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**CHAPTER 22.24**

**FLOODPLAIN MANAGEMENT**

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40 **22.24.001 Citation of Statutory Authorization**

41 The Legislature of the State of California has in Government Code Sections 65302, 65560, and  
42 65800 conferred upon local governments the authority to adopt regulations designed to promote  
43 the public health, safety, and general welfare of its citizenry. Therefore, the City of Santa  
44 Barbara does hereby adopt the following floodplain management regulations. [CFR 59.22(a)(2)]  
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47 **22.24.010 Findings of Fact**

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- 49 A. In order for the City of Santa Barbara to participate in the National Flood Insurance Program,  
50 it is required to adopt and enforce a local ordinance which meets the minimum requirements  
51 of Title 44 Code of Federal Regulations (CFR) Parts 59-78. The NFIP regulations, FEMA  
52 Publications and FEMA Technical Bulletins shall be used for further guidance in addressing  
53 Floodplain Management issues that are not clearly addressed in this chapter.
- 54 B. The flood hazard areas of the City of Santa Barbara are subject to periodic inundation which  
55 results in loss of life and property, health and safety hazards, disruption of commerce and  
56 governmental services, extraordinary public expenditures for flood protection and relief, and  
57 impairment of the tax base, all of which adversely affect the public health, safety and  
58 general welfare.
- 59 C. These flood losses are caused by the cumulative effect of obstructions in areas of special  
60 flood hazards which increase flood heights and velocities, and when inadequately anchored,  
61 damage uses in other areas. Uses that are inadequately flood-protected, elevated or  
62 otherwise protected from flood damage also contribute to the flood loss. (Ord. 4522, 1988;  
63 Ord. 3972, 1978.)

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66 **22.24.020 Statement of Purpose**

67 It is the purpose of the chapter to promote the public health, safety, and general welfare, and to  
68 minimize public and private losses due to flood conditions in specific areas by legally  
69 enforceable regulations applied uniformly throughout the community to all publicly and privately  
70 owned land with flood prone, mudslide [i.e. mudflow] or flood related erosion areas. It is also  
71 the purpose of this chapter to ensure that the owners of buildings within a FEMA Special Flood  
72 Hazard Area can obtain flood insurance. These regulations are designed to:

- 73 A. To protect human life and health;
- 74 B. To minimize expenditure of public money for costly flood control projects;
- 75 C. To minimize the need for rescue and relief efforts associated with flooding and generally  
76 undertaken at the expense of the general public;
- 77 D. To minimize prolonged business interruptions;
- 78 E. To minimize damage to public facilities and utilities such as water and gas mains, electric,  
79 telephone and sewer lines, streets and bridges located in areas of special flood hazard;
- 80 F. To help maintain a stable tax base by providing for the sound use and development of areas  
81 of special flood hazard so as to minimize future flood blight areas;
- 82 G. To ensure that potential buyers are notified that property is in an area of special flood  
83 hazard; and
- 84 H. To ensure that those who occupy the areas of special flood hazard assume responsibility for  
85 their actions. (Ord. 4522, 1988; Ord. 3972, 1978.)

86 **22.24.030 Methods of Reducing Flood Losses**

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

- 88 A. Restricting or prohibiting uses which are dangerous to health, safety, and property due to  
89 water or erosion hazards, or which result in damaging increases in erosion or in flood  
90 heights or velocities;
- 91 B. Requiring that uses vulnerable to floods, including facilities which serve such uses, be  
92 protected against flood damage at the time of initial construction;
- 93 C. Controlling the alteration of natural floodplains, stream channels, and natural protective  
94 barriers, which help accommodate or channel flood waters;
- 95 D. Controlling filling, grading, dredging, and other development which may increase flood  
96 damage; and,
- 97 E. Preventing or regulating the construction of flood barriers which will unnaturally divert flood  
98 waters or which may increase flood hazards in other areas. (Ord. 4522, 1988; Ord. 3972,  
99 1978.)

100 **22.24.040 Definitions**

- 101
- 102 A. 500-YEAR FLOOD. A flood having a 0.2 percent (0.2%) chance of being equaled or
- 103 exceeded in any given year; or also referred to as the 0.2-percent-annual-chance flood.
- 104 B. ALTERATION. Any remodel, repair, replacement of elements, etc. to an existing building or
- 105 non-substantial improvements.
- 106 C. APPEAL. A request for a review of the Chief Building Official's interpretation of any
- 107 provision of this Chapter or a request for a variance.
- 108 D. AREA OF SHALLOW FLOODING. An area designated AO, AH or VO Zone on the Flood
- 109 Insurance Rate Map (FIRM). Base flood depths range from one to three feet, a clearly
- 110 defined channel does not exist, the path of flooding is unpredictable and indeterminate, and
- 111 velocity flow may be evident.
- 112 E. AREA OF SPECIAL FLOOD HAZARD. See "Special Flood Hazard Area".
- 113 F. ASCE 24. American Society of Civil Engineers "Flood Resistant Design and Construction"
- 114 Standards, currently 2014 edition, or later.
- 115 G. BASE FLOOD or 100 YEAR FLOOD. A flood having a one percent (1%) chance of being
- 116 equaled or exceeded in any given year; or also referred to as the 1-percent annual chance
- 117 flood.
- 118 H. BASE FLOOD ELEVATION (BFE). The elevation of the Base Flood, including wave height,
- 119 relative to the North American Vertical Datum (NAVD) or other datum specified on the Flood
- 120 Insurance Rate Map (FIRM).
- 121 I. BASEMENT. An area of a building having its floor subgrade (below ground level) on all
- 122 sides.
- 123 J. BREAKAWAY WALLS. Any type of wall, whether solid or lattice, and whether constructed
- 124 of concrete, masonry, wood, metal, plastic or any other suitable building material which (i) is
- 125 not part of the structural support of the building; (ii) is designed to break away under
- 126 abnormally high tides or wave action without causing any damage to the structural integrity
- 127 of the building or to any buildings to which they might be carried by flood waters; (iii) has a
- 128 safe design loading resistance of not less than ten and no more than twenty pounds per
- 129 square foot; and (iv) has been certified for use in the building by a registered professional
- 130 engineer or architect and meets the following standards:
- 131 1. Breakaway wall collapse will result from a water load less than that which would occur
- 132 during the base flood; and
- 133 2. The elevated portion of the building will not incur any structural damage due to the
- 134 effects of wind and water loads acting simultaneously in the event of the base flood.
- 135 K. CRITICAL FACILITY (AND ESSENTIAL FACILITY). Buildings and structures that contain
- 136 essential facilities and services necessary for emergency response and recovery, or that
- 137 pose a substantial risk to the community at large in the event of failure, disruption of
- 138 function, or damage by flooding. Facilities include:
- 139 1. Hospitals and health care facilities having surgery or emergency treatment facilities;
- 140 2. Fire, rescue, ambulance, and police stations and emergency vehicle garages;
- 141 3. Designated emergency shelters;
- 142 4. Designated emergency preparedness, communication, and operation centers and other
- 143 facilities required for emergency response;
- 144 5. Power generating stations and other public utility facilities required in emergencies;
- 145 6. Critical aviation facilities such as control towers, air traffic control centers, and hangars
- 146 for aircraft used in emergency response;
- 147 7. Ancillary structures such as communication towers, electrical substations, fuel or water
- 148 storage tanks, or other structures necessary to allow continued functioning of a Flood
- 149 Design Class 4 (ASCE-24) facility during and after an emergency; and

