

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302
(562) 590-5071

**Th 14a**

May 30, 2013

TO: Commissioners and Interested Persons

FROM: Sherilyn Sarb, Deputy Director
Teresa Henry, District Manager
Karl Schwing, Supervisor, Regulation & Planning
Meg Vaughn, Coastal Program Analyst

SUBJECT: Major Amendment Request No. 1-13-A (Flood) (LGB-MAJ-1-13A) to the City of Laguna Beach Certified Local Coastal Program (For Public Hearing and Commission Action at the June 12-14, 2013 meeting in Long Beach).

SUMMARY OF LCP AMENDMENT REQUEST NO. 1-13-A

Request by City Of Laguna Beach to amend the Implementation Plan portion of the certified Local Coastal Program (LCP) to replace the current flood ordinance Chapter 25.38 *Flood Damage Prevention*, with the proposed flood ordinance Chapter 25.38 *Floodplain Management*. Local Coastal Program Amendment 1-13-A was submitted pursuant to City Council Resolution No. 13.004 which requests action on Ordinance No. 1576. The proposed amendment will affect Title 25 *Zoning* which is contained in the City's certified Implementation Plan. Only the Implementation Plan portion of the City's certified LCP is affected by the proposed amendment. The amendment is proposed to reflect updates required by the Federal Emergency Management Agency (FEMA) and the California Department of Water Resources (DWR), and to address the issue of future sea level rise.

SUMMARY OF STAFF RECOMMENDATION

Staff is recommending that the Commission, after public hearing:

Approve the amendment request to the Implementation Plan **as submitted**.

The proposed amendment, as submitted, is in conformance with and adequate to carry out the provisions of the certified Land Use Plan. **The motion to accomplish this recommendation is found on page 2.**

STANDARD OF REVIEW

The standard of review for the proposed Implementation Plan amendment is conformance with and adequacy to carry out the policies of the certified Land Use Plan.

SUMMARY OF PUBLIC PARTICIPATION

Section 30503 of the Coastal Act requires public input in Local Coastal Program development. It states: *During the preparation, approval, certification, and amendment of any local coastal program, the public, as well as all affected governmental agencies, including special districts, shall be provided maximum opportunities to participate. Prior to submission of a local coastal program*

Laguna Beach LCP Amendment 1-13-A
Part A: Floodplain Management
Page 2

for approval, local governments shall hold a public hearing or hearings on that portion of the program which has not been subjected to public hearings within four years of such submission.

The City of Laguna Beach Planning Commission and City Council held five public hearings on the proposed replacement of Chapter 25.38 of Title 25 (the flood ordinance): City Council 2/12/13; and 1/29/13; Planning Commission 12/12/12; 10/10/12; and 9/12/1. In addition, 1/8th page notices were published in the local newspaper, the Laguna Beach Coastline Pilot. No written comments were received during the City's review process. Four members of the public spoke at the Planning Commission meeting of 10/10/12. All comments focused on the requirement for businesses located within special flood hazard areas to install contingency floodproofing measures.

Exhibits:

1. City Council Resolution No.13.004; Ordinance No. 1576
2. Maps Depicting Flood Zones in the City of Laguna Beach (online only)(15 maps total)

ADDITIONAL INFORMATION

Copies of the staff report are available online at www.coastal.ca.gov and at the South Coast District office located at 200 Oceangate, Suite 1000, Long Beach, 90802. To obtain copies of the staff report by mail, or for additional information, contact Meg Vaughn in the Long Beach office at (562) 590-5071.

I. STAFF RECOMMENDATION

Following a public hearing, staff recommends the Commission adopt the following resolution and findings.

Approval of the IP Amendment as Submitted

MOTION: *I move that the Commission reject Implementation Plan Amendment No. 1-13-A for the City of Laguna Beach as submitted.*

STAFF RECOMMENDATION:

Staff recommends a **NO** vote. Failure of this motion will result in certification of the Implementation Plan as submitted and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

RESOLUTION TO CERTIFY THE IMPLEMENTATION PLAN AS SUBMITTED:

The Commission hereby certifies the Implementation Plan Amendment 1-13-A for the City of Laguna Beach as submitted and adopts the findings set forth below on grounds that the Implementation Plan amendment conforms with, and is adequate to carry out, the provisions of the certified Land Use Plan. Certification of the Implementation Plan amendment complies with the

California Environmental Quality Act, because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the Implementation Plan on the environment, or 2) there are no further feasible alternatives and mitigation measures that would substantially lessen any significant adverse impacts on the environment.

II. FINDINGS

The following findings support the Commission's approval as submitted of the proposed LCP Implementation Plan amendment. The Commission hereby finds and declares as follows:

A. Amendment Description

The City of Laguna Beach has requested to amend the Implementation Plan (IP) portion of the certified Local Coastal Program (LCP). The main document comprising the City's certified Implementation Plan is Title 25 *Zoning*, the City's Zoning Code, although the certified IP also includes other documents. The changes proposed to the City's certified IP pursuant to this amendment request affect only Title 25 and are reflected in City Council Resolution No. 13-004, which requests action on Ordinance 1576, Chapter 25.38 *Floodplain Management*. LCPA 1-13 also includes a second request, submitted via City Council Resolution No. 12.072 requesting action on Ordinance No. 1572 regarding maximum building heights. The changes proposed via the separate resolutions are not related to each other. Although submitted together as a single submittal, because the two segments of the proposed LCPA were submitted via separate resolutions and are not interdependent, Commission staff is processing them independently, as LCPA 1-13-A (flood ordinance) and LCPA 1-13-B (maximum building heights). This prevents the processing of one impacting the processing of the other. That is, if issues are identified in one part of the LCPA, that would not prevent final certification of the other part of the LCPA. A separate staff report for LCPA 1-13-B will be prepared. The changes proposed under LCPA 1-13-A are described in greater detail below.

Ordinance No. 1576 – Revisions to Chapter 25.38 Floodplain Management

City Council Resolution No. 13.004 requests Commission action on Ordinance No. 1576. Ordinance No. 1576 proposes to replace the IP's existing Chapter 25.38 *Flood Damage Prevention* with a new Chapter 25.38 *Floodplain Management*. The replacement flood ordinance is intended to follow the State Department of Water Resources model for agency ordinances and would incorporate the new areas of special flood hazard identified by the Federal Emergency Management Agency (FEMA) in the updated Flood Insurance Study (FIS) for the City of Laguna Beach and will reference the most recently updated Flood Insurance Rate Maps (FIRM) and Flood Boundary and Floodway Maps, which are dated December 3, 2009. The updated flood ordinance (Floodplain Management) was originally submitted as part of Laguna Beach Local Coastal Program Amendment No. 1-11. However, the City withdrew the flood ordinance portion of LCPA 1-11 prior to Commission action in order to allow additional time for City and Commission staff to work toward developing mutually agreeable modifications to the proposed Chapter 25.38 *Floodplain*

Management. The primary issue at that time was that the proposed flood ordinance did not address future sea level rise.

Language that has been added to the proposed Chapter 25.38 *Floodplain Management* based on language developed through City and Commission staff discussions includes:

- 1) Addition of a definition for “sea level rise”;
- 2) Recognition of future sea level rise impacts in Section 25.38.011 *Findings of Fact* as one of the bases of the need for these flood regulations;
- 3) Recognition that location (siting) of development can affect flood hazard;
- 4) Requiring that “base flood elevation” (BFE) calculations be modified to reflect future sea level rise;
- 5) Requirement for the following additional information to be submitted with floodplain building permit applications:
 - a. expected life of structure, and,
 - b. base flood elevation information modified to reflect future sea level rise;
- 6) Requirement that the lowest allowable floor elevation must be elevated to or above two feet above base flood elevation *as modified for future sea level rise* in Coastal High Hazard areas (V zones);
- 7) Prohibition on the use of fill to support roads in Coastal High Hazard areas.

The initial impetus for the City’s revisions to the flood ordinance is described in the City Council Agenda Bill, dated 9/1/09, which states:

“On August 21, 2008, on behalf of the Federal Emergency Management Agency (FEMA), staff from the California Department of Water Resources met with City staff to review the City’s participation in the National Flood Insurance Program and conducted a field inspection as part of their biennial review. (Every two years there is a review of the City’s compliance with their requirements.) The State’s follow-up report, which resulted from that meeting, found the City to be in general compliance with the required floodplain enforcement requirements, but did note that the City’s Floodplain Management Ordinance needed to be updated to comply with the latest Federal Standards.”

On June 3, 2009, the City was informed that FEMA had completed a re-evaluation of the flood hazards within the community and had updated the City’s Flood Insurance Study and prepared new Flood Insurance Rate Maps. The Flood Insurance Study and Flood Insurance Rate Maps became effective, for FEMA purposes, on December 3, 2009. FEMA required that the City’s flood ordinance be updated to reference the new Flood Insurance Study and Flood Insurance Rate Maps to remain eligible for federal flood insurance. As a result of the update requirement, a draft ordinance amending the City flood ordinance was prepared and sent to the Department of Water Resources for review. The draft ordinance was found to be in compliance with the latest National Flood Insurance Program and state standards. Proposed changes to the City’s flood ordinance were generated by the process described above.

Laguna Beach LCP Amendment 1-13-A
Part A: Floodplain Management
Page 5

Subsequent to changes to the City's flood ordinance based upon the above described input from FEMA and the Department of Water Resources, Commission staff provided comments on the revised flood ordinance when reviewing the City's previous LCPA 1-11 submittal, as noted above.

Changes reflected in the proposed ordinance based on input from FEMA and the Department of Water Resources (DWR) are similar to the existing flood ordinance language, but updated and somewhat expanded. For example a number of new definitions are proposed to be added. Proposed new definitions include: accessory structure; accessory use; alluvial fan; apex; encroachment; manufactured home park or subdivision (definitions are proposed for existing, expanded, and new); fraud and victimization; governing body; hardship; historic structure; levee; levee system; market value; obstruction; primary frontal dune; program deficiency; public safety and nuisance; recreational vehicle; regulatory floodway; substantial damage; substantial improvement; water surface elevation; and, watercourse. Definitions are found in Section 25.38.020 (See exhibit 1).

Another proposed change would require that businesses within areas of special flood hazard (identified on the Flood Insurance Rate Map or FIRM and as identified by the City's floodplain administrator) install contingency flood proofing measures within ninety days of written notification from the City (extensions of up to ninety days may be granted). A business that already meets the floodproofing requirements may be exempted from this requirement. This requirement is found in Section 25.38.055.

In addition, the proposed LCPA would add a requirement for certification by a registered civil engineer or licensed land surveyor that the required lowest floor elevation for residential development, including manufactured homes, complies with the requirements of the flood ordinance (Section 25.38.050 C.1 and 2 and Section 25.38.053.1). For non-residential development, minimum elevation and/or required floodproofing must be certified by a registered civil engineer or architect.

Also, the proposed flood ordinance will increase the lowest floor elevation requirement. The currently certified flood ordinance requires that all new construction or substantial improvements of residential structures, including manufactured homes, are required to have the lowest floor, including basement, to be elevated to or above the base flood elevation. The proposed ordinance would increase that to be at or above ***two feet above*** the base flood elevation. And in Coastal High Hazard areas (V zones), the lowest floor elevation would be required to be elevated to or above two feet above the base flood elevation as modified for future sea level rise. These changes are found in Section 25.38.050.C and in Section 25.38.053.1.B.1.

