

**ORDINANCE NO. 3516**

AN ORDINANCE AMENDING TITLE 23 OF THE SAN LUIS OBISPO COUNTY CODE,  
THE COASTAL ZONE LAND USE ORDINANCE, AND LOCAL COASTAL PLAN  
TO MAKE MINOR UPDATES TO THE FLOOD HAZARD AREA STANDARDS  
AND ASSOCIATED DEFINITIONS PER STANDARD REMA REVIEW  
LRP2024-00003

The Board of Supervisors of the County of San Luis Obispo ordains as follows:

SECTION 1. That the purpose and intent of this ordinance is to make minor updates to the Flood Hazard Area Standards (Chapter 23.07) and associated definitions (Section 23.11.030) in Title 23 of the San Luis Obispo County Code and Local Coastal Plan per a standard review by the Federal Emergency Management Agency (FEMA) following FEMA-initiated updates to the County's flood hazard maps. Any interpretation of this Ordinance shall be consistent with this purpose and intent.

SECTION 2. That Chapter 23.07 of the Coastal Land Use Ordinance, Title 23 of the San Luis Obispo County Code, is amended to read as follows:

**23.07.060 – Flood Hazard Area (FH).**

The Legislature of the state of California has in Government Code Sections 65302, 65560 and 65800 conferred upon local governments the authority to adopt regulations designed to promote the public health safety and general welfare of its citizenry. Therefore, the Board of Supervisors of the County of San Luis Obispo does hereby adopt the following flood plain management regulations. The Flood Hazard combining designation is applied to specific parcels by the Official Maps (Part III) of the Land Use Element to areas where terrain characteristics would present new developments and their users with potential hazards to life and property from potential inundation by a 100-year frequency flood or within coastal high hazard areas. These standards are also intended to minimize the effects of development on drainage ways and watercourses. The areas of special flood hazard identified by ~~the Federal Insurance Administration, through~~ the Federal Emergency Management Agency in a scientific and engineering report entitled "The Flood Insurance Study for the San Luis Obispo County," dated ~~July 18, 1985~~June 6, 2024, with accompanying flood insurance rate maps, and any subsequent amendments or revisions to ~~the flood insurance rate maps or flood area boundary mapsthe~~these products, are hereby adopted and incorporated into this title by reference as though they were fully set forth here. The flood insurance study is on file in the County Public Works office.

[Amended 1992, Ord. 2570; 2004, Ord. 3025]

**23.07.62 – Applicability of Flood Hazard Standards.**

All uses proposed within a Flood Hazard combining designation are subject to the standards of Sections 23.07.064 through 23.07.067~~6~~, except:

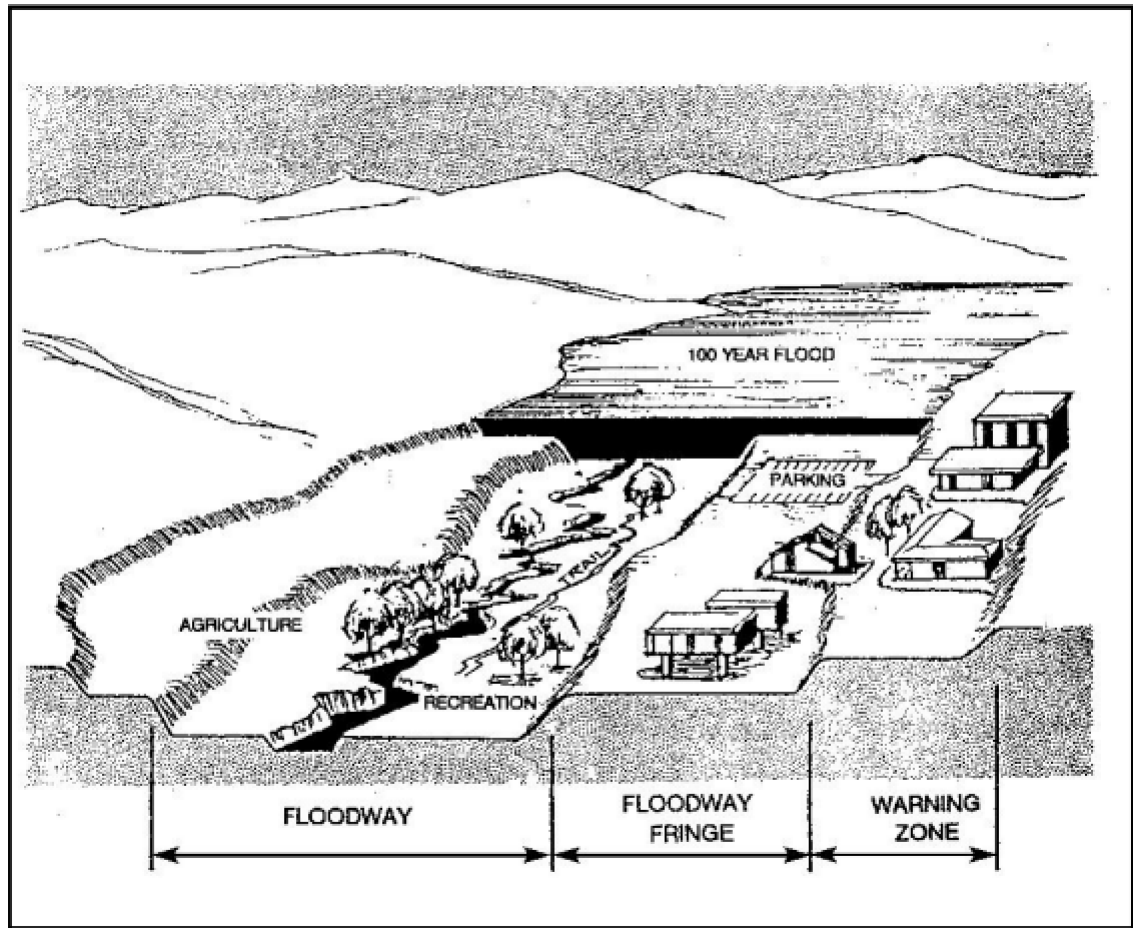
- a. **Temporary uses:** With the approval of the ~~Director of Public Works~~Floodplain Administrator, the ~~of Planning and Building Director~~Building Official may authorize construction or placement of a temporary structure or use within a Flood Hazard area pursuant to the required land use permit without meeting these standards, provided that the structure or use will not be in place from October 15, to April 15.
- b. **Emergency work:** Emergency work may be undertaken where necessary to preserve life or property. Within 48 hours after commencement of such work, the ~~Director of Public Works~~Floodplain Administrator is to be notified and an application filed with the Department of Planning and Building in compliance with the provisions of Section 23.07.064.
- c. **Existing uses:** The continuance, operation, repair, or maintenance of any lawful use of land existing on the effective date of this title is permitted. Any expansion or alteration of an existing structure or use, or grading of a site, shall be conducted in accordance with all applicable provisions of this title.

