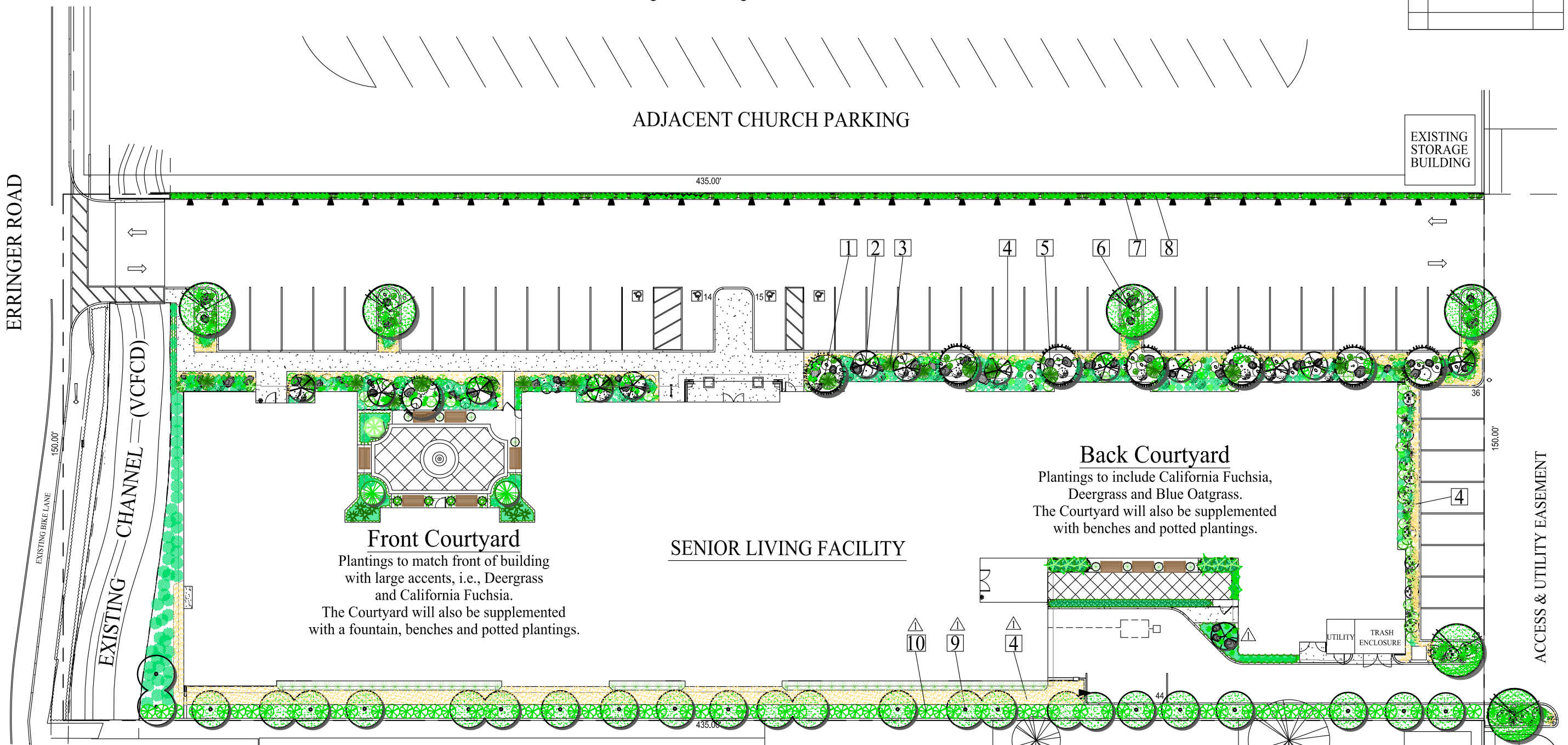
Parking Lot Finger Planters

Low plantings and boulders to match plants along building's front along with low water using shade trees, eg. Catalina Ironwood.

East Side of Building

Plantings include many of the shrubs and perennials from the front, such as Cistus, Blue Oatgrass, Duddleya and decomposed granite.

REVISIONS		
1	revision	date
1	city revisions, final arborist report	8.4.16



West Side of Building

The existing plantings/irrigation between the city walk and drain channel are to remain as is. The plantings/irrigation between the channel and the new building are to be removed as needed and replaced with same during planting operations.

The South Property Line

Plantings include trees to provide shade and screening along with Lemonade Berry hedge. Groundcover will be a decomposed granite pathway maintained along the length. Plantings include Bottle Tree, Lemonade Berry Hedge, California Fuchsia and Blue Oatgrass.

TREE MITIGATION- In order to comply with the city of Simi Valley's tree mitigation requirements, the following plants will be increased in size from the city's minimum size requirements. The Arborist's estimate for the value of the trees to be removed is $11,600.00.

(14) 24" boxed Catalina Ironwood and Japanese Black Pine upsized to 36" box.
$800. difference per tree = $11,200.00.

PRELIMINARY LANDSCAPE PLAN

This plan will comply with the requirements of the City of Simi Valley Municipal code and State Water Conservation Ordinances.

Philip S. Miller
Philip S. Miller,
Landscape Architect

Scale: 1"=30'

Philip Miller 10/22/2016 4:50 PM L-1,2 JM Squared Prelim.dwg

LANDSCAPE ARCHITECT
PHILIP S. MILLER NO. 3559
LICENSED
STATE OF CALIFORNIA
Signature
Renewal Date
Date

Philip S. Miller & Associates
site planning
landscape architecture
6203 calle bodega camarillo, ca 93012 805.383.7591
philipmiller@verizon.net
#3559

Senior Living with Memory Care
Erringer Road, Simi Valley, CA 93065 APN 638-0-300-050

Lauterbach&Assoc.
c/o: Mark Petit
300 Montgomery Ave, Oxnard, CA 93036
805.988.0912

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300 Montgomery Ave,
Oxnard, CA 93036
805.988.0912

1. Japanese Black Pine
Pinus thunbergii
⚠ (36" box) 12'x3.5'(48" box) 14'x5'

2. Manzanita
Arctostaphylos 'John Dourly'
2' x 2'

3. Fountaingrass
Pennisetum setaceum
1' x 1'

4. Decomposed Granite

5. Boulders

6. Catalina Ironwood
Lyonothamnus floribundus
(36" box) 12'x3.5'(48" box) 14'x5'

Deergrass
Muhlenbergia rigens
1' x 1'

Trailing Manzanita
Arctostaphylos uva-ursi
3" x 6"

Santolina
Santolina chamaecyparissus
3" x 6"

Rockrose
Cistus salviifolius
1' x 6"

Duddleya
Duddleya species
3" x 3"

Blue Oatgrass
Helictotrichon sempervirens
1' x 6"

7. Creeping Fig
Ficus Repens
18" tall staked

8. Daylily
Hemerocallis species
1' x 1'

9. Bottle Tree
Brachychiton populneus
(24") 9 x 3-4'

10. Lemonade Berry
Rhus integrifolia
3' x 2'

Califonia Fuchsia
Zauschneria californica
1' x 1'

Festuca californica
6" x 6"

PROPOSED PLANTINGS and LANDSCAPE MATERIALS

LICENSED LANDSCAPE ARCHITECT
PHILIP S. MILLER NO. 3559
Signature
Renewal Date
Nov. 2016
Date
June 6, 16
STATE OF CALIFORNIA

Philip S. Miller & Associates
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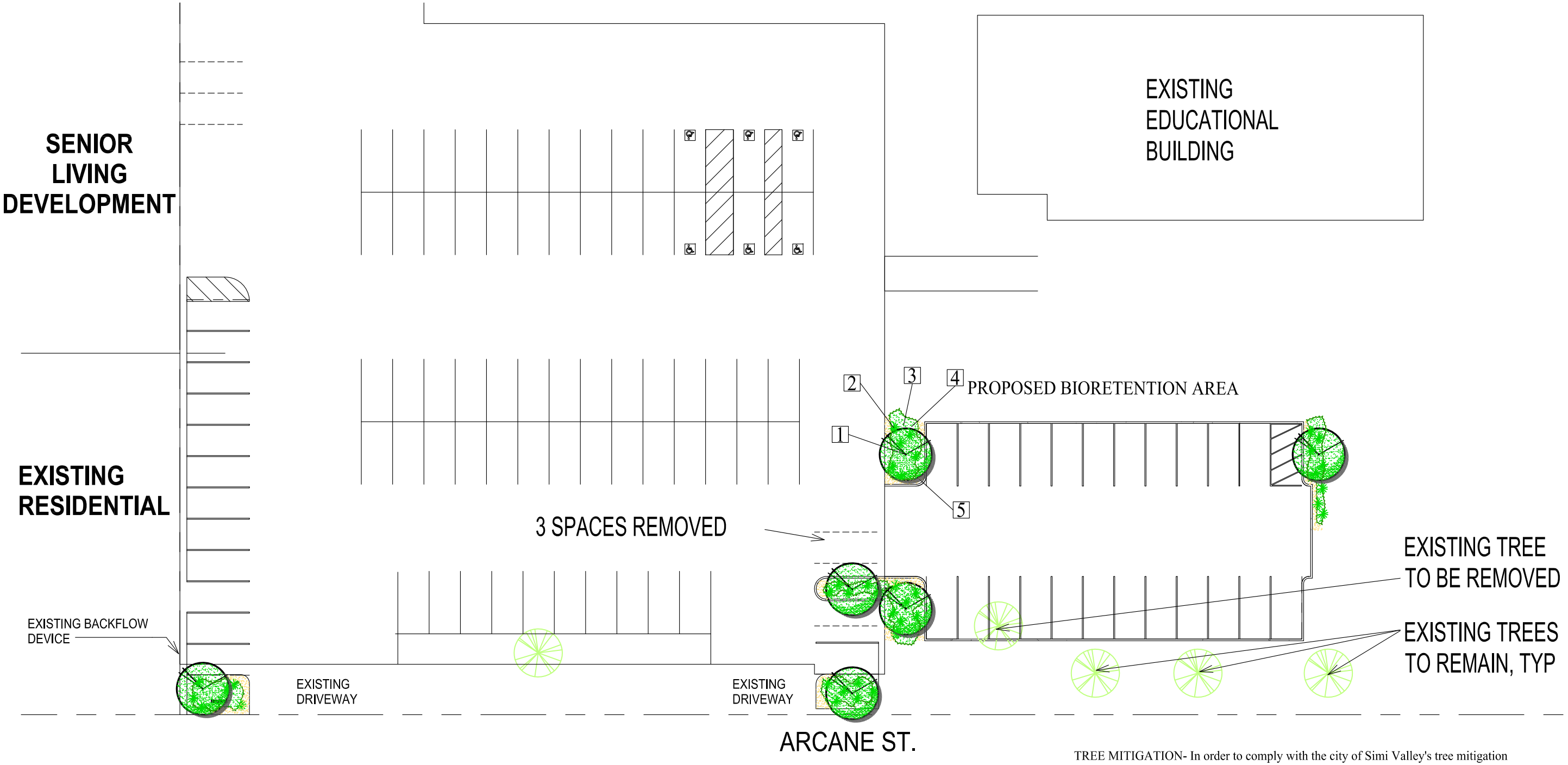


Parking Lot Finger Planters

Plantings include low water using shade trees, eg. Catalina Ironwood, low growing groundcovers and accent plants. Plants include Trailing Manzanita, Rockrose and Blue Oatgrass. Decomposed granite will cover the ground along the curb.

TREE MITIGATION- In order to comply with the city of Simi Valley's tree mitigation requirements, the following plants will be increased in size from the city's minimum size requirements. The Arborist's estimate for the value of the trees to be removed is $7,800.00.

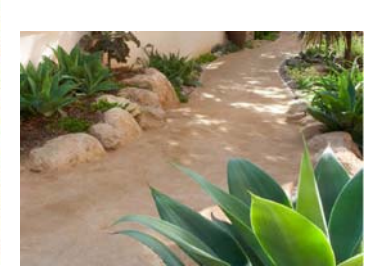
(3) 24" boxed Catalina Ironwood upsized to 48" box.
$800. difference per tree = $5,100.00.
(3) 24" boxed Catalina Ironwood upsized to 36" box.
$800. difference per tree = $2,400.00.
TOTAL $7,500.00

1. Catalina Ironwood
Lyonothamnus floribundus
(36" box) 12'x3.5'
(48" box) 14'x5'

2. Blue Oatgrass
Helictotrichon sempervirens
1"x 1"

3.Trailing Manzanita
Arctostaphylos uva-ursi
9" wide x 3"

4.Rockrose
Cistus salviifolius
9" x 3"



5. Decomposed Granite

This plan will comply with the requirements of the City of Simi Valley Municipal code and State Water Conservation Ordinances.

Philip S. Miller
Philip S. Miller,
Landscape Architect

Scale: 1"=30'

LICENSED LANDSCAPE ARCHITECT
PHILIP S. MILLER NO. 3559
STATE OF CALIFORNIA
Signature
Renewal Date Nov. 2016
Date June 6, '16

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CITY OF SIMI VALLEY
MEMORANDUM

Date: October 6, 2016

TO: Simi Valley Neighborhood Councils 1-4

FROM: Brent Siemer, Deputy Director/Development Services

SUBJECT: FLOOD DAMAGE PROTECTION ORDINANCE UPDATE

The City of Simi Valley Public Works Department has prepared a draft update to the City's Flood Damage Protection Ordinance. We will be presenting it to the various organizations for comment and input prior to bringing it to the City Council. These organizations include:

- Chamber of Commerce Economic Development Committee
- Building Industry Association
- Neighborhood Councils 1-4

The proposed Update to the Flood Damage Protection Ordinance will codify existing City policy and procedure; provide evidence of higher regulatory standards for floodplain management; and help the City obtain higher flood insurance premium discounts for the entire community.

In 1991, the City joined the National Flood Insurance Program (NFIP) and adopted the current flood damage protection ordinance enabling the City to provide its residents with NFIP flood insurance. Over the past 25 years, there have been no changes to the original ordinance.

In 1999, the City joined the Community Rating System (CRS) program and received a 5% premium discount. Ten years later, the City expanded its program and became a Class 7 community, earning a 15% premium discount. This discount currently provides an annual savings of $242,000 to 2,335 policy holders within our community.

In 2013, significant changes to the CRS program required the City to expand its program in order to maintain its current class level and premium discounts. During that recertification process, staff became aware of longstanding City processes and procedures that were not codified and could not be awarded CRS credit. These higher regulatory floodplain management standards are at the heart of the CRS program, but require ordinance authority to receive CRS credit.

The current draft of this proposed Ordinance was submitted to our Federal Emergency Management Agency (FEMA) for review and comment. Their preliminary tabulation of the CRS credits will increase the City to Class 5 for an additional 10% discount on flood insurance policies. This ordinance update equates to an additional annual savings of over $163,000 giving the community a new total savings of $405,000,000 per year.

FLOOD DAMAGE PROTECTION ORDINANCE UPDATE

Frequently Asked Questions

Why are these changes to the City's Flood Damage Protection Ordinance needed?

- The Ordinance does not reflect the higher regulatory standards of the City's current policies and practices
- The Ordinance no longer meets the minimum Federal and State standards.
- Flood insurance costs are rising. Congress has taken actions over the past two years to eliminate the preferential rates enjoyed by all of the property owners within the City's floodplain.

What are these changes?

- Floodplain management practices already followed by City staff
- Provisions for more detailed recordkeeping and flexible administration
- Mitigation of development flood impacts on neighborhoods and the community
- Limited to maximize CRS credit without impacting City resources

Who will be affected by these changes?