Other changes proposed to the flood ordinance include moving the language describing the process for an appeal of the floodplain administrator's decision (Section 25.38.043) out of the section describing the process for requesting a variance from the floodplain regulations (Section 25.38.060). In addition, the standards for allowing a variance are clarified and make clear that a variance is only granted in extenuating circumstances. Proposed new section 25.38.060 Nature of Variances states (in part): *"A variance may be granted for a parcel of property with physical characteristics so unusual that complying with the requirements of this ordinance would create an exceptional hardship to the applicant or the surrounding property owners. The characteristics must be unique*

to the property and not be shared by adjacent parcels. The unique characteristic must pertain to the land itself, not to the structure, its inhabitants or the property owner.” This section goes on to state: *“It is the duty of the Laguna Beach City Council to help protect its citizens from flooding. This is so compelling and the implications of the cost of insuring a structure built below flood level are so serious that variances from the flood elevation or from other requirements in the flood ordinance are quite rare. The long term goal of preventing and reducing flood loss and damage can only be met if variances are strictly limited. ... The criteria are designed to screen out those situations in which alternatives other than a variance are more appropriate.”* In addition, the proposed floodplain chapter would add a section requiring findings that must be made in order for a variance to be granted (proposed Section 25.38.062 B).

In addition, the section on Standards of Construction (proposed section 25.38.050) is proposed to be expanded to better describe construction methods to be employed to reduce flood hazard. For example, new sections are proposed describing flood hazard reduction measures for: flood openings; garages and low cost accessory structures; and crawlspaces. Standards of Construction is found under the heading “Provisions for Flood Hazard Reduction Sections.” Newly proposed under this heading is a section establishing “Standards for Recreational Vehicles” which would require that, within Zones A1-30, AH, AE, V1-30 and VE, if a recreational vehicle is on site more than 180 consecutive days or is not licensed and ready for highway use it must meet the elevation and anchoring requirements for manufactured homes in Section 25.38.042 of the ordinance. In addition, recreational vehicles placed on sites within Zones V1-30, V and VE must meet these same requirements of Section 25.38.054(A) as well as the requirements of Section 25.38.057(Coastal High Hazard Areas), including elevation and anchoring. Standards applicable to Recreational Vehicles are found in Section 25.38.054.

B. Areas Designated on the Flood Insurance Rate Map (FIRM)

The Federal Emergency Management Agency (FEMA) updated the Flood Insurance Study (FIS) for the City of Laguna Beach. The FIS references and incorporates the most recently updated Flood Insurance Rate Maps (FIRM). The FIRM identifies areas of the City that are at greater risk from flooding. These areas are identified on the FIRM as Special Flood Hazard Areas and are those areas in the floodplain subject to a 1% or greater chance of flooding in any given year (Shown on the FIRM as Zone A, AO, A1-A30, AE, A99, AH, V1-V30, VE or V).

In the City of Laguna Beach these Special Flood Hazard Areas (SFHA) are predominantly found along the sandy beach and within the major canyons (Laguna Canyon and Aliso Canyon). Currently very little development along the beach falls within one of the SFHAs because much of the oceanfront development in Laguna Beach is at higher elevations (e.g. on the bluff top). The area identified on the FIRM with the most development in a SFHA is the City’s downtown area. Downtown Laguna is located where Laguna Canyon outlets onto Main Beach. This SFHA extends inland, up the canyon. Development within the downtown area is predominantly small scale commercial development on small lots. Inland, up the canyon is a mix of predominantly commercial and light industrial. The area of the downtown nearest the beach, just inland of Coast Highway, however, falls within the VE zone. Aliso Canyon is predominantly developed with the

Aliso Creek Inn & Golf Course. The downstream end of Aliso Canyon is developed on either side of Coast Highway with a public beach park.

When considering the proposed flood ordinance it is important to recognize that different areas of the coast are subject to different types and degrees of flood threat. For example, some areas of Laguna Beach are subject to an increased level of flood threat compared to other areas of the City. The low lying areas that fall within a narrow path of concentrated flood flows tend to be at greatest risk from flooding. One such example of this is the City's downtown area, which is located at the mouth of Laguna Canyon. Many areas within the City, however, are at higher elevations and not within the path of concentrated flows from inland areas (e.g. within canyons). Much of the City's bluff top areas typically would not be expected to become threatened from flooding either from inland upstream areas due to their location away from concentrated canyon flows or from tidal action due to their elevation. Currently most areas at risk from tidal flooding are the largely undeveloped sandy beach areas. However, in the downtown area development located just inland of Coast Highway, within the first few blocks of Main Beach falls within the Coastal High Hazard (V) zone. As with most of the City's downtown area, this area is developed principally with small scale commercial development. The extent of areas at risk from tidal flooding may increase with future sea level rise.

C. Approval of Implementation Plan Amendment No. 1-13-A as Submitted

The standard of review for amendments to the Implementation Plan of a certified LCP is whether the Implementation Plan, as amended, will be in conformance with and adequate to carry out, the policies of the certified Land Use Plan (LUP).

Consistency with Certified Land Use Plan

The City's certified LUP Land Use Element (LUE) contains the following policies:

Policy 7.3 Design and site new development to protect natural and environmentally sensitive resources, such as areas of unique scenic quality, public views, and visual compatibility with surrounding uses and to minimize natural landform alterations.

Action 7.3.3: Design and site new development to avoid hazardous areas and minimize risks to life and property from coastal and other hazards. (*Ongoing implementation.*)

Action 7.3.4: Require new development to assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs. (*Ongoing implementation.*)

Action 7.3.15: Prepare and periodically update comprehensive studies of

seasonal and long-term shoreline change, episodic and chronic bluff retreat, flooding, and local changes in sea levels, and other coastal hazard conditions. (*Long-term implementation.*)

Policy 10.3 Ensure that all new development, including subdivisions, the creation of new building sites and remodels that involve building additions, is evaluated to ascertain potential negative impacts on natural resources, ESHA and existing adjacent development. Proposed development shall emphasize ESHA impact avoidance over impact mitigation. Any mitigation required due to an unavoidable negative impact should be located on-site rather than off-site, where feasible. Any off-site mitigation should be located within the City's boundaries and in close proximity to the project.

Action 10.3.2 Continue to require in-depth analysis of constraint issues for properties, especially those designated on the City's hazard maps so that the nature of the constraint and the best options for mitigation or avoidance will be considered at all stages of the approval process since these constraints may affect what development is appropriate for the property.

The City's certified LUP Open Space/Conservation Element contains the following policies:

Policy 1-E Prohibit the construction of buildings and other man-made structures on the sandy portion of the beach unless necessary for public health and safety.

Policy 1-F Shoreline protective devices which may adversely affect the sand supply or cause an adverse impact to shoreline processes shall not be approved unless the situation is one in which there is clear evidence that the existing structure(s) are in danger from erosion and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply and unless all feasible alternatives have been explored.

Policy 9-A Promote the preservation and restoration of Laguna's natural drainage channels, freshwater streams, lakes and marshes to protect wildlife habitat and to maintain watershed, groundwater and scenic open space.

Policy 9-B Prohibit filling and substantial alteration of streams and/or diversion or culverting of such streams except as necessary to protect existing structures in the proven interest of public safety, where no other method for protection of existing structures in the flood plain are feasible or where the primary function is to improve fish and wildlife habitat. This provision does not apply to channelized sections of streams without significant habitat value.

Policy 9-C a) Streams on the Major Watershed and Drainage Courses Map and the South Laguna and Laguna Canyon Biological Values Maps which are also "blue-line" streams identified on the USGS 7.5 Minute Quadrangle Series, shall be identified and mapped on the Coastal Environmentally Sensitive Areas Map of the Land Use

Plan. For these streams, a minimum setback of 25 feet from the top of the stream banks shall be required in all new developments. A greater setback may be necessary in order to protect all riparian habitat based on a site-specific assessment. No disturbance of major vegetation, or development, shall be allowed within the setback area. This provision shall not apply to channelized sections of streams without significant habitat value. Where development is proposed on an existing subdivided lot which is otherwise developable consistent with all City ordinances and other policies of this Plan except that application of this setback would result in no available building site on the lot, the setback may be reduced provided it is maintained at a width sufficient to protect all existing riparian habitat on the site and provided all other feasible alternative measures, such as modifications to the size, siting and design of any proposed structures, have been exhausted.

b) Require a setback of a minimum of 25 feet measured from the centerflow line of all natural drainage courses or streams on the Major Watershed and Drainage Courses Map and the South Laguna and Laguna Canyon biological Values Maps other than the “blue-line” streams referenced in 9-C(a) above. Such setback shall be increased upon the recommendation of the City Engineer and environmental planner through the environmental review process. However, a variance may be given in special circumstances where it can be proven that design of a proposed structure on an affected lot will preserve, enhance or restore the significance of the natural watercourse. At no time shall grubbing of vegetation, elimination of trees, or disturbance of habitat be allowed within the setback area before or after construction.

Policy 9-K Promote preservation and enhancement of the natural drainage of Laguna Beach.

Policy 9-T Restore and retain Aliso Creek in a natural state and protect the Creek from infringement of new development.

Policy 10-A Require that plan review procedures recognize and avoid geologically unstable areas, flood-prone lands, and slopes subject to erosion and slippage.

The LUP requires that development be sited to avoid hazards and that it minimize risks to life and property from coastal and other hazards. Flood hazard falls into this category. The LUP further requires that development assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area. The LUP also requires consideration of flooding, and local changes in sea levels as part of development review. Overall, the certified LUP requires that hazards, including flooding, be considered during the project review process and that measures be implemented to lessen and/or avoid adverse impacts from site hazards identified during review to the subject site or to the surrounding area.

The City of Laguna Beach has a history of damage due to flooding. Historically, flooding and mudslides have caused millions of dollars of damage to homes, businesses and public infrastructure. The most recent heavy flooding, in December of 2010, inundated Laguna Canyon and the downtown area. Both the downtown area and Laguna Canyon Road were closed due to the flooding. The proposed flood ordinance update and revisions are intended to increase protection

from flooding in the areas within the City that have been identified as and demonstrated to be flood prone. The proposed changes to the flood ordinance are described in greater detail previously. The new flood protection measures proposed in the revised flood ordinance will increase the level of protection from flooding within areas of the City that have been identified as flood prone areas (e.g. on the FIRM). However, these revised regulations are not meant to create new or added development potential within flood prone areas where such potential does not already exist.

The flood ordinance proposes to incorporate consideration of future sea level rise into project review and implementation of the proposed flood protection measures. Flooding can occur from both upstream accumulation of rainfall and runoff, and from the ocean via tidal flooding. Tidal flooding occurs when extreme high tides occur concurrently with storm surge events. Anticipated future sea level rise will exacerbate tidal flooding. Thus, it is important that flood hazard analysis specifically consider the impacts of sea level rise on proposed development. The flood ordinance proposes consideration of a range of sea level rise scenarios during the initial planning phase in order to assess project vulnerability and, to the extent feasible, reduce expected risks and increase resiliency to sea level rise enhanced flooding.

As proposed, expected sea level rise figures will be based on best available science. As a starting reference point, the ordinance proposes the current best available sea level rise science to be the 2012 National Academy of Science Report, *Sea-Level Rise for the Coasts of California, Oregon and Washington: Past, Present and Future*.¹ For Laguna Beach, the NAS report predicts sea level rise from 5.0 to 23.94 inches from 2000 to 2050 and from 17.4 to 65.55 inches from 2000 to 2100.

Although these sea level rise design heights could change as the issue continues to evolve into the future, the best available science will also evolve in the future. It is important that a minimum design standard be utilized based on the best data currently available in order to adequately plan for, and design around, potential hazards. On a practical level, this will help guide preparation of an appropriate level of analysis and provide more consistent data. Therefore, minimum numeric standards within the flood ordinance are appropriate. The inclusion of these standards will not hinder the City's ability to formally amend these numbers through the LCP Amendment process, as the science evolves and new data becomes available in the future. The proposed flood ordinance requires that the base flood elevation be adjusted for future sea level rise based on these sea level rise standards identified in the ordinance.

