ORDINANCE NO. 1050

ORDINANCE REGULATING FLOOD HAZARD AREAS
IN CONFORMANCE WITH THE NATIONAL FLOOD
INSURANCE PROGRAM AND THE NATIONAL FLOOD
DISASTER PROTECTION ACT OF 1973

The Board of Supervisors of the County of Solano does hereby ordain as follows:

SECTION I.
Chapter 12A of the Solano County Ordinance Code is hereby repealed.

SECTION II.
Chapter 12.1 is hereby added to the Solano County Code to read as follows:

Section 12.1-100. Short Title.
This chapter may be cited as "The Solano County Flood Hazard Area Regulation Ordinance."

Section 12.1-200. Declaration of Policy.
This chapter establishes special Flood Hazard Areas and provides regulations to assure that development or use of property within Special Flood Hazard Areas will be protected from hazards and damages which may result from flood waters, and which are necessary for the minimum protection of the public health, welfare, and safety. This chapter shall further co-ordinate efforts between the County of Solano and appropriate State and Federal agencies in complying with the National Flood Insurance Program in accordance with the National Flood Disaster Protection Act of 1973.

Section 12.1-300. Definitions.
Unless specifically defined below, words or phrases used in this Ordinance shall be interpreted so as to give them the same meaning as they have in common usage and so as to give this Ordinance its most reasonable application.
"Special Flood Hazard Areas" means those lands within the County of Solano subject to a one percent or greater chance of flooding in any given year. These lands are identified as Special Flood Hazard Area-Zone A on the official map.

"Development" means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, excavation, or drilling operations.

"Flood" means a temporary rise in the flow or stage of a stream or watercourse that results in water overflowing its banks inundating thereby areas adjacent to the channel. A flood shall also include any unusual and rapid accumulation of runoff or surface waters from any source.

"Floodproofing" means any combination of structural and non-structural additions, changes, or adjustments to structures, including utility and sanitary facilities, which would preclude the entry of water. Structural components of floodproofing shall have the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy.

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

"Mobile Home" means a structure for human habitation which is transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. It does not include recreational vehicles or travel trailers.
"Mobile Home Park" means an area or tract of land
where one or more mobile home lots are rented or leased or
held out for rent or lease to accommodate mobile homes used
for human habitation.

"Regulatory Flood Elevation" means the water surface
elevation of the 100-year flood.

"Structure" means a walled and roofed structure,
including a gas or liquid storage tank that is principally
above the ground, including but not limited to buildings,
factories, sheds, cabins, mobile homes and other similar
uses.

"Substantial Improvement" means any repair, recon-
struction or improvement of a structure, the cost of which
equals or exceeds 50 percent of the market value of the
structure either (a) before the improvement is started, or
(b) if the structure has been damaged and is being restored,
before the damage occurred. For the purpose of this defini-
tion, "substantial improvement" is considered to occur
when the first alteration of any wall, ceiling, floor, or
other structural part of the building commences whether or
not that alteration affects the external dimensions of the
structure. The term does not, however, include any alter-
ation to comply with existing State or local health san-
tary, building, or safety codes or regulations as well as
structures listed in National or State Registers of
historic places.

"100-Year Flood" means the condition of flooding
having a one percent chance of annual occurrence.

Section 12.1-400. Reference to Maps.

The Board of Supervisors of the County of Solano
hereby designates Flood Hazard Boundary Maps, Numbers
Section 12.1-500. Permits.

Upon application for a building, zoning, use or grading permit, the Solano County Building Inspector, Director of Public Works, Planning Director, or other employee responsible for review of such applications, shall review the submitted application and plans and determine whether or not the site of the proposed structure is within the Special Flood Hazard Area-Zone A on the official maps. If the site of the proposed structure or development lies within said Special Flood Hazard Area-Zone A on the official maps, the application and plans shall be referred to the Public Works Director for review as specified in Section 12.1-510. If the site of the proposed structure or development does not lie within said Special Flood Hazard-Zone A, the permit need not be reviewed by the Public Works Director in regard to the Flood Hazard Regulations and shall be processed in accordance with standard procedure.

Section 12.1-510. Public Works Permit Review.

The Public Works Director shall review all applications for permits for new construction, substantial improvements, construction of prefabricated buildings, placement of mobile homes, and other development(s) which are located in Special Flood Hazard Area-Zone A and, in order to determine that said sites are reasonably safe...
from flooding, shall:

   a. Obtain, review, and reasonably utilize, if
      available, any regulatory flood elevation data from
      Federal, State, or other sources, until such other
      data is provided by the Federal Insurance Administra­
      tion in a Flood Insurance Study;

   b. Require, within areas designated as Special
      Flood Hazard Area-Zone A on the official map, that
      the following performance standards be met;

         (1) The first habitable floor elevation (to
             include basement if applicable) of new residential
             structures, be elevated to not less than one foot
             above the regulatory flood elevation.

