



City of Laguna Beach

Community Development
Department

FREQUENTLY ASKED QUESTIONS

FLOOD INSURANCE AND FLOODPLAIN REGULATIONS

Answers to most of the frequently asked questions regarding flood insurance, flood zone designation, and floodplain regulations are listed below. Also refer to <http://www.fema.gov/plan/prevent/floodins/infocon.shtm/> and <http://www.floodsmart.gov/floodsmart>

Q. What is the flood zone designation for my property?

A. Please provide City planning staff the Assessor Parcel Number (APN) or address of the property so that we can determine the flood zone designation for your property. You can also check for yourself using the City's GIS at <http://gis.lagunabeachcity.net/Geocortex/Essentials/Web23/Viewer.aspx?Site=FEMAFloodplain/>.

Q. How do I go about getting flood insurance?

A. Contact your homeowners' insurance company. Please note that the flood insurance premium should be the same regardless of which insurance company you contact, so long as the coverage and deductibles are the same.

Q. My property is NOT in a floodplain, but I am worried that I may suffer flood damage if it rains heavily this year. How do I go about acquiring flood insurance for my property?

A. The Federal Emergency Management Agency (FEMA) has a flood insurance premium referred to as Preferred Risk Premium for properties located in low risk areas.

Q. Where can I get a copy of the Flood Insurance Study (FIS) for Laguna Beach?

A. If you are interested in the FIS report for the City of Laguna Beach, we have a copy of the current FIS and you can review it at City Hall and/or obtain a copy by sending a bonded copier service to pick it up and make a copy at your cost. You may also review and purchase it online at <http://www.fema.gov/hazard/map/fis.shtm#1/>.

Q. What is a floodplain management review?

A. If you are proposing to build a structure within a FEMA mapped floodplain, the proposed structure has to be constructed in such a way that it would not suffer damages due to the 100-year flood. Additionally, the construction of such a structure should be done in such a way that it does not obstruct the free flow of storm water, nor divert or concentrate storm flows.

Q. What do I need to show on a floodplain management review project?

A. The plans for a floodplain management review project shall, at a minimum, include lot size, location, topography, proposed finished floor elevation, proposed erosion protection, proposed flow through area and a typical section of the slab and foundation. Usually a hydrology report is required.

Q. Do the plans for a floodplain management review have to be prepared by a Civil Engineer, Surveyor or Architect?

A. Yes.

Q. What is an Elevation Certificate?

A. An Elevation Certificate is a FEMA form prepared by your civil engineer, surveyor or architect in order to clearly show what the risk of flooding is for a specific structure. It is usually filled out after a structure is completed and it provides 'as-built' information for the structure. A structure with a properly completed Elevation Certificate may qualify for a discount on flood insurance premiums. (Refer to www.fema.gov/pdf/nfip/elvcert.pdf.)

Q. I am processing a floodplain management project and I have conditions of approval. One of the conditions states that I need to turn in a completed Elevation Certificate. Why?

A. The Elevation Certificate will give us the information of whether the building is elevated and/or floodproofed in accordance with the requirements stated in the condition. It is also a National Flood Insurance Program (NFIP) requirement that we keep such records. The City maintains copies of Elevation Certificates in the address files and make copies of the Certificate for future owners of the property.

Q. Where do I get a copy of the completed Elevation Certificate for my property?

A. All Elevation Certificates are kept in the address files and can be downloaded and/or printed for your use from the City's website at <http://www.lagunabeachcity.net/> . In addition you can come in to City Hall to obtain a copy, if one is available for your property. Please note that most properties in the City do not have an Elevation Certificate available because the requirement to provide the Elevation Certificate to the City was adopted after most of the structures within the flood zone were built.

Q. What do I do if there is no Elevation Certificate for my property?

A. It will be necessary to hire a civil engineer, licensed surveyor or architect at your expense in order to complete the FEMA form. Please refer to <http://www.fema.gov/pdf/nfip/elvcert.pdf/> and have it completed in accordance with the instructions contained in that document.

Q. Why do I pay flood insurance?

A. If you own a property and the property is in a FEMA mapped floodplain and you have to borrow money to finance the purchase of the property, flood insurance is mandatory. Flood insurance covers the structure(s) and the contents thereof.

Q. How do I get out of paying flood insurance?

A. This response assumes you are indeed in a mapped floodplain. The simple answer is by having your property qualify for removal from the floodplain. FEMA is the only agency that has authority to remove a property from a 100-year flood zone designation. Before you invest time and money on this quest contact us and ask what is involved in getting a property out of a 100-year flood zone designation. The basic rule is, if you are certain your property is on high ground by means of fill or the natural lay of the land, and if you can prove it to FEMA, you may have a chance of getting the flood designation removed. See the information in the following questions and answers.