A new requirement of the proposed flood ordinance is that existing businesses located in areas of special flood hazard must install the required contingency floodproofing measures within ninety days of notice from the City. These contingency floodproofing measures would also be required with construction of new development. In addition, more specific standards of construction are included in the proposed revisions which also help to clarify the intent of the ordinance as well as assisting in its implementation. In addition, flood protection measures are newly proposed to apply to recreational vehicles (when on site long term and when located in coastal high hazard zones),

¹ Full reference for the NAS Report – National Academy of Sciences. 2012. *Sea-Level Rise for the Coastal of California, Oregon and Washington: Past, Present and Future*. National Academies Press. Washington, DC: <http://dels.nas.edu/Report/Level-Rise-Coasts/13389>

Laguna Beach LCP Amendment 1-13-A
Part A: Floodplain Management
Page 11

providing additional protection in flood prone areas. Other changes proposed to the flood ordinance include defining a number of additional terms allowing for greater understanding of the intent of the ordinance as well as in guiding implementation of the ordinance.

In addition, the proposed flood ordinance includes a required increase in the allowable lowest floor elevation level for new development (substantial improvement). Currently, the lowest level must be elevated to or above the base flood elevation. The proposed ordinance would increase that to be at or above ***two feet above*** the base flood elevation. In Coastal High Hazard areas (V zones), the proposed flood ordinance requires that the lowest allowable level must be elevated to or above two feet above base flood elevation *as modified for future sea level rise*.

V zones are areas susceptible to tidal flooding (that is flooding from the ocean rather than from upstream/inland). Most of the areas within the City that fall within the V zone category are not developed and under current zoning are not likely to be developed in the future. This is because most of the V zones are sandy public beach areas which are land use designated *Public Recreation and Parks* and zoned: at Main Beach Park - *Downtown Specific Plan Central Business District Park*; and elsewhere *Recreation*. These land use and zone designations allow only limited, minor development that can be easily relocated such as walkways and picnic areas, as well as temporary uses. Public buildings and facilities are also allowed, but when located on the oceanfront these uses must also comply with the LUP's Open Space/Conservation Element policies 1E and 1F. OSC policies 1E prohibits man-made structures on the sandy portion of the beach unless necessary for public health and safety. Policy 1F prohibits shoreline protective devices except in narrow instances. Thus, within the City's V zones, the proposed flood ordinance would not create development potential in areas that are not otherwise developable.

However, limited developed areas of the City do fall within a designated V zone. This is true for the area just inland of Main Beach, across Coast Highway, in the City's downtown area. This area is developed with small scale commercial development. This is the area where new development, including substantial improvements as defined in the ordinance, would require elevating the lowest floor level to two feet above the base flood elevation as modified to reflect sea level rise. The additional standards described in the *Provisions for Flood Hazard Reduction Sections* (beginning with Section 25.38.050) of the proposed ordinance would also be required.

Also, when an application for a Floodplain Building Permit (Section 25.38.042.A.9) is submitted, it must include the adjusted base flood elevation necessary to reflect sea level rise regardless of whether it is in a V or other zone. In addition, Section 25.38.041.F requires the floodplain administrator to "make interpretations, where needed, as to the exact location of the boundaries of the areas of special flood hazard, where there appears to be conflict between a mapped boundary and actual field conditions." Moreover, the floodplain administrator must be able to make the determination that "the site is reasonably safe from flooding over the expected life of the development (minimum 75 years)", per Section 25.38.041.A.3. Thus, the proposed ordinance incorporates consideration of sea level rise when determining the base flood elevation.

Section 25.38.042 of the flood ordinance clarifies that in addition to obtaining a Floodplain Development Building Permit, any other required permits must also be obtained. Section

25.38.042 states, in part: “*The floodplain development building permit is additional to any other required permit, including a coastal development permit.*” In addition, Section 25.05.050 of the certified IP requires that “*In addition to any other permits required, any development within the coastal zone that constitutes development as defined in Section 25.07.006(D) that is not exempt pursuant to 25.07.008, requires approval of a coastal development permit pursuant to Section 25.07.*” Thus, an applicant for a floodplain development building permit would be aware that approval of floodplain development building permit would not obviate the need to also obtain any other required approvals. This would assure that such development, in addition to being found consistent with the requirements of the flood ordinance, would also need be consistent with other City requirements including consistency with the certified Local Coastal Program.

The proposed flood ordinance does not, and is not intended to supercede the LUP’s natural resource protection policies. All development subject to the proposed flood ordinance must still comply with the policies of the certified LUP, including the Vegetation and Wildlife Resources policies and Watersheds and Watercourses policies cited above. In developed areas of the floodplain, such as the City’s downtown area, it is likely that most often these policies would not apply because, due to the long-term built-out nature of the area, there are fewer or no natural watercourses or sensitive habitats. Nevertheless, if such were to be discovered, the applicable LUP protection policies would apply. For example, if development were proposed along Aliso Creek in the South Laguna area, consideration would be given to avoidance of flood hazard rather than allowing new development within the floodplain. The currently certified flood ordinance (*Flood Damage Prevention*) has not prevented implementation of the LUP policies including the natural resource protection policies and neither would the proposed flood ordinance (*Floodplain Management*). Rather, the flood ordinance establishes methods to reduce flood hazard in floodplain areas that were developed long ago and there is no feasible alternative.

The changes proposed to the flood ordinance are also described in the Amendment Description section of this staff report. The changes proposed via LCPA 1-13-A will result in greater protection from flooding than is currently afforded in the certified version of the flood ordinance, consistent with the certified LUP’s requirement to avoid and/or lessen impacts due to hazards. Therefore, staff recommends that the Commission approve the proposed Implementation Plan amendment as submitted.

III. CALIFORNIA ENVIRONMENTAL QUALITY ACT

Section 21080.9 of the California Public Resources Code – and the California Environmental Quality Act (CEQA) - exempts local governments from the requirement of preparing environmental impact reports (EIRs), among other things, in connection with their activities and approvals necessary for the preparation and adoption of local coastal programs (LCPs). The Commission’s LCP review and approval program has been found by the Resources Agency to be functionally equivalent to the EIR process. Thus, under Section 21080.5 of CEQA, the Commission is relieved of the responsibility to prepare an EIR for each LCP. Nevertheless, the Commission is required, in approving an LCP submittal, to find that the proposal does conform with the provisions of CEQA, and to base any certification on a specific factual finding supporting the conclusion that the proposal “meets the requirements of [CEQA] Section 21080.5(d)(2)(i) ... ,

Laguna Beach LCP Amendment 1-13-A
Part A: Floodplain Management
Page 13

which requires that an activity will not be approved or adopted as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment.” 14 C.C.R. Sections 13555(b), 13542(a), and 13540(f). The City of Laguna Beach LCP amendment 1-13-A consists of an amendment to the Implementation Plan (IP) only. The City has found the proposed amendment to be categorically exempt under CEQA.

As outlined in this staff report, the proposed Implementation Plan amendment as submitted is not expected to result in significant adverse impacts on the environment. For the reasons described above and throughout this staff report, the IP amendment is in conformity with and adequate to carry out the policies of the certified LUP, including the land use and public access policies. Therefore, the Commission finds that approval of the Implementation Plan amendment as submitted will not result in significant adverse environmental impacts under the meaning of CEQA. Therefore, the Commission certifies City of Laguna Beach LCP amendment request 1-13-A as submitted.

MAR 21 2013

RESOLUTION NO. 13.004

CALIFORNIA
CITY OF LAGUNA BEACH
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA BEACH, CALIFORNIA, ADOPTING LOCAL COASTAL PROGRAM AMENDMENT 12-1596 AND REQUESTING ITS CERTIFICATION BY THE CALIFORNIA COASTAL COMMISSION

WHEREAS, after notice duly given pursuant to Government Code Section 65090 and Public Resources Code Sections 30503 and 30510, the Planning Commission of the City of Laguna Beach held at least one public hearing to consider the adoption of Laguna Beach Local Coastal Program Amendment 12-1596; and

WHEREAS, the City Council, after giving notice as prescribed by law, held at least one public meeting regarding the proposed Laguna Beach Local Coastal Program Amendment 12-1596, and the City Council finds that the proposed amendment is consistent with the Certified Laguna Beach Coastal Land Use Plan and Chapter 6 of the California Coastal Act; and

WHEREAS, the City Council of the City of Laguna Beach intends to implement the Local Coastal Program in a manner fully consistent and in conformance with the California Coastal Act;

NOW, THEREFORE, the City Council of the City of Laguna Beach does hereby resolve as follows:

SECTION 1. That the Laguna Beach Local Coastal Program Amendment 12-1596 is hereby approved, consisting of Ordinance No. 1576 pertaining to amendments to Title 25 - Zoning. Copies of the aforesaid Ordinance are attached hereto as Exhibit A, and are incorporated by this reference as though fully set forth herein.

LGB-MAJ-1-13-A

Exhibit 1
page 1 of 34

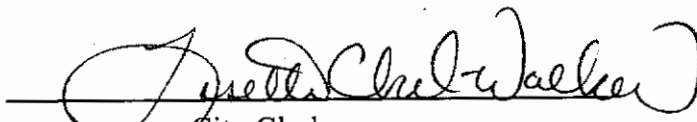
1 **SECTION 2.** That the California Coastal Commission is hereby requested to
2 consider, approve and certify Laguna Beach Local Coastal Program Amendment No. 12-
3 1596.

4 **SECTION 3.** That pursuant to Section 13551(b) of the Coastal Commission
5 Regulations, Laguna Beach Local Coastal Program Amendment No. 12-1596 will
6 automatically take effect immediately upon California Coastal Commission approval, as
7 provided in Public Resources Code Sections 30512, 30513 and 30519.
8

9
10 ADOPTED this 12th day of February, 2013.

11
12 
13 Kelly Boyd, Mayor

14 ATTEST:

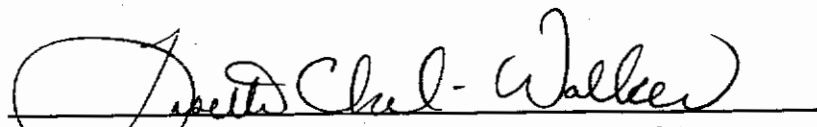
15 
16 City Clerk

17
18 I, LISETTE CHEL-WALKER, City Clerk of the City of Laguna Beach, California,
19 do hereby certify that the foregoing Resolution No. 13.004 was duly adopted at a Regular
20 Meeting of the City Council of said City held on February 12, 2013, by the following vote:

21 AYES: COUNCILMEMBER(S): Whalen, Iseman, Dictierow, Pearson, Boyd

22 NOES: COUNCILMEMBER(S): None

23 ABSENT: COUNCILMEMBER(S): None

24 
25 City Clerk of the City of Laguna Beach, CA
26
27
28

E 11111 11
=

ORDINANCE NO. 1576

**AN ORDINANCE OF THE CITY OF LAGUNA BEACH AMENDING
CHAPTER 25.38 ("FLOOD DAMAGE PREVENTION") OF THE
LAGUNA BEACH MUNICIPAL CODE.**

WHEREAS, on September 12, October 10 and December 12, 2012, the Planning Commission conducted legally noticed public hearings and, and after reviewing and considering all documents, testimony and other evidence presented, voted to recommend that the City Council approve amendments to the Floodplain Management Ordinance; and

WHEREAS, on January 29 and February 12, 2013, the City Council conducted legally noticed public hearings and has reviewed and considered all documents, testimony and other evidence presented;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAGUNA BEACH DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Chapter 25.38 of the Municipal Code ("Flood Damage Prevention") is hereby replaced in its entirety with the following:

**Chapter 25.38
FLOODPLAIN MANAGEMENT**

Sections:

Statutory Authorization, Findings of Fact, Purpose and Methods Sections

- 25.38.010 Statutory Authorization**
- 25.38.011 Findings of Fact**
- 25.38.012 Statement of Purpose**
- 25.38.013 Methods of Reducing Flood Losses**

Definitions Section

- 25.38.020 Definitions**

General Provisions Sections

- 25.38.030 Lands to Which this Ordinance Applies**
- 25.38.031 Basis for Establishing the Area of Special Flood Hazard**
- 25.38.032 Compliance**
- 25.38.033 Abrogation and Greater Restrictions**
- 25.38.034 Interpretation**
- 25.38.035 Warning and Disclaimer of Liability**
- 25.38.036 Severability**

Ex. 1
p. 3

Administrative Sections

- 25.38.040 Designation of the Floodplain Administrator
- 25.38.041 Duties and Responsibilities of the Floodplain Administrator
- 25.38.042 Floodplain Development Building Permit
- 25.38.043 Appeals

Provisions for Flood Hazard Reduction Sections

- 25.38.050 Standards of Construction
- 25.38.051 Standards for Utilities
- 25.38.052 Standards for Subdivisions and Other Proposed Development
- 25.38.053 Standards for Manufactured Homes
- 25.38.054 Standards for Recreational Vehicles
- 25.38.055 Contingency Floodproofing Measures
- 25.38.056 Floodways
- 25.38.057 Coastal High Hazard Areas

Variance Procedure Sections

- 25.38.060 Nature of Variances
- 25.38.061 Conditions for Variances
- 25.38.062 Appeal Board

Statutory Authorization, Findings of Fact and Purpose and Methods Sections

25.38.010 Statutory Authorization.

The Legislature of the State of California has in Government Code Sections 65302, 65560, and 65800 conferred upon local governments the authority to adopt regulations designed to promote the public health, safety and general welfare of its citizenry. Therefore, the City Council of the City of Laguna Beach does hereby adopt the following floodplain management regulations.

25.38.011 Findings of Fact.

- A. The flood hazard areas of the City of Laguna Beach are subject to periodic inundation which results 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 flood losses are caused by uses that are inadequately elevated, floodproofed, inappropriately located or protected from flood damage. The cumulative effect of obstructions in areas of special flood hazards that increase flood heights and velocities also contributes to flood losses.
- C. Sea level rise will exacerbate flooding in areas subject to tidal influence and extend the inundation zone into areas that do not currently flood.

25.38.012 Statement of Purpose.

It is the purpose of this ordinance 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:

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

25.38.013 Methods of Reducing Flood Losses.

In order to accomplish its purposes, this ordinance includes regulations to:

- A. Restrict or prohibit uses that are dangerous to health, safety and property due to water or erosion hazards, or that result in damaging increases in erosion or flood heights or velocities;
- B. Require that uses vulnerable to floods, including facilities that serve such uses, be protected against flood damage at the time of initial construction;
- C. Control the alteration of natural floodplains, stream channels and natural protective barriers, which help accommodate or channel floodwaters;
- D. Control filling, grading, dredging and other development that may increase flood damage; and
- E. Prevent or regulate the construction of flood barriers that will unnaturally divert floodwaters or that may increase flood hazards in other areas.

Definitions Section

25.38.020 Definitions.

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

"A zone" - see "Special flood hazard area."

"Accessory structure" means a structure that is either:

1. Solely for the parking of no more than two cars; or
2. A small, low-cost shed for limited storage, less than 150 square feet and \$1,500 in value.

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

"Alluvial fan" means 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 floors, and that is subject to flash flooding, high velocity flows, debris flows, erosion, sediment movement and deposition and channel migration.

"Apex" means a point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.

"Appeal" means a request for a review of the Floodplain Administrator's interpretation of any provision of this ordinance.

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

"Area of special flood hazard" - See "Special flood hazard area."

"Base flood" means a flood that has a one percent chance of being equaled or exceeded in any given year (also called the "100-year flood"). Base flood is the term used throughout this ordinance.

"Base flood elevation" (BFE) means 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 1% or greater chance of being equaled or exceeded in any given year.

"Basement" means any area of the building having its floor subgrade - i.e., below ground level - on all sides.

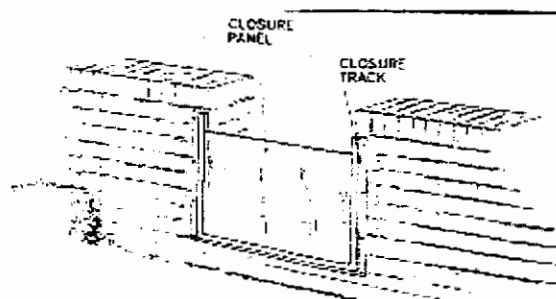
"Breakaway walls" are any type of walls, whether solid or lattice, and whether constructed of concrete, masonry, wood, metal, plastic or any other suitable building material that is not part of the structural support of the building and that is designed to break away under abnormally high tides or wave action without causing any damage to the structural integrity of the building on which they are used or any buildings to which they might be carried by flood waters. A breakaway wall shall have a safe design loading resistance of not less than 10 and no more than 20 pounds per square foot. Use of breakaway walls must be certified by a registered engineer or architect and shall meet the following conditions:

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

"Building" - see **"Structure."**

"Coastal high hazard area" means an area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. It is an area subject to high velocity waters, including coastal and tidal inundation or tsunamis. The area is designated on a Flood Insurance Rate Map (FIRM) as Zone V1-V30, VE or V.

"Contingency floodproofing measures" means devices intended to seal structural openings, such as doors and windows, from floodwaters. These measures include, but are not limited to, flood shields, watertight doors, moveable floodwalls, partitions, water-resistive sealant devices and other similar techniques. These devices may be permanently installed or stored on-site for use in the event of a flood. Temporary emergency measures such as sandbags, plastic sheeting and similar devices are not classified as contingency measures. An example of a flood shield used as a contingency floodproofing measure is:



"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, paving, excavation or drilling operations or storage of equipment or materials.

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

"Existing manufactured home park or subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) was completed before June 21, 1988.

"Expansion to an existing manufactured home park or subdivision" means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets and either final site grading or the pouring of concrete pads).

"Flood, flooding, or flood water" means:

1. A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters; the unusual and rapid accumulation or runoff of surface waters from any source; and/or mudslides (i.e., mudflows); and
2. The condition resulting from flood-related erosion.

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

"Flood Insurance Study" means the official report provided by the Federal Insurance Administration that includes flood profiles, the Flood Insurance Rate Map, the Flood Boundary and Floodway Map and the water surface elevation of the base flood.

"Floodplain or flood-prone area" means any land area susceptible to being inundated by water from any source - see **"Flooding."**

"Floodplain Administrator" is the community official designated to administer and enforce the floodplain management regulations.

"Floodplain management" means the operation of an overall program of corrective and preventive measures for reducing flood damage and preserving and enhancing, where possible, natural resources in the floodplain, including but not limited to emergency preparedness plans, flood control works, floodplain management regulations and open space plans.

"Floodplain management regulations" means this ordinance 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 that control development in flood-prone areas. This term describes federal, state or local regulations in any combination thereof that provide standards for preventing and reducing flood loss and damage.

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

"Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot. Also referred to as "Regulatory Floodway."

"Floodway fringe" is that area of the floodplain on either side of the "Regulatory Floodway" where encroachment may be permitted.

"Fraud and victimization" as related to Sections 25.38.060 through 25.38.062 of this ordinance, means that the variance granted must not cause fraud on or victimization of the public. In examining this requirement, the Laguna Beach City Council will consider the fact that every newly constructed building adds to government responsibilities and remains a part of the community for 50 to 100 years. Buildings that are permitted to be constructed below the base flood elevation are subject during all those years to increased risk of damage from floods, while future owners of the property and the community as a whole are subject to all the costs, inconvenience, danger and suffering that those increased flood damages bring. In addition, future owners may purchase the property, unaware that it is subject to potential flood damage, and can be insured only at very high flood insurance rates.

"Functionally dependent use" means a use that 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.

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

"Hardship" as related to Sections 25.38.060 through 25.38.062 of this ordinance means the exceptional hardship that would result from a failure to grant the requested variance. The Laguna Beach 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" means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

"Historic structure" means any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
3. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or
4. Individually listed on the Laguna Beach Historic Resources Inventory or the Laguna Beach Historic Register.

"Levee" means a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control or divert the flow of water so as to provide protection from temporary flooding.

"Levee system" means a flood protection system that 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" means the lowest floor of the lowest enclosed area, including basement (see "Basement" definition). An unfinished or flood resistant enclosure below the lowest floor that is usable solely for parking of vehicles, building access or storage in an area other than a basement area, is not considered a building's lowest floor provided it conforms to applicable non-elevation design requirements, including, but not limited to:

- a. The flood openings standard in Section 25.38.050(C)(3);
- b. The anchoring standards in Section 25.38.050(A);
- c. The construction materials and methods standards in Section 25.38.050(B); and
- d. The standards for utilities in Section 25.38.051.

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

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

"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 that has accrued since the structure was constructed.

1. 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.
2. 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.

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.

"Mean sea level" means, for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929, North American Vertical Datum (NAVD) of 1988, or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

"New construction," for floodplain management purposes, means structures for which the "start of construction" commenced on or after June 21, 1988, and includes any subsequent improvements to such structures.

"New manufactured home park or subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after June 21, 1988.

"Obstruction" includes, but is not limited to, any dam, wall, wharf, 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 that may 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" - see **"Base flood."**

"Primary frontal dune" means a continuous or nearly continuous mound or ridge of sand with relatively steep seaward and landward slopes immediately landward and adjacent to the beach and subject to erosion and overtopping from high tides and waves during major coastal storms. The inland limit of the primary frontal dune occurs at the point where there is a distinct change from a relatively mild slope.

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

"Public safety and nuisance" as related to Sections 25.38.060 through 25.38.062 of this ordinance, means that the granting of a variance must not result in anything that is injurious to safety or health of an entire community or neighborhood, or any considerable number of persons, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, or river, bay, stream, canal or basin.

"Recreational vehicle" means a vehicle that is:

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

"Regulatory floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

"Remedy a violation" means 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 the ordinance or otherwise deterring future similar violations, or reducing State or Federal financial exposure with regard to the structure or other development.

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

"Sand dunes" mean naturally occurring accumulations of sand in ridges or mounds landward of the beach.

"Sea level rise" means a change in the mean level of the ocean. Accepted sea level rise scenarios shall be based on best available science. As a starting reference point, the current best available science is the 2012 National Academy of Science Report, Sea-Level Rise for the Coasts of California, Oregon and Washington: Past, Present and Future. This report provides regional projections of sea level rise that includes a vertical land motion component, including the Laguna Beach area, from 5.0 inches up to 23.94 inches from 2000 to 2050 and from 17.4 inches up to 65.55 inches (5.46 feet) from 2000 to 2100.

Full reference for the NAS Report – National Academy of Sciences. 2012. Sea-Level Rise for the Coasts of California, Oregon and Washington: Past, Present and Future. National Academies Press, Washington, DC: <http://dels.nas.edu/Report/Level-Rise-Coasts/13389>

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

"Special flood hazard area (SFHA)" means an area in the floodplain subject to a 1% or greater chance of flooding in any given year. It is shown on a FIRM as Zone A, AO, A1-A30, AE, A99, AH, V1-V30, VE or V.

"Start of construction" includes substantial improvement and other proposed new development and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement or other improvement was within 180 days from the date of the permit. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

"Structure" means a walled and roofed building that is principally above ground; this includes a gas or liquid storage tank or a manufactured home.