- Flood insurance policy holders will realize an additional 10% premium saving
- Minimum NFIP regulations will continue to apply to **all** existing structures
- City policies and procedures will continue to be applied.
- New developments will continue to mitigate their flood impacts

Nov 2016 - Flood Damage Protection Ordinance - Description of Amendments

Ordinance Citation	Proposed Ordinance Text	Floodplain Management Objective
Article 1 - Statutory Authorization, Findings of Fact, Purpose and Methods		
101. - Statutory Authorization	Statement of Purpose. It is the purpose of this Chapter to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by legally enforceable regulations applied uniformly throughout the community to all publicly and privately owned land within flood prone, mudslide (i.e. mudflow) or flood related erosion areas. These regulations are designed to:	**NFIP Minimum Requirements** (This refers to text provided by the California Model Floodplain Management Ordinance for Noncoastal Communities (CMFM-NC) which fully meets National Flood Insurance Program (NFIP) minimum requirements.)
Article 2 - Definitions		
201. - Definitions	"A zone" - see Special Flood Hazard Area.	**NFIP Minimum Requirements**
201. - Definitions	"Accessory structure" shall mean a structure that is either: (a) Solely for the parking of no more than two (2) cars; or (b) A small, low-cost shed for limited storage, less than 150 square feet and $1,500 in value.	**NFIP Minimum Requirements**
201. - Definitions	"Adversely affect" shall mean the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will increase the water surface elevation of the base flood beyond the tolerance of the flood model. This is considered to be one-tenth of one foot (0.1') or more at any point off-site of the property that is controlled by the project developer.	**Higher Regulatory Standard** - Studies must use future conditions hydrology to identify the cumulative effect of development. (FBR - See Sections 402.a.4 and 603.d; HSS - See Section 605.a)
201. - Definitions	"Apex" shall mean 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.	**NFIP Minimum Requirements**
201. - Definitions	"Area of special flood hazard" - see "Special Flood Hazard Area."	**NFIP Minimum Requirements**
201. - Definitions	"Barn" shall mean a structure designed and constructed to house animals, farm implements and other agricultural products. The structure shall not be a place of human habitation or a place of employment where agricultural products are processed, treated or packaged; nor shall it be a place used by the public.	**Clarification** - Definition of barn by use of the structure
201. - Definitions	"Base Flood Elevation (BFE)" shall mean the elevation shown on the Flood Insurance Rate Map for Zones AE, AH, A1-30, VE and V1-V30 that indicates the water surface elevation resulting from a flood that has a one percent (1%) or greater chance of being equaled or exceeded in any given year.	**NFIP Minimum Requirements**
201. - Definitions	"Building" - see "Structure."	**NFIP Minimum Requirements**
201. - Definitions	"Certification" shall mean a certification by a registered professional engineer or other party and does not constitute a warranty or guarantee of performance, expressed or implied. Certification of data is a statement that the data is accurate to the best of the certifier's knowledge. Certification of analyses is a statement that the analyses have been performed correctly and in accordance with sound engineering practices. Certification of structural works is a statement that the works are designed in accordance with sound engineering practices to provide protection from the base flood. Certification of "as build" conditions is a statement that the structure(s) has been built according to the plans being certified, is in place, and is fully functioning.	**Clarification** - Defines the term "certification" which is used throughout the ordinance

Ordinance Citation	Proposed Ordinance Text	Floodplain Management Objective
201. - Definitions	"City" shall mean the incorporated City of Simi Valley.	**Clarification -** Defines "City" as used elsewhere in the ordinance
201. - Definitions	"Commission" shall mean the Planning Commission of the City of Simi Valley, also called the "Board", "Board of Appeals", or the "Variance Board" in this Chapter.	**Clarification -** Defines "County" as used elsewhere in the ordinance
201. - Definitions	"County" shall mean the incorporated County of Ventura.	**Clarification -** Defines "County" as used elsewhere in the ordinance
201. - Definitions	"Critical facilities" shall mean that which is critical to the community's public health and safety, are essential to the orderly functioning of a community, store or produce highly volatile, toxic or water-reactive materials, or house occupants that may be insufficiently mobile to avoid loss of life or injury. For some activities and facilities, even a slight chance of flooding is too great a threat. Typical critical facilities include electric utilities, fire stations, emergency operation centers, police facilities, nursing homes, wastewater treatment facilities, water plants, gas/oil/propane storage facilities, hazardous waste handling and storage facilities, and other public equipment storage facilities.	**Higher Regulatory Standard** - Defines critical facilities. (See Sections 601.b, 601.c, 601.e and 603.e.9)
201. - Definitions	"Design flood" shall mean a hypothetical flood representing a specific likelihood of occurrence (for example the 100 year or 1% probability flood). The design flood may comprise two or more single source dominated floods.	**Clarification -** Defines the "Design flood" to be consistent with NFIP SFHA criteria
201. - Definitions	"Fill material" shall mean natural sand, dirt, soil, rock, concrete, cement, soil cement, brick or other similar material.	**Clarification** - Provides a more complete definition of "fill material"
201. - Definitions	"Flood Boundary and Floodway Map (FBFM)" shall mean the official map on which the Federal Emergency Management Agency or Federal Insurance Administration has delineated both the areas of special flood hazards and the floodway.	**NFIP Minimum Requirements**
201. - Definitions	"Floodplain management regulations" shall mean this Chapter and other zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as grading and erosion control) and other application of police power which control development in flood-prone areas. This term describes Federal, State or local regulations in any combination thereof which provide standards for preventing and reducing flood loss and damage.	**NFIP Minimum Requirements**
201. - Definitions	"Freeboard" shall mean a margin of safety added to the BFE to account for waves, debris, miscalculations, lack of data, or changes in climate.	**Codifies Current Policy -** Defines "freeboard" and the purpose for it.
201. - Definitions	"Functionally dependent use" shall mean a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes <u>only</u> docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, and does <u>not</u> include long-term storage or related manufacturing facilities.	**NFIP Minimum Requirements**
201. - Definitions	"Future conditions flood hazard area" shall mean any area of future conditions flood hazard, the land area that would be inundated by the one-percent (1%) annual-chance flood based on future conditions hydrology.	**Higher Regulatory Standard** - Hydrological studies must use future conditions hydrology to identify the cumulative effect of development. (FBR - See Section 402.a.4, 603.d; HSS - See Section 605.a)

Ordinance Citation	Proposed Ordinance Text	Floodplain Management Objective
201. - Definitions	"Garage" shall mean a detached accessory building on the same lot as a dwelling or a portion of a main building for the housing of non-commercial vehicles of the occupants of the dwelling.	**Clarification** - Defines "garage" as a detached structure
201. - Definitions	"Governing body" shall mean the local governing unit, i.e. county or municipality that is empowered to adopt and implement regulations to provide for the public health, safety and general welfare of its citizenry.	**NFIP Minimum Requirements**
201. - Definitions	"Hardship" as related to Section 7-5.801(e) of this Chapter means the exceptional hardship that would result from a failure to grant the requested variance. The City Council requires that the variance be exceptional, unusual, and peculiar to the property involved. Mere economic or financial hardship alone is not exceptional. Inconvenience, aesthetic considerations, physical handicaps, personal preferences, or the disapproval of one's neighbors likewise cannot, as a rule, qualify as an exceptional hardship. All of these problems can be resolved through other means without granting a variance, even if the alternative is more expensive, or requires the property owner to build elsewhere or put the parcel to a different use than originally intended.	**NFIP Minimum Requirements**
201. - Definitions	"Increased cost of compliance" shall mean a flood insurance claim provision that helps fund the cost of bringing a flood-damaged building into compliance with floodplain management standards.	**Higher Regulatory Standard** - Defines the regulatory language that qualifies properties for Increased Cost of Compliance insurance coverage for repetitive losses.
201. - Definitions	"Levee maintenance" shall mean routine activities to preserve the operating condition or operating elevation of a levee as established in a Final Notification issued by the Floodplain Administrator pursuant to Section 7-5.514. These activities include and are limited to (a) Extermination of burrowing rodents and filling burrows; (b) Shaping the levee crown; (c) Repairing access or patrol roads; (d) Repairing minor slip-outs, erosion, or subsidence of a levee section; (e) Removing drift deposits, debris, and litter from the levee and berm; (f) Cleaning drains and toe ditches adjacent to the landside levee toe; (g) Cutting, removing, trimming, burning, spraying, and mowing vegetation; (h) Repairing or restoring rock protection; (i) Removing encroachments; or (j) Placing fill to restore the operating elevation of a levee.	**Clarification** - Defines all activities that shall be considered to be maintenance of levees
201. - Definitions	"Levee system" shall mean a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accord with sound engineering practices.	**NFIP Minimum Requirements**
201. - Definitions	"Lowest floor" shall mean the lowest floor of the lowest enclosed area including basement. (See "Basement" definition) (a) An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, provided it does not meet the definition of "basement," is not considered a building's lowest floor provided it conforms to applicable non-elevation design requirements, including, but not limited to: (1) The flood openings standard in Section 7-5.603(3)(5); (2) The anchoring standards in Section 7-5.603(a); (3) The construction materials and methods standards in Section 7-5.603(b); and (4) The standards for utilities in Section 7-5.604. (b) For residential structures, all subgrade enclosed areas are prohibited as they are considered to be basements (see "Basement" definition). This prohibition includes below-grade garages and storage areas.	**NFIP Minimum Requirements**

Ordinance Citation	Proposed Ordinance Text	Floodplain Management Objective
201. - Definitions	"Market value" shall be determined by estimating the cost to replace the structure in new condition and adjusting that cost figure by the amount of depreciation which has accrued since the structure was constructed. (a) The cost of replacement of the structure shall be based on a square foot cost factor determined by reference to a building cost estimating guide recognized by the building construction industry. (b) The amount of depreciation shall be determined by taking into account the age and physical deterioration of the structure and functional obsolescence as approved by the Floodplain Administrator, but shall not include economic or other forms of external obsolescence. (c) Use of replacement costs or accrued depreciation factors different from those contained in recognized building cost estimating guides may be considered only if such factors are included in a report prepared by an independent professional appraiser and supported by a written explanation of the differences. See Section 7-5.402(b)(1).	**Higher Regulatory Standard -** State Recommended Higher Regulatory Standard. Defined market value for substantial damage/improvement calculations. (See Section 402.b)
201. - Definitions	"Mean sea level" shall mean the National Geodetic Vertical Datum (NGVD) of 1929, North American Vertical Datum (NAVD) of 1988 or other datum, to which base BFEs shown on the City's Flood Insurance Rate Map are referenced.	**NFIP Minimum Requirements** - Updated Datum
201. - Definitions	"New construction" shall mean structures for which the "start of construction" commenced on or after September 12, 1991, and includes any subsequent improvements to such structures.	**NFIP Minimum Requirements** - Date of original implementing ordinance
201. - Definitions	"New manufactured home park or subdivision" shall mean 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 12, 1991.	**NFIP Minimum Requirements** - Date of original implementing ordinance
201. - Definitions	"Person" shall mean any individual, corporation, partnership, association of any type, public agency or any other legal entity.	**Clarification -** Defines "person" as used elsewhere in the ordinance
201. - Definitions	"Program deficiency" shall mean a defect in a community's floodplain management regulations or administrative procedures that impairs effective implementation of those floodplain management regulations.	**Clarification -** Defines "program deficiency" for the purposes of NFIP implementation
201. - Definitions	"Reasonably safe from flooding" shall mean base flood waters will not inundate the land or damage structures to be removed from the SFHA and that any subsurface waters related to the base flood will not damage existing or proposed structures.	**Clarification -** Defines "reasonably safe from flooding" for the purposes of NFIP implementation
201. - Definitions	"Remedy a violation" shall mean to bring the structure or other development into compliance with State or local floodplain management regulations, or if this is not possible, to reduce the impacts of its noncompliance. Ways that impacts may be reduced include protecting the structure or other affected development from flood damages, implementing the enforcement provisions of this Chapter or otherwise deterring future similar violations, or reducing State or Federal financial exposure with regard to the structure or other development.	**NFIP Minimum Requirements**
201. - Definitions	"Repetitive loss" shall mean any insurable structure for which two or more claims of more than $1,000 were paid by the National Flood Insurance Program (NFIP) within any rolling ten-year period since 1978.	**Higher Regulatory Standard -** Defined market value for substantial damage/improvement calculations.

Ordinance Citation	Proposed Ordinance Text	Floodplain Management Objective
201. - Definitions	"Riverine" shall mean relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.	**NFIP Minimum Requirements**
201. - Definitions	"Sheet flow area" - see "Area of shallow flooding."	**NFIP Minimum Requirements**
201. - Definitions	"Substantial damage" shall mean: (a) Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed fifty percent (50%) of the market value of the structure before the damage occurred; or (b) Flood-related damages sustained by a structure on two separate occasions during a ten-year period for which the cost of repairs at the time of each such event, on the average, equals or exceeds 25 percent of the market value of the structure before the damage occurred. This is also known as "repetitive loss."	**Higher Regulatory Standard** - Defines new City procedure to track all building permit activity for a period of 10 years to determine substantial damage. Also defines "repetitive loss" for purposes of "Increased Cost of Compliance."
201. - Definitions	"Substantial improvement" shall mean any combination of repairs, reconstruction, rehabilitation, addition, or other improvement of a structure taking place within a ten (10) year period, the cost of which equals or exceeds fifty (50) percent of the market value of the structure before the "start of construction" of the improvement. For each structure, the ten (10) year period begins on the date of the first improvement or repair of that structure subsequent to the date of this regulation. When the combined total of all improvements or repairs made after the adoption of this regulation equals or exceeds 50 percent of a structure's market value, that structure is considered to be substantially improved. This term includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include either: (a) 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 (b) Any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure."	**Higher Regulatory Standard** - Initiates new City procedure to track all building permit activity for a period of 10 years to determine substantial improvement. (See Sections 402.a.1, 402.b, 402.k, 603.b.1, 603.c, 603.d.2 and 609.c)
201. - Definitions	"Violation" shall mean the failure of a structure or other development to be fully compliant with this Chapter. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in this Chapter is presumed to be in violation until such time as that documentation is provided.	**NFIP Minimum Requirements**
Article 3 - General Provisions		
308.a - General Provisions	Violation of any of the provisions of this title following notice to the permittee by the Floodplain Administrator advising of the violation and ordering a cessation thereof, shall constitute a misdemeanor.	**Revised Procedural Standard** - Integrates City's Building Code language
308.b	Violation of any of the provisions of this title may be remedied by injunction or other civil proceeding commenced in the name of the City pursuant to direction by the City Council.	**Revised Procedural Standard** - Integrates City's Building Code language
308.c	It shall be a violation of this Chapter to fail to obtain a Floodplain Development Permit when required hereby to do so.	**Revised Procedural Standard** - Integrates City's Building Code language

Ordinance Citation	Proposed Ordinance Text	Floodplain Management Objective
308.d	Any person violating any of the provisions of this Chapter shall be deemed guilty of an infraction or misdemeanor subject to all the provisions of Chapter 2 of Title 1 of the City of Simi Valley Municipal Code. Each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this title is committed, continued, or allowed and upon conviction of such violation such person shall be punishable by a fine or imprisonment or both as provided by law and Chapter 2 of Title 1 of the City of Simi Valley Municipal Code. The issuance of a permit or the approval of plans and specifications shall not be construed to authorize any violation of the provisions of this title or any codes hereby adopted by reference, or applicable state or federal law. The issuance or granting of a permit or approval of plan and specification shall not prevent the Floodplain Administrator from thereafter requiring the correction of errors in said plans and specifications or from suspending construction operations when such plans, specification or construction are in violation of this title or any codes hereby adopted by reference, or other applicable state or federal law.	**Revised Procedural Standard** - Integrates City's Building Code language
309.	There are many ordinances and other laws applicable to activities permitted under this Chapter which are not sought to be enforced under this permitting process. Such laws include, but are not limited to, building, land grading and erosion control, and land development measures. The issuance of a Floodplain Development Permit shall not be deemed to constitute a representation that the development so permitted or the property upon which such development is occurring complies with such other ordinances or other laws. Nor shall the existence of such an unrevoked permit be deemed to preclude any criminal or civil remedy for violation of such other ordinances or laws. The possession of a Floodplain Development Permit shall not be deemed to relieve the holder of the requirement to apply for or obtain any other license or permit required by ordinance or statute.	**Clarification** - Possession of a Floodplain Development Permit does not obviate any requirement to apply for or obtain any other license or permit.
Article 4 - Floodplain Administrator (Unless noted below, all text is included in the California Model Floodplain Management Ordinance for Non-Coastal Communities)		
401 - Designation of the Floodplain Administrator	The Director of Public Works is hereby appointed to administer, implement, and enforce this Chapter by granting or denying development permits in accord with its provisions.	**Clarification** - Relocates the Floodplain Administrator designation to this new Section.
402.a.1	Permit requirements of this ordinance have been satisfied, including determination of substantial improvement and substantial damage of existing structures;	**Codifies Current Policy** - Floodplain Administrator authority to conduct substantial improvement and substantial damage evaluations
402.a.4	The proposed development does not adversely affect the carrying capacity of areas where Base Flood Elevations (BFEs) have been determined but a floodway has not been designated. This means that the cumulative effect of the proposed development when combined with all other existing and future conditions of development will not increase the water surface elevation of the base flood by one-tenth of one foot (0.1') or more at any point within the City of Simi Valley;	**Higher Regulatory Standard** - Studies must use future conditions hydrology. This is consistent with the 2014 update to the City's Master Plan of Drainage. (See Section 605.a)