Q. The FEMA maps put my property in a flood zone. How do I correct this, if I think that is an error?

A. You can file a Letter of Map Amendment (LOMA) form with FEMA. FEMA will require hydrological evidence before they declare your property is indeed erroneously placed in a flood hazard area. Please refer to FEMA's website at http://www.fema.gov/plan/prevent/fhm/fmc_loma.shtml/ .

Q. What is a LOMR, CLOMR, LOMR-F, CLOMR-F, LOMA etc?

A. Letter of Map Revision (LOMR), LOMR-F and LOMA are all some form of final determination for a revision request. Final revisions to the floodplain limits of a specific area are made through one of these letter forms. CLOMR and a CLOMR-F are conditional determinations for a revision request. A property that has a conditional determination remains in a flood hazard area until a LOMR is requested and issued by FEMA.

Q. Can I process a LOMR-F or LOMA? If so what do I need?

A. At a minimum you must hire a licensed land surveyor or civil engineer. All the necessary information should accompany the request. Additional information about the process and the current fee schedule can be obtained from http://www.fema.gov/fhm/ot_lmreq.shtml/ .

Q. My lender says I am in a floodplain and therefore I have to buy flood insurance, and I believe I am not. How do I go about resolving this issue?

A. You and your lender can file FEMA's Standard Flood Hazard Determination form. Please refer to FEMA's website at <http://www.fema.gov/business/nfip/lomri.shtml/> for more information. Once FEMA receives all the necessary information, they will issue a determination within 45 days. Please note that FEMA's determination may or may not be in your favor.

Q. Where can I get a copy of the Flood Insurance Rate Map (FIRM) for my property?

A. You can contact FEMA's Map Service Center @ 1.877.FEMA MAP (1.877.336.2627) or use FEMA's Map website at <http://www.fema.gov/about/programs/nfip/index.shtml/> and click on "Find a Flood Map" on the right-hand side under the heading of Online Tools. Then just enter the address information. You can also use the City's GIS at <http://gis.lagunabeachcity.net/Geocortex/Essentials/Web23/Viewer.aspx?Site=FEMAFloodplain/> . (Please note that FEMA's assigned Community Number for Laguna Beach is "060223" and that number should be used on flood insurance applications.)

Q. What requirements do I have to fulfill in order to be able to subdivide a property and/or construct a new structure in a flood zone?

A. The answer to the question is complicated and this FAQ cannot provide you with all possible scenarios or requirements. In general, the City needs to determine that there will not be any increase (no-rise) in flood levels during the occurrence of the base (100-year) flood discharge. You will have to protect the proposed lots from offsite storm runoff. Your project cannot concentrate, divert or obstruct stormwater or adversely impact adjacent properties. Additionally all of the offsite and onsite storm runoff shall be conveyed to an adequate outlet. It is best to consult an engineer who has expertise in the field of land division and storm hydrology. After a project is approved and constructed, it is typically required to obtain a number of certifications, including a structural Elevation Certificate, Floodproofing Certificate and/or a No-Rise Certification for Floodways. (Please refer to <http://www.fema.gov/plan/prevent/floodplain/nfipkeywords/certifications.shtm/>.)

Q. Where can I obtain or review the City's adopted Floodplain Regulations?

A. Online access to the City's Municipal Code is available at <http://qcode.us/codes/lagunabeach/>. Click on "Title 25 Zoning," and then on "Chapter 25.38 Floodplain Management." In addition, you can obtain a copy at City Hall, 505 Forest Avenue.

Q. A storm drain was recently construction in my area, and I wonder if it can be used to get rid of the 100-year flood zone designation and remove my property from the floodplain.

A. If your property is in a FEMA mapped floodplain and the City constructed a storm drain in your area, chances are the facility will reduce the flooding risk to your property. The City can request a LOMR from FEMA, but there is the possibility that your area may still be designated to be in a flood zone.



CITY OF LAGUNA BEACH NOTES AND GUIDELINES FOR DEVELOPMENT IN ESTABLISHED FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOODWAYS

The following is provided to assist and expedite the evaluation and process of determining the impacts of proposed development in an established floodway. These notes and guidelines have no legal status. They are intended solely to inform and assist the property owner/developer and engineer.

