

Flood Hazard Management Ordinance

The Flood Hazard Management Ordinance (Ordinance No. 186952, effective April 19, 2021) qualifies the City to be in the Regular Status classification of the National Flood Insurance Program. This plan qualifies property owners for greater coverage limits and generally lower flood insurance premium rates. This Information Bulletin, as required by Section M.3 of the Ordinance, establishes standards necessary to carry out the provisions and intent of the Ordinance.

A. DEFINITIONS

For the purpose of this Bulletin, the following terms are defined as follows:

1. **Base Flood:** Any flood having a one percent chance of being equated or exceeded in any given year. Base Flood may also be referred to as a One Hundred-Year Flood.
2. **BOE:** City of Los Angeles Department of Public Works, Bureau of Engineering.
3. **Coastal High Hazard Area:** Any area subject to high velocity waters including, but not limited to, wave wash or tsunami. This area is designated V1-30, V, or VE Zones on the Los Angeles Flood Hazard Map (LAFHM). Properties within the Coastal High Hazard VE Zone must fill out a V Zone Design Certificate. Please see <https://crsresources.org/files/300/310-v-zone-certificate.pdf>.
4. **DFIRM:** Digital Flood Insurance Rate Map. Digital map provided by FEMA and used by the City of Los Angeles, to determine the boundaries of the Special Flood Hazard Areas. See http://navigatela.lacity.org/common/mapgallery/pdf/la_flood_haz_map.pdf or <http://zimas.lacity.org/> to determine whether a parcel is located in Special Flood Hazard Area.
5. **Elevation Certificate:** The Elevation Certificate is an important administrative tool to provide elevation information necessary to ensure compliance with the National Flood Insurance Program (NFIP). The Elevation Certificate may be downloaded from the FEMA website https://www.fema.gov/sites/default/files/2020-07/fema_nfip_elevation-certificate-form_feb-2020.pdf
6. **FEMA:** Federal Emergency Management Agency.
7. **FHMO:** Flood Hazard Management Ordinance, Ordinance No. 186952.
8. **Regulatory Floodway:** The channel of a river or other major drainage course and the adjacent land area that must be reserved in order to discharge the Base Flood without cumulatively increasing the water surface elevation more than 1 foot.
9. **Flood-Proofing:** Any combination of structural and non-structural additions, changes or adjustments to structures which reduce or eliminate Flood-related damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

10. **Flood Proofing Certificate:** The Flood Proofing Certificate is an administrative tool to document design information necessary to ensure compliance with the National Flood Insurance Program (NFIP). The Flood Proofing Certificate may be downloaded from the FEMA website at <https://eng2.lacity.org/sites/g/files/wph726/f/Floodproofing%20Certificate%20Form.pdf>
11. **LADBS:** City of Los Angeles Department of Building and Safety.
12. **Market Value:** The value of the structure for which alterations are proposed, including depreciation. This definition is not to be construed to mean the replacement cost. Market Value may be estimated by LADBS as the "Assessed Improvement Value" found in the Los Angeles City Zoning Information web site: <http://zimas.lacity.org/> or LA County Assessors as current tax roll improvements value found at the assessors website: <https://portal.assessor.lacounty.gov/>
13. **Post-FIRM Buildings:** Are new construction and Substantially Improved and Substantially Damaged structures, and those built after the effective date of the first Flood Insurance Rate Map for a community. For the City of Los Angeles, the effective date of the first FIRM was December 2nd 1980.
14. **Pre-FIRM Buildings:** Are those structures built before the effective date (December 2nd 1980) of the first Flood Insurance Rate Map (FIRM) for a community. This means they were built before detailed flood hazard data and flood elevations were provided to the community and usually before the community enacted comprehensive regulations on floodplain regulation. Pre-FIRM buildings are still subject to the Substantial Improvement/Damage requirements in Title 44 CFR 59.1 and 60.3.
15. **Substantial Improvement:** Any reconstruction, rehabilitation, addition, or other improvement of a Structure, the cost of which equals or exceeds 50 percent of the Market Value of the Structure before the Start of Construction of the improvement. This term includes a Structure which has incurred Substantial Damage, regardless of the actual repair work performed. Substantial Improvement does not include either:
 - a. Any Project for improvement of a Structure to correct existing violations or state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
 - b. Any alteration of a Historic Structure in the National Register of Historic Places or certified by the Secretary of Interior provided that the alteration will not preclude the Structure having continued designation as a Historic Structure.
 - c. The appraised value of the land itself, value of any detached structures from the subject building, and the value of hardscaping/landscaping.
16. **Substantial Damage:** 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 percent of the Market Value of the Structure before the damage occurred; or 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 percent

of the Market Value of the Structure before the damage occurred. This is also known as “repetitive loss.”