Ordinance Citation	Proposed Ordinance Text	Floodplain Management Objective
402.a.6	Inspect all development projects to ensure compliance with all provisions of this ordinance, including proper elevation of the structure. i. The first inspection is conducted when the site is staked out or otherwise marked. ii. The second inspection is conducted when the lowest floor is built. iii. The third inspection is conducted when the development is finished. iv. Elevation Certificates shall be required prior to all inspections in a. through c. above.	**Higher Regulatory Standard** -Requires review, approval and inspection of all proposed development projects within the floodplain by the Floodplain Administrator. Sets the stage for the Floodplain Administrator to approved as a Certified Floodplain Manager (CFM®) by the Association of State Floodplain Managers (ASFPM). Specifies three inspections, fully meet all CRS criteria, to be required for each permitted development project in the regulatory floodplain.
402.b	Development of Substantial Improvement and Substantial Damage Procedures. 1. Using FEMA publication FEMA 213, "Answers to Questions About Substantially Damaged Buildings," develop detailed procedures for identifying and administering requirements for substantial improvement and substantial damage, to include defining "Market Value." 2. Assure procedures are coordinated with other departments/divisions and implemented by community staff	**Codifies FEMA Procedure** - Conducting substantial improvement and substantial damage evaluations.
402.h	Agreements. Execute and record non-conversion and hold harmless agreements.	**Revised Procedural Standard** - Gives the Floodplain Administrator authority to and record non-conversion and hold harmless agreements.
402.k	To ensure that the areas below the BFE shall be used solely for parking vehicles, limited storage, or access to the building and not be finished for use as human habitation without first becoming fully compliant with this Chapter in effect at the time of conversion, the Floodplain Administrator shall: 1. Determine which applicants for new construction and/or substantial improvements have fully enclosed areas below the lowest floor that are 5 feet or higher. 2. Enter into a "NON-CONVERSION AGREEMENT FOR CONSTRUCTION WITHIN FLOOD HAZARD AREAS" or equivalent with the City of Simi Valley. The agreement shall be recorded with the Ventura County Recorder as a deed restriction. The non-conversion agreement shall be in a form acceptable to the Floodplain Administrator and City Attorney and have the authority to inspect any area of a structure below the base flood elevation to ensure compliance upon prior notice of at least 72 hours.	**Higher Regulatory Standard -** State Recommended Higher Regulatory Standard. Prohibition of any building enclosures, including breakaway walls, below the BFE. Requirement for deed restriction to prevent conversion of areas below the BFE and to allow inspection.
Article 5 - Floodplain Development Permits (Unless noted below, all text is included in the California Model Floodplain Management Ordinance for Non-Coastal Communities)		
501.f.2	The proposed development will not adversely affect the carrying capacity of areas where BFEs have been determined, but a floodway has not been designated. For purposes of this Chapter, "adversely affect" means that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will increase the water surface elevation of the base flood more than one-tenth of one foot (0.1') at any point within the City of Simi Valley.	**Higher Regulatory Standard -** Expansion of the "adverse effect" definition to include cumulative impact of existing AND anticipated development (Full Buildout).
503. - Issuance	The Floodplain Development Permit shall be issued by the Floodplain Administrator within a reasonable time after all information requested on the application form for floodplain development and any additional information requested by the Floodplain Administrator has been received.	**Clarification** - Obligates issuance of a Floodplain Development Permit within a reasonable time after the application is considered complete

Ordinance Citation	Proposed Ordinance Text	Floodplain Management Objective
504. Content of Permit	The Floodplain Development Permit shall include, but not be limited to, a complete description of the activity for which it is issued, the property for which it is issued, the date of issuance, the date of expiration, and a description of any and all conditions upon which the permit has been issued. The permit shall be kept at the site during the development for which the permit was issued.	**Clarification** - Describes the minimum information to be contained within a Floodplain Development Permit and its posting onsite.
505.a	The Floodplain Administrator may at the time of issuance of the Floodplain Development Permit impose such conditions as are necessary to ensure compliance with this title, other City ordinances, or State or Federal laws, including the dedication of easements or construction of improvements pursuant to Section 7-5.506. Such conditions shall be reasonably related to the public needs created by the development. Conditions to mitigate environmental impacts of the activity may also be imposed by the Floodplain Administrator.	**Revised Procedural Standard** - Gives the Floodplain Administrator authority impose such conditions as are necessary to ensure compliance with this ordinance.
505.b	The Floodplain Administrator may also require that the owner of the property, the permit applicant, or both, enter into a written agreement with the City holding the City of Simi Valley free from liability for any harm that may occur to any real or personal property or person by flooding.	**Revised Procedural Standard** - Gives the Floodplain Administrator authority impose such conditions as are necessary to ensure compliance with this ordinance.
505.c	Any condition imposed shall be embodied, together with the reasons therefore, in the Floodplain Development Permit.	**Clarification** - Conditions of approval for a Floodplain Development Permit shall include the reasons for those conditions.
506.a	The Floodplain Administrator may impose, as a condition for the granting of a permit, the requirement of dedication or irrevocable offer of dedication of real property within the property for which the approval is sought, for drainage, floodplain or floodway easements. Such dedication requirement must be reasonably related to the public needs arising as a result of the development.	**Revised Procedural Standard** - Gives the Floodplain Administrator authority impose such conditions as are necessary to ensure compliance with this ordinance.
506.b	The Floodplain Administrator may impose, as a condition for the granting of a permit, the requirement for the construction of drainage and flood control facilities. Such construction requirement must be reasonably related to the public needs arising as a result of the development.	**Revised Procedural Standard** - Gives the Floodplain Administrator authority impose such conditions as are necessary to ensure compliance with this ordinance.
507.a	In SFHAs, the Floodplain Administrator shall require a letter of conditional approval (Conditional Letter of Map Revision, CLOMR) be obtained from FEMA for any development that will cause measurable impact on the BFE on upstream or adjacent properties within a SFHA. The CLOMR must be received by the Floodplain Administrator prior to any grading or development within the floodplain, and the Letter of Map Revision must be approved by FEMA before start of construction.	**Codifies Current Policy** - FEMA approval of Letters of Map Change (LOMC) are currently required prior to construction.
507.b	All new development within Zones AE or AH that will alter or relocate a floodway, or is dependent upon construction of a levee, shall obtain conditional approval (or a "CLOMR") from the Federal Emergency Management Agency prior to issuance of a Floodplain Development Permit.	**Codifies Current Policy** - FEMA approval of Letters of Map Change (LOMC) are currently required prior to issuance of a Floodplain Development Permit.
507.c	All new development within Zone A shall provide a BFE data to the Floodplain Administrator.	**Higher Regulatory Standard** - All subdivisions of land within Zone A will require a hydrological study to produce a BFE.
508.a	Floodplain Development Permit shall be effective on the date of issuance and shall remain in force for one year, unless suspended or revoked by the Floodplain Administrator or voluntarily relinquished by the permittee.	**Clarification** - Flood Development Permits do not currently terminate; however, development entitlement applications do. This brings FDPs in line with building permit termination.

Ordinance Citation	Proposed Ordinance Text	Floodplain Management Objective
508.b	Before the expiration of a permit, a permittee may apply for an extension of time in which to complete the development.	**Revised Procedural Standard** - The current code does not provide any method to extend the term of the Flood Development Permit.
508.c	The Floodplain Administrator may extend the time for action by the permittee for a period not exceeding one hundred eighty (180) days upon payment of appropriate fees and a written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken.	**Revised Procedural Standard** - The current code does not provide any method to extend the term of the Flood Development Permit.
508.d	Permits shall not be extended more than once, except that the Floodplain Administrator may approve additional extensions of one hundred and eighty (180) days when the applicant demonstrates that special unusual circumstances exist. In this case, the Floodplain Administrator may require that additional fees be paid and plans be revised to partially or fully comply with this Chapter.	**Revised Procedural Standard** - The current code does not provide any method to extend the Flood Development Permit.
509. Transferability	A Floodplain Development Permit shall not be transferred or assigned from one person to another unless approved by the Floodplain Administrator and the person to whom the permit is to be transferred agrees to comply with the requirements of the original permit and to any conditions imposed therein.	**Revised Procedural Standard** - The current code does not provide any method to transfer the development rights of a Flood Development Permit.
510. Amendment of Permit	Any proposed changes in the development authorized by the permit shall be submitted to the Floodplain Administrator for review. The permittee shall not undertake or allow development to occur which does not conform to the plans or conditions of the original permit, unless approved by the Floodplain Administrator. The Floodplain Administrator shall review any proposed changes in the same manner and pursuant to the same standards as the original application.	**Higher Regulatory Standard** - The current code does not preclude an applicant from modifying the plan of development after issuance of a Flood Development Permit. (See Section 511, Inspection)
511. Inspection	The Floodplain Administrator, or his designee, has the right to enter and inspect any property for which a Floodplain Development Permit has been applied to perform any duties or responsibilities imposed by this Chapter to determine applicability or compliance with this Chapter. The Floodplain Administrator may also inspect any and all property for which a permit has been issued and on which development is occurring.	**Higher Regulatory Standard** - Allows periodic post-construction re-inspections of buildings to ensure that they continue to comply with all floodplain management requirements of their earlier permits.
512. Grounds for Suspension and Revocation	Any Floodplain Development Permit issued pursuant to this Chapter may be suspended during its term upon one or more of the following grounds: (a) The physical state of the property differs from the descriptions, plans, or information furnished to the Floodplain Administrator in the permit application; (b) The development does not conform to the conditions or terms of the permit; or (c) The development is in violation of this Chapter, other City ordinances, or State or Federal laws.	**Higher Regulatory Standard** - Provides grounds for suspension and revocation of a Flood Development Permit. (See Section 511, Inspection)
513.a. Method of Suspension or Revocation	The Floodplain Administrator may suspend or revoke a Floodplain Development Permit by issuing a notice of suspension or revocation, stating the reasons therefore, and serving same upon the permittee. If such an appeal is filed, the suspension or revocation shall remain in force and be effective until a final decision on the appeal is issued by the Board of Appeals.	**Higher Regulatory Standard** - Provides grounds for suspension and revocation of a Flood Development Permit. (See Section 511, Inspection)
513.b	If the Floodplain Administrator suspends a permit, such permit may either be reinstated or revoked by the Floodplain Administrator, depending upon whether the permittee corrects the grounds stated for the suspension in the notice. If the permittee fails to remedy the grounds for suspension within a time period specified by the Floodplain Administrator, but in no event later than sixty (60) calendar days, the Floodplain Administrator shall revoke the permit.	**Higher Regulatory Standard** - Provides grounds for suspension and revocation of a Flood Development Permit. (See Section 511, Inspection)

Ordinance Citation	Proposed Ordinance Text	Floodplain Management Objective
Article 6 - Provisions for Flood Hazard Reduction		
601.a - Prohibitions	New construction of any residential or nonresidential structures in special flood hazard areas.	**Codifies Current Policy** - New and substantially improved buildings have are prohibited in the SFHA . Such development has been required to fill and obtain FEMA removal from the SFHA. (Policy has been in place since the CRS application date.)
601.b	Storage or processing of hazardous, flammable or explosive materials in SFHAs	**No Change** - Hazardous storage prohibition within the SFHA is already included in the Flood Damage Prevention ordinance, but was overlooked in prior FEMA CRS credit reviews.
601.c	New and substantially improved critical facilities within SFHAs.	**Higher Regulatory Standard** - Prohibits all new critical facilities from being located within the SFHA.
601.d	The change of use of non-conforming structures from a non-residential structure to a residential structure or a mixed-use structure, or an increase in the residential use area of a mixed-use structure.	**Higher Regulatory Standard** - Prohibits change of use of a non-conforming structure located within the SFHA that will increase residential use.
601.e	The change of use of any structure to a critical facility, where such a change in use will render the new critical facility in violation of Section 6.3.E.10, Critical Facilities.	**Higher Regulatory Standard** - Prohibits change of use of a structure located within the SFHA to a critical facility.
601.f	Basements with finished floor elevations below the Base Flood Elevation (BFE).	**Higher Regulatory Standard** - Prohibits basements from being located below the BFE within the SFHA
601.g	Building enclosures, including breakaway walls, below the BFE.	**Higher Regulatory Standard** - Prohibits building enclosure from being located below the BFE within the SFHA.
601.h	Crawl spaces greater than two (2) feet below grade, which shall be considered as basements.	**Higher Regulatory Standard** - Further restricts crawl spaces that could be converted to basements.
601.i	Installation of new and substantially-improved septic systems.	**Codifies Current Policy** - Placement of septic systems within the SFHA is prohibited. (Policy has been in place since the CRS application date.)
602. Standards of Construction	Properties located outside the SFHA are still subject to potential flooding caused by local drainage problems. To ensure that new development is elevated well above the street level or otherwise protected from shallow drainage flooding the following standards are required for all development in all areas of the City:	**Codifies the City's Master Plan of Drainage -** Development is already required to mitigate existing and cumulative downstream deficiencies.
602.a	(a) These standards shall apply on all development exceeding one-half acre in size, and/or increasing impervious area by over 5,000 square feet.	**Codifies Current Policy** - All new development meeting these criteria, citywide, is required to mitigate stormwater runoff as prescribed.
602.b	The lowest floor elevation of any structures shall be at least one (1) foot above the crown of the nearest street.	**Codifies Current Policy** - All new development must be a minimum of 1-foot above the curb elevation. (Policy has been in place since the CRS application date.)

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602.c	The site plan shall account for street flooding and local drainage from and onto adjoining properties and protects the building from local drainage flows.	**Codifies Current Policy** - All new development required to account for all drainage. (Policy has been in place since the CRS application date.)
602.d	The site plan shall provide positive drainage away from the building site to an approved point of collection that does not create a hazard or problem on neighboring properties.	**Codifies Current Policy** - all new development is required to provide positive drainage away from all structures. (Policy has been in place since the CRS application date.)
602.e.1&2	All requirements of the most current NPDES Stormwater Permit shall be enforced including, but not limited to: 1. Preference to the use of low-impact development techniques (instead of pipes, channels, or detention) to control the impacts of development on runoff. 2. Include in the design of the stormwater management facilities appropriate "best management practices" that will improve the quality of surface water.	**Codifies City's NPDES MS4 Permit** - Requires regulated development to give preference to the use of low-impact development techniques to control the impacts of development on runoff.
602.e.3	At least once each year, the owners of all stormwater management facilities including, but not limited to retention, detention, and debris basins and "best management practices" shall: a. Have the facilities inspected by a licensed professional engineer. b. Perform any and all maintenance recommended by the engineer; and c. Submit an annual inspection report to the Floodplain Administrator. d. If the owner fails to submit the annual inspection report or perform items (i), (ii) or (iii) above, the City shall have the authority to perform the inspection, maintenance repair and/or replacement and receive reimbursement from the owner for the work performed.	**Higher Regulatory Standard** - The City's NPDES MS4 Permit **r**equires bi-annual inspection to assess post-construction operation of all stormwater facilities, treatment control and best management practices. **This regulation now requires the same inspection on an annual basis.**
602.f	For all new development, the maximum storm water discharge of the 10, 25, 50 and 100-year storms, shall be limited to the pre-developed condition or calculated developed (future condition) 10-year peak flow rate, whichever is the lesser.	**Codifies the City's Master Plan of Drainage** - Requires all subdivision, planned-unit development, and other permit approval (except single-family residences) to ensure that post-development stormwater discharges do not exceed the amount of runoff under pre-development conditions. Requires detention to be designed for the 10, 25, 40 and 100-year storm. This is consistent with FEMA design standards.
602.f.1	Before development, the developer must submit hydrologic and hydraulic studies showing the nature and extent of runoff under present conditions and with the proposed development for those three rainfall events. Peak runoff from new development shall be no greater than the runoff from the site in its pre-development condition.	**Higher Regulatory Standard** - Reduces the allowed runoff to pre-development condition.
602.f.3	For projects of or greater than ten (10) acres, the required detention storage shall be based on a calculated hydrograph for a developed 100-year frequency storm.	**Codifies the City's Master Plan of Drainage** - Calculated detention storage is already required for projects greater than 10 acres.
602.f.4	Additional detention may be considered for reduction of the discharge rate commensurate with deficiencies in downstream facilities.	**Codifies the City's Master Plan of Drainage** - Development is already required to mitigate existing downstream deficiencies.