"Substantial Damage" means:

1. Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50% of the market value of the structure before the damage occurred; or
2. Flood-related damages sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such event, on the average, equals or exceeds 25% of the market value of the structure before the damage occurred. This is also known as "repetitive loss."

"Substantial improvement" means any reconstruction, rehabilitation, addition or other improvement of a structure, the cost of which equals or exceeds 50% of the market value of the structure before the "start of construction" of the improvement. This term includes structures that have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include either:

1. Any project for improvement of a structure to correct existing violations or state or local health, sanitary or safety code specifications that have been identified by the local code enforcement official and that are the minimum necessary to assure safe living conditions; or
2. Any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure."

"V zone" - see **"Coastal high hazard area."**

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

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

"Water surface elevation" means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, North American Vertical Datum (NAVD) of 1988, or other datum, of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

"Watercourse" means 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.

General Provisions Sections

25.38.030 Lands to which this Ordinance Applies.

This ordinance shall apply to all areas of special flood hazards within the jurisdiction of the City of Laguna Beach.

25.38.031 Basis for Establishing the Areas of Special Flood Hazard.

The areas of special flood hazard identified by the Federal Emergency Management Agency (FEMA) in the "Flood Insurance Study (FIS) for the City of Laguna Beach, California" dated December 3, 2009, with accompanying Flood Insurance Rate Maps (FIRMs) and Flood Boundary and Floodway Maps (FBFMs), dated December 3, 2009, and all subsequent amendments and/or revisions, are hereby adopted by reference and declared to be a part of this ordinance. This FIS and attendant mapping is the minimum area of applicability of this ordinance and may be supplemented by studies for other areas that allow implementation of this ordinance and that are recommended to the Laguna Beach City Council by the Floodplain Administrator. The study, FIRMs and FBFMs are on file at the Laguna Beach Community Development Department, 505 Forest Avenue, Laguna Beach, California.

25.38.032 Compliance.

No structure or land shall hereafter be constructed, located, extended, converted or altered without full compliance with the terms of this ordinance and other applicable regulations. Violation of the requirements (including violations of conditions and safeguards) shall constitute a misdemeanor. Nothing herein shall prevent the Laguna Beach City Council from taking such lawful action as is necessary to prevent or remedy any violation.

25.38.033 Abrogation and Greater Restrictions.

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

25.38.034 Interpretation.

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

- A. Considered as minimum requirements;
- B. Liberally construed in favor of the governing body; and
- C. Deemed neither to limit nor repeal any other powers granted under state statutes.

25.38.035 Warning and Disclaimer of Liability.

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of Laguna Beach City Council, any officer or employee thereof, the State of California or the Federal Emergency Management Agency, for any flood damages that result from reliance on this ordinance or any

administrative decision lawfully made hereunder.

25.38.36 Severability.

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

Administration Sections

25.38.040 Designation of the Floodplain Administrator.

The City of Laguna Beach Community Development Department Director and his or her designated persons are hereby appointed to administer, implement and enforce this ordinance by granting or denying floodplain development building permits in accord with its provisions.

25.38.041 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 floodplain development building permits to determine:

1. Permit requirements of this ordinance have been satisfied, including determination of substantial improvement and substantial damage of existing structures;
2. All other required state and federal permits have been obtained;
3. The site is reasonably safe from flooding over the expected life of the development (minimum of 75 years);
4. The proposed development does not adversely affect the carrying capacity of areas where base flood elevations 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 anticipated development will not increase the water surface elevation of the base flood more than 1 foot at any point within the City of Laguna Beach; 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.

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

C. Review, Use and Development of Other Base Flood Data.

1. When base flood elevation data have not been provided in accordance with Section 25.38.030 or the future flood elevation data have not been modified to reflect best available science related to sea level rise, the Floodplain Administrator shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a federal or state agency, or other source, in order to administer Sections 25.38.050 through 25.38.057.
2. When the base flood elevation data have not been modified to reflect future sea level rise, the Floodplain Administrator shall develop a sea level rise adjusted base flood elevation, as defined in Section 25.38.020 of this ordinance, in order to administer Section 25.38.041(A)(3).

NOTE: A base flood elevation 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.

1. Alteration or relocation of a watercourse:
 - a. Notify adjacent communities and the California Department of Water Resources prior to alteration or relocation;
 - b. Submit evidence of such notification to the Federal Emergency Management Agency; and
 - c. Assure that the flood carrying capacity within the altered or relocated portion of said watercourse is maintained.
2. Base Flood Elevation changes due to physical alterations:
 - a. Within six months of information becoming available or project completion, whichever comes first, the floodplain administrator shall submit or ensure that the permit applicant submits technical or scientific data to FEMA for a Letter of Map Revision (LOMR).
 - b. 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 Sections 25.38.050C)(1) and 25.38.053 (lowest floor elevations);
2. Certification required by Section 25.38.050(C)(2) (elevation or floodproofing of nonresidential structures);
3. Certification required by Section 25.38.050(C)(3) (wet floodproofing standard);
4. Certification of elevation required by Section 25.38.052(A)(3) (subdivisions and other proposed development standards);
5. Certification required by Section 25.38.056(B) (floodway encroachments);
6. Information required by Section 25.38.057(F) (coastal construction standards); and
7. 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 25.38.043.

F. Remedial Action.

Take action to remedy violations of this ordinance as specified in Section 25.38.032.

G. Biennial Report.

Complete and submit Biennial Report to FEMA.

H. Planning.

Assure community's General Plan is consistent with floodplain management objectives herein.

I. Non-conversion of Enclosed Areas Below the Lowest Floor.

To ensure that the areas below the Base Flood Elevation 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 floodplain management ordinance 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 feet or higher;
2. Enter into a "NON-CONVERSION AGREEMENT FOR CONSTRUCTION WITHIN FLOOD HAZARD AREAS" or equivalent with the City of Laguna Beach. The agreement shall be recorded with the Orange County Recorder as a deed restriction. The non-conversion agreement shall be in a form acceptable to the Floodplain Administrator and City Attorney; and
3. 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.

25.38.042 Floodplain Development Building Permit.

A floodplain development building permit shall be obtained before any construction or other development, including manufactured homes, within any area of special flood hazard established in Section 25.38.031. Application for a floodplain development building permit shall be made on forms furnished by the City of Laguna Beach. The floodplain development building permit is additional to any other required permit, including a coastal development permit. The applicant shall provide the following minimum information:

A. Plans in duplicate, drawn to scale, showing:

1. Location, dimensions, and elevation of the area in question, existing or proposed structures, storage of materials and equipment and their location;
2. Proposed locations of water supply, sanitary sewer, and other utilities;
3. Grading information showing existing and proposed contours, any proposed fill, and drainage facilities;

4. Location of the regulatory floodway when applicable;
 5. Base flood elevation information as specified in Section 25.38.031 or Section 25.38.041(C);
 6. Proposed elevation in relation to mean sea level, of the lowest floor (including basement) of all structures;
 7. Proposed elevation in relation to mean sea level to which any nonresidential structure will be floodproofed, as required in Section 25.38.050(C)(2) of this ordinance and detailed in FEMA Technical Bulletin TB 3-93;
 8. Expected life of development (minimum of 75 years); and
 9. The adjusted base flood elevation necessary to reflect sea level rise as specified in Section 25.38.041(C)(2).
- B. Certification from a registered civil engineer or architect that the nonresidential floodproofed building meets the floodproofing criteria in Section 25.38.050(C)(2).
- C. For a crawl-space foundation, location and total net area of foundation openings as required in Section 25.38.050(C)(3) of this ordinance and detailed in FEMA Technical Bulletins 1-93 and 7-93.
- D. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.
- E. All appropriate certifications listed in Section 25.38.041(E) of this ordinance.

25.38.043 Appeals.

The Laguna Beach Planning 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 ordinance.

Provisions for Flood Hazard Reduction Sections

25.38.050 Standards of Construction.

In all areas of special flood hazards the following standards are required:

A. Anchoring.

All new construction and substantial improvements of structures, including manufactured homes, 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.

B. Construction Materials and Methods.

All new construction and substantial improvements of structures, including manufactured homes, shall be constructed:

1. With flood resistant materials, and utility equipment resistant to flood damage for areas below the base flood elevation;
2. Using methods and practices that minimize flood damage;
3. 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; and
4. Within Zones AH or AO, so that there are adequate drainage paths around structures on slopes to guide flood waters around and away from proposed structures.

C. Elevation and Floodproofing.

1. Residential construction.

All new construction or substantial improvements of residential structures shall have the lowest floor, including basement:

- a. In AE, AH, A1-30 Zones, elevated to or above the base flood elevation.
- b. In an AO zone, elevated above the highest adjacent grade to a height to or exceeding the depth number specified in feet on the FIRM, or elevated at least two feet above the highest adjacent grade if no depth number is specified.
- c. In an A zone, without BFEs specified on the FIRM [unnumbered A zone], elevated to or above the base flood elevation; as determined under Section 25.38.041(C).
- d. In V Zones, elevated to or above the base flood elevation adjusted to reflect sea level rise as specified in Section 25.38.041(C)(2) for the expected life of the development (minimum of 75 years).

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

2. **Nonresidential construction.**

All new construction or substantial improvements of nonresidential structures shall either be elevated to conform with Section 25.38.050(C)(1) or:

- a. Be floodproofed, together with attendant utility and sanitary facilities, below the elevation recommended under Section 25.38.050(C)(1), so that the structure is watertight with walls substantially impermeable to the passage of water;
- b. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and
- c. Be certified by a registered civil engineer or architect that the standards of Sections 25.38.050(C)(2)(a) & (b) are satisfied. Such certification shall be provided to the Floodplain Administrator.

3. **Flood openings.**

All new construction and substantial improvements of structures with fully enclosed areas below the lowest floor (excluding basements) that are usable solely for parking of vehicles, building access or storage, 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 floodwater. Designs for meeting this requirement must meet the following minimum criteria:

- a. For non-engineered openings:
 1. 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;
 2. The bottom of all openings shall be no higher than one foot above grade;
 3. 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
 4. Buildings with more than one enclosed area must have openings on exterior walls for each area to allow flood water to directly enter; or
- b. Be certified by a registered civil engineer or architect.

4. **Manufactured homes.**

- a. See Section 25.38.053.

5. **Garages and low cost accessory structures.**

- a. Attached garages.

1. 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 25.38.050(C)(3). Areas of the garage below the BFE must be constructed with flood resistant materials. See Section 25.38.050(B).
2. A garage attached to a nonresidential structure must meet the above requirements or be dry floodproofed. For guidance on below grade parking areas, see FEMA Technical Bulletin TB-6.

- b. Detached garages and accessory structures.

1. "Accessory structures" used solely for parking (2-car detached garages or smaller) or limited storage (small, low-cost sheds), as defined in Section 25.38.020, may be constructed such that its floor is below the base flood elevation (BFE), provided the structure is designed and constructed in accordance with the following requirements:
 - a) Use of the accessory structure must be limited to parking or limited storage;
 - b) The portions of the accessory structure located below the BFE must be built using flood-resistant materials;
 - c) The accessory structure must be adequately anchored to prevent flotation, collapse and lateral movement;
 - d) Any mechanical and utility equipment in the accessory structure must be elevated or floodproofed to or above the BFE;
 - e) The accessory structure must comply with floodplain encroachment provisions in Section 25.38.056; and
 - f) The accessory structure must be designed to allow for the automatic entry of flood waters in accordance with Section 25.38.050(C)(3).

Ex. 1

2. Detached garages and accessory structures not meeting the above standards must be constructed in accordance with all applicable standards in Section 25.38.050.

6. **Crawlspace Construction.**

This subsection applies to buildings with crawl spaces up to two feet below grade. Below-grade crawl space construction in accordance with the requirements listed below will not be considered basements.