17. **Structure:** For floodplain management purposes a structure is a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home

B. APPLICATION

The following regulations (FEMA Publication 213 and Ord. 186952) apply to all public and private development in the designated special flood hazard area mapped by the City Engineer.

1. Within an adopted regulatory Floodway, no 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 (Ordinance 186952, Section 5.C.3.b.)
2. Projects other than new buildings and Substantial Improvements may be approved without conditions if the Permit Valuation is less than 50% of the Market Value. Documentation to support Market Value shall be attached to the building permit. If the Permit Valuation is over 40% of the Market Value, then the Market Value and Permit Valuation shall be verified and approved by the BOE.
3. Market Value is verified by the BOE using appraisal reports prepared by an appraiser certified in the state of California.
4. Building permits for new buildings or alterations with Permit Valuation in excess of 50% of the building Market Value are considered “Substantial Improvements” and shall fully comply with the requirements of the FHMO.
5. Requests for variances and waivers to the Flood Hazard Management Ordinance shall follow the procedures in section 9 of the Ordinance.

C. CONSTRUCTION LIMITATIONS

The Flood Hazard Management Ordinance and FEMA require specific construction limitations based on the location of the development in the Special Hazard Areas (Ordinance 186952, Section 5). Developments located in more than one Special Hazard Area (i.e. floodway, flood-prone, and mudflow) shall comply with the requirements for the most restrictive Special Hazard Area in which the development property is located. The table below shows the group responsible for review and approval for various development phases.

Table 1 - City Agency Responsibilities			
City Group	Description of Work		
	New Buildings	Additions, Alterations, Reconstructions, and Repair	Non-building structures (except fences) and Grading (not associated with building construction)
Los Angeles Department of Public Works, Bureau of Engineering "BOE"	<p>Review and approve building and site designs for compliance with FHMO and FEMA requirements.</p> <p>Communicate to LADBS the required forces on structures and buildings.</p> <p>Stamp all approved Flood Proofing Certificate / Elevation Certificate and Coastal High Hazard V Zone Design Certificate.</p> <p>Require applicant to incorporate approved Certificates onto the building plans.</p> <p>Maintain copies of all required Flood Proofing Certificate / Elevation Certificate and Coastal High Hazard V Zone Design Certificate.</p>	<p>Determine Market Value of structure and whether proposed work is a Substantial Improvement.</p> <p><u>For Pre-FIRM Structures:</u></p> <p>If proposed work is a Substantial Improvement, then see requirements for New Buildings.</p> <p>If it is not a Substantial Improvement, then the work may be approved without conditions.</p> <p><u>For Post-FIRM Structures:</u></p> <p>All proposed work is required to meet NFIP regulations for substantial improvement regardless of permit valuation. See requirements for new buildings.</p>	<p>See requirements for New Buildings.</p> <p>Review site plan to verify that site drainage will not create a flood hazard or affect existing flood prevention systems.</p>

As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability and, upon request, will provide reasonable accommodation to ensure equal access to its programs, services and activities. For efficient handling of information internally and in the internet, conversion to this new format of code related and administrative information bulletins including MGD and RGA that were previously issued will also allow flexibility and timely distribution of information to the public.

Table 1 - City Agency Responsibilities			
City Group	Description of Work		
	New Buildings	Additions, Alterations, Reconstructions, and Repair	Non-building structures (except fences) and Grading (not associated with building construction)
LADBS Building Plan Check	<p>Identify projects located within the FHMO area and refer to BOE for plan approval.</p> <p>Review structural strength (hydrologic forces) based on criteria set by BOE.</p>	<p>Identify project located within the FHMO area.</p> <p>For Post-FIRM structures refer to BOE for plan approval.</p> <p><u>For Pre-FIRM structures refer to the following guidelines:</u></p> <p>If permit valuation is greater than 40% of Market Value, then refer to BOE for refined Substantial Improvement calculation.</p> <p>If project is a Substantial Improvement, then review structural strength (hydrologic forces) based on criteria set by BOE.</p> <p>Document all approvals without conditions showing calculations when permit valuation is less than 40% of the Market Value.</p>	<p>See requirements for New Buildings.</p>