Ordinance Citation	Proposed Ordinance Text	Floodplain Management Objective
603.b.1 - Standards of Construction Within the SFHA	All new construction and substantial improvements of structures, including manufactured homes, shall be constructed: 1. With electrical, heating, ventilation, plumbing and air conditioning equipment and all other mechanical systems and service facilities located at least one (1) foot above the BFE;	**Codifies Current Policy** - All substantially improved structures (includes repair of substantial damage) will be considered as "new construction" and must be elevated above the BFE.
603.b.1	All new construction and substantial improvements of structures, including manufactured homes, shall be constructed: 1. With electrical, heating, ventilation, plumbing and air conditioning equipment and all other mechanical systems and service facilities located at least one (1) foot above the BFE;	**Higher Regulatory Standard** - Requires all electrical and mechanical equipment to be constructed 1 foot above the BFE.
603.b.4	Must be constructed on foundations that are designed and sealed by a registered design professional as complying with the requirements of the International Building Code, the International Residential Code, or ASCE 24.	**Codifies Current Policy** - All buildings are to be placed on compacted fill and protected from erosion and scour.
603.c - Fill	The following standards apply to all fill activities in SFHAs: 1. Fill sites, upon which structures will be constructed or placed, must be compacted to 95 percent of the maximum density obtainable with the Standard Proctor Test method or an acceptable equivalent method, 2. Fill slopes shall not be steeper than one (1) foot vertical to two feet horizontal;, 3. Fill shall extend at least ten (10) feet beyond the foundation of all structures before it drops below the BFE, unless certified to be resistant against erosion and scour; 4. Adequate protection against erosion and scour is provided for fill slopes. When expected velocities during the occurrence of the base flood are greater than five feet per second armoring with stone or rock protection shall be provided. When expected velocities during the base flood are five feet per second or less protection shall be provided by covering them with vegetative cover. 5. Fill shall be composed of clean granular or earthen material. 6. In any area that has been removed from the floodplain via a Letter of Map Revision Based on Fill, any existing or new structure, addition, or substantial improvement must meet the required elevation freeboard requirements.	**Codifies Current Policy** - All buildings are to be placed on compacted fill and protected from erosion and scour.
603.d.2 - Elevation and Floodproofing, Residential Construction	All new construction or substantial improvements of residential structures shall have the lowest floor: i. In AE and AH Zones, elevated at least 1 foot above the base flood elevation. ii. In an AO zone, elevated above the highest adjacent grade to a height at least 1 foot above the depth number specified in feet on the FIRM, or elevated at least 2 feet above the highest adjacent grade if no depth number is specified. iii. In an A zone, without BFEs specified on the FIRM [unnumbered A zone], elevated at least one (1) foot above the BFE as determined under Section 7-5.402(c).	**Codifies Current Policy** - Supports the City's 1' freeboard requirement
603.d.2.iv.	New development proposals will be designed, to the maximum extent practicable, so residential building sites, walkways, driveways, and roadways are located on land with a natural grade with elevation not less than the BFE and with evacuation routes leading directly out of the floodplain area (dryland access).	**Higher Regulatory Standard** - Requires elevated access for all new development within the SFHA

Ordinance Citation	Proposed Ordinance Text	Floodplain Management Objective
603.d.3.i	Be floodproofed, together with attendant utility and sanitary facilities, to at least 1 foot above the elevation recommended under Section 6.3.E.3, so that the structure is watertight with walls substantially impermeable to the passage of water;	**Codifies Current Policy** - Supports the City's 1' freeboard requirement
603.d.3.iv	New development proposals will be designed, to the maximum extent practicable, so non-residential building sites, walkways, driveways, and roadways are located on land with a natural grade with elevation not less than the BFE and with evacuation routes leading directly out of the floodplain area.	**Codifies Current Policy** - New development is prohibited within the SFHA and must obtain a Letter of Map Change from FEMA removing the site from the SFHA
603.d.4 Non-Conversion	To put current and future tenants and owners on notice that the area below the BFE may not be architecturally finished and converted to living space and that the space may only be used as incidental material storage, building access and vehicle parking, a non-conversion agreement shall be required whenever there is a height of more than five feet. The non-conversion agreement shall be in a form acceptable to the Floodplain Administrator and City Attorney. The Floodplain Administrator shall have the right to inspect for conversion with 72-hour notice. By this Title, the Director of the Public Works shall have authority to execute the non-conversion agreements on behalf of the City of Simi Valley.	**Revised Procedural Standard** - Gives the Floodplain Administrator authority to execute the non-conversion agreements on behalf of the City of Simi Valley
603.d.8 Crawl Space Construction	This sub-section applies to buildings with crawl spaces up two (2) feet below grade. Below-grade crawl space construction in accordance with the requirements listed below will not be considered basements. (i) The building must be designed and adequately anchored to resist flotation, collapse, and lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy. Crawl space construction is not allowed in areas with flood velocities greater than five (5) feet per second unless the design is reviewed by a qualified design professional, such as a registered architect or professional engineer; (ii) The crawl space is an enclosed area below the BFE and, as such, must have openings that equalize hydrostatic pressures by allowing for the automatic entry and exit of floodwaters. For guidance on flood openings, see FEMA Technical Bulletin 1-93; (iii) Portions of the building below the BFE must be constructed with materials resistant to flood damage. This includes not only the foundation walls of the crawl space used to elevate the building, but also any joists, insulation, or other materials that extend below the BFE; and (iv) Any building utility systems within the crawl space must be elevated at least one (1) foot above the BFE or designed so that floodwaters cannot enter or accumulate within the system components during flood conditions. (v) Requirements for all below-grade crawl space construction, in addition to the above requirements, to include the following: (A) The interior grade of a crawl space below the BFE must not be more than two (2) feet below the lowest adjacent exterior grade (LAG), shown as D in figure 3 of Technical Bulletin 11-01; (B) The height of the below-grade crawl space, measured from the interior grade of the crawl space to the top of the crawl space foundation wall must not exceed four (4) feet (shown as L in figure 3 of Technical Bulletin 11-01) at any point; (C) There must be an adequate drainage system that removes floodwaters from the interior area of the crawl space within a reasonable period of time after a flood event, not to exceed 72 hours; and (D) The velocity of floodwaters at the site should not exceed five (5) feet per second for any crawl space. For velocities in excess of five (5) feet per second, other foundation types should be used.	**Higher Regulatory Standard** - Prohibits the conversion of areas into living spaces below the BFE.

Ordinance Citation	Proposed Ordinance Text	Floodplain Management Objective
603.d.9.i - Critical Facilities	Critical Facilities Construction of new critical facilities shall be located outside the limits of the 500-year floodplain.	**Higher Regulatory Standard** - Prohibits all new critical facilities from being located within the 500-year floodplain.
603.d.9.i.A	(A) Critical facilities constructed adjacent to the 500-year floodplain shall have the lowest floor elevated at least one (1) foot above the level of the 500-year flood.	**Higher Regulatory Standard** - Requires 1' freeboard adjacent to 500-year floodplain. Requires access routes to be elevated above the BFE.
603.d.9.ii	Non-substantial improvement to existing critical facilities within the SFHA shall have the lowest floor elevated at least one (1) foot above the level of the 500-year flood. (A) Access routes elevated to or above the level of the base flood elevation shall be provided to all critical facilities to the extent possible. (C) Access routes elevated to or above the level of the BFE shall be provided to all critical facilities to the extent possible.	**Higher Regulatory Standard** - Requires 1' freeboard adjacent to 500-year floodplain. Requires access routes to be elevated above the BFE.
603.d.9.ii.B	Flood-proofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters.	**Codifies Current Policy**
604 - Standards for Utilities	Changes for Section citation only.	**NFIP Minimum Requirements** - Already met
605.a - Standards for Subdivisions and Other Proposed Development	All new subdivisions proposals and other proposed development, including proposals for manufactured home parks and subdivisions greater than 1 acre shall: (1) Provide future conditions hydrologic and hydraulic engineering analysis to identify the 100-year, 500-year and floodway flood elevations and boundaries. (i) Analysis shall use the most recent aerial and LiDAR topography with a minimum 2 foot resolution. (ii) Analysis shall be consistent with the most current City Master Plan of Drainage models and future conditions hydrologic land use mapping.	**Higher Regulatory Standard** - Studies must use the most recent topo, future conditions hydrology and the 500-year elevations and floodplain boundary. This is consistent with the 2014 update to the City's Master Plan of Drainage.
605.d	In areas upstream of the Limit of Study, as delineated on the community FIRM, where BFE data is not available, a floodplain study must be performed by a Professional Engineer (PE) establishing the BFE and the floodplain and floodway boundaries prior to issuing a development permit.	**Codifies Current Policy** - New development is not allowed within the floodplain. The LOMC that is required to remove the development from the SFHA will establish all necessary BFEs.
605.e	All proposed lots or parcels that will be future building sites shall have a minimum buildable area outside the natural (non-filled) one-percent (1%) chance annual floodplain. The buildable area shall be large enough to accommodate any primary structure and associated structures such as sheds, barns, swimming pools, detached garages, on-site sewage disposal systems, and water supply wells, if applicable.	**Codifies Current Policy** - New development is not allowed within the SFHA. The entire property must be removed.
605.f	Unless otherwise approved by the City Council, the following shall apply: (1) All street surfaces must be located at or above the base flood elevation. (2) Commercial and industrial development may not allow parking more than 1-foot below the base flood elevation.	**Codifies Current Policy -** Requires elevated access and limits the flooding of parking areas for all new development within the SFHA. However, new development is already precluded from the SFHA.

Ordinance Citation	Proposed Ordinance Text	Floodplain Management Objective
606.a.1 - Standards for Manufactured Homes	Within Zones AH and AE on the community's Flood Insurance Rate Map, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated at least one (1) foot above the BFE and be securely fastened to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.	**Codifies Current Policy** - Supports the City's 1' freeboard requirement
606.b.1	(1) Lowest floor of the manufactured home is at least one (1) foot above the BFE;	**Codifies Current Policy** - Supports the City's 1' freeboard requirement
607 - Standards for Recreational Vehicles	No Changes	**NFIP Minimum Requirements** - Already met
608 - Standards for the Storage of Materials and Equipment	(a) In SFHAs, the storage or processing of materials that are, in time of flooding, buoyant, flammable, explosive, or could be injurious to human, animal, or plant life, is prohibited. (b) Storage of other material or equipment may be allowed if not subject to major damage by floods and firmly anchored to prevent flotation or if readily removable from the area within the time after flood warning.	**Clarification** - Describes existing hazardous storage prohibition within the SFHA.
609.c - Floodways	All new construction, substantial improvements, and other development within floodways which will cause increases in the BFE shall only be permitted if the Permittee has applied to the Federal Emergency Management Agency for modification of the flood insurance rate maps and has received conditional approval of such modifications, and all other applicable provisions of this Chapter are satisfied.	**Codifies Current Policy** - All new development is already precluded from the SFHA. (See Section 605.a)
609.d	If no floodway is identified, the applicant for a flood area development permit shall provide an engineering study to demonstrate that any new development will not increase the water surface elevation of the base flood by more than one-tenth of one foot (0.1').	**Higher Regulatory Standard** - This hydrological study standard significantly reduces the allowed tolerance from one foot to one-then of one foot. (See Section 605.a)
610. Floodways Not Delineated	If no floodway is identified, the applicant for a flood area development permit shall provide an engineering study to demonstrate that any new development will not increase the water surface elevation of the base flood by one-tenth of one foot (0.1') or more.	**Higher Regulatory Standard** - This hydrological study standard significantly reduces the allowed tolerance from one foot to one-then of one foot. (See Section 605.a)
Article 7 - Loading (no substantial changes required or proposed)		
Article 8 - Variance Procedures		
801.d. - Conditions for Variances	Variances shall only be issued upon a determination that the variance is the "minimum necessary" considering the flood hazard, to afford relief. . "Minimum necessary" means to afford relief with a minimum of deviation from the requirements of this Chapter. For example, in the case of variances to an elevation requirement, this means the Floodplain Administrator need not grant permission for the applicant to build at grade, or even to whatever elevation the applicant proposes, but only to that elevation which the Floodplain Administrator believes will both provide relief and preserve the integrity of this Chapter	**Clarification** - Provides additional criteria for the citation of "minimum necessary" as pertaining to the issuance of a variance

Ordinance Citation	Proposed Ordinance Text	Floodplain Management Objective
802. Nature of Variances	The issuance of a variance is for floodplain management purposes only. Insurance premium rates are determined by statute according to actuarial risk and will not be modified by the granting of a variance. The variance criteria set forth in this section of this Chapter are based on the general principle of zoning law that variances pertain to a piece of property and are not personal in nature. A variance may be granted for a parcel of property with physical characteristics so unusual that complying with the requirements of this Chapter would create an exceptional hardship to the applicant or the surrounding property owners. The characteristics must be unique to the property and not be shared by adjacent parcels. The unique characteristic must pertain to the land itself, not to the structure, its inhabitants, or the property owners. It is the duty of the City to help protect its citizens from flooding. This need is so compelling, and the implications of the cost of insuring a structure built below the flood level are so serious that variances from the flood elevation or from other requirements in this Chapter are intended to be quite rare. The long-term goal of preventing and reducing flood loss and damage can only be met if variances are strictly limited. Therefore, the variance guidelines provided in this Chapter are detailed and contain multiple provisions that must be met before a variance can be properly granted. The criteria are designed to screen out those situations in which alternatives other than a variance are more appropriate.	**NFIP Minimum Requirements**
803.d. - Variance Board	Variances shall only be issued upon a: (1) Showing of good and sufficient cause; (2) Determination that failure to grant the variance would result in exceptional "hardship" to the applicant; and (3) Determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, or extraordinary public expense, create a nuisance (see "Public safety and nuisance"), cause “fraud and victimization” of the public, or conflict with existing local laws or ordinances.	**Clarification** - Incorporates City Building Code language to provide consistency between building permits and Flood Development Permits
804 - Notice of Appeal	(a) A request for appeal may be taken only by filing a written notice of appeal with the Secretary of the Board no later than the tenth (10th) day after the date the Floodplain Administrator makes a written determination accepting, denying, or modifying a proposed application to this Chapter. (b) Each notice of appeal shall include: (1) A description of the work or improvements proposed to be made or done; (2) A description of the proposed location of the work or improvements; (3) The reasons, in detail, why: (i) The decision of the Floodplain Administrator should not be sustained; and (ii) The relief requested for should be granted. (c) An application for appeal shall be based on a claim that the true intent of this Chapter or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this Chapter do not fully apply, or an equally good or better form of construction is proposed.	**Clarification** - Incorporates City Building Code language to provide consistency between building permits and Flood Development Permits
805 - Decisions	(a) Should the Board render a decision contrary to that of the Floodplain Administrator, then the decision of Board shall be deemed the decision of the Floodplain Administrator. (b) The decision of the Board shall be final and conclusive.	**Clarification** - Incorporates City Building Code language to provide consistency between building permits and Flood Development Permits

Ordinance Citation	Proposed Ordinance Text	Floodplain Management Objective
Article 8 - Map Amendments		
902.a. - Map Amendments	All map revisions and watershed studies shall include analyses based on future build-out conditions hydrology associated with anticipated watershed growth and land-use and land-cover changes. These future condition analyses shall be included on community floodplain maps and will serve as the basis for this regulation.	**Higher Regulatory Standard** - Hydrological studies must use future conditions hydrology to identify the cumulative effect of development. (FBR - See Sections 402.a.4, 603.d: HSS - See Section 605.a)

CHAPTER 5 - FLOOD DAMAGE PREVENTION

Article 1. - Statutory Authorization, Findings of Fact, Purpose and Methods

7-5.101 - Statutory Authorization. The Legislature of the State of California has in Government Code Sections 65302, 65560 and 65800 conferred upon local government units the authority to adopt regulations designed to promote the public health, safety, and general welfare of their citizenry. Therefore, the City Council of the City of Simi Valley does hereby adopt the following floodplain management regulations.

7-5.102 - Findings of Fact.

(a) The flood hazard areas of the City are subject to periodic inundation which can result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base - all of which adversely affect the public health, safety and general welfare.

(b) These potential flood losses are caused by the cumulative effect of obstructions in areas of special flood hazards which increase flood heights and velocities, and when inadequately anchored, damage uses in other areas. Uses that are inadequately floodproofed, elevated, or otherwise protected from flood damage also contribute to flood losses.

7-5.103 - Statement of Purpose. It is the purpose of this ~~chapter~~Chapter 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~~ by legally enforceable regulations applied uniformly throughout the community to all publicly and privately owned land within flood prone, mudslide (i.e. mudflow) or flood related erosion areas. These regulations are designed to:

(a) To protect human life and health;

(b) To minimize expenditure of public monies for costly flood control projects;

(c) To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;

(d) To minimize prolonged business interruptions;

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

(f) To help maintain a stable tax base by requiring that due regard be given to flood risk factors in floodplain development in order to minimize future flood blight areas;

(g) To ensure that potential buyers are notified that property is in an area of special flood hazard; and

(h) To ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

7-5.104 - Methods of Reducing Flood Losses. In order to accomplish its purposes, this ~~chapter~~Chapter includes methods and provisions for:

(a) 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 flood heights or velocities;

(b) Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;

(c) Controlling the alteration of natural floodplains, stream channels, and natural protective barriers which help accommodate or channel flood waters;

(d) Controlling fill, grading, dredging, and other development which may increase flood damage; and

(e) Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas.

Article 2. - Definitions

7-5.201 - Scope. For the purposes of this ~~chapter~~Chapter only, words or phrases used in this ~~chapter~~Chapter shall be interpreted in order to give them the meaning they have in common usage and to give this ~~chapter~~Chapter its most reasonable application, unless specifically defined in this article.

"A zone" - see Special Flood Hazard Area.

"Accessory structure" shall mean a structure that is either:

(a) Solely for the parking of no more than two (2) cars; or

(b) A small, low-cost shed for limited storage, less than 150 square feet and $1,500 in value.

"Accessory use" shall mean a use which is incidental and subordinate to the principal use of the parcel of land on which it is located.

"Adversely affect" shall mean the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will increase the water surface elevation of the base flood beyond the tolerance of the flood model. This is considered to be one-tenth of one foot (0.1') or more at any point off-site of the property that is controlled by the project developer.

"Alluvial fan" shall mean a geomorphologic feature characterized by a cone or fan-shaped deposit of boulders, gravel, and fine sediments that have been eroded from mountain slopes, transported by flood flows, and then deposited on the valley floor, and which is subject to flash flooding, high velocity of flows, debris flows, erosion, sediment movement and deposition, and channel migration.

"Apex" shall mean 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.

"Appeal" shall mean a request for a review of the Floodplain Administrator's interpretation of any provision of this ~~chapter~~Chapter or a request for a variance.

"Area of shallow flooding" shall mean a designated AO or AH Zone on the Flood Insurance Rate Map (FIRM). The base flood depths range from one to three (3′) feet; a clearly defined channel does not exist; the path of flooding is unpredictable and indeterminate; and velocity of flow may be evident. Such flooding is characterized by ponding or sheet flow.

"Area of special flood hazard" - see "Special Flood Hazard Area."