- 150 8. Buildings and other structures (including, but not limited to, facilities that manufacture,  
 151 process, handle, store, use, or dispose of such substances as hazardous fuels,  
 152 hazardous chemicals, or hazardous waste) containing sufficient quantities of highly toxic  
 153 substances where the quantity of the material exceeds a threshold quantity established  
 154 by the authority having jurisdiction and is sufficient to pose a threat to the public if  
 155 released.
- 156 L. COASTAL HIGH HAZARD AREA. An area subject to high velocity wave action, including  
 157 coastal and tidal inundation or tsunamis and designated on a Flood Insurance Rate Map  
 158 (FIRM) as Zone V1-V30, VE or V.
- 159 M. DEPRECIATED MARKET VALUE. The replacement cost of the building reduced based on  
 160 the age and condition. The County Assessor valuation of the building can be used or a  
 161 licensed appraiser can be hired to make the determination based on Uniform Standards of  
 162 Professional Practice. The "Income Capitalization Approach" is not acceptable for  
 163 determining Depreciated Market Value because it is based on how the property is used and  
 164 not the value of the structure alone.
- 165 N. DESIGN FLOOD ELEVATION (DFE). DFE equals the Base Flood Elevation (BFE) because  
 166 the City of Santa Barbara regulates flood elevations based on the FIRM. (ASCE-24)
- 167 O. DEVELOPED AREA. Per CFR 59.1, Developed area means an area of a community that is:  
 168 1. A primarily urbanized, built-up area that is a minimum of 20 contiguous acres, has basic  
 169 urban infrastructure, including roads, utilities, communications, and public facilities, to  
 170 sustain industrial, residential, and commercial activities, and  
 171 a. Within which 75 percent or more of the parcels, tracts, or lots contain commercial,  
 172 industrial, or residential structures or uses; or  
 173 b. It is a single parcel, tract, or lot in which 75 percent of the area contains existing  
 174 commercial or industrial structures or uses; or  
 175 c. It is a subdivision developed at a density of at least two residential structures per  
 176 acre within which 75 percent or more of the lots contain existing residential structures  
 177 at the time the designation is adopted.
- 178 2. Undeveloped parcels, tracts, or lots, the combination of which is less than 20 acres and  
 179 contiguous on at least 3 sides to areas meeting the criteria of paragraph (1) at the time  
 180 the designation is adopted.
- 181 3. A subdivision that is a minimum of 20 contiguous acres that has obtained all necessary  
 182 government approvals, provided that the actual "start of construction" of structures has  
 183 occurred on at least 10 percent of the lots or remaining lots of a subdivision or 10  
 184 percent of the maximum building coverage or remaining building coverage allowed for a  
 185 single lot subdivision at the time the designation is adopted and construction of  
 186 structures is underway. Residential subdivisions must meet the density criteria in  
 187 paragraph (1)(c).
- 188 P. DEVELOPMENT. Any man-made change to improved or unimproved real property,  
 189 including but not limited to buildings or other structures, mining, dredging, filling, grading,  
 190 paving, excavation or drilling operations.
- 191 Q. EXISTING CONSTRUCTION. For the purposes of determining rates, structures for which  
 192 the "start of construction" commenced before the effective date of the FIRM or before  
 193 January 1, 1975, for FIRMs effective before that date. "Existing construction" may also be  
 194 referred to as "existing structures."
- 195 R. FEMA. Federal Emergency Management Agency.
- 196 S. FIMA. Federal Insurance and Mitigation Administration (formerly Federal Insurance  
 197 Administration).
- 198 T. FLOOD or FLOODING. A general and temporary condition of partial or complete inundation  
 199 of normally dry land areas from:  
 200 1. The overflow of flood waters;

