

ARTICLE IV. ADMINISTRATION

Sec. 12.2-40. Designation of the floodplain administrator

The director of the department of Resource Management is hereby appointed to administer and implement this chapter by granting or denying permits in accordance with its provisions.

(Ord. No. 1427, §1; Ord. No. 1487, §1; Ord. No. 1506 §1; Ord. No. 1700, §6.)

Sec. 12.2-41. Permits

Upon application for a building, zoning, use or grading permit, the Solano County building inspector, Director of Resource Management, or other employee responsible (responsible employee) for review of such applications, shall review the submitted application and plans and determine whether or not the site of the proposed structure is within any special flood hazard area established in Section 12.2-31. If the site of the proposed structure or development lies within any special flood hazard area, the application and plans shall be referred to the floodplain administrator for review as specified in Section 12.1-43. If the site of the proposed structure or development does not fall within said special flood zone, the permit need not be reviewed by the floodplain administrator in regard to the flood hazard regulations and shall be processed in accordance with standard procedure.

(Ord. No. 1427, §1; Ord. No. 1700, §7)

Sec. 12.2-42. Requirements for submission of information

The floodplain administrator shall review and approve all applications for permits before construction or development begins within any area of special flood hazards established in Section 12.2-31. The floodplain administrator may require submission of plans in duplicate drawn to scale showing the nature, location, dimensions, and elevation of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities; and the location of the foregoing. In addition, the following information shall be required:

- (A) Proposed elevation in relation to mean sea level, of the lowest floor (including basement) of all structures; in Zone A0 or V0, elevation of highest adjacent grade and proposed elevation of lowest floor of all structures;
- (B) Proposed elevation in relation to mean sea level to which any structure will be flood proofed;
- (C) All appropriate certifications listed in Section 12.2-43(d) of this chapter; and
- (D) Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

(Ord. No. 1427, §1; Ord. No. 1700, §8)

Sec. 12.2-43. Duties and responsibilities of the floodplain administrator

The duties and responsibilities of the floodplain administrator shall include, but not be limited to:

(a) Permit review.

- (1) Review all building, zoning, use or grading permit applications referred by the responsible employee to determine that the permit requirements of this chapter have been satisfied including determination of substantial improvement and substantial damage of existing structures;
- (2) Determine that all other state and federal permits have been obtained;
- (3) Determine that the site will be reasonably safe from flooding; and
- (4) Determine that 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 one foot at any point in the county of Solano; and
- (5) All Letters of Map Revision (LOMR's) 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 (CLOMR's). Approved CLOMR's 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, to include defining "Market Value."
- (2) Assure procedures are coordinated with other departments/divisions and implemented by county staff.

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

When base flood elevation data has not been provided in accordance with Section 12.2-31, the floodplain administrator shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a federal, state or other source, in order to administer Article V.

NOTE: A base flood elevation may 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) Whenever a watercourse is to be altered or relocated:

Notify adjacent communities and the California Department of Water Resources prior to alteration or relocation of a major watercourse, and submit evidence of such notification to the Federal Emergency Management Agency. Require that the flood carrying capacity of the altered or relocated portion of said watercourse is maintained.

(2) Base Flood Elevation changes due to physical alterations:

Within 6 months of information becoming available or project completion, whichever comes first, the floodplain administrator shall submit or assure that the permit applicant submits technical or scientific data to FEMA for a Letter of Map Revision (LOMR). All LOMR's 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 (CLOMR's). Approved CLOMR's 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:

(1) The certification required in Section 12.2-50(c) (1) (lowest floor elevations);

(2) The certification required in Section 12.2-50(C)(3)(c) (elevation or flood proofing of nonresidential structures);

(3) The certification required in Section 12.2-50(C)(4) (wet flood proofing standard);

(4) The certified elevation required in Section 12.2-52(B) (subdivision standards);

- (5) The certification required in Section 12.2-54(A) (floodway encroachments); and
- (6) The information required in Section 12.2-55(F) (coastal construction standards);

(f) Map Determination.

Make interpretations where needed, as to the exact location of the boundaries of the areas of special flood hazards for the purposes of Section 12.2-43(A) (for example, where there appears to be a conflict between 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 12.2-60.

(g) Remedial Action.

Take action to remedy violations of this ordinance as specified in Section 12.2-32 herein.

(h) Biennial Report.

Complete and submit Biennial Report to FEMA.

(i) Planning.

Assure community's General Plan is consistent with floodplain management objectives in this Chapter.

(Ord. No. 1427, §1; Ord. No. 1700, §9)