"Barn" shall mean a structure designed and constructed to house animals, farm implements and other agricultural products. The structure shall not be a place of human habitation or a place of employment where agricultural products are processed, treated or packaged; nor shall it be a place used by the public.

"Base flood" shall mean the flood having a one percent (1%) chance of being equaled or exceeded in any given year.

"Base Flood Elevation (BFE)" shall mean the elevation shown on the Flood Insurance Rate Map for Zones AE, AH, A1-30, VE and V1-V30 that indicates the water surface elevation resulting from a flood that has a one percent (1%) or greater chance of being equaled or exceeded in any given year.

"Basement" shall mean any area of a structure having its floor below ground level on all sides.

"Building" - see "Structure."

"Certification" shall mean a certification by a registered professional engineer or other party and does not constitute a warranty or guarantee of performance, expressed or implied. Certification of data is a statement that the data is accurate to the best of the certifier's knowledge. Certification of analyses is a statement that the analyses have been performed correctly and in accordance with sound engineering practices. Certification of structural works is a statement that the works are designed in accordance with sound engineering practices to provide protection from the base flood. Certification of "as build" conditions is a statement that the structure(s) has been built according to the plans being certified, is in place, and is fully functioning.

"City" shall mean the incorporated City of Simi Valley.

"Commission" shall mean the Planning Commission of the City of Simi Valley, also called the "Board," "Board of Appeals," or the "Variance Board" in this Chapter.

"County" shall mean the incorporated County of Ventura.

"Critical facilities" shall mean that which is critical to the community's public health and safety, are essential to the orderly functioning of a community, store or produce highly volatile, toxic or water-reactive materials, or house occupants that may be insufficiently mobile to avoid loss of life or injury. For some activities and facilities, even a slight chance of flooding is too great a threat. Typical critical facilities include electric utilities, fire stations, emergency operation centers, police facilities, nursing homes, wastewater treatment facilities, water plants, gas/oil/propane storage facilities, hazardous waste handling and storage facilities, and other public equipment storage facilities.

"Design flood" shall mean a hypothetical flood representing a specific likelihood of occurrence (for example the 100 year or 1% probability flood). The design flood may comprise two or more single source dominated floods.

"Development" shall mean 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 or materials. "Development" does not include flood control improvements constructed by the Ventura County Flood Control District.

"Encroachment" shall mean the advance or infringement of uses, plant growth, fill, excavation, buildings, permanent structures or development into a floodplain which, may impede or alter the flow capacity of the floodplain.

"Existing manufactured home park or subdivision" shall mean 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 before the effective date of the floodplain management regulations adopted by the City.

"Expansion to an existing manufactured home park or subdivision" shall mean the preparation of additional sites by 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.

"Fill" shall mean the placement of fill material at a specified location to bring the ground surface up to a desired elevation.

"Fill material" shall mean natural sand, dirt, soil, rock, concrete, cement, soil cement, ~~or~~ brick or other similar material.

"Flood, flooding, or flood water" shall mean a general and temporary condition of partial or complete inundation of normally dry land areas from: (1) the overflow of waters, (2) the unusual and rapid accumulation or runoff of surface waters from any source, and/or (3) mudflows which are proximately caused by flooding.

"Flood area development permit" shall mean the permit which must be obtained from the Floodplain Administrator prior to the start of any construction or development within any Special Flood Hazard Area.

"Flood Boundary and Floodway Map (FBFM)" shall mean the official map on which the Federal Emergency Management Agency or Federal Insurance Administration has delineated both the areas of special flood hazards and the floodway.

"Flood elevation determination" shall mean a determination by the Floodplain Administrator of the water surface elevation of the base flood.

"Flood elevation study" shall mean an examination, evaluation, and determination of flood hazards and, if appropriate, corresponding water surface elevations.

"Flood Insurance Rate Map (FIRM)" shall mean the official map on which the Federal Emergency Management Agency has delineated both the Special Flood Hazard Areas and the risk premium zones applicable to the City.

"Flood insurance study" shall mean the official report provided by the Federal Emergency Management Agency that includes flood profiles, the Flood Insurance Rate Map (FIRM) and the water surface elevation of the base flood.

"Floodplain" or "flood-prone area" shall mean any land area susceptible to flooding.

"Floodplain administrator" shall mean the individual appointed to administer and enforce these floodplain management regulations.

"Floodplain management" shall mean the operation of an overall program of corrective and preventive measures for reducing flood damage.

"Floodplain management regulations" shall mean this ~~chapter~~Chapter and other zoning ordinances, subdivision regulations, building codes, health regulations, ~~and~~ special purpose ordinances (such as grading and erosion control) and other application of police power which control development in flood-prone areas. This term describes Federal, State or local regulations in any combination thereof which provide standards for preventing and reducing flood loss and damage.

"Flood protection system" shall mean those physical structural works for which funds have been authorized, appropriated, and expended, and which have been constructed in conformance with sound engineering practices, specifically to modify flooding in order to reduce the extent of the area within the City subject to a special flood hazard and the extent of the depths of associated flooding.

"Floodproofing" shall mean any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents.

"Floodway" shall mean 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 (1) foot. Also referred to as the "Regulatory Floodway."

"Floodway encroachment lines" shall mean the lines marking the limits of floodways on Federal, State and local floodplain maps.

"Floodway fringe" shall mean the areas of a floodplain on either side of the designated floodway where encroachment may be permitted.

"Fraud and victimization" refers to fraud or victimization of the~~,~~ public as it applies to the granting of a variance. The Planning Commission, acting as the Variance Board, shall consider the fact that every newly constructed building adds to government responsibilities and remains a part of the community for fifty (50) to one-hundred (100) years. Buildings that are permitted to be constructed below the ~~base flood elevation~~ BFE are subject during all those years to increased risk of damage from floods, while future owners of the property and the community as a whole are subject to all the costs, inconvenience, danger, and suffering that those increased flood damages bring. In addition, future owners may purchase the property, unaware that it is subject to potential flood damage, and can be insured only at very high flood insurance rates. The

Variance Board must find in granting a variance that it will not cause fraud on or victimization of the public.

"Freeboard" shall mean a margin of safety added to the BFE to account for waves, debris, miscalculations, lack of data, or changes in climate.

"Functionally dependent use" shall mean 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, and does not include long-term storage or related manufacturing facilities.

"Future conditions flood hazard area" shall mean any area of future conditions flood hazard, the land area that would be inundated by the one-percent (1%) annual-chance flood based on future conditions hydrology.

"Garage" shall mean a detached accessory building on the same lot as a dwelling or a portion of a main building for the housing of non-commercial vehicles of the occupants of the dwelling.

"Governing body" shall mean the local governing unit, i.e. county or municipality that is empowered to adopt and implement regulations to provide for the public health, safety and general welfare of its citizenry.

~~"Hardships" shall mean the difficulty to a property owner that would result from the failure to obtain a requested variance. The Planning Commission, acting as the Variance Board, shall require that the variance be exceptional, unusual, and peculiar to the property involved. Mere economic or financial hardship alone is not exceptional. Inconvenience, aesthetic considerations, physical handicaps, personal preferences, or the disapproval of one's neighbors likewise cannot, as a rule, qualify as exceptional hardships. All of these problems can be resolved through other means, without granting a variance. This is so even if the alternative means are more expensive or complicated than building with a variance, or if they require the property owner to put the parcel to a different use than originally intended, or to build elsewhere.~~

"Hardship" as related to Section 7-5.801(e) of this ~~chapter~~Chapter means the exceptional hardship that would result from a failure to grant the requested variance. The City Council requires that the variance be exceptional, unusual, and peculiar to the property involved. Mere economic or financial hardship alone is not exceptional. Inconvenience, aesthetic considerations, physical handicaps, personal preferences, or the disapproval of one's neighbors likewise cannot, as a rule, qualify as an exceptional hardship. All of these problems can be resolved through other means without granting a variance, even if the alternative is more expensive, or requires the property owner to build elsewhere or put the parcel to a different use than originally intended.

"Highest adjacent grade" shall mean the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

"Historic structure" shall mean any structure that is: (a) listed individually in the National Register of Historic Places of the Department of the Interior or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; (b) certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district registered historic district; (c) individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or (d) individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either: (1) by an approved state program as determined by the Secretary of the Interior, or (2) Directly by the Secretary of the Interior in states with approved programs.

"Increased cost of compliance" shall mean a flood insurance claim provision that helps fund the cost of bringing a flood-damaged building into compliance with floodplain management standards.

"Levee" shall mean a man-made structure designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water in order to provide protection from temporary flooding.

"Levee maintenance" shall mean routine activities to preserve the operating condition or operating elevation of a levee as established in a Final Notification issued by the Floodplain Administrator pursuant to Section 7-5.514. These activities include and are limited to

(a) Extermination of burrowing rodents and filling burrows;

(b) Shaping the levee crown;

(c) Repairing access or patrol roads;

(d) Repairing minor slip-outs, erosion, or subsidence;

(e) Removing drift deposits, debris, and litter;

(f) Cleaning drains and ditches adjacent to the levee toe;

(g) Cutting, removing, trimming, spraying, and mowing vegetation;

(h) Repairing or restoring rock protection;

(i) Removing encroachments; or

(j) Placing fill to restore the operating elevation of a levee.

"Levee system" shall mean a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accord with sound engineering practices.

"Lowest floor" shall mean the lowest floor of the lowest enclosed area including basement. (See "Basement" definition)

(a) An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, provided it does not meet the definition of "basement," is not considered a building's lowest floor~~, as long as such enclosure is not built in a manner which would render the structure in violation of the applicable non-elevation design requirements of this chapter~~ provided it conforms to applicable non-elevation design requirements, including, but not limited to:

(1) The flood openings standard in Section 7-5.603(3)(5);

(2) The anchoring standards in Section 7-5.603(a);

(3) The construction materials and methods standards in Section 7-5.603(b); and

(4) The standards for utilities in Section 7-5.604.

(b) For residential structures, all subgrade enclosed areas are prohibited as they are considered to be basements (see "Basement" definition). This prohibition includes below-grade garages and storage areas.

"Manufactured home" shall mean a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle."

"Manufactured home park or subdivision" shall mean a parcel, or contiguous parcels, of land divided into two (2) or more manufactured home lots for rent or sale.

"Market value" shall be determined by estimating the cost to replace the structure in new condition and adjusting that cost figure by the amount of depreciation which has accrued since the structure was constructed.

(a) The cost of replacement of the structure shall be based on a square foot cost factor determined by reference to a building cost estimating guide recognized by the building construction industry.

(b) The amount of depreciation shall be determined by taking into account the age and physical deterioration of the structure and functional obsolescence as approved by the Floodplain Administrator, but shall not include economic or other forms of external obsolescence.

(c) Use of replacement costs or accrued depreciation factors different from those contained in recognized building cost estimating guides may be considered only if such factors are included in a report prepared by an independent professional appraiser and supported by a written explanation of the differences. See Section 7-5.402(b)(1).

"Map" shall mean the Flood Insurance Rate Map (FIRM) for the City, issued by the Flood Insurance Administration, Federal Emergency Management Agency.

"Mean sea level" shall mean the National Geodetic Vertical Datum (NGVD) of 1929, North American Vertical Datum (NAVD) of 1988 or other datum, to which base ~~flood elevations~~ BFEs shown on the City's Flood Insurance Rate Map are referenced.

"Minimum necessary" shall mean the least deviation from the requirements of this ~~chapter~~Chapter necessary to afford relief to the applicant of a variance and still maintain the integrity of this ~~chapter~~Chapter. In the case of variances to an elevation requirement for example, this means the Variance Board need not grant permission for the applicant to build at grade, or even to whatever elevation the applicant proposes, but only to that level that the Board believes will both provide relief and preserve the integrity of this ~~chapter~~Chapter.

"Mudslide" shall mean a condition where there is a river, flow or inundation of liquid mud down a hillside.

"New construction" shall mean structures for which the "start of construction" commenced on or after ~~the effective date of this chapter~~September 12, 1991, and includes any subsequent improvements to such structures.

"New manufactured home park or subdivision" shall mean 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 ~~the effective date of the ordinance codified in this chapter~~September 12, 1991.

"Obstruction" shall include, but is not limited to, any dam, wall, embankment, levee, dike, pile, abutment, protection, excavation, channelization, bridge, conduit, culvert, building, wire, fence, rock, gravel, refuse, fill, structure, vegetation or other material in, along, across or projecting into any watercourse to alter, impede, retard or change the direction and/or velocity of the flow of water, or due to its location, its

propensity to snare or collect debris carried by the flow of water or its likelihood of being carried downstream.

"One hundred year flood" or "100-year flood" shall mean a flood which has a one percent annual probability of being equaled or exceeded. It is identical to the "base flood," which is the term used throughout this ~~chapter~~Chapter.

"Person" shall mean any individual, corporation, partnership, association of any type, public agency or any other legal entity.

"Program deficiency" shall mean a defect in a community's floodplain management regulations or administrative procedures that impairs effective implementation of those floodplain management regulations.

"Principal structure" shall mean a structure used for a principal use of the property as distinguished from an "accessory use."

"Public safety and nuisances," as related to Section 7-5.801(e) of this ~~chapter~~Chapter, shall mean any threat to public safety or any nuisances created by the granting of a variance. This ~~chapter~~Chapter is intended to help protect the health, safety, well-being, and property of the local citizens. This is a long-range community-effort made up of a combination of approaches such as adequate drainage systems, warning and evacuation plans, and keeping new property above the flood levels. These long-term goals can only be met if exceptions to the requirements of this ~~chapter~~Chapter are kept to a bare minimum.

"Reasonably safe from flooding" shall mean base flood waters will not inundate the land or damage structures to be removed from the SFHA and that any subsurface waters related to the base flood will not damage existing or proposed structures.

"Recreational vehicle" shall mean a vehicle which is:

(a) Built on a single chassis;

(b) 400 square feet or less when measured at the largest horizontal projection;

(c) D~~d~~esigned to be self-propelled or permanently towable by a light duty truck; and

~~(a)~~(d) D~~d~~esigned primarily not for use as a permanent~~,~~ dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

"Regulatory floodway" shall mean the channel of a river or other water~~-~~course 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 (1) foot.

"Remedy a violation" shall mean to bring the structure or other development into compliance with State or local floodplain management regulations, or if this is not possible, to reduce the impacts of its noncompliance. Ways that impacts may be reduced include protecting the structure or other affected development from flood damages, implementing the enforcement provisions of this ~~chapter~~Chapter or otherwise deterring future similar violations, or reducing State or Federal financial exposure with regard to the structure or other development.

"Repetitive loss" shall mean any insurable structure for which two or more claims of more than $1,000 were paid by the National Flood Insurance Program (NFIP) within any rolling ten-year period since 1978.

"Riverine" shall mean relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

"Sheet flow area" - see "Area of shallow flooding."

"Special Flood Hazard Area (SFHA)" shall mean an area having special flood hazards and shown on the Flood Insurance Rate Map (FIRM) as Zone A, AO, AH or AE.

"Start of construction" shall include substantial improvement and other proposed new development and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days from the date of the permit. The actual start means either:

(a) The first placement of the permanent 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

(b) The placement of a manufactured home on a foundation.

(c) Permanent construction does not include:

(1) Land preparation, such as clearing, grading and filling; and

(2) The installation of streets and/or walkways,

(3) Excavation for a basement, footings, piers, or foundations or the erection of temporary forms, or

(4) 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.

"Structure" shall mean a walled and roofed building, including a gas or liquid storage tank that is principally above ground as well as a manufactured home.

"Substantial damage" shall mean:

(a) D~~ d~~amage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed fifty percent (50%) of the market value of the structure before the damage occurred; or~~.~~

(b) Flood-related damages sustained by a structure on two separate occasions during a ten-year period for which the cost of repairs at the time of each such event, on the average, equals or exceeds 25 percent of the market value of the structure before the damage occurred. This is also known as "repetitive loss."

"Substantial improvement" shall mean any combination of repairs, reconstruction, rehabilitation, addition, or other ~~proposed new development~~improvement of a structure taking place within a ten (10) year period, the cost of which equals or exceeds fifty (50) percent of the market value of the structure before the "start of construction" of the improvement. For each structure, the ten (10) year period begins on the date of the first improvement or repair of that structure subsequent to the date of this regulation. When the combined total of all improvements or repairs made after the adoption of this regulation equals or exceeds 50 percent of a structure's market value, that structure is considered to be substantially improved. This term includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include either:

(a) A~~a~~ny project for improvement of a structure to correct existing violations of ~~state~~ 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

~~(a)~~(b) ~~(b)~~ A~~a~~ny alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure."

"Variance" shall mean relief from the requirements of this ~~chapter~~Chapter which permits construction in a manner that would otherwise be prohibited by this ~~chapter~~Chapter.

"Violation" shall mean the failure of a structure or other development to be fully compliant with this ~~chapter~~Chapter. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in this

~~chapter~~Chapter is presumed to be in violation until such time as that documentation is provided.

"Variance board" shall mean the Planning Commission of the City in its role as the decision making body for requests for variances from the requirements of this ~~chapter~~Chapter.

"Water surface elevation" shall mean the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, or other datum, where specified, of floods of various magnitudes and frequencies in the floodplains.