- 201 2. The unusual and rapid accumulation or runoff of surface waters from any source; or  
 202 3. The collapse or subsidence of land along the shore of a lake or other body of water as a  
 203 result of erosion or undermining caused by waves or currents of water exceeding  
 204 anticipated cyclical levels or suddenly caused by an unusually high water level in a  
 205 natural body of water, accompanied by a severe storm, or by an unanticipated force of  
 206 nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and  
 207 unforeseeable event which results in flooding as defined in this definition.
- 208 U. FLOOD BOUNDARY AND FLOODWAY MAP. The official map on which FEMA or FIMA  
 209 has delineated both the areas of flood hazard and the floodway.
- 210 V. FLOOD DESIGN CLASSES. ASCE 24 establishes elevations of lowest floors, flood-  
 211 resistant materials, equipment, floodproofing and freeboard for Flood Design Class 4:  
 212 Buildings and structures that contain essential facilities and services necessary for  
 213 emergency response and recovery, or that pose a substantial risk to the community at large  
 214 in the event of failure. See "CRITICAL FACILITY AND ESSENTIAL FACILITY" definition  
 215 above.
- 216 W. FLOOD HAZARD AREA. See "Special Flood Hazard Area".
- 217 X. FLOOD INSURANCE RATE MAP (FIRM). An official map on which FEMA or FIMA has  
 218 delineated both the areas of special flood hazards and the risk premium zones applicable to  
 219 the community.
- 220 Y. FLOOD INSURANCE STUDY (FIS). An official report provided by FEMA or FIMA that  
 221 includes flood profiles, the FIRM, the Flood Boundary and Floodway Map, and the water  
 222 surface elevation of the base flood.
- 223 Z. FLOODPLAIN or FLOOD-PRONE AREA. Any land area susceptible to being inundated by  
 224 water from any source (see definition of "flooding").
- 225 AA. FLOODPLAIN ADMINISTRATOR is the community official designated by title to  
 226 administer and enforce the floodplain management regulations. The Chief Building Official  
 227 is appointed to administer and implement this Chapter for the City of Santa Barbara.
- 228 BB. FLOODPLAIN MANAGEMENT. The operation of an overall program of corrective and  
 229 preventive measures for reducing flood damage, including but not limited to, emergency  
 230 preparedness plans, flood control works and floodplain management regulations.
- 231 CC. FLOODPLAIN MANAGEMENT REGULATIONS. Zoning ordinances, subdivision  
 232 regulations, the California Building Code as adopted and amended by the City, health  
 233 regulations, special purpose ordinances (such as floodplain ordinances, grading  
 234 ordinances and erosion control ordinances) and other applications of police power. The  
 235 term describes such federal, state or local regulations in any combination thereof, which  
 236 provide standards for the purpose of flood damage prevention and reduction.
- 237 DD. FLOODPROOFING. Any combination of structural and nonstructural additions, changes,  
 238 or adjustments to structures which reduce or eliminate flood damage to real estate or  
 239 improved real property, water and sanitary facilities, structures and their contents.
- 240 EE. FLOODWAY or REGULATORY FLOODWAY. The channel of a river or other watercourse  
 241 and the adjacent land areas that must be preserved in order to discharge the base flood  
 242 without cumulatively increasing the water surface elevation more than one (1) foot.
- 243 FF. FREEBOARD. A factor of safety usually expressed in feet above a flood level for purposes  
 244 of floodplain management. "Freeboard" tends to compensate for the many unknown  
 245 factors that could contribute to flood heights greater than the height calculated for a  
 246 selected size flood and floodway conditions, such as wave action, bridge openings, and  
 247 the hydrological effect of urbanization of the watershed.
- 248 GG. FUNCTIONALLY DEPENDENT USE. A use which cannot perform its intended purpose  
 249 unless it is located or carried out in close proximity to water. The term includes vessel  
 250 docking facilities, port facilities that are necessary for the loading and unloading of cargo

- 251 or passengers, and ship building and ship repair facilities, and does not include long-term  
 252 storage or related manufacturing facilities.
- 253 HH. HIGHEST ADJACENT GRADE. The highest undisturbed elevation of the ground surface  
 254 prior to construction next to the proposed walls of a structure.
- 255 II. HISTORIC STRUCTURE means any structure that is:
- 256 1. Listed individually in the National Register of Historic Places (a listing maintained by  
 257 the Department of the Interior) or preliminarily determined by the Secretary of the  
 258 Interior as meeting the requirements for individual listing on the National Register;  
 259 2. Certified or preliminarily determined by the Secretary of the Interior as contributing to  
 260 the historical significance of a registered historic district or a district preliminarily  
 261 determined by the Secretary to qualify as a registered historic district;  
 262 3. Individually listed on a state inventory of historic places in states with historic  
 263 preservation programs which have been approved by the Secretary of Interior; or  
 264 4. Individually listed on a local inventory of historic places in communities with historic  
 265 preservation programs that have been certified either by an approved state program as  
 266 determined by the Secretary of the Interior or directly by the Secretary of the Interior in  
 267 states without approved programs. (FEMA Publication P-467-2).
- 268 JJ. LOWEST FLOOR. The lowest floor of the lowest enclosed area (including basement). An  
 269 unfinished or flood resistant enclosure, usable solely for parking of vehicles, building  
 270 access or storage in an area other than a basement area is not considered a building's  
 271 lowest floor, provided, that such enclosure is not built so as to render the structure in  
 272 violation of the applicable non-elevation design requirements of this chapter.
- 273 KK. MANUFACTURED HOME. A structure, transportable in one or more sections, which is  
 274 designed for use with or without a permanent foundation when connected to the required  
 275 utilities. For floodplain management purposes, the term "manufactured home" also  
 276 includes park trailers, travel trailers and other similar vehicles placed on a site for greater  
 277 than 180 consecutive days.
- 278 LL. MANUFACTURED HOME PARK or SUBDIVISION. A parcel (or contiguous parcels) of  
 279 land divided into two or more manufactured home lots for sale or rent.
- 280 MM. MANUFACTURED HOME PARK OR SUBDIVISION – (EXISTING) means an existing  
 281 manufactured home park or subdivision for which the construction of facilities for servicing  
 282 the lots on which the manufactured homes are to be affixed (including, at a minimum, the  
 283 installation of utilities, the construction of streets, and either final site grading or the  
 284 pouring of concrete pads) is completed before May 4, 1978.
- 285 NN. MANUFACTURED HOME PARK OR SUBDIVISION – (EXPANSION TO AN EXISTING)  
 286 means the preparation of additional sites by the construction of facilities for servicing the  
 287 lots on which the manufactured homes are to be affixed (including the installation of  
 288 utilities, the construction of streets, and either final site grading or the pouring of concrete  
 289 pads).
- 290 OO. MANUFACTURED HOME PARK OR SUBDIVISION – (NEW) means a manufactured  
 291 home park or subdivision for which the construction of facilities for servicing the lots on  
 292 which the manufactured homes are to be affixed (including at a minimum, the installation  
 293 of utilities, the construction of streets, and either final site grading or the pouring of  
 294 concrete pads) is completed on or after May 4, 1978.
- 295 PP. NATIONAL FLOOD INSURANCE PROGRAM. NFIP
- 296 QQ. NEW CONSTRUCTION. A structure for which the "start of construction" occurred on or  
 297 after the effective date of this Chapter, or any applicable amendment thereto.
- 298 RR. ONE HUNDRED YEAR FLOOD. See "Base Flood".
- 299 SS. PERSON. An individual, firm, partnership, association or corporation, or agent of the  
 300 foregoing, or this state or its agencies or political subdivisions.
- 301 TT. RECREATIONAL VEHICLE means a vehicle which is:

- 302 1. Built on a single chassis;
- 303 2. 400 square feet or less when measured at the largest horizontal projection;
- 304 3. Designed to be self-propelled or permanently towable by a light-duty truck; and
- 305 4. Designed primarily not for use as a permanent dwelling but as temporary living
- 306 quarters for recreational, camping, travel, or seasonal use.
- 307 UU. REGISTERED PROFESSIONAL ENGINEER. A Civil Engineer licensed by the State of
- 308 California. Civil engineers licensed prior to January 1, 1982, with a license number 33965
- 309 or before, are authorized to practice all land surveying. Civil engineers licensed after the
- 310 above date may only practice "engineering surveying" as defined in California Business
- 311 and Professional Code 6731.1.
- 312 VV. REMEDY A VIOLATION. To bring a structure or other development into compliance with
- 313 state or local floodplain management regulations, or, if this is not possible, to reduce the
- 314 impacts of its noncompliance by various means, including but not limited to, protecting the
- 315 structure or other affected development from flood damages, implementing the
- 316 enforcement provisions of the ordinance or otherwise deterring future similar violations, or
- 317 reducing federal financial exposure with regard to the structure or other development.
- 318 WW. RIVERINE. Relating to, formed by, or resembling a river (including tributaries), stream, or
- 319 brook.
- 320 XX. SAND DUNES. Naturally occurring accumulations of sand in ridges or mounds landward
- 321 of the beach.
- 322 YY. SPECIAL FLOOD HAZARD AREA (SFHA). An area having special flood or coastal high
- 323 hazards, and shown on an FHBM or FIRM as Zone A, AO, A1-30, AE, A99, AH, VO, V1-
- 324 V30, VE or V.
- 325 ZZ. START OF CONSTRUCTION. The date the building permit was issued, provided the
- 326 actual start of construction was within 180 days of the permit date. The actual start means
- 327 either the first placement of permanent construction of a structure on a site, such as the
- 328 pouring of slab or footings, the installation of piles, the construction of columns, or any
- 329 work beyond the stage of excavation; or the placement of a manufactured home on a
- 330 foundation pursuant to a valid building permit. Permanent construction does not include
- 331 land preparation, such as clearing, grading, and filling, nor does it include the installation
- 332 of streets or walkways; nor does it include excavation for a basement, footings, piers, or
- 333 foundations or the erection of temporary forms; nor does it include the installation on the
- 334 property of accessory buildings, such as garages or sheds not occupied as dwelling units
- 335 or not as part of the main structure.
- 336 AAA. STRUCTURE. A walled and roofed building, including a gas or liquid storage tank that
- 337 is principally above ground, as well as a manufactured home.
- 338 BBB. SUBSTANTIAL DAMAGE means damage of any origin sustained by a structure
- 339 whereby the cost of restoring the structure to its before damaged condition would equal
- 340 or exceed 50 percent of the Depreciated Market Value of the structure before the
- 341 damage occurred.
- 342 CCC. SUBSTANTIAL IMPROVEMENT. Any repair, reconstruction, or improvement of a
- 343 structure within any twenty-four (24) month period, the cost of which equals or exceed
- 344 fifty percent (50%) of the Depreciated Market Value of the structure either before the
- 345 improvement or repair is started or, if the structure has been damaged and is being
- 346 restored, before the damage occurred. For the purposes of this definition, "substantial
- 347 improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or
- 348 other structural part of the building commences, whether or not that alteration affects the
- 349 external dimensions of the structure. The term does not, however, include either:
- 350 1. Any project for improvement of a structure to comply with existing state or local
- 351 health, sanitary, or safety code specifications which are solely necessary to assure
- 352 safe living conditions, or

- 353 2. Any alteration of a historic structure, as defined in this Ordinance.  
354 DDD. VARIANCE. A grant of relief from the requirements of this Chapter which permits  
355 construction in a manner that would otherwise be prohibited by this Chapter.  
356 EEE. VIOLATION. The failure of a structure or other development to be in full compliance with  
357 this Chapter. A structure or other development without the elevation certificate, other  
358 certifications, or other evidence of compliance required in this Chapter is presumed to be  
359 in violation until that documentation is provided. (Ord. 5451, Section 5, 2008; Ord. 4522,  
360 1988; Ord. 3972, 1978.)  
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362 **22.24.050 Lands to Which this Chapter Applies**

363 This chapter shall apply to all areas of special flood hazards within the City of Santa Barbara.  
364 (Ord. 4522, 1988; Ord. 3972, 1978.)  
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368 **22.24.060 Basis for Establishing the Areas of Special Flood Hazard**

369 "The Flood Insurance Study for The City of Santa Barbara", dated May 4, 1978 and revised  
370 October 15, 1985, and December 3, 1991 and all subsequent revisions and amendments by  
371 FEMA with accompanying FIS and FIRMs are hereby adopted by reference and declared to be  
372 a part of this Chapter. [CFR 60.2(h)]  
373 Copies of the Flood Insurance Study and maps referred to therein, shall be maintained on file at  
374 630 Garden Street, Santa Barbara, California, and at the Office of the City Clerk, City Hall,  
375 Santa Barbara, California. The Flood Insurance Study establishes the areas of special flood  
376 hazard identified by FEMA or FIMA. These areas are the minimum area of applicability of this  
377 Chapter; their boundaries may be changed, or new areas designated by the City Council  
378 following a recommendation thereon by the Chief Building Official. (Ord. 4731, 1991; Ord.  
379 4522, 1988; Ord. 3972, 1978.)  
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383 **22.24.070 Compliance**