Table 1 - City Agency Responsibilities			
City Group	Description of Work		
	New Buildings	Additions, Alterations, Reconstructions, and Repair	Non-building structures (except fences) and Grading (not associated with building construction)
LADBS Grading Section	Review and approve Geologic Reports for on-site slope stability, foundations, on-site mudflow, and site drainage.	Same as the requirements for New Buildings.	Same as the requirements for New Buildings.
LADBS Inspection	<p><u>During Construction:</u> Verify lowest floor slab if at or above the lowest floor elevation designated in the approved design plan.</p> <p><u>Upon Construction Completion:</u> Obtain an elevation survey, or a BOE approved elevation certificate from a licensed surveyor or engineer to verify elevation of the Lowest Finished Floor is at or above elevation established by BOE.</p> <p>Obtain clearance from BOE through the Automated Certificate of Occupancy System (ACOS) before a Certificate of Occupancy (CofO) can be issued.</p>	<p>Same as the requirements for New Buildings when a CofO is required.</p> <p>For projects that do not require a CofO, verify Flood Hazard preventive measures per approved plans and as required by BOE.</p> <p>Verify required Flood Elevation Certificate / Flood Proofing Certificate / V-Zone Design Certificate are stamped and approved by BOE.</p>	<p>Verify Flood Hazard preventive measures per approved plans and as required by BOE.</p> <p>Verify Flood Elevation Certificate / Flood Proofing Certificate / V-Zone Design Certificate are stamped and approved by BOE.</p>

The following is a list of the required documents needed for approval by each city agency.

1. Los Angeles Department of Public Works, Bureau of Engineering, (“BOE”)

- a. Site plans, licensed survey maps, LADBS geology reports, Significant Improvement calculation, and other documentation necessary to verify compliance with the FHMO and FEMA construction requirements.
- b. Itemized construction cost estimates prepared by the engineer or architect of record for additions, alterations, repairs, rehabilitations, and reconstructions to complete a Significant Improvement determination for existing buildings.
- c. Appraisal Report prepared by an appraiser certified in the State of California.
- d. Reports by civil engineers or geologists to establish structural design requirements for components of the building and site to withstand hydro-geologic forces pursuant to the FHMO Section 5.C.1 (b), Section 5.C.7 (c), and Section 5.C.9 (a). (For properties located within mudflow areas, mud-prone areas, and flood-related erosion hazard areas to determine the extent of the exposure, determine remedies, and to determine that the proposed project will not aggravate existing hazards.)

2. LADBS Grading Section

Reports prepared by licensed geologists or soils engineer pursuant to the FHMO Section 5.C.7(c) and 5.C.9 (a) for properties located within mudflow areas, mud-prone areas, and flood-related erosion hazard areas to determine the extent of the exposure, determine remedies and to determine that the proposed project will not aggravate existing hazards.

3. LADBS Structural Plan Check

- a. Structural design drawings and calculations based on loads established by the Department of Public Works.
- b. Building and grading permit applications with designs complying with the FHMO approved by the BOE.

4. LADBS Building Inspection

A BOE approved Flood Proofing Certificate, a BOE approved Elevation Certificate, or an elevation survey map from a licensed surveyor to approve the top of foundations.

D. REPORTING

LADBS is required to submit upon request to the City’s Flood Hazard Mitigation Coordinator, all necessary information and report as required under FEMA’s National Flood Insurance Program/Community Rating System (NFIP/CRS); (Ordinance No. 186952, Section 11). Various required reports include, but are not limited to the following:

- 1. A report of the number of permits issued in Flood Hazard Zones during the bi-annual time period requested by FEMA.
- 2. A report of the number of waivers that have been applied for and granted in Flood Hazard Zones during the bi-annual time period requested by FEMA.
- 3. A report of the number of Certificate of Occupancies issued for buildings constructed in Flood Hazard Zones during the bi-annual time period requested by FEMA.

E. ORDINANCE LINK

Use the following link to view the new Flood Ordinance No. 186952:

https://clkrep.lacity.org/onlinedocs/2021/21-0346_ord_186952_4-19-21.pdf