"Watercourse" shall mean a lake, river, creek, stream, wash, arroyo, channel or other topographic feature on or over which waters flow at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur.

Article 3. - General Provisions

7-5.301 - Lands to Which this Chapter Applies. This ~~chapter~~Chapter shall apply to all Special Flood Hazard Areas (SFHAs) within the jurisdiction of the City.

7-5.302 - Basis for Establishing the Areas of Special Flood Hazard. The ~~Special Flood Hazard Areas~~SFHAs identified by the Federal Insurance Administration of the Federal Emergency Management Agency in the Flood Insurance Study dated September 27, 1991, and the Flood Insurance Rate Map (FIRM), dated September 27, 1991, and all subsequent amendments and/or revisions, are hereby adopted by reference and declared to be a part of this ~~chapter~~Chapter. This Flood Insurance Study and attendant mapping is the minimum area of applicability of this ~~chapter~~Chapter and may be supplemented by studies for other areas which allow implementation of this ~~chapter~~Chapter and which are recommended to the City Council by the Floodplain Administrator. The Flood Insurance Study and Flood Insurance Rate Maps are on file at the Department of Public Works, City Hall, 2929 Tapo Canyon Road, Simi Valley, California~~, Department of Public Works~~.

7-5.303 - Compliance. No structure or land shall hereafter be constructed, located, extended, converted, graded or altered without full compliance with the terms of this ~~chapter~~Chapter and other applicable regulations. Violation of the requirements, including violations of conditions and safeguards established in connection with conditions, shall constitute a misdemeanor. Nothing herein shall prevent the City Council from taking such lawful action as is necessary to prevent or remedy any violation.

7-5.304 - Abrogation and Greater Restrictions. This ~~chapter~~Chapter is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ~~chapter~~Chapter and another chapter, easement,

covenant, or deed restriction conflict or overlap whichever imposes the more stringent restrictions shall prevail.

7-5.305 - Interpretation. In the interpretation and application of this ~~chapter~~Chapter, all provisions shall be:

(a) Considered as minimum requirements;

(b) Liberally construed in favor of the City Council; and

(c) Deemed neither to limit nor repeal any other powers granted under State statutes.

7-5.306 - Warning and Disclaimer of Liability. The degree of flood protection required by this ~~chapter~~Chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ~~chapter~~Chapter does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. Nothing herein shall be construed to impose upon the City any duty or mandatory duty, under Government Code Section 815.6 or otherwise, to prevent damage from flood in the areas subject to this ~~chapter~~Chapter, nor shall this ~~chapter~~Chapter fall within the meaning of Evidence Code Section 669. This ~~chapter~~Chapter shall not create liability on the part of the City Council, any officer or employee thereof, or the Federal Insurance Administration, Federal Emergency Management Agency, for any flood damages that result from reliance on this ~~chapter~~Chapter or any administrative decision lawfully made thereunder.

7-5.307 - Severability. This ~~chapter~~Chapter and the various parts thereof are hereby declared to be severable. Should any section of this ~~chapter~~Chapter be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ~~chapter~~Chapter as a whole, or any portion thereof other than the section so declared to be unconstitutional or invalid.

7-5.308 - Violations.

(a) Violation of any of the provisions of this Chapter following fifteen (15) calendar days' notice to the permittee by the Floodplain Administrator advising of the violation and ordering a cessation thereof, shall constitute a misdemeanor. This subsection (a) does not affect the ability to prosecute violations at any time under other subsections of this Section 7-5.308 or other applicable law without such notice as either a misdemeanor or an infraction. All remedies under this Chapter are cumulative.

(b) Violation of any of the provisions of this Chapter may be remedied by injunction or other civil proceeding commenced in the name of the City pursuant to direction by the City Council.

(c) It shall be a violation of this ~~chapter~~Chapter to fail to obtain a Floodplain Development Permit when required hereby to do so.

(d) Any person violating any of the provisions of this Chapter shall be deemed guilty of an infraction or misdemeanor subject to all the provisions of Chapter 2 of Title 1 of the City of Simi Valley Municipal Code. Each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this Chapter is committed, continued, or allowed and upon conviction of such violation such person shall be punishable by a fine or imprisonment or both as provided by law and Chapter 2 of Title 1 of the City of Simi Valley Municipal Code. The issuance of a permit or the approval of plans and specifications shall not be construed to authorize any violation of the provisions of this Chapter or any codes hereby adopted by reference, or applicable state or federal law. The issuance or granting of a permit or approval of plan and specification shall not prevent the Floodplain Administrator from thereafter requiring the correction of errors in said plans and specifications or from suspending construction operations when such plans, specification or construction are in violation of this Chapter or any codes hereby adopted by reference, or other applicable state or federal law.

7-5.309 ~~-~~– No Representation Regarding Other Laws. There are many ordinances and other laws applicable to activities permitted under this Chapter which are not considered in this permitting process. Such laws include, by way of example but not limited to, building, land grading and erosion control, and land development measures. The issuance of a Floodplain Development Permit shall not be deemed to constitute a representation that the development so permitted or the property upon which such development is occurring complies with any other ordinances or other laws. Nor shall the existence of such an unrevoked permit be deemed to preclude any criminal or civil remedy for violation of such other ordinances or laws. The possession of a Floodplain Development Permit shall not be deemed to relieve the holder of the requirement to apply for or obtain any other license or permit required by any other ordinance ~~or~~ , statute, regulation or law.

Article 4. - Floodplain Administrator

7-5.401 - Designation of the Floodplain Administrator. The Director of Public Works is hereby appointed to administer, implement, and enforce this ~~chapter~~Chapter by granting or denying development permits in accord with its provisions.

7-5.402 - Duties and Responsibilities of the Floodplain Administrator. The duties and responsibilities of the Floodplain Administrator shall include, but not be limited to the following:

(a) Permit Review. Review all development permits to determine:

(1) Permit requirements of this ~~chapter~~Chapter have been satisfied, including determination of substantial improvement and substantial damage of existing structures;

(2) The site is reasonably safe from flooding and that the Floodplain Development Permit requirements of this ~~chapter~~Chapter have been fully satisfied;

(3) All other required State and Federal permits have been obtained;

(4) The proposed development does not adversely affect the carrying capacity of areas where Base Flood Elevations (BFEs) have been determined but a floodway has not been designated. This means that the cumulative effect of the proposed development when combined with all other existing and future conditions of development will not increase the water surface elevation of the base flood by one-tenth of one foot (0.1') or more at any point within the City of Simi Valley; and

(5) All Letters of Map Revision (LOMRs) for flood control projects are approved prior to the issuance of building permits. Building Permits must not be issued based on Conditional Letters of Map Revision (CLOMRs). Approved CLOMRs allow construction of the proposed flood control project and land preparation as specified in the "start of construction" definition.

(6) Inspect all development projects to ensure compliance with all provisions of this ~~chapter~~Chapter, including proper elevation of structures.

i. The first inspection shall be conducted when the site is staked out or otherwise marked.

ii. The second inspection shall be conducted when the lowest floor is built and completed.

iii. The third inspection shall be conducted when the development is finished.

iv. Elevation Certificates shall be required prior to all inspections.

(b) Development of Substantial Improvement and Substantial Damage Procedures.

(1) Using FEMA publication FEMA 213, "Answers to Questions About Substantially Damaged Buildings," develop detailed procedures for identifying and administering requirements for substantial improvement and substantial damage, to include defining "Market Value."

(2) Assure procedures are coordinated with other Departments/Divisions and implemented by community staff.

(c) Review, Use and Development of Other Base Flood Data.

(1) When BFE data has not been provided in accordance with Section 7-5.302, the Floodplain Administrator shall obtain, review, and reasonably utilize any BFE and floodway data available from a Federal or State agency, or other source, in order to administer Section 6, or

(2) A BFE shall be obtained using one of two methods from the FEMA publication, FEMA 265, "Managing Floodplain Development in Approximate Zone A Areas – A Guide for Obtaining and Developing Base (100-year) Flood Elevations" dated July 1995.

(d) Notification of Other Agencies. Notification of other agencies shall be made as follows:

(1) Alteration or relocation of a watercourse:

i. Notify adjacent communities and the California Department of Water Resources prior to alteration or relocation;

ii. Submit evidence of such notification to the Federal Emergency Management Agency; and

iii. Assure that the flood carrying capacity within the altered or relocated portion of said watercourse is maintained.

(2) BFE changes due to physical alterations:

i. Within six (6) months of information becoming available or project completion, whichever comes first, the Floodplain Administrator shall submit or assure that the permit applicant submits technical or scientific data to FEMA for a Letter of Map Revision (LOMR).

~~i.~~ii. All LOMRs for flood control projects are approved prior to the issuance of building permits. Building Permits must not be issued based on Conditional Letters of Map Revision (CLOMRs). Approved CLOMRs allow construction of the proposed flood control project and land preparation as specified in the "start of construction" definition.

Such submissions are necessary so that upon confirmation of those physical changes affecting flooding conditions, risk premium rates and floodplain management requirements are based on current data.

(3) Changes in corporate boundaries. Notify FEMA in writing whenever the corporate boundaries have been modified by annexation or other means and include a copy of a map of the community clearly delineating the new corporate limits.

(e) Documentation of Floodplain Development. Obtain and maintain for public inspection and make available as needed the following:

(1) Certification required by Section 7-5.603(e)(2) and Section 7-5.605 (lowest floor elevations);

(2) Certification required by Section 7-5.603(e)(3) (elevation or floodproofing of non-residential structures);

(3) Certification required by Sections 7-5.603(e)(5) (wet floodproofing standard);

(4) Certification of elevation required by Section 7-5.605(a)(3) (subdivisions and other proposed development standards);

(5) Certification required by Section 7-5.608(a) (floodway encroachments); and

(6) Maintain a record of all variance actions, including justification for their issuance, and report such variances issued in its biennial report submitted to the Federal Emergency Management Agency.

(f) Map Determination. Make interpretations where needed as to the exact location of the boundaries of the areas of special flood hazard where there appears to be a conflict between a mapped boundary and actual field conditions. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in Section 7-5.803(b).

(g) Remedial Action. Take action to remedy violations of this ~~chapter~~Chapter as specified in Section 7-5.303.

(h) Agreements. Execute and record non-conversion and hold harmless agreements.

(i) Biennial Report. Complete and submit Biennial Report to FEMA to provide information on the community floodplain management program and changes in its flood hazard areas, which assists FEMA to evaluate the effectiveness of a community's floodplain management activities.

(j) Planning. Assure that the General Plan is consistent with floodplain management objectives herein.

(k) Non-conversion of Enclosed Areas Below the Lowest Floor. To ensure that the areas below the BFE shall be used solely for parking vehicles, limited storage, or access to the building and not be finished for use as human habitation without first becoming fully compliant with the this chapterChapter in effect at the time of conversion, the Floodplain Administrator shall:

(1) Determine which applicants for new construction and/or substantial improvements have fully enclosed areas below the lowest floor that are five (5) feet or higher.

(2) Enter into a "NON-CONVERSION AGREEMENT FOR CONSTRUCTION WITHIN FLOOD HAZARD AREAS" or equivalent with the City of Simi Valley. The agreement shall be recorded with the Ventura County Recorder as a deed restriction. The non-conversion agreement shall be in a form acceptable to the Floodplain Administrator and City Attorney and have the authority to inspect any area of a structure below the BFE to ensure compliance upon prior notice of at least 72 hours.

Article 45. -- AdministrationFloodplain Development Permits

7-5.401 501 - Establishment of Development Permit. A flood Floodplain area dDevelopment pPermit (hereinafter "permit") shall be obtained before any construction or other development, including manufactured homes, begins within any Special Flood Hazard Area (SFHA) established in Section 7-5.302. Application for a Floodplain dDevelopment pPermit shall be made on forms furnished by the Floodplain Administrator and shall include, but not be limited to:

(a) plans Plans in duplicate drawn to scale, including three hundred (300) feet surrounding and adjacent to the area in question, showing:

(1) Tthe nature, location, dimensions, and elevation of the area in question;

(2) existing Existing or proposed structures, fill, storage of materials and equipment drainage facilities; and the location;

(3) Proposed locations of water supply, sanitary sewer, and other utilities;

(4) Grading information showing existing and proposed contours, any proposed fill, and drainage facilities;

(5) Location of regulatory floodway when applicable;

(6) BFE information as specified in Section 7-5.302 or Section 7-5.402(c). When not provided according to said sections, the applicant shall provide, upon approval by the City for its use, the best available BFE data from a Federal or State agency or from a private engineering report;

(1) of the foregoing. Application for permits shall be made at the same time and reviewed in conjunction with other approvals for the development. The applicant shall demonstrate to the satisfaction of the Floodplain Administrator that all permit requirements of this chapter have been satisfied and that all other required state, federal and local permits have been obtained. The applicant shall also provide the following information:

(2)(7) Proposed evaluation elevation in relation to mean sea level of the lowest floor (including basement) of all structures. In Zone AO, the elevation of highest adjacent grade and proposed elevation of lowest floor of all structures; and

(3)(8) Proposed elevation in relation to mean sea level to which any non-residential structure will be floodproofed, as required in Section 7-5.603(e)(3) of this chapterChapter and detailed in FEMA Technical Bulletin TB 3-93Proposed elevation in relation to mean sea level for any structure which will be floodproofed.;

(b) Certification from a registered civil engineer or architect that the non-residential floodproofed building meets the floodproofing criteria in Section 7-5.603(e)(3).

(c) For a crawl space foundation, location and total net area of foundation openings as required in Sections 7-5.603(e)(5) and 7-5.603(e)(8) of this chapterChapter and detailed in FEMA Technical Bulletins 1-93 and 7-93.

(b)(d) All appropriate certifications listed in Sections 7-5-402(e) and 7-5.501, 7-5.503 and 7-5.504 of this chapterChapter;

(e) Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

(c)

(1) Proof that written notification, on forms furnished by the Floodplain Administrator, was sent prior to any alteration or relocation of the watercourse, to all adjacent communities, the California Department of Water Resources, and the Federal Insurance Administration, Federal Emergency Management Agency; and

(1)

(2) Engineering data to demonstrate, to the satisfaction of the Floodplain Administrator, that the flood carrying capacity of the altered or relocated portion of the watercourse will be maintained;

(f) Engineering data to satisfy the following requirements:

(1) The site is reasonably safe from flooding as required by the provisions of this ~~chapter~~Chapter; and

(2) The proposed development will not adversely affect the carrying capacity of areas where ~~base flood elevations~~ BFEs have been determined, but a floodway has not been designated. For purposes of this ~~chapter~~Chapter, "adversely affect" means that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will increase the water surface elevation of the base flood more than one-tenth of one foot (0.1') ~~six (6) inches~~ at any point within the City of Simi Valley.~~;~~

~~(f) Base flood elevation data as provided in accordance with Section 7-5.302. When not provided according to said section, the applicant shall provide, upon approval by the City for its use, the best available base flood elevation data from a federal or state agency or from a private engineering report.~~

~~**7-5.402 - Designation of the Floodplain Administrator.** The Director of Public Works is hereby appointed to administer and implement this chapter by granting or denying flood area development permits in accordance with its provisions.~~

~~**7-5.403 - Duties and Responsibilities of the Floodplain Administrator.** The duties and responsibilities of the Floodplain Administrator shall be adopted by resolution of the City Council.~~

7-5.~~404~~ 502 - Fees. Before a permit is issued, the applicant shall pay to the Floodplain Administrator the fees authorized by this section.

A schedule of fees shall be adopted by resolution of the City Council. Such fees will reimburse the City for costs incurred in responding in writing to requests about the flood hazard status of properties, the processing, investigation, renewal and modification of flood area development permits and for performing other work in the administration of this ~~chapter~~Chapter.

7-5.503 - Issuance. The Floodplain Development Permit shall be issued by the Floodplain Administrator within a reasonable time after all information requested on the application form for floodplain development and any additional information requested by the Floodplain Administrator has been received.

7-5.504 - Content of Permit. The Floodplain Development Permit shall include, but not be limited to, a complete description of the activity for which it is issued, the property for which it is issued, the date of issuance, the date of expiration, and a description of any and all conditions upon which the permit has been issued. The permit shall be kept at the site during the development for which the permit was issued.

7-5.505 - Conditions.

(a) The Floodplain Administrator may at the time of issuance of the Floodplain Development Permit impose such conditions as are necessary to ensure compliance with this Chapter, other City ordinances, or State or Federal laws, including the dedication of easements or construction of improvements pursuant to Section 7-5.506. Such conditions shall be reasonably related to the public needs created by the development. Conditions to mitigate environmental impacts of the activity may also be imposed by the Floodplain Administrator.

(b) The Floodplain Administrator may also require that the owner of the property, the permit applicant, or both, enter into a written agreement with the City holding the City of Simi Valley free from liability for any harm that may occur to any real or personal property or person by flooding.

(c) Any condition imposed shall be embodied, together with the reasons therefore, in the Floodplain Development Permit.

7-5.506 - Dedications and Improvements.

(a) The Floodplain Administrator may impose, as a condition for the granting of a permit, the requirement of dedication or irrevocable offer of dedication of real property within the property for which the approval is sought, for drainage, floodplain or floodway easements. Such dedication requirement must be reasonably related to the public needs arising as a result of the development.