         (2) The first-floor elevation (to include
             basement) of non-residential structures, be
             elevated to not less than one foot above the
             regulatory flood elevation or be floodproofed.

   c. Require each application to be accompanied
      by elevations (in relation to mean sea level) of the
      lowest habitable floor (including basement) or, in the
      case of floodproofed non-residential structures, the
      elevation to which it has been floodproofed, and shall
      maintain permanent records of these elevations.

   d. Require structures to be designed or anchored
      to prevent the flotation, collapse, or lateral movement
      of the structure or portions of the structure due to
      flooding.

   e. Prepare such specifications of required
      materials and methods as may be necessary for the
      guidance of the County Building Inspector in implement-
      ing responsibilities included in Section 12.1-520.
f. This section is reserved pending clarification from the Department of Housing and Urban Development (H.U.D.) concerning determinations by the Director of Public Works that all necessary permits required by Federal and State Law have been received by the applicant.

Section 12.1-520. Structures.

The Solano County Building Inspector, in reviewing all applications for new construction, substantial improvements, prefabricated buildings, placement of mobile homes, and other development(s) in Special Flood Hazard Area-Zone A, shall:

a. Require the use of construction materials and utility equipment that are resistant to flood damage.
b. Require the use of construction methods and practices that will minimize flood damage.
c. Assure that, in regard to mobile homes, specific anchoring requirements be installed as follows:

(1) Over-the-top ties be provided at each of the four corners of the mobile home with two additional ties per side at the intermediate locations. Mobile homes less than 50 feet long may only have one additional tie per side.

(2) Frame ties be provided at each corner of the home with five additional ties per side at intermediate points except that mobile homes less than 50 feet long shall require only four additional ties per side.

(3) All components of the anchoring system be capable of carrying a force of 4800 pounds.
(4) Any additions to mobile homes be similarly anchored.

Section 12.1-530. Subdivisions.

The Public Works Director shall review all subdivision applications to assure that:

a. All such proposed developments are consistent with the need to minimize flood damage.

b. All subdivisions and other proposed new developments shall include regulatory flood elevations and minimum elevations of all first habitable floor of structures if any are proposed, in areas designated Special Flood Hazard Area-Zone A.

c. Adequate drainage is provided so as to reduce exposure to flood hazards.

d. All public utilities and facilities are located so as to minimize or eliminate flood damage.

Section 12.1-540. Utilities.

All new and replacement water and sewer systems located in, or affecting lands located in Special Flood Hazard Area-Zone A, shall be constructed pursuant to requirements of the Public Works Department to eliminate or minimize infiltration by, or discharge into floodwaters and on-site waste disposal systems will be designed to avoid impairment or contamination during flooding.

Section 12.1-600. Watercourse Maintenance.

The Public Works Director of the County shall insure that flood carrying capacity of any watercourse is perpetuated when such watercourse is altered or relocated, and shall notify in writing, any incorporated municipality or special district adjoining said watercourse of any alterations thereto.
Section 12.1-700. Amendment of Chapter.

This Ordinance shall take precedence over conflicting Ordinances or parts of Ordinances. The Board of Supervisors of the County of Solano may, from time to time, amend this Ordinance to reflect any and all changes in the National Flood Disaster Protection Act of 1973. The regulations of this Ordinance are in compliance with the National Flood Insurance Program Regulation as published in the Federal Register, Volume 41, Number 207, dated October 26, 1976, except as set forth in Section 12.1-510(f). This Ordinance recognizes the appeal procedure provided in Federal regulations.

SECTION III.

This Ordinance shall be published once before the expiration of FIFTEEN (15) DAYS after its final passage in the Daily Republic, a newspaper of general circulation, printed and published in the County of Solano, State of California, and shall be in full force and effect THIRTY (30) DAYS after its passage.

ATTEST:

THOMAS M. HANNIGAN, Chairman of the Solano County Board of Supervisors

NEIL CRAWFORD, County Clerk and ex officio Clerk of the Board of Supervisors,

By S/ Deputy Clerk

I, NEIL CRAWFORD, County Clerk and ex officio Clerk of the Board of Supervisors of the County of Solano, State of California, do hereby certify that the above and foregoing Ordinance was introduced at a regular meeting thereof held on the 6th day of October, 1978.
On the motion of Supervisor Brand and the second of Supervisor Avera, this Ordinance was adopted at a regular meeting of said Board on the 31st day of October, 1978, by the following vote:

AYES: SUPERVISORS: Avera, Brand and Chairman Hannigan

NOES: SUPERVISORS: Bueseke and Taft

ABSENT: SUPERVISORS: None

WITNESS my hand and the Seal of said Board this 31st day of October, 1978.

NEIL CRAWFORD, County Clerk

By Deputy Clerk