- Review and understand City Code Chapter 25.38, Flood Damage Prevention. Check with City Staff if you have any questions.
- Obtain FEMA Flood Insurance Rate Map (FIRM). Maps are available through FEMA's web site and other sources such as mapsmith.com (on CD).
- Determine FEMA flood plain designations established for the site, and specifically whether or not a floodway has been established.
- Obtain FEMA HEC 2 OR HEC RAS electronic data files used to establish Base Flood Elevations. A written request to FEMA is required using their form that is available on their web site.
- It is recommended that the HEC RAS computer program be used for all flood plain hydraulic analysis, which is also available at no cost.
- Development is allowed in an established floodway if proof is provided that the proposed development does not result in any increase (zero tolerance) in the Base Flood Elevation through the site, or upstream and downstream of the site.
- The lack of FEMA technical data will require HEC RAS studies to duplicate as close as possible the established Base Flood Elevations. The data obtained through these studies are to be used to input the proposed development conditions to evaluate floodway impacts.
- Flood plain studies must extend a sufficient distance upstream and downstream of the proposed development site to evaluate floodway impacts offsite.
- Vertical elevation datum for the proposed development must be based on the published County of Orange Vertical Control Book that provides North American Vertical Datum of 1988 (NAVD 88) with 1995 adjustments. FEMA flood plain studies are generally based on National Geodetic Vertical Datum of 1929 (NGVD 29). The average difference between the two datum's is 2.34 feet for all of Orange County.
- Development in an established floodway must be mitigated by floodway flow conveyance improvements that result in zero rise of the Base Floodway Elevations.

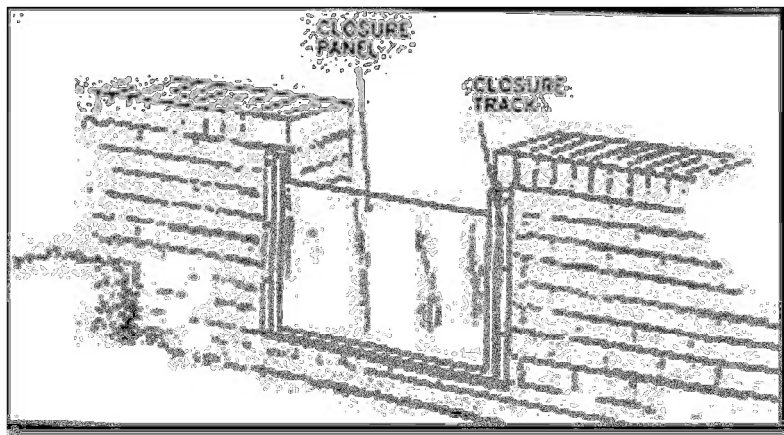


City of Laguna Beach Floodproofing Contingency Device Information Guide



Municipal Code Section 25.38 was recently amended to require commercial businesses and owners of properties located in Special Flood Hazard Areas (SFHA) to install contingency floodproofing devices. The devices are intended to protect structures and structure contents from flood damage. A similar provision has been required for properties in the Downtown for many years. The Municipal Code has recently been amended to expand this requirement to all commercial buildings in SFHAs.

“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:



You may have seen these devices currently installed around exterior doors/window jams on business located in the Downtown. When installed, the device typically include thin channels at the lower portions of a door/window that is designed for barriers to securely slide in prior to a flood and remove after the threat of flooding has ended. These devices are known to work very affectively in preventing and minimizing flood damages.



Removable
Floodproofing
Barrier with required
RED stenciled
labeling



The City's Flood Plain Management Ordinance requires the following:

❖ **All businesses and owners of commercial properties located in Special Flood Hazard Area are responsible to install contingency floodproofing devices;**

These devices include hinged and or removable panels and/or similar barriers that can withstand the hydrostatic and hydrodynamic pressures of floodwaters. The barriers are intended to be temporarily installed at doors, windows or similar openings, prior to a flooding event. The barriers would be designed to reduce the possibility of structure flooding and installed to a height of six-inches above the FEMA designated base flood elevation (BFE).

❖ **All businesses and owners of commercial properties located in Special Flood Hazard Area shall have a Contingency Floodproofing Measures Plan;**

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. 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.

❖ **Removable barriers do not require building permits unless they are otherwise required as part of a permitted construction project that requires compliance with flood plain regulations. When constructing the flood barriers, care must be exercised not to install any permanent projections to the building that could constitute a tripping hazard or interfere with emergency exits or handicapped access.**

If needed, Code Enforcement staff is available to advise businesses and property owners with the implementation of the above noted flood-protection devices and creation/content of the Contingency Floodproofing Measures Plan. Contact the Code Enforcement Division at (949) 497-0301 for more information.

The following is a list of vegetation that is recommended in riparian areas on private properties that are prone to annual flooding and also located within flood hazard areas. When planted and maintained correctly, the vegetation identified in the spreadsheet can assist in reducing flood velocities, improving soil stability and reducing erosion during flooding events. The spread sheet includes a list of “native” vegetation for the floodplain based on (1) riparian zone, (2) transition between riparian and upland, and (3) upland areas. The selection of the vegetation depends on (1) the amount of water if it is in the riparian zone, (2) climate and location for the types of native species, and (3) the hydraulics for that portion of the floodplain. Many of these species are native to Southern California and all are non-evasive.