~~(a)~~(b) The Floodplain Administrator may impose, as a condition for the granting of a permit, the requirement for the construction of drainage and flood control facilities. Such construction requirement must be reasonably related to the public needs arising as a result of the development.

7-5.507 – Mapping Requirements.

(a) In SFHAs, the Floodplain Administrator shall require a letter of conditional approval (Conditional Letter of Map Revision, CLOMR) be obtained from FEMA for any development that will cause measurable impact on the BFE on upstream or adjacent properties within a SFHA. The CLOMR must be received by the Floodplain Administrator prior to any grading or development within the floodplain, and the Letter of Map Revision must be approved by FEMA before start of construction.

(b) All new development within Zones AE or AH that will alter or relocate a floodway, or is dependent upon construction of a levee, shall obtain conditional approval (or a "CLOMR") from the Federal Emergency Management Agency prior to issuance of a Floodplain Development Permit.

(c) All new development within Zone A shall provide a BFE data to the Floodplain Administrator.

7-5.508 - Term.

(a) A Floodplain Development Permit shall be effective on the date of issuance and shall remain in force for one year, unless suspended or revoked by the Floodplain Administrator or voluntarily relinquished by the permittee.

(b) Before the expiration of a permit, a permittee may apply for an extension of time in which to complete the development.

(c) The Floodplain Administrator may extend the time for action by the permittee for a period not exceeding one hundred eighty (180) days upon payment of appropriate fees and a written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken.

(d) Permits shall not be extended more than once, except that the Floodplain Administrator may approve additional extensions of one hundred and eighty (180) days when the applicant demonstrates that special unusual circumstances exist not due solely to the fault of the applicant. In this case, the Floodplain Administrator may require that additional fees be paid and plans be revised to partially or fully comply with this ~~chapter~~Chapter.

7-5.509 – Transferability. A Floodplain Development Permit shall not be transferred or assigned from one person to another unless approved by the Floodplain Administrator and the person to whom the permit is to be transferred agrees to comply with the requirements of the original permit and to any conditions imposed therein.

7-5.510 - Amendment of Permit. Any proposed changes in the development authorized by the permit shall be submitted to the Floodplain Administrator for review. The permittee shall not undertake or allow development to occur which does not conform to the plans or conditions of the original permit, unless approved by the Floodplain Administrator. The Floodplain Administrator shall review any proposed changes in the same manner and pursuant to the same standards as the original application.

7-5.511 - Inspection. The Floodplain Administrator, or his designee, has the right to enter and inspect any property for which a Floodplain Development Permit has been applied to perform any duties or responsibilities imposed by this ~~chapter~~Chapter to determine applicability or compliance with this Chapter. The Floodplain Administrator

may also inspect any and all property for which a permit has been issued and on which development is occurring.

7-5.512 - Grounds for Suspension and Revocation. Any Floodplain Development Permit issued pursuant to this Chapter may be suspended during its term upon one or more of the following grounds:

(a) The physical state of the property differs from the descriptions, plans, or information furnished to the Floodplain Administrator in the permit application;

(b) The development does not conform to the conditions or terms of the permit; or

(c) The development is in violation of this ~~chapter~~Chapter, other City ordinances, or State or Federal laws.

7-5.513 - Method of Suspension or Revocation.

(a) The Floodplain Administrator may suspend or revoke a Floodplain Development Permit by issuing a notice of suspension or revocation, stating the reasons therefore, and serving same upon the permittee. If such an appeal is filed, the suspension or revocation shall remain in force and be effective until a final decision on the appeal is issued by the Board of Appeals.

(b) If the Floodplain Administrator suspends a permit, such permit may either be reinstated or revoked by the Floodplain Administrator, depending upon whether the permittee corrects the grounds stated for the suspension in the notice. If the permittee fails to remedy the grounds for suspension within a time period specified by the Floodplain Administrator, but in no event later than sixty (60) calendar days, the Floodplain Administrator shall revoke the permit.

7-5.514~~405~~ - Maintenance of Flood Protection Measures. If any levees, dikes, dams or reservoirs are privately owned, an operation or maintenance plan shall be required of the owner to be on file with the Administrator.

Article ~~5~~6. - Provisions for Flood Hazard Reduction

7-5.601 - Prohibitions.

(a) New construction of any residential or non-residential structures in Special Flood Hazard Areas (SFHAs).

(b) Storage or processing of hazardous, flammable or explosive materials in SFHAs.

(c) New and substantially improved critical facilities within SFHAs.

(d) The change of use of non-conforming structures from a non-residential structure to a residential structure or a mixed-use structure, or an increase in the residential use area of a mixed-use structure.

(e) The change of use of any structure to a critical facility, where such a change in use will render the new critical facility in violation of Section 7-5.601(e) and 7-5.603(e)(9), Critical Facilities.

(f) Basements with finished floor elevations below the Base Flood Elevation (BFE).

(g) Building enclosures, including breakaway walls, below the BFE.

(h) Crawl spaces greater than two (2) feet below grade, which shall be considered as basements.

(i) Installation of new and substantially-improved septic systems.

7-5.602 - Standards of Construction. Properties located outside the SFHA are still subject to potential flooding caused by local drainage problems. To ensure that new development is elevated well above the street level or otherwise protected from shallow drainage flooding the following standards are required for all development in all areas of the City:

(a) These standards shall apply on all development exceeding one-half acre in size, and/or increasing impervious area by over 5,000 square feet.

(b) The lowest floor elevation of any structures shall be at least one (1) foot above the crown of the nearest street.

(c) The site plan shall account for street flooding and local drainage from and onto adjoining properties and protects the building from local drainage flows.

(d) The site plan shall provide positive drainage away from the building site to an approved point of collection that does not create a hazard or problem on neighboring properties.

(e) All requirements of the most current NPDES Stormwater Permit shall be enforced including, but not limited to:

(1) Preference to the use of low-impact development techniques (instead of pipes, channels, or detention) to control the impacts of development on runoff.

(2) Include in the design of the stormwater management facilities appropriate "best management practices" that will improve the quality of surface water.

(3) At least once each year, the owners of all stormwater management facilities including, but not limited to, retention basins, detention basins, debris basins and "best management practices:"

(i) Have the facilities inspected by a licensed professional engineer;

(ii) Perform any and all necessary maintenance, repair or replacement as recommended by the engineer; and

(iii) Submit the report to the Floodplain Administrator.

(iv) If the owner fails to perform items (i), (ii) or (iii) above, the City shall have the authority to perform the inspection, maintenance repair and/or replacement and ~~seek~~receive reimbursement from the owner for the work performed.

(f) For all new development, the maximum storm water discharge of the 10, 25, 50 and 100-year storms shall be limited to the pre-developed ten-year (10-year) peak flow rate.

(1) Before development, the developer must submit hydrologic and hydraulic studies showing the nature and extent of runoff under present conditions and with the proposed development for those four rainfall events. Peak runoff from new development shall be no greater than the runoff from the site in its pre-development condition.

(2) For projects of less than ten (10) acres, on-site detention in the amount of 1,000 cubic feet per acre of developed area or greater shall be provided.

(3) For projects of or greater than ten (10) acres, the required detention storage shall be based on a calculated hydrograph for a developed 100-year frequency storm.

(4) Additional detention may be considered for reduction of the discharge rate commensurate with deficiencies in downstream facilities.

7-5.~~501~~ 603 - Standards of Construction Within the SFHA. In all ~~Special Flood Hazard Areas~~SFHAs, the following standards are required:

(a) Anchoring.

(1) All new construction, substantial improvement and other proposed new development shall be adequately anchored to prevent flotation, collapse

or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy; .

(2) All manufactured homes shall meet the anchoring standards of Section 7-5.504605(a)(1).

(b) Construction materials and methods. All new construction and substantial improvements of structures, including manufactured homes, shall be constructed:

(1) With electrical, heating, ventilation, plumbing and air conditioning equipment and all other mechanical systems and service facilities located at least one (1) foot above the BFE;

(2) Using methods and practices that minimize flood damage;

(1)(3) Within Zones AH or AO, so that there is adequate drainage paths around structures on slopes to guide flood waters around and away from proposed structures.; and

(4) Must be constructed on foundations that are designed and sealed by a registered design professional as complying with the requirements of the International Building Code, the International Residential Code, or ASCE 24.

(1) All new construction, substantial improvement and other proposed new development shall be constructed with materials and utility equipment resistant to flood damage.

(2) All new construction, substantial improvement and other proposed new development shall be constructed using methods and practices that minimize flood damage.

(3) All new construction, substantial improvement and other proposed new development shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

(c) Elevation and floodproofing.

(1) New construction, substantial improvement and other proposed new development shall have the lowest floor, including the basement, elevated to a minimum of one foot above the base flood elevation. Nonresidential structures may meet the standards in Section 7-5.501(c)(3). Upon the completion of the structure, the elevation of the lowest floor, including basement, shall be certified by a registered professional engineer or surveyor, or verified by the City's building inspector

~~to be properly elevated. Such certification or verification shall be provided to the Floodplain Administrator. Failure to submit said certification shall be cause to issue a stop-work order for the project.~~

~~(2) New construction, substantial improvement and other proposed new development in Zone AO shall have the lowest floor, including basement, elevated one foot above the highest adjacent grade at least one foot higher than the depth number specified in feet on the Flood Insurance Rate Map or at least two (2) feet if no depth number is specified. Nonresidential structures may meet the standards in Section 7-5.501(c)(3). Upon the completion of the structure the elevation of the lowest floor, including basement, shall be certified by a registered professional engineer or surveyor, or verified by the City's building inspector to be properly elevated. Such certification or verification shall be provided to the Floodplain Administrator. Failure to submit said certification shall be cause to issue a stop-work order for the project.~~

~~(3) Nonresidential construction shall either be elevated to conform with Section 7-5.501(c)(1) or 7-5.501(c)(2) or, together with attendant utility and sanitary facilities:~~

~~(i) Be floodproofed so that the structure is watertight with walls substantially impermeable to the passage of water below the base flood level;~~

~~(ii) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and~~

~~(iii) Be certified, by a registered professional engineer or architect, that the standards of this subsection are satisfied. Such certifications shall be provided to the Floodplain Administrator and failure to do so shall be cause to issue a stop-work order for the project.~~

~~(4) Require, for all new construction, substantial improvement and other proposed new development, that fully enclosed 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 floodwater. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:~~

~~(i) Either a minimum of two (2) 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 floodwater;~~

~~(5) Manufactured homes shall also meet the standards in Section 7-5.504.~~

(c) Fill. The following standards apply to all fill activities in SFHAs:

(1) Fill sites, upon which structures will be constructed or placed, must be compacted to 95 percent of the maximum density obtainable with the Standard Proctor Test method or an acceptable equivalent method;

(2) Fill slopes shall not be steeper than one (1) foot vertical to two feet horizontal;

(3) Fill shall extend at least ten (10) feet beyond the foundation of all structures before it drops below the BFE, unless certified to be resistant against erosion and scour;

(4) Adequate protection against erosion and scour is provided for fill slopes. When expected velocities during the occurrence of the base flood are greater than five feet per second armoring with stone or rock protection shall be provided. When expected velocities during the base flood are five feet per second or less protection shall be provided by covering them with vegetative cover;

(5) Fill shall be composed of clean granular or earthen material; and

(6) In any area that has been removed from the floodplain via a Letter of Map Revision Based on Fill, any existing or new structure, addition or substantial improvement must meet the required elevation freeboard requirements.

(d) Elevation and Floodproofing.

(1) Certification. Prior to occupancy of any structure, an Elevation Certificate for the lowest floor and mechanical equipment shall be certified by a registered civil engineer or licensed land surveyor, and verified by the community building inspector to be properly elevated to meet all ~~chapter~~Chapter requirements. Such certification and verification shall be provided to the Floodplain Administrator. Failure to submit said certification shall be cause to issue a stop-work order for the development.

(2) Residential construction. All new construction or substantial improvements of residential structures shall have the lowest floor:

(i) In AE and AH Zones, elevated at least one (1) foot above the BFE.

(ii) In an AO zone, elevated above the highest adjacent

grade to a height at least one (1) foot above the depth number specified in feet on the FIRM, or elevated at least two (2) feet above the highest adjacent grade if no depth number is specified.

(iii) In an A zone, without BFEs specified on the FIRM (unnumbered A zone), elevated at least one (1) foot above the BFE as determined under Section 7-5.402(c).

(iv) New development proposals will be designed, to the maximum extent practicable, so residential building sites, walkways, driveways, and roadways are located on land with a natural grade with elevation not less than the BFE and with evacuation routes leading directly out of the floodplain area (dryland access).

(3) Non-residential construction. All new construction or substantial improvements of non-residential structures shall either be elevated to conform to Section 7-5.603(e)(2) or:

(i) Be floodproofed, together with attendant utility and sanitary facilities, to at least one (1) foot above the elevation recommended under Section 7-5.603(e)(2), so that the structure is watertight with walls substantially impermeable to the passage of water;

(ii) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and

(iii) Be certified by a registered civil engineer or architect that the standards of Section 7-5.603(e)(3)(i) and 7-5.603(e)(3)(ii) are satisfied. Such certification shall be provided to the Floodplain Administrator.

(iv) New development proposals will be designed, to the maximum extent practicable, so non-residential building sites, walkways, driveways, and roadways are located on land with a natural grade with elevation not less than the BFE and with evacuation routes leading directly out of the floodplain area.

(4) Non-Conversion. To put current and future tenants and owners on notice that the area below the BFE may not be architecturally finished and converted to living space and that the space may only be used as incidental material storage, building access and vehicle parking, a non-conversion agreement shall be required whenever there is a height of more than five feet. The non-conversion agreement shall be in a form acceptable to the Floodplain Administrator and City Attorney. The Floodplain Administrator shall have the right to inspect for conversion with 72-hour notice. By this Chapter, the Director of the Public Works shall have authority to execute the non-conversion agreements on behalf of the City of Simi Valley.

(5) Flood openings. All new construction and substantial improvements of structures with fully enclosed areas below the lowest floor that are

usable solely for parking of vehicles, building access or storage, 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 floodwater. Designs for meeting this requirement must meet the following minimum criteria:

(i) For non-engineered openings:

(A) Have a minimum of two openings on different sides having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;

(B) The bottom of all openings shall be no higher than one (1) foot above grade;

(C) Openings may be equipped with screens, louvers, valves or other coverings or devices provided that they permit the automatic entry and exit of floodwater; and

(D) Buildings with more than one enclosed area must have openings on exterior walls for each area to allow flood water to directly enter; or

(ii) For engineered openings. Be certified by a registered civil engineer or architect.

(6) Manufactured homes. See Section 7-5.605.

(7) Garages and low cost accessory structures.

(i) Attached garages.

(A) A garage attached to a residential structure, constructed with the garage floor slab below the BFE, must be designed to allow for the automatic entry of flood waters. See Section 7-5.603(e)(5). Areas of the garage below the BFE must be constructed with flood resistant materials. See Section 7-5.603(b).

(B) A garage attached to a non-residential structure must meet the above requirements or be dry floodproofed. For guidance on below grade parking areas, see FEMA Technical Bulletin TB-6.

(ii) Detached garages and accessory structures.

(A) "Accessory structures" used solely for parking (two-car detached garages or smaller) or limited storage (small, low-cost sheds), as defined in Section 2, may be constructed such that its floor is below the BFE, provided the structure is designed and constructed in accordance with the following

requirements:

(I) Use of the accessory structure must be limited to parking or limited storage;

(II) The portions of the accessory structure located below the BFE must be built using flood-resistant materials;

(III) The accessory structure must be adequately anchored to prevent flotation, collapse and lateral movement;

(IV) Any mechanical and utility equipment in the accessory structure must be elevated or floodproofed to at least one (1) foot above the BFE;

(V) The accessory structure must comply with floodplain encroachment provisions in Section 7-5.608; and

(VI) The accessory structure must be designed to allow for the automatic entry of flood waters in accordance with Section 7-5.603(e)(5).

(B) Detached garages and accessory structures not meeting the above standards must be constructed in accordance with all applicable standards in Section 7-5.603.

(8) Crawl Space Construction. This sub-section applies to buildings with crawl spaces up two (2) feet below grade. Below-grade crawl space construction in accordance with the requirements listed below will not be considered basements.

(i) The building must be designed and adequately anchored to resist flotation, collapse, and lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy. Crawl space construction is not allowed in areas with flood velocities greater than five (5) feet per second unless the design is reviewed by a qualified design professional, such as a registered architect or professional engineer;

(ii) The crawl space is an enclosed area below the BFE and, as such, must have openings that equalize hydrostatic pressures by allowing for the automatic entry and exit of floodwaters. For guidance on flood openings, see FEMA Technical Bulletin 1-93;

(iii) Portions of the building below the BFE must be constructed with materials resistant to flood damage. This includes not only the foundation walls of the crawl space used to elevate the building, but also any joists,

insulation, or other materials that extend below the BFE; and

(iv) Any building utility systems within the crawl space must be elevated at least one (1) foot above the BFE or designed so that floodwaters cannot enter or accumulate within the system components during flood conditions.