- a. 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 feet per second unless the design is reviewed by a qualified design professional, such as a registered architect or professional engineer;
- b. The crawl space is an enclosed area below the Base Flood Elevation (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;
- c. Crawl space construction is not permitted in V zones. Open pile or column foundations that withstand storm surge and wave forces are required in V zones;
- d. 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
- e. Any building utility systems within the crawl space must be elevated above BFE or designed so that floodwaters cannot enter or accumulate within the system components during flood conditions.
- f. Requirements for all below-grade crawl space construction, in addition to the above requirements, to include the following:
 1. The interior grade of a crawl space below the BFE must not be more than two feet below the lowest adjacent exterior grade (LAG), shown as D in Figure 3 of Technical Bulletin 11-01;
 2. 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 feet (shown as L in Figure 3 of Technical Bulletin 11-01) at any point;

3. 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
4. The velocity of floodwaters at the site should not exceed five feet per second for any crawl space. For velocities in excess of five feet per second, other foundation types should be used.

25.38.051 Standards for Utilities.

- A. All new and replacement water supply and sanitary sewage systems shall be designed to minimize or eliminate:
 1. Infiltration of flood waters into the systems; and
 2. Discharge from the systems into flood waters.
- B. On-site waste disposal systems shall be located to avoid impairment to them, or contamination from them during flooding.

25.38.053 Standards for Subdivisions and Other Proposed Development.

- A. All new subdivisions proposals and other proposed development located within or affecting a Special Flood Hazard Area (SFHA) or Base Flood area shall:
 1. Identify the Special Flood Hazard Areas (SFHA) and Base Flood Elevations (BFE). In V Zones, identify the BFE adjusted to reflect sea level rise as specified in Section 25.38.041(C)(2) for the expected life of the development (minimum of 75 years).
 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 base flood elevation, 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:
 - a. Lowest floor elevation.
 - b. Pad elevation.
 - c. Lowest adjacent grade.
- B. All subdivision proposals and other proposed development shall be consistent with the need to minimize flood damage.

- C. All subdivision proposals and other proposed development shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage.
- D. All subdivisions and other proposed development shall provide adequate drainage to reduce exposure to flood hazards.

25.38.053.1 Standards for Manufactured Homes.

- A. All manufactured homes that are placed or substantially improved, on sites located: (1) outside of a manufactured home park or subdivision,; (2) in a new manufactured home park or subdivision, (3) in an expansion to an existing manufactured home park or subdivision or (4) in an existing manufactured home park or subdivision upon which a manufactured home has incurred "substantial damage" as the result of a flood, shall:
 - 1. Within Zones A1-30, 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 to or above the base flood elevation and be securely fastened to an adequately anchored foundation system to resist flotation, collapse and lateral movement.
 - 2. Within Zones V1-30, V, and VE on the community's Flood Insurance Rate Map, meet the requirements of Section 25.38.057.
- B. All manufactured homes to be placed or substantially improved on sites in an existing manufactured home park or subdivision within Zones A1-30, AH, AE, V1-30, V, and VE on the community's Flood Insurance Rate Map that are not subject to the provisions of Section 25.38.053(A) 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 or above the base flood elevation. In V Zones, the lowest floor of the manufactured homes is at or above the base flood elevation adjusted to reflect sea level rise as specified in Section 25.38.041(C)(2) for the expected life of the development (minimum of 75 years); or
 - 2. Manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade.

Upon the completion of the manufactured home structure, the elevation of the lowest floor including basement shall be certified by a registered civil engineer or licensed land surveyor, and inspected by the building inspector to be properly elevated. Such certification and inspection record shall be provided to the Floodplain Administrator.

25.38.054 Standards for Recreational Vehicles.

- A. All recreational vehicles placed in Zones A1-30, AH, AE, V1-30 and VE will either:
1. Be on the site for fewer than 180 consecutive days; or
 2. 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
 3. Meet the permit requirements of Section 25.38.042 of this ordinance and the elevation and anchoring requirements for manufactured homes in Section 25.38.053.
- B. Recreational vehicles placed on sites within Zones V1-30, V, and VE on the community's Flood Insurance Rate Map will meet the requirements of Section 25.38.054(A) and Section 25.38.057.

25.38.055 Contingency Floodproofing Measures

A. Requirement for Contingency floodproofing measures

1. Businesses located in areas of special flood hazard areas shall install contingency floodproofing measures as defined under Municipal Code Section 25.38.020 and as determined by the floodplain administrator. "Special flood hazard area (SFHA)" means an area in the floodplain subject to a one percent or greater chance of flooding in any given year. It is shown on an FHBM or FIRM as zone A, AO, A1 A30, AE, A99, AH, V1 V30, VE or V. The following floodproofing mitigation measures shall be installed at flood vulnerable building locations within ninety days of written notification from the City (only windows, doors and openings subject to floodwaters are required to be retrofitted with contingency floodproofing measures):
 - a) Doors. Hinged and/or removable panels and similar barriers that can withstand the hydrostatic and hydrodynamic pressures of floodwaters;
 - b) Windows. Hinged and/or removable panels or any other fenestration, glazing, or protective techniques capable of withstanding floodwaters; and
 - c) Other Openings. Application of plates, sealants, mortar, gaskets and similar materials around and in utility openings and other similar wall penetrations.
2. The floodplain administrator shall provide, and from time to time may revise and update, suitable design guidelines and details showing the methods, materials and implementation of the devices required by this section. The floodplain administrator shall review and approve the plans for the proposed contingency floodproofing measures.

3. If not permanently installed, flood contingency devices shall be installed immediately after forecasts of heavy precipitation and/or after the City has declared the possibility for potential flooding conditions. The flood contingency devices shall remain installed until the threat of flooding has ceased. The flood contingency devices shall be designed to prevent flooding up to six (6) inches above the latest Flood Insurance Rate Map (FIRM) - base flood elevation (BFE) or in V zones, the base flood elevation shall be adjusted to reflect sea level rise as specified in Section 25.38.041(C)(2) for the expected life of the development (minimum of 75 years).
4. Flood contingency devices shall be stored on site within every business that is located within a special flood hazard area. Removable flood contingency devices shall be stenciled with at least two-inch high red letters indicating the following information:
 - a) "Flood Prevention Gate (do not throw away)"
 - b) The location of the opening that the device protects; and
 - c) The property address for which the contingency devices serves.

B. Contingency Floodproofing Measures Plan

1. A flood mitigation plan shall be kept on-site within the business and on record at the City for every business that is located within a special flood hazard area. The plan shall include the location of where the flood contingency devices are stored and directions on how to install them. All persons employed to work in a business located within areas of special flood hazards shall be trained on how to install these devices and be provided a copy of the flood contingency measures plan. The plan shall require that each year on the last Monday in October, the business ownership and employees practice installation of the flood mitigation contingency devices.
2. When a change of use occurs for any business located within a special flood hazard area, a contingency floodproofing measures plan shall be provided by the owner of the property to the new business/lease holder. If the new use requires a Conditional Use Permit or an amendment to an existing Conditional Use Permit, the flood mitigation contingency plan shall also be included with the application as an attachment.

C. Administrative Relief and Exemptions

1. A business shall be exempt from the requirements of 25.38.055 (installing floodproofing mitigation measures) if the business is in compliance with the applicable provisions of 25.38.050 (Standards of Construction) as determined by the City's Floodplain Administrator.
2. Any flood vulnerable building location that is already equipped with contingency floodproofing mitigation measures, as indicated under Municipal Code Section 25.38.055(A)1(a-c), shall be exempt from the requirements of 25.38.055. It shall be the responsibility of the business

and/or property owner to show contingency floodproofing building compliance and is subject to approval and inspection by the City's Floodplain Administrator.

3. Any property or business owner may seek an extension of the applicable ninety (90) day installation period by filing a written application prior to the expiration of the installation period, in the form specified by the Community Development Department and subject to payment of a filing fee; provided, however, that the period shall not be extended for more than six months.
4. The determination of the Director of Community Development shall be made in writing within thirty days of receipt of a complete application. In making a determination as to whether the 90-day period should be extended, the following matters, among other relevant information, should be considered:
 - a) The business/property location in regard to the flood hazard area;
 - b) The estimated expenditure to install the required flood contingency devices (itemized construction cost estimates from a licensed contractor shall be submitted);
 - c) The previous extent of flood damage that has occurred at this location, if any; and
 - d) The necessary permanent construction activity to install the required contingency flood measures.

25.38.056 Floodways.

Since floodways are an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles and erosion potential, the following provisions apply:

- A. Until a regulatory floodway is adopted, no new construction, substantial development or other development (including fill) shall be permitted within Zones A1-30 and AE, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other development, will not increase the water surface elevation of the base flood more than 1 foot at any point within the City of Laguna Beach.
- B. Within an adopted regulatory floodway, the City of Laguna Beach shall prohibit encroachments, including fill, new construction, substantial improvements and other development, unless certification by a registered civil engineer is provided demonstrating that the proposed encroachment shall not result in any increase in flood levels during the occurrence of the base flood discharge.
- C. If Sections 25.38.056(A) & (B) are satisfied, all new construction, substantial improvement and other proposed new development shall comply with all other applicable flood hazard reduction provisions of Sections 25.38.050 through 25.38.057.

25.38.057 Coastal High Hazard Areas.

Within coastal high hazard areas, Zones V, V1-30, and VE, as established under Section

25.38.031, the following standards shall apply:

- A. All new residential and non-residential construction, including substantial improvement/damage, shall be elevated on adequately anchored pilings or columns and securely anchored to such pilings or columns so that the bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings or columns) is elevated to or above the base flood elevation adjusted to reflect sea level rise as specified in Section 25.38.041(C)(2) for the expected life of the development (minimum of 75 years). The pile or column foundation and structure attached thereto shall be anchored to resist flotation, collapse and lateral movement due to the effects of wind and water loads acting simultaneously on all building components. Water loading values used shall be those associated with the base flood and anticipated sea level rise. Wind loading values used shall be those required by applicable state or local building standards.
- B. All new construction and other development shall be located on the landward side of the reach of mean high tide.
- C. All new construction and substantial improvement shall have the space below the lowest floor free of obstructions or constructed with breakaway walls as defined in Section 25.38.020 of this ordinance. Such enclosed space shall not be used for human habitation and will be usable solely for parking of vehicles, building access or storage.
- D. Fill shall not be used for structural support of buildings or roads.
- E. Man-made alteration of sand dunes that would increase potential flood damage is prohibited.
- F. The Floodplain Administrator shall obtain and maintain the following records:
 - 1. Certification by a registered engineer or architect that a proposed structure complies with Section 25.38.057(A); and
 - 2. The elevation (in relation to mean sea level) of the bottom of the lowest horizontal structural member of the lowest floor (excluding pilings or columns) of all new and substantially improved structures, and whether such structures contain a basement.

Variance Procedure Sections

25.38.060 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 the ordinance are based on the general

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

It is the duty of the Laguna Beach 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 flood level are so serious that variances from the flood elevation or from other requirements in the flood ordinance are quite rare. The long-term goal of preventing and reducing flood loss and damage can only be met if variances are strictly limited. Therefore, the variance guidelines provided in this ordinance are more detailed and contain multiple provisions that must be met before a variance can be properly granted. The criteria are designed to screen out those situations in which alternatives other than a variance are more appropriate.