384 No structure or land shall hereafter be constructed, located, extended, converted, or altered  
385 without full compliance with the terms of this Chapter and other applicable regulations.  
386 Violations of the provisions of this Chapter by failure to comply with any of its requirements  
387 (including violations of conditions and safeguards established in connection with conditions)  
388 shall constitute a misdemeanor. (Ord. 4522, 1988; Ord. 3972, 1978.)  
389 In addition to the compliance provisions of this Chapter, the City adopts the national standard,  
390 ASCE 24 "Flood Resistant Design and Construction" in its entirety with the exception of  
391 "freeboard" requirements found therein for non-essential / non-critical structures. The  
392 Floodplain Administrator may require compliance with ASCE 24 if he/she feels that compliance  
393 with ASCE 24 is necessary in achieving the stated purpose of this Ordinance.  
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397 **22.24.080 Abrogation and Greater Restrictions**

398 This Chapter is not intended to repeal, abrogate, or impair any existing easements, covenants,  
399 or deed restrictions. However, where this Chapter and another ordinance, easement, covenant,  
400 or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall  
401 prevail. (Ord. 4522, 1988; Ord. 3972, 1978.)  
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403 **22.24.090 Interpretation**

404 In the interpretation and application of this Chapter, all provisions shall be considered as  
405 minimum requirements, liberally construed in favor of the governing body, and, deemed neither  
406 to limit nor repeal any other powers granted under state statutes. (Ord. 4522, 1988; Ord. 3972,  
407 1978.)

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412 **22.24.100 Warning and Disclaimer of Liability**

413 The degree of flood protection required by this Chapter is considered reasonable for regulatory  
414 purposes and is based on scientific and engineering considerations. Larger floods can and will  
415 occur on rare occasions. Flood heights may be increased by man-made or natural causes.  
416 This Chapter does not imply that land outside the areas of special flood hazards or uses  
417 permitted within such areas will be free from flooding or flood damages. This Chapter shall not  
418 create liability on the part of the City of Santa Barbara, any officer or employee thereof, or FIMA,  
419 for any flood damages that result from reliance on this Chapter or any administrative decision  
420 made thereunder. (Ord.4522, 1988; Ord. 3972, 1978.)

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425 **22.24.101 Severability**

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

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431 **22.24.110 Establishment of Development Permit**

432 A development permit shall be obtained before construction or development begins within any  
433 area of special flood hazard. Application for a development permit shall be made on forms  
434 furnished by the Chief Building Official and may include, but not is limited to:

435 A. Three sets of Plans drawn to scale showing:

- 436 1. The nature, location, dimensions, and elevations of the area in question; existing or  
437 proposed structures, fill, storage of materials, and drainage facilities; and the location of  
438 the foregoing.  
439 2. Proposed locations of water supply, sanitary sewer, and other utilities;  
440 3. Grading information showing existing and proposed contours, any proposed fill, and  
441 drainage facilities;  
442 4. Location of the regulatory floodway when applicable;  
443 5. Base flood elevation information as specified in 22.24.060 or 22.24.130B

444 B. The following information is required on an application:

- 445 1. Elevation in relation to NAVD 1988, of the lowest floor (including basement) of all  
446 structures; in Zone AO or VO, elevation of highest adjacent grade and proposed  
447 elevation of lowest floor of all structures.  
448 2. Elevation in relation to NAVD 1988 to which any structure has been will be flood-  
449 proofed;  
450 3. All certifications required by Sections 22.24.130C and 22.24.160; and  
451 4. Description of the extent to which any watercourse will be altered or relocated as a result  
452 of proposed development. (Ord. 4522, 1988; Ord. 3972, 1978.)

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456 **22.24.120 Designation of the Floodplain Administrator**

457 The Chief Building Official is hereby appointed to administer and implement this Chapter by  
458 granting or denying development permit applications in accordance with its provisions. (Ord.  
459 4522, 1988; Ord. 3972, 1978.)

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461 **22.24.130 Duties and Responsibilities of the Floodplain Administrator**462 Duties of the **Floodplain Administrator** shall include, but not be limited to:

- 463 A. Review of all development permits to determine:
- 464 1. Permit requirements of this Chapter have been satisfied.
- 465 2. All necessary permits have been obtained from those federal, state or local
- 466 governmental agencies from which prior approval is required.
- 467 3. The site is reasonably safe from flooding.
- 468 4. If the proposed development adversely affects the flood carrying capacity of areas where
- 469 base flood elevations have been determined but a floodway has not been designated.
- 470 For purposes of this Chapter, "adversely affects" means that the cumulative effect of the
- 471 proposed development when combined with all other existing and anticipated
- 472 development will not increase the water surface elevation of the base flood more than
- 473 one foot at any point.
- 474 5. All Letters of Map Revision (LOMR's) for flood control projects are approved prior to the
- 475 issuance of building permits. Building Permits must not be issued based on Conditional
- 476 Letters of Map Revision (CLOMR's). Approved CLOMR's allow construction of the
- 477 proposed flood control project and land preparation as specified in the "start of
- 478 construction" definition.
- 479 B. Determination of Substantial Improvement based the Depreciated Market Value of the
- 480 structure and the Project Cost.
- 481 C. Determination of Base Flood Elevations based on data in accordance with Section
- 482 22.24.060.
- 483 D. When base flood elevation data in accordance with Section 22.24.060 is unavailable, the
- 484 Chief Building Official shall obtain, review, and reasonably utilize any base flood elevation
- 485 and floodway data available from a federal, state or other source, in order to administer
- 486 Section 22.24.160 pertaining to specific standards for residential and nonresidential
- 487 construction.
- 488 E. Maintain for public inspection all records pertaining to the provisions of this Chapter,
- 489 including:
- 490 1. The certification required in Section 22.24.160.C.1 (floor elevations);
- 491 2. The certification required in Section 22.24.160.C.2 (elevations in areas of shallow
- 492 flooding);
- 493 3. The certification required in Section 22.24.160.C.3 (elevation or flood-proofing of
- 494 nonresidential structures);
- 495 4. The certification required in Section 22.24.160.C.3 (wet flood-proofing standard);
- 496 5. The certified elevation required in Section 22.24.160.E.2 (subdivision standards);
- 497 6. The certification required in Section 22.24.180.A (floodway encroachments); and
- 498 7. The information required in Section 22.24.170 (coastal construction standards).
- 499 8. A record of all variance actions, including justification for their issuance, and report such
- 500 variances issued in its biennial report submitted to FEMA.
- 501 F. Notification of Other Agencies including:
- 502 1. Adjacent communities, the Santa Barbara County Flood Control and Water Conservation
- 503 District, and the California Department of Water Resources prior to any alteration or
- 504 relocation of a watercourse, and submit evidence of such notification to FEMA. Require
- 505 that the flood carrying capacity of the altered or relocated portion of the watercourse is
- 506 maintained.
- 507 2. FEMA For Base Flood Elevation changes due to physical alterations:

- 508 a. Within 6 months of information becoming available or project completion, whichever  
509 comes first, the Chief Building Official shall submit or assure that the permit applicant  
510 submits technical or scientific data to FEMA for a Letter of Map Revision (LOMR).  
511 b. All LOMR's for flood control projects are approved prior to the issuance of building  
512 permits. Building Permits must not be issued based on Conditional Letters of Map  
513 Revision (CLOMR's). Approved CLOMR's allow construction of the proposed flood  
514 control project and land preparation as specified in the "start of construction"  
515 definition.
- 516 3. FEMA for changes in corporate boundaries. Include a copy of a map of the community  
517 clearly delineating the new corporate limits.
- 518 G. Make interpretations as to the exact location of the boundaries of the areas of special flood  
519 hazards, (for example, where there appears to be a conflict between a mapped boundary  
520 and actual field conditions). The persons contesting the location of the boundary shall be  
521 given a reasonable opportunity to appeal the interpretation as provided in Section  
522 22.24.140.
- 523 H. Take action to remedy violations of this Chapter as specified in Section 22.24.070. (Ord.  
524 4539, 1988; Ord. 4522, 1988; Ord. 3972, 1978.)

525

526 **22.24.140 Variance and Appeal Procedure**

- 527
- 528 A. The Planning Commission of the City of Santa Barbara shall hear and decide appeals and
- 529 requests for variances from the requirements of this Chapter.
- 530 B. The Planning Commission shall hear and decide appeals when it is alleged there is an error
- 531 in any requirement, decision, or determination made by the Floodplain Administrator in the
- 532 enforcement or administration of this Chapter.
- 533 C. The applicant or any interested person may appeal the decision of the Planning Commission
- 534 to the City Council in accordance with the procedures provided in Section 1.30.050 of this
- 535 Code.
- 536 D. In reviewing such application, the Planning Commission shall consider all technical
- 537 evaluations, all relevant factors, standards specified in other sections of this Chapter, and
- 538 each of the following:
- 539 1. The danger that materials may be swept onto other lands to the injury of others.
- 540 2. The danger to life and property due to flooding or erosion damage.
- 541 3. The susceptibility of the proposed facility and its contents to flood damage and the effect
- 542 of such damage on the individual owner.
- 543 4. The importance of the services provided by the proposed facility to the community.
- 544 5. The necessity to the facility of a waterfront location, where applicable.
- 545 6. The availability of alternative locations for the proposed use which are not subject to
- 546 flooding or erosion damage.
- 547 7. The compatibility of the proposed use with existing and anticipated development.
- 548 8. The relationship of the proposed use to the General Plan and Floodplain Management
- 549 Program for that area.
- 550 9. The safety of access to the property in times of flood for ordinary and emergency
- 551 vehicles.
- 552 10. The expected heights, velocity, duration, rate of rise, and sediment transport of the flood
- 553 waters and the effects of wave action, if applicable, expected at the site.
- 554 11. The costs of providing governmental services during and after flood conditions, including
- 555 maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and
- 556 water systems, and streets and bridges.
- 557 E. Upon consideration of the factors identified in 22.24.140D and the purposes of this Chapter,
- 558 the Planning Commission may attach such conditions to the granting of variances as it
- 559 deems necessary to further the purposes of this ordinance.
- 560 F. The Chief Building Official shall maintain the records of all appeal actions and report any
- 561 variances to the FIMA upon request. (Ord. 5136, 1999; Ord. 4522, 1988; Ord. 3972, 1978.)
- 562

563 **22.24.150 Conditions for Variances**

- 564
- 565 A. Variances may be issued for new construction and substantial improvements to be erected
- 566 on a lot of one half acre or less in size contiguous to and surrounded by lots with existing
- 567 structures constructed below the base flood level, providing items identified in 22.24.140D
- 568 have been fully considered. As the lot size increases beyond the one-half acre, the
- 569 technical justification required for issuing the variance increases.
- 570 B. Variances may be issued for new construction and substantial improvements and for other
- 571 development necessary for the conduct of a functionally dependent use, provided the
- 572 provisions of Section 22.24.140D are satisfied and that the structure or other development is
- 573 protected by methods that minimize flood damage during the base flood and create no
- 574 additional threats to public safety.
- 575 C. Variances shall not be issued within any designated floodway if any increase in flood levels
- 576 during the base flood discharge would result.
- 577 D. Variances shall only be issued upon a determination that the variance is the minimum
- 578 necessary, considering the flood hazard, to afford relief.
- 579 E. Variances shall only be issued upon:
- 580 1. A determination that failure to grant the variance would result in exceptional hardship to
- 581 the applicant; and;
- 582 2. A determination that the granting of a variance will not result in increased flood heights,
- 583 additional threats to public safety, extraordinary public expense, create nuisances, cause
- 584 fraud on or victimization of the public as identified in Section 22.24.140D, or conflict with
- 585 existing local laws or ordinances.
- 586 F. An applicant to whom a variance is granted shall be given written notice that the structure
- 587 will be permitted to be built with a lowest floor elevation below the base elevation and that
- 588 the cost of flood insurance will be commensurate with the increased risk resulting from the
- 589 reduced lowest floor elevation. A copy of the notice shall be recorded by the Chief Building
- 590 Official in the office of the Santa Barbara County Recorder in a manner so that it appears in
- 591 the chain of title of the affected parcel of land. (Ord. 4522, 1988, Ord. 3972, 1978.)