(v) Requirements for all below-grade crawl space construction, in addition to the above requirements, to include the following:

(A) The interior grade of a crawl space below the BFE must not be more than two (2) feet below the lowest adjacent exterior grade (LAG), shown as “D” in figure 3 of Technical Bulletin 11-01;

(B) The height of the below-grade crawl space, measured from the interior grade of the crawl space to the top of the crawl space foundation wall must not exceed four (4) feet (shown as L in figure 3 of Technical Bulletin 11-01) at any point;

(C) There must be an adequate drainage system that removes floodwaters from the interior area of the crawl space within a reasonable period of time after a flood event, not to exceed 72 hours; and

(D) The velocity of floodwaters at the site should not exceed five (5) feet per second for any crawl space. For velocities in excess of five (5) feet per second, other foundation types should be used.

(9) Critical Facilities

(i) Construction of new critical facilities shall be located outside the limits of the 500-year floodplain.

(A) Critical facilities constructed adjacent to the 500-year floodplain shall have the lowest floor elevated at least one (1) foot above the level of the 500-year flood.

(ii) Non-substantial improvement to existing critical facilities within the SFHA shall have the lowest floor elevated at least one (1) foot above the level of the 500-year flood.

(A) Access to and from the critical facility should be protected to the heights utilized above.

(B) Flood-proofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters.

(C) Access routes elevated to or above the level of the BFE shall be provided to all critical facilities to the extent possible.

7-5.~~502~~ 604 - Standards for Utilities.

(a) ~~(a)~~ All new and replacement water supply and sanitary sewage systems shall be designed to minimize or eliminate:

(1) I~~i~~nfiltration of flood waters into the system; and

~~(1)~~(2) D~~d~~ischarge from systems into flood waters;

(b) On-site waste disposal systems shall not be located in SFHAs. See Section 7-5.601(i)~~be located to avoid impairment to them or contamination from them during flooding~~;

(c) Other utilities are addressed in Sections 7-5.103(e) and 7-5.605(c)~~7-5.501(b) and 7-5.503(d)~~.

7-5.~~503~~ 605 - Standards for Subdivisions and Other Proposed Development.

(a) All new subdivisions proposals and other proposed development, including proposals for manufactured home parks and subdivisions greater than one (1) acre shall:

(1) Provide future conditions hydrologic and hydraulic engineering analysis to identify the 100-year, 500-year and floodway flood elevations and boundaries.

(i) Analysis shall use the City's most recent aerial and Quality Level 1 (QL1) or better LiDAR topography.

(ii) Analysis shall be consistent with the most current City Master Plan of Drainage models and future conditions hydrologic land use mapping.

(2) Identify the elevations of lowest floors of all proposed structures and pads on the final plans.

(3) If the site is filled above the BFE, the following as-built information for each structure shall be certified by a registered civil engineer or licensed land surveyor and provided as part of an application for a Letter of Map Revision based on Fill (LOMR-F) to the Floodplain Administrator:

(i) Lowest floor elevation.

(ii) Pad elevation.

(iii) Lowest adjacent grade.

~~(a) All preliminary subdivision proposals shall identify the flood hazard area and the elevation of the base flood.~~

~~(b) All final subdivision plans will provide the elevation of proposed structure(s) and pad(s). If the site is filled above the base flood elevation, the final pad elevation shall be certified by a registered professional engineer or surveyor and provided to the Floodplain Administrator.~~

~~(b) (c)~~ All subdivision proposals shall be consistent with the need to minimize flood damage.

~~(c)~~(b) ~~(d)~~ All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage.

(c) ~~(e)~~ All subdivisions shall provide adequate drainage to reduce exposure to flood hazards. Certification of compliance shall be required of the developer.

(d) In areas upstream of the Limit of Study, as delineated on the community FIRM, where BFE data is not available, a floodplain study must be performed by a Professional Engineer (PE) establishing the BFE and the floodplain and floodway boundaries prior to issuing a development permit.

(e) All proposed lots or parcels that will be future building sites shall have a minimum buildable area outside the natural (non-filled) one-percent (1%) chance annual floodplain. The buildable area shall be large enough to accommodate any primary structure and associated structures such as sheds, barns, swimming pools, detached garages, on-site sewage disposal systems, and water supply wells, if applicable.

(f) Unless otherwise approved by the City Council, the following shall apply:

(1) All street surfaces must be located at or above the BFE; and

(2) Commercial and industrial development may not allow parking more than one (1) foot below the BFE.

7-5.~~504~~ 606 - Standards for Manufactured Homes.

(a) All manufactured homes that are placed or substantially improved within a ~~Special Flood Hazard Area~~SFHA on the City's Flood Insurance Rate Map and which are either (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 the result of a flood shall:

~~be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to a minimum of one foot above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement.~~

(1) Within Zones AH and AE on the community's Flood Insurance Rate Map, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated at least one (1) foot above the BFE and be securely fastened to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

(b) ~~(b)~~ All manufactured homes to be placed or substantially improved on sites in an existing manufactured home park or subdivision within Zones AH and AE~~a Special Flood Hazard Area~~ on the City's Flood Insurance Rate Map that are not subject to the provisions of Section 7-5.~~504~~605(a) ~~of this section will be elevated so that the lowest floor of the manufactured home is at a minimum of one foot above the base flood elevation.~~ will be securely fastened to an adequately anchored foundation system to resist flotation, collapse, and lateral movement, and be elevated so that either the:

(1) Lowest floor of the manufactured home is at least one (1) foot above the BFE; or

(2) 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.

Upon the completion of the structure, the elevation of the lowest floor shall be certified by a registered civil engineer or licensed land surveyor and verified by the community building inspector to be properly elevated. Such certification and verification shall be provided to the Floodplain Administrator.

7-5.~~505~~ 607 - Standards for Recreational Vehicles. All recreational vehicles placed on sites within Zones AH and AE~~a Special Flood Hazard Area shown~~ on the City's Flood Insurance Rate Map will either:

(a) Be on the site for fewer than 180 consecutive days; or

(b) Be fully licensed and ready for highway use. 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; or

(c) Meet the permit requirements of Article 4Section 7-5.501 of this chapterChapter and the elevation and anchoring requirements for manufactured homes in Section 7-5.504 605.

7-5.506 608 - Standards for the Storage of Materials and Equipment.

(a) In Special Flood Hazard AreasSFHAs, the storage or processing of materials that are, in time of flooding, buoyant, flammable, explosive, or could be injurious to human, animal, or plant life, is prohibited.

(b) Storage of other material or equipment may be allowed if not subject to major damage by floods and firmly anchored to prevent flotation or if readily removable from the area within the time after flood warning.

7-5.507 609 - Floodways. Located within Special Flood Hazard AreasSFHAs, established in Section 7-5.302, are areas designated as floodways. 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 (1) foot at any point. In accordance with this principle, and the fact that the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles, and erosion potential, the following provisions apply:

(a) Prohibit encroachments, including fill, new construction, substantial improvement, and other new development unless certification by a registered professional engineer or architect is provided demonstrating that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge;

(b) If Section 7-5.507608(a) of this section is satisfied, all new construction, substantial improvement, and other proposed new development shall comply with all other applicable flood hazard reduction provisions of Article 56.

(c) All new construction, substantial improvements, and other development within floodways which will cause increases in the BFE shall only be permitted if the Permittee has applied to the Federal Emergency Management Agency for modification of the flood insurance rate maps and has received conditional approval of such modifications, and. all other applicable provisions of this Chapter are satisfied.

(a)(d) If no floodway is identified, the applicant for a flood area development permit shall provide an engineering study to demonstrate that any new development will not

increase the water surface elevation of the base flood by more than one-tenth of one foot (0.1').

7-5.~~508~~ 610 - Floodways Not Delineated. If no floodway is identified, the applicant for a flood area development permit shall provide an engineering study to demonstrate that any new development will not increase the water surface elevation of the base flood by one-tenth of one foot (0.1') ~~six (6) inches~~ or more.

Article ~~6~~7. - Loading

7-5.~~601~~ 701 - General. All structures covered by this ~~chapter~~Chapter shall be capable of resisting all loads required by the building code and the loads prescribed in this ~~chapter~~Chapter without exceeding allowable stresses. "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.

7-5.~~602~~ 702 - Hydrostatic Loads.

(a) Hydrostatic loads are those caused by water above or below surface, free or confined, which is either stagnant or moves at low velocities less than five (5) feet per second.

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.

Hydrostatic loads consist of vertical loads, lateral loads, and uplift.

(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.

(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 overturning of the building, structure, or parts thereof.

(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.

7-5.~~603~~ 703 - Hydrodynamic Loads.

Hydrodynamic loads, the purpose of these regulations, are those induced on structures the flow of flood water moving at moderate to 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.

Conversion to equivalent hydrostatic loads. For the purpose of these regulations, and for cases when water velocities do not exceed ten (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:

$$dh = \frac{a V^2}{2g}$$, 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; and

"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.

7-5.~~604~~ 704 - Impact Loads.

(a) Types. For the purposes of these regulations, impact loads are those which result from floating debris and floatable objects or masses carried by flood waters striking against structures or parts thereof. These loads are of two (2) basic types: normal and special.

(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.

(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.

(b) Applicability. Impact loads shall be considered in the design of structures and parts thereof as stipulated below:

(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.

(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.

(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 one-hundred (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.

7-5.~~605~~ 705 - Pressure Equalization. All new construction and substantial improvements that fully enclose areas below the lowest floor and 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 to meet or exceed the following minimum criteria: A minimum of two (2) 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 (1) 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. See Section 7-5.603(e)(5).

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 floodproofed pursuant to the terms of this ~~chapter~~Chapter.

Article ~~7~~8. - Variance Procedures

7-5.~~701~~ 801 - Conditions for Variances.

~~(a) Generally, variances may be issued for new construction, substantial improvement and other proposed new development to be erected on a lot of one-half (½) acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level providing that the procedures of~~

~~Articles 4 and 5 of this chapter have been fully considered. As the lot size increases beyond one-half (½) acre, the technical justification required for issuing the variance shall also increase.~~

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

(b) ~~(c)~~ Variances shall not be issued within any ~~designated~~ regulatory 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~~.

(c) ~~(d)~~ Variances shall only be issued upon a determination that the variance is the "minimum necessary" considering the flood hazard, to afford relief. . "Minimum necessary" means to afford relief with a minimum of deviation from the requirements of this ~~chapter~~Chapter. For example, in the case of variances to an elevation requirement, this means the Floodplain Administrator need not grant permission for the applicant to build at grade, or even to whatever elevation the applicant proposes, but only to that elevation which the Floodplain Administrator believes will both provide relief and preserve the integrity of this ~~chapter~~Chapter

(d) ~~(e)~~ Variances shall only be issued upon all of the following:

(1) ~~(a) a~~A showing of good and sufficient cause, which does not include economic considerations, aesthetics, or past practices;

(2) ~~(b) a~~A determination that failure to grant the variance would result in exceptional "hardship" to the applicant; and

~~(1)~~(3) ~~(c) a~~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 a fraud upon the public, or conflict with existing local laws or ordinances.

~~(f)~~(e) Upon consideration of the factors of Section 7-5.~~703~~802(d) and the purposes of this ~~chapter~~Chapter, the Planning Commission, acting as the Variance Board, may attach such conditions to the granting of a variance as it deems necessary to further the purposes of this ~~chapter~~Chapter.

7-5.~~702~~ 802 - Nature of Variances. The issuance of a variance is for floodplain management purposes only. Insurance premium rates are determined by statute according to actuarial risk and will not be modified by the granting of a variance.

The variance criteria set forth in this section of this ~~chapter~~Chapter are based on the general principle of zoning law that variances pertain to a piece of property and are not personal in nature. A variance may be granted for a parcel of property with physical characteristics so unusual that complying with the requirements of this ~~chapter~~Chapter would create an exceptional hardship to the applicant or the surrounding property owners. The characteristics must be unique to the property and not be shared by adjacent parcels. The unique characteristic must pertain to the land itself, not to the structure, its inhabitants, or the property owners.

It is the duty of the City ~~Council~~ to help protect its citizens from flooding. This need is so compelling, and the implications of the cost of insuring a structure built below the flood level are so serious that variances from the flood elevation or from other requirements in this ~~chapter~~Chapter are intended to be quite rare. The long-term goal of preventing and reducing flood loss and damage can only be met if variances are strictly limited. Therefore, the variance guidelines provided in this ~~chapter~~Chapter are detailed and contain multiple provisions that must be met before a variance can be properly granted. The criteria are designed to screen out those situations in which alternatives other than a variance are more appropriate.

7-5.~~703~~ 803 - Variance Board.

(a) ~~(a)~~ The Planning Commission of the City ("Commission"), acting as the Variance Board, shall hear and decide appeals of a decision of the Floodplain Administrator and requests for variances from the requirements of this ~~chapter~~Chapter. The Commission, and Council on appeal of a decision of the Commission, shall hear the variance application at a noticed public hearing with notice made as required for variances pursuant to Title 9, Planning and Zoning, of this Code.

(b) ~~(b)~~ The Commission shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Floodplain Administrator in the enforcement or administration of this ~~chapter~~Chapter~~. Such appeals shall be filed with the City Clerk within ten (10) calendar days following the Administrator's action and shall specify the project and grounds for appeal~~.

(c) ~~(c)~~ Those aggrieved by the decision of the Commission, pursuant to this ~~chapter~~Chapter, may appeal such decision to the City Council. Such appeal shall be filed with the City Clerk within ten (10) calendar days of the Commission's decision and shall specify the project and grounds for appeal.

(d) ~~(d)~~ Variances shall only be issued upon a:

(1) Showing of good and sufficient cause;

(2) Determination that failure to grant the variance would result in exceptional "hardship" to the applicant; and

(3) Determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, or extraordinary public expense, create a nuisance (see "Public safety and nuisance"), cause “fraud and victimization” of the public, or conflict with existing local laws or ordinances.

(d)(e) In hearing such applications, the Commission shall consider all of the following:

(1) The standards specified in this chapterChapter;

(2) Engineering and technical reports prepared for the project;

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

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

(5) The susceptibility of the proposed structure and its contents to flood damage and the effect of such damage on the existing and future owners of the property;

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

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

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

(9) The relationship of the proposed use to the General Plan and floodplain management program for that area;

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

(11) The expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters expected at the site; and

(12) The costs of providing governmental services during and after flood conditions, including maintenance and repair or public utilities and facilities, such as sewer, gas, electrical, and water system, and streets and bridges.

(f) (e) Any applicant to whom a variance is granted shall be given written notice by the City that:

(1) ~~(a)~~ T~~t~~he issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as Twenty-five and no/100ths ($25.00) Dollars for One Hundred and no/100ths ($100.00) Dollars of insurance coverage; and

~~(1)~~(2) ~~(b)~~ S~~s~~uch construction below the base flood level increases risks to life and property. A copy of the notice shall be recorded by the Floodplain Administrator in the Office of the Ventura County Recorder and shall be recorded in a manner so that it appears in the chain of title of the affected parcel of land.

~~(e)~~(g) The Floodplain Administrator will maintain a record of all variance actions, including justification for their issuance, and report such variances issued in its biennial report submitted to the Federal Insurance Administration, Federal Emergency Management Agency.

7-5.804 – Notice of Appeal.

(a) A request for appeal may be taken only by filing a written notice of appeal with the Secretary of the Board no later than the tenth (10th) day after the date the Floodplain Administrator makes a written determination accepting, denying, or modifying a proposed application to this ~~chapter~~Chapter.

(b) Each notice of appeal shall include:

(1) A description of the work or improvements proposed to be made or done;

(2) A description of the proposed location of the work or improvements;

(3) The reasons, in detail, why:

(i) The decision of the Floodplain Administrator should not be sustained; and

(ii) The relief requested for should be granted.

(c) An application for appeal shall be based on a claim that the true intent of this ~~chapter~~Chapter or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this ~~chapter~~Chapter do not fully apply, or an equally good or better form of construction is proposed.

7-5.805 – Decisions.

(a) Should the Board render a decision contrary to that of the

Floodplain Administrator, then the decision of Board shall be deemed the decision of the Floodplain Administrator.

(b) The decision of the Board shall be final and conclusive.

Article 89. - Map Amendments

7-5.801 901 - Alteration of a Special Flood Hazard Area. When a Special Flood Hazard Area, as established in accordance with Section 7-5.302, is altered due to development or a flood control project, the party responsible for the alteration shall submit a request, on forms submitted by the Floodplain Administrator, to the Federal Insurance Administration, Federal Emergency Management Agency, that a map revision be made.

7-5.802 902 - Map Amendments.

(a) The procedures for map corrections, letters of map amendment, conditional letters of map revision and letters of map revision shall be those set forth by the Federal Emergency Management Agency in the Code of Federal Regulations. These regulations shall be kept on file in the Department of Public Works. The City is preempted from enacting any procedures in this area.

(b) The City shall require a fee in an amount to be determined by resolution of the City Council for processing any map amendment requests to the Federal Emergency Management Agency.

(c) All map revisions and watershed studies shall include analyses based on future build-out conditions hydrology associated with anticipated watershed growth and land-use and land-cover changes. These future condition analyses shall be included on community floodplain maps and will serve as the basis for this regulation.