25.38.061 Conditions for Variance.

- 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 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 Sections 25.38.040 through 25.38.057 of this ordinance have been fully considered. As the lot size increases beyond one-half acre, the technical justification required for issuing the variance increases.
- B. Variances may be issued for the repair or rehabilitation of "historic structures" (as defined in Section 25.38.020 of this ordinance) upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as an historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
- C. Variances shall not be issued within any mapped regulatory floodway if any increase in flood levels during the base flood discharge would result.
- 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 ordinance. For example, in the case of variances to an elevation requirement, this means the approval authority need not grant permission for the applicant to build at grade, or even to whatever elevation the applicant proposes, but only to that elevation that the approval authority believes will both provide relief and preserve the integrity of the local ordinance.
- E. Any applicant to whom a variance is granted shall be given written notice over the signature of a community official that:

1. The 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 \$25 for \$100 of insurance coverage, and
 2. Such construction below the base flood level increases risks to life and property. It is recommended that a copy of the notice shall be recorded by the Floodplain Administrator in the Office of the Orange County Recorder and shall be recorded in a manner so that it appears in the chain of title of the affected parcel of land.
- F. 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 Emergency Management Agency.

25.38.062 Appeal Board.

- A. In passing upon requests for variances, the applicable approval authority shall consider all technical evaluations, all relevant factors, standards specified in other sections of this ordinance, and the:
1. Danger that materials may be swept onto other lands to the injury of others;
 2. Danger of life and property due to flooding or erosion damage;
 3. Susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the existing individual owner and future owners of the property;
 4. Importance of the services provided by the proposed facility to the community;
 5. Necessity to the facility of a waterfront location, where applicable;
 6. Availability of alternative locations for the proposed use that are not subject to flooding or erosion damage;
 7. Compatibility of the proposed use with existing and anticipated development;
 8. Relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
 9. Safety of access to the property in time of flood for ordinary and emergency vehicles;
 10. Expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters expected at the site; and
 11. Costs of providing governmental services during and after flood conditions,

including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water system, and streets and bridges.

B. Variances shall only be issued by the applicable approval authority upon making the variance findings in Municipal Code Section 25.05.025(F) and:

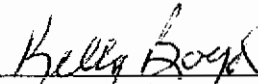
1. Showing of good and sufficient cause;
2. Determination that failure to grant the variance would result in exceptional "hardship" to the applicant; and
3. Determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, or extraordinary 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.

C. Variances may be issued for new construction, substantial improvement, and other proposed new development necessary for the conduct of a functionally dependent use provided that the provisions of Sections 25.38.062(A) through 25.38.062(D) are satisfied and that the structure or other development is protected by methods that minimize flood damages during the base flood and does not result in additional threats to public safety and does not create a public nuisance.

Upon consideration of the factors of Section 25.38.061(A) and the purposes of this ordinance, the applicable approval authority may attach such conditions to the granting of variances as it deems necessary to further the purposes of this ordinance.

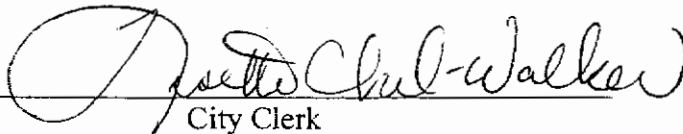
SECTION 2. The City Clerk of the City of Laguna Beach shall certify to the passage and adoption of this Ordinance, and shall cause the same to be published in the manner required by law in the City of Laguna Beach.

ADOPTED this 12th day of February, 2013.



Kelly Boyd, Mayor

ATTEST:


City Clerk

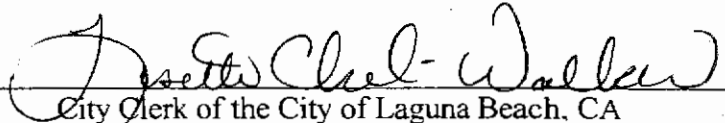
Ex. 1

I, LISETTE CHEL-WALKER, City Clerk of the City of Laguna Beach, do hereby certify that the foregoing Ordinance was introduced at a regular meeting of the City Council on January 29, 2013, and was finally adopted at a regular meeting of the City Council of said City held on February 12, 2013, by the following vote:

AYES: COUNCILMEMBER(S): Whalen, Iseman, Dicterow, Pearson, Boyd

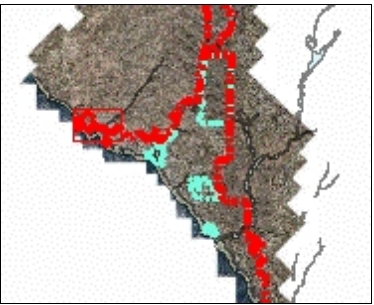
NOES: COUNCILMEMBER(S): None

ABSENT: COUNCILMEMBER(S): None



City Clerk of the City of Laguna Beach, CA

City of Laguna Beach - Flood Zones - Irvine Cove to Emerald Bay



- Legend**
- City Limits
 - FEMA 2-Ft. Cross-Sections
 - FEMA 100-Year Base Flood (1
 - A
 - AE
 - AE, FLOODWAY
 - AH
 - VE
 - 2008 Color Aerial Orthophotos
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3
 - 2008 Building Footprints

1: 5,787

964 0 482 964 Feet



City of Laguna Beach - Flood Zones - Emerald Bay to Divers Cove



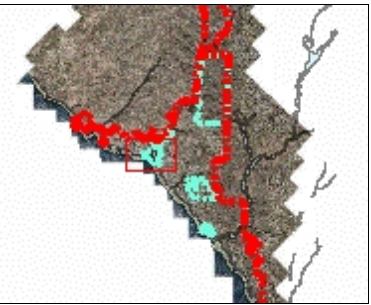
- Legend**
- City Limits
 - FEMA 2-Ft. Cross-Sections
 - FEMA 100-Year Base Flood (1
 - A
 - AE
 - AE, FLOODWAY
 - AH
 - VE
 - 2008 Color Aerial Orthophotos
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3
 - 2008 Building Footprints

1: 5,787

964 0 482 964 Feet



City of Laguna Beach - Flood Zones - Downtown



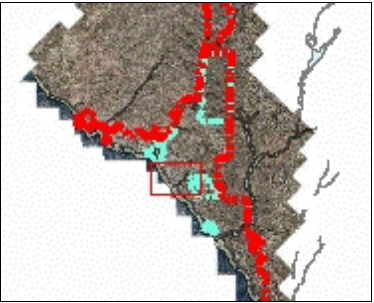
- Legend**
- City Limits
 - Specific Plan Areas
 - FEMA 2-Ft. Cross-Sections
 - FEMA 100-Year Base Flood (1)
 - A
 - AE
 - AE, FLOODWAY
 - AH
 - VE
 - 2008 Color Aerial Orthophotos
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3
 - 2008 Building Footprints

1: 5,787

964 0 482 964 Feet



City of Laguna Beach - Flood Zones - Cleo Street to Blue Bird Canyon



- Legend
- City Limits
 - Specific Plan Areas
 - FEMA 2-Ft. Cross-Sections
 - FEMA 100-Year Base Flood (1)
 - A
 - AE
 - AE, FLOODWAY
 - AH
 - VE
 - 2008 Color Aerial Orthophotos
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3
 - 2008 Building Footprints

1: 5,787

964 0 482 964 Feet

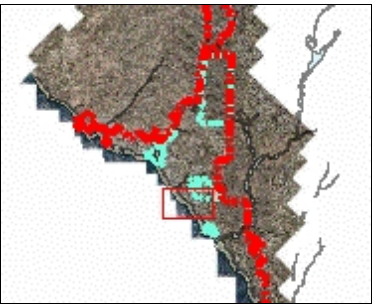
© City of Laguna Beach

Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.



Notes
LGB-MAJ-1-13-A
Exhibit 2, Page 4

City of Laguna Beach - Flood Zones - Agate Street to Lagunita



Legend

- City Limits
- Specific Plan Areas
- FEMA 2-Ft. Cross-Sections
- FEMA 100-Year Base Flood (1
- A
- AE
- AE, FLOODWAY
- AH
- VE
- 2008 Color Aerial Orthophotos
- Red: Band_1
- Green: Band_2
- Blue: Band_3
- 2008 Building Footprints

1: 5,787

964 0 482 964 Feet

Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.



City of Laguna Beach - Flood Zones - Lagunita to Montage



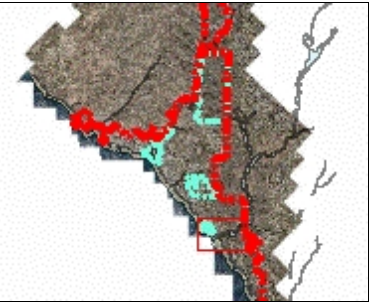
- Legend
- City Limits
 - Specific Plan Areas
 - FEMA 2-Ft. Cross-Sections
 - FEMA 100-Year Base Flood (1
 - A
 - AE
 - AE, FLOODWAY
 - AH
 - VE
 - 2008 Color Aerial Orthophotos
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3
 - 2008 Building Footprints

1: 5,787

964 0 482 964 Feet



City of Laguna Beach - Flood Zones - Montage Resort & Aliso Creek Areas



- Legend**
- City Limits
 - Specific Plan Areas
 - FEMA 2-Ft. Cross-Sections
 - FEMA 100-Year Base Flood (1)
 - A
 - AE
 - AE, FLOODWAY
 - AH
 - VE
 - 2008 Color Aerial Orthophotos
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3
 - 2008 Building Footprints

1: 5,787

964 0 482 964 Feet

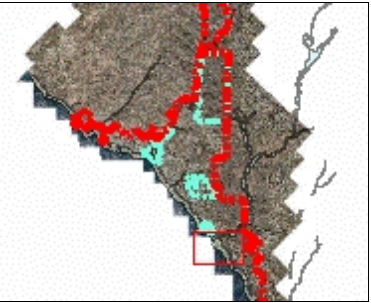
© City of Laguna Beach

Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.



Notes
LGBMA-1-13A
Exhibit 2, Page 7

City of Laguna Beach - Flood Zones - Aliso Beach to Table Rock



- Legend**
- City Limits
 - FEMA 2-Ft. Cross-Sections
 - FEMA 100-Year Base Flood (1)
 - A
 - AE
 - AE, FLOODWAY
 - AH
 - VE
 - 2008 Color Aerial Orthophotos
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3
 - 2008 Building Footprints

1: 5,787

964 0 482 964 Feet

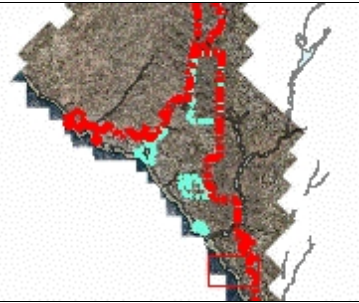
© City of Laguna Beach

Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.



Notes
LGB-MAJ-1-13-A
Exhibit 2, Page 8

City of Laguna Beach - Flood Zones - South Laguna Bluffs



- Legend**
- City Limits
 - FEMA 100-Year Base Flood (1
 - A
 - AE
 - AE, FLOODWAY
 - AH
 - VE
 - 2008 Color Aerial Orthophotos
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3
 - 2008 Building Footprints

1: 5,787

964 0 482 964 Feet

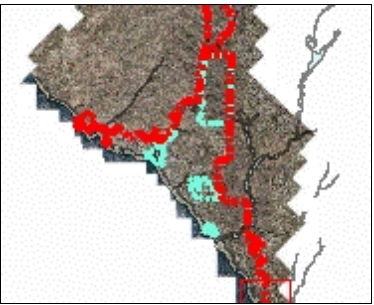
© City of Laguna Beach

Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.