592 **22.24.160 General Standards for Flood Hazard Reduction**

593 In all areas of special flood hazards the following standards shall apply:

## 594 A. Anchoring.

595 1. All new construction and substantial improvements of structures, including manufactured  
596 homes, shall be adequately anchored to prevent flotation, collapse or lateral movement  
597 of the structure resulting from hydrodynamic and hydrostatic loads, including the effects  
598 of buoyancy.

## 599 B. Construction Material and Methods.

- 600 1. All new construction and substantial improvements shall be constructed:
- 
- 601 a. With materials and utility equipment resistant to flood damage.
- 
- 602 b. Using methods and practices that minimize flood damage.
- 
- 603 c. With electrical, heating, ventilation, plumbing and air conditioning equipment and
- 
- 604 other service facilities that are designed and located so as to prevent water from
- 
- 605 entering or accumulating within the components during conditions of flooding.
- 
- 606 2. Within Zones AH, AO or VO, it is required to have adequate drainage paths around
- 
- 607 structures on slopes to guide flood waters around and away from proposed structures.
- 
- 608 3. Any alteration, repair or addition to an existing building or non-substantial improvements
- 
- 609 shall be constructed:
- 
- 610 a. With materials and utility equipment resistant to flood damage.
- 
- 611 b. Using methods and practices that minimize flood damage.
- 
- 612 c. With electrical, heating, ventilation, plumbing and air conditioning equipment and
- 
- 613 other service facilities that are designed and located so as to prevent water from
- 
- 614 entering or accumulating within the components during conditions of flooding.

## 615 C. Elevation and Flood-proofing.

- 616 1. New construction and substantial improvement of any structure:
- 
- 617 a. Shall have the lowest floor, including basement:
- 
- 618 i. In AE, AH, A1-30 Zones, elevated to or above the base flood elevation as
- 
- 619 determined under 22.24.060, unless a higher elevation is required by the Chief
- 
- 620 Building Official. or
- 
- 621 ii. In an AO Zone, elevated above the highest adjacent grade to a height equal to or
- 
- 622 exceeding the depth number specified in feet on the FIRM, or elevated at least 2
- 
- 623 feet above the highest adjacent grade if no depth number is specified. or
- 
- 624 iii. In an A zone, without BFE's specified on the FIRM [unnumbered A zone],
- 
- 625 elevated to or above the base flood elevation; as determined under 22.24.130B.
- 
- 626 iv. In Zones V, V1-30, and VE meet standards as determined in 22.24.170.
- 
- 627 b. Nonresidential structures may meet the standards in subsection 3 below.
- 
- 628 2. Upon the completion of the structure the elevation of the lowest floor including basement
- 
- 629 shall be certified by a registered professional engineer or surveyor to be properly
- 
- 630 elevated. Such certification or verification shall be provided to the Chief Building Official
- 
- 631 in the form of a FEMA Elevation Certificate.
- 
- 632 3. Nonresidential construction shall either be elevated in conformance with subsections 1
- 
- 633 and 2 above or, together with attendant utility and sanitary facilities, shall:
- 
- 634 a. Be flood-proofed so that the structure is watertight to one foot above the BFE with
- 
- 635 walls substantially impermeable to the passage of water;
- 
- 636 b. Have structural components capable of resisting hydrostatic and hydrodynamic loads
- 
- 637 and effects for buoyancy; and
- 
- 638 c. Be certified by a registered professional engineer or architect that the standards of
- 
- 639 this subsection are satisfied. Such certifications shall be provided to the Chief
- 
- 640 Building Official in the form of a FEMA Floodproofing Certificate.

- 641 4. Require, for all new construction and substantial improvements, with fully enclosed  
642 areas below the lowest floor that are usable solely for parking of vehicles, building  
643 access or storage, and which are subject to flooding, shall be designed to automatically  
644 equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of  
645 floodwaters. Designs for meeting this requirement must either be certified by a  
646 registered professional engineer or architect or meet or exceed the following minimum  
647 criteria:
- 648 a. A minimum of two openings having a total net area of not less than one square inch  
649 for every square foot of enclosed area subject to flooding shall be provided **on**  
650 **opposite sides** of the enclosure. The bottom of all openings shall be no higher than  
651 one foot above grade. Openings may be equipped with screens, louvers, valves or  
652 other coverings or devices provided that they permit the automatic entry and exit of  
653 floodwaters. Buildings with more than one enclosed area must have openings on  
654 exterior walls for each area to allow flood water to directly enter; or  
655 b. Be certified to comply with a local flood-proofing standard approved by the FIMA.
- 656 5. Critical Facilities (and Essential Facilities) shall also meet the standards in subsection  
657 22.24.160F below.
- 658 6. Manufactured homes shall also meet the standards in subsection 22.24.160G below.
- 659 D. Utilities.
- 660 1. All new and replacement water supply and sanitary sewage systems shall be designed  
661 to minimize or eliminate infiltration of flood waters into the system and discharge from  
662 systems into flood waters.
- 663 2. On-site waste disposal systems shall be located to avoid impairment to them or  
664 contamination from them during flooding.
- 665 3. All new, repaired, altered or replaced electrical gear shall be elevated above the Base  
666 Flood Elevation or designed to minimize or eliminate infiltration of flood waters.
- 667 4. All new, repaired, altered or replaced mechanical equipment and ductwork shall be  
668 elevated above the Base Flood Elevation.
- 669 E. Subdivision Proposals.
- 670 1. All preliminary subdivision proposals shall identify the Special Flood Hazard Areas  
671 (SFHA) and Base Flood Elevations (BFE).
- 672 2. All final subdivision plans shall provide for each proposed structure: lowest floor  
673 elevation, lowest adjacent grade, and pad elevation. If the site is filled above the base  
674 flood, the final pad elevation shall be certified by a registered professional engineer or  
675 surveyor and provided to the Chief Building Official.
- 676 3. All subdivision proposals shall be consistent with the need to minimize flood damage.
- 677 4. All subdivision proposals shall have public utilities and facilities such as sewer, gas,  
678 electrical, and water systems located and constructed to minimize flood damage.
- 679 5. All subdivision proposals shall have adequate drainage provided to reduce exposure to  
680 flood damage. (Ord. 4522, 1988; Ord. 3972, 1978.)
- 681 F. Critical Facilities (and Essential Facilities)
- 682 1. All new critical facilities shall not be located within a FEMA Special Flood Hazard Area  
683 unless necessary due to its function.
- 684 2. If a critical facility must be located in a floodplain, that critical facility (and essential  
685 facility) shall:
- 686 a. Meet the standards in 22.24.160A through 22.24.160E and  
687 b. **Add an additional two feet of freeboard to the minimum required base flood**  
688 **elevation; or 500-year flood elevation, whichever is higher**
- 689 G. Manufactured Homes
- 690 1. All manufactured homes that are placed or substantially improved, on sites located: (1)  
691 outside of a manufactured home park or subdivision; (2) in a new manufactured home