Riparian Plant List

Root depth and width were estimated by the plant height and canopy. Roots typically reach out 2 to 3 times beyond the canopy. These are very conservative estimations.

Lower Riparian (moist soil, occasional inundation)				
	Depth of Root at Plant Installation ¹	1 Yr. depth x width	3 Yr. depth x width	5 Yr. depth x width
<i>SHRUBS: fibrous root system 24" min.</i>				
California blackberry* <i>Rubus ursinus</i>	9"	10" x 24"	11" x 36"	12" x 60"
Mulefat <i>Baccharis viminea</i>	9"	12" x 48"	12" x 60"	12" x 94"
Mugwort <i>Artemisia douglasiana</i>	7"	8" x 10"	10" x 24"	10" x 48"
<i>TREES: anchor roots deeper than 24"</i>				
Alder <i>Alnus rhombifolia</i>	16"	18" x 60"	20" x 94"	24" x 120"
Arroyo willow** <i>Salix lasiolepis</i>	24" pole	24" x 60"	30" x 120"	30" x 240"
Cottonwood** <i>Populus fremontii</i>	24" pole	24" x 60"	30" x 120"	30" x 240"
Red willow** <i>Salix laevigata</i>	24" pole	24" x 60"	30" x 120"	30" x 240"
Yellow Willow** <i>Salix lasiandra</i>	24" pole	24" x 60"	30" x 120"	30" x 240"
Mid-Riparian (semi-moist; roots can hit ground water)				
	Depth of Root at Plant Installation ¹	1 Yr. depth x width	3 Yr. depth x width	5 Yr. depth x width
<i>SHRUBS: fibrous root system 24" min.</i>				
California rose* <i>Rosa californica</i>	9"	9" x 24"	12" x 48"	36" x 84"
Snowberry <i>Symphoricarpos rivularis</i>	9"	9" x 12"	9" x 24"	10" x 36"
Wild grape <i>Vitis californica</i>	9"	9" x 12"	9" x 48"	12" x 54"
<i>TREES: anchor roots at least 24" min.</i>				
Big leaf maple <i>Acer macrophyllum</i>	16"	16" x 36"	20" x 48"	36" x 62"
Box elder <i>Acer negundo</i>	16"	16" x 24"	24" x 52"	48" x 84"
Buckeye <i>Aesculus californica</i>	16"	16" x 24"	24" x 48"	48" x 84"
Elderberry <i>Sambucus mexicana</i>	16"	24" x 36"	48" x 84"	50" x 120"
Sycamore <i>Platanus racemosa</i>	16"	24" x 36"	48" x 84"	50" x 120"

Riparian Plant List

Root depth and width were estimated by the plant height and canopy. Roots typically reach out 2 to 3 times beyond the canopy. These are very conservative estimations.

Upper Riparian/Buffer (dry, rain, runoff and cracks in the bedrock provide sufficient moisture)				
	Depth of Root at Plant Installation ¹	1 Yr. depth x width	3 Yr. depth x width	5 Yr. depth x width
<i>SHRUBS: fibrous root system 10" min.</i>				
Coyote brush** <i>Baccharis pilularis</i>	9"	10" x 36"	24" x 62"	36" x 84"
Coffeeberry <i>Rhamnus californica</i>	9"	10" x 24"	20" x 48"	18" x 64"
Monkey flower <i>Diplacus auranticus</i>	7"	10" x 24"	12" x 36"	12" x 36"
Toyon <i>Heteromeres arbutifolia</i>	9"	10" x 24"	20" x 36"	36" x 84"
<i>TREES: anchor root 24" min.</i>				
California bay <i>Umbellularia californica</i>	9"	9" x 12"	12" x 24"	18" x 36"
Coast live oak <i>Quercus agrifolia</i>	16"	16" x 12"	36" x 24"	64" x 84" ³
Valley oak <i>Quercus lobata</i>	16"	16" x 12"	36" x 24"	64" x 84"
Walnut <i>Juglans hindsii</i>	9"	9" x 12"	20" x 24"	64" x 48"

*roots (stolons) weave the soil, additional plants will grow from stolons

**seeds produce seedlings freely within planting area

¹ Plants will be grown in containers at the depth indicated. The plants in the containers will be fully rooted and will establish in the planting hole after two to three months. Poles will be 3ft. and planted to a depth of 2ft. Rooting will take place along the 2-foot depth within three to four months.

³ Root depth on some species differ from those listed for the West Branch to reflect the soil density on the Main Branch.