Notes
LGB-MAJ-1-13-A
Exhibit 2, Page 9

City of Laguna Beach - Flood Zones - Three Arch Bay



- Legend**
- City Limits
 - FEMA 100-Year Base Flood (1
 - A
 - AE
 - AE, FLOODWAY
 - AH
 - VE
 - 2008 Color Aerial Orthophotos
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3
 - 2008 Building Footprints



1: 5,787

964 0 482 964 Feet



City of Laguna Beach - Flood Zones - Lower Laguna Canyon



- Legend**
- City Limits
 - Specific Plan Areas
 - FEMA 2-Ft. Cross-Sections
 - FEMA 100-Year Base Flood (1
 - A
 - AE
 - AE, FLOODWAY
 - AH
 - VE
 - 2008 Color Aerial Orthophotos
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3
 - 2008 Building Footprints

1: 5,787

964 0 482 964 Feet

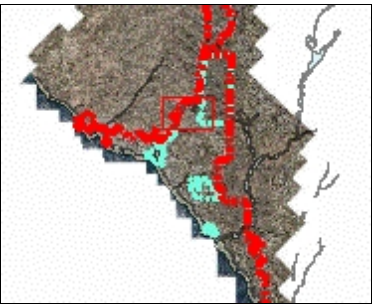
© City of Laguna Beach

Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

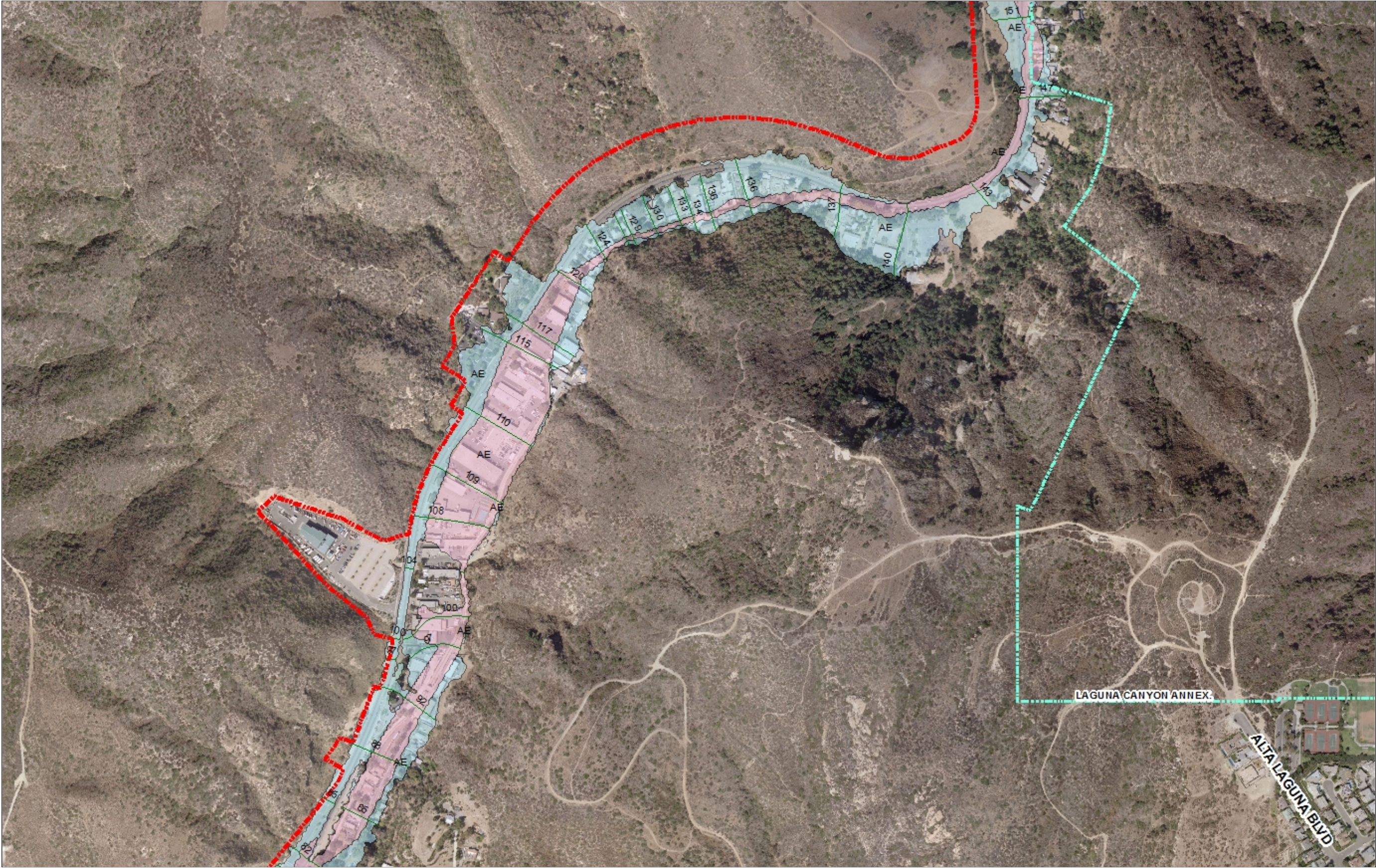


Notes
LGB-MAJ-1-13-A
Exhibit 2, Page 11

City of Laguna Beach - Flood Zones - Mid Laguna Canyon



- Legend**
- City Limits
 - Specific Plan Areas
 - FEMA 2-Ft. Cross-Sections
 - FEMA 100-Year Base Flood (1)
 - A
 - AE
 - AE, FLOODWAY
 - AH
 - VE
 - 2008 Color Aerial Orthophotos
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3
 - 2008 Building Footprints



964 0 482 964 Feet

© City of Laguna Beach

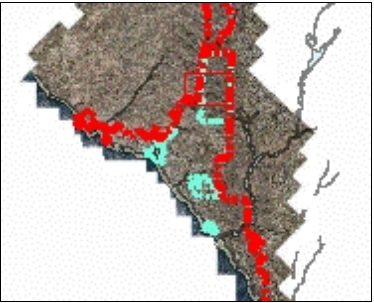
Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.



1: 5,787

Notes
LGB-MAJ-1-13-A
Exhibit 2, Page 12

City of Laguna Beach - Flood Zones - Upper Laguna Canyon



- Legend**
- City Limits
 - Specific Plan Areas
 - FEMA 2-Ft. Cross-Sections
 - FEMA 100-Year Base Flood (1
 - A
 - AE
 - AE, FLOODWAY
 - AH
 - VE
 - 2008 Color Aerial Orthophotos
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3
 - 2008 Building Footprints

1: 5,787

964 0 482 964 Feet

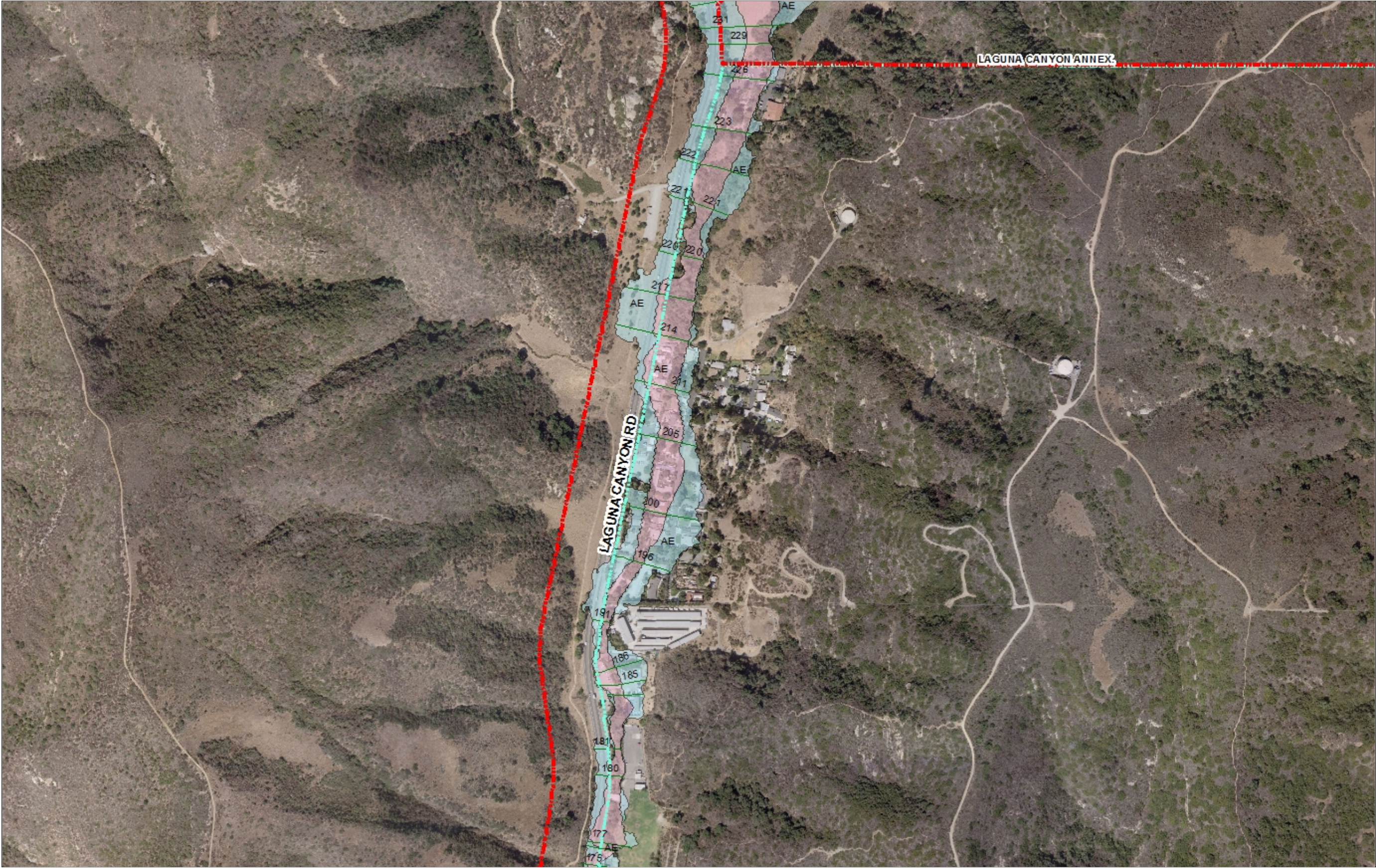
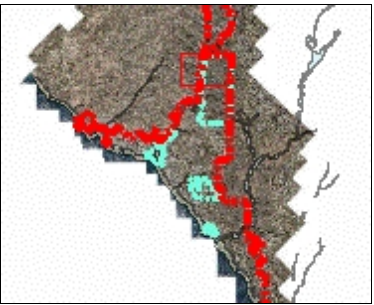
© City of Laguna Beach

Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.



Notes
LGB-MAJ-1-13-A
Exhibit 2, Page 13

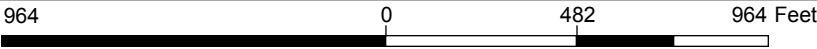
City of Laguna Beach - Flood Zones - Upper Laguna Canyon, Part 2



Legend

- City Limits
- Specific Plan Areas
- FEMA 2-Ft. Cross-Sections
- FEMA 100-Year Base Flood (1
- A
- AE
- AE, FLOODWAY
- AH
- VE
- 2008 Color Aerial Orthophotos
- Red: Band_1
- Green: Band_2
- Blue: Band_3
- 2008 Building Footprints

1: 5,787



City of Laguna Beach - Flood Zones - Upper Laguna Canyon, Part 3



- Legend**
- City Limits
 - Specific Plan Areas
 - FEMA 2-Ft. Cross-Sections
 - FEMA 100-Year Base Flood (1
 - A
 - AE
 - AE, FLOODWAY
 - AH
 - VE
 - 2008 Color Aerial Orthophotos
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3
 - 2008 Building Footprints



1: 5,787

964 0 482 964 Feet

© City of Laguna Beach

Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.



Notes
LGB-MAJ-1-13-A
Exhibit 2, Page 15