- 692 park or subdivision; (3) in an expansion to an existing manufactured home park or  
693 subdivision; or (4) in an existing manufactured home park or subdivision upon which a  
694 manufactured home has incurred "substantial damage" as the result of a flood, shall:  
695 a. Meet the standards in 22.24.160A through 22.24.160E.
- 696 2. All manufactured homes to be placed or substantially improved on sites in an existing  
697 manufactured home park or subdivision within Zones A1-30, AH, AE, AO, V1-30, V, and  
698 VE and Coastal AE on the community's Flood Insurance Rate Map that are not subject  
699 to the provisions of 22.24.160G subsection 1, will be securely fastened to an adequately  
700 anchored foundation system to resist flotation, collapse, and lateral movement, and be  
701 elevated so that either the:  
702 a. Meet the standards in 22.24.160A through 22.24.160E; or  
703 b. If the lowest floor is not elevated so that the lowest floor is above the BFE, then the  
704 manufactured home chassis must be supported by reinforced piers or other  
705 foundation elements of at least equivalent strength that are no less than 36 inches in  
706 height above grade.
- 707 H. Recreational Vehicles
- 708 1. All recreational vehicles placed in Zones A1-30, AH, AE, V1-30 and VE will either:  
709 a. Be on the site for fewer than 180 consecutive days; or  
710 b. Be fully licensed and ready for highway use. A recreational vehicle is ready for  
711 highway use if it is on its wheels or jacking system, is attached to the site only by  
712 quick disconnect type utilities and security devices, and has no permanently attached  
713 additions; or  
714 c. Meet the permit requirements of 22.24.110 and the elevation and anchoring  
715 requirements for manufactured homes in 22.24.160F.
- 716 2. Recreational vehicles placed on sites within Zones V1-30, V, and VE and Coastal AE on  
717 the community's Flood Insurance Rate Map will meet the requirements of 22.24.160G  
718 subsection 1 and 22.24.170.
- 719 I. Basements
- 720 1. All basement levels, not legally permitted as habitable space, below the BFE shall be  
721 maintained only for use as storage, parking or access to the floor above.  
722 a. No habitable space.  
723 b. No plumbing fixtures.  
724 c. No Mechanical equipment or ductwork.  
725 d. No electrical gear (service panel, sub-panel, switch gear, etc.)  
726 e. No electrical circuits unless ground-fault circuit interrupter-protected (GFCI).
- 727

728 **22.24.170 Coastal High Hazard Areas**

729 Within coastal high hazard areas, Zones V, V1-30, VE and Coastal AE as established pursuant  
730 to Section 22.24.060, the following standards shall apply:

- 731 A. All new construction and substantial improvements shall be elevated on adequately  
732 anchored pilings or columns and securely anchored to such pilings or columns so that the  
733 lowest horizontal portion of the structural members of the lowest floor (excluding the pilings  
734 or columns) is elevated to or above the base flood elevation, unless a higher elevation is  
735 required by the Chief Building Official. The pile or column foundation and structure attached  
736 thereto is anchored to resist flotation, collapse, and lateral movement due to the effects of  
737 wind and water loads acting simultaneously on all building components. Water loading  
738 values used shall be those associated with the base flood. Wind loading values used shall  
739 be those required by applicable state or local building standards.
- 740 B. All new construction and other development shall be located on the landward side of the  
741 reach of mean high tide.
- 742 C. All new construction and substantial improvements shall have the space below the lowest  
743 floor free of obstructions or constructed with breakaway walls as defined in 22.24.040. Such  
744 temporarily enclosed space shall not be used for human habitation and will be usable solely  
745 for parking of vehicles, building access or storage.
- 746 D. Fill shall not be used for structural support of buildings.
- 747 E. Man-made alteration of sand dunes which would increase potential flood damage is  
748 prohibited.
- 749 F. The Chief Building Official shall obtain and maintain the following records:
- 750 1. Certification by a registered engineer or surveyor that a proposed structure complies  
751 with subsection 22.24.170A above; and
  - 752 2. The elevation (in relation to NAVD 1988) of the bottom of the lowest structural member  
753 of the lowest floor (excluding pilings or columns) of all new and substantially improved  
754 structures, and whether such structures contain a basement. (Ord. 4522, 1988; Ord.  
755 3972, 1978.)

756

757 **22.24.180 Floodways**

758 Since the floodway is an extremely hazardous area due to the velocity of flood waters which  
759 carry debris, potential projectiles, and erosion potential, the following provisions apply to  
760 floodways.

- 761 A. No encroachments, including fill, new construction, substantial improvements, and other  
762 development are permitted unless a registered professional engineer or architect certifies  
763 that the development will not result in any increase in flood levels during the occurrence of  
764 the base flood discharge.
- 765 B. If subsection 22.24.180A above is satisfied, all new construction and substantial  
766 improvements shall comply with all applicable flood hazard reduction provisions of Sections  
767 22.24.160 and 22.24.170.
- 768 C. No mobile homes may be placed in any floodway, except in a mobile home park or mobile  
769 home subdivision established prior to the effective date of this Chapter. (Ord. 4522, 1988;  
770 Ord. 3972, 1978.)

771