[Amended 2004, Ord. 3025]

**23.07.63 – Definitions.** The following definitions are for the purposes of this section.

- a. **Base Flood.** The flood having a one percent chance of being equaled or exceeded in any given year. Equivalent to a 100-year flood.
- b. **Base Flood Elevation.** The elevation of the base flood, including wave height, relative to the National Geodetic Vertical Datum (NGVD), North American Vertical Datum (NAVD) or other datum specified in the Flood Insurance Study (FIS).
- c. **Flood Fringe.** That portion of the flood plain outside the floodway. See Figure 7-1 in Floodway definition.
- d. **Flood Insurance Rate Map (FIRM).** The official Flood Insurance Rate Map on which the Federal Emergency Management Agency has delineated both the areas of special flood-hazards and the risk premium zones applicable to the community. [Added 1986, Ord. 2250]
- e. **Flood Insurance Study.** The official report titled "The Flood Insurance Study for San Luis Obispo County," provided by the Federal Emergency Management Agency, that includes flood profiles, the Flood Insurance Rate Map (FIRM), The Flood Boundary Floodway Map, the water surface elevation of the base flood, and supporting technical data. [Added 1986, Ord. 2250]
- f. **Flood Plain.** Land that has been or may be hereafter covered by flood water, including but not limited to the base flood.
- g. **Flood Profile, Storm.** A graph or longitudinal profile showing the relationship of the water-surface elevation of a flood event to location along a stream or river.
- h. **Floodproofing.** Any combination of structural and non-structural additions, changes or adjustments to non-residential structures which reduce or eliminate flood damage to real estate or improved property. [Amended 1986, Ord. 2250]
- a.i. **Floodway.** The channel of a river or other watercourse and the adjacent land areas that must be reserved to discharge the base flood without cumulatively increasing the

water surface elevation more than one foot. Figure 7-1 conceptually illustrates the floodway relative to the broader flood plain.



**Figure 7-1: Floodway and Flood Fringe**

- j. **Lowest Floor.** The lowest floor of the lowest enclosed area, including basement. Excludes any unfinished or flood-resistant enclosure, usable solely for vehicle parking, building access or limited storage provided that such enclosure is not built so as to render the structure in violation of the non-elevation requirements of the building codes.
- k. **New Construction.** For the purposes of determining flood insurance rates, structures for which the “start of construction” commenced on or after the effective date of an initial Flood Insurance Rate Map (FIRM) or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For the purposes of implementing and enforcing floodplain management policies and regulations, new construction means structures for which the start of construction commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

l. **Start of Construction:** Including substantial improvement and other proposed new development, the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days from the date of the permit. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of a slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building. [Added 2015, Ord. 3289 ; 2018, Ord. 3372]

m. **Substantial Damage.** Damage of any origin sustained by a structure whereby the cost of restoring the structure to its pre-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. [Also defined in CCR Title 24 Part 2.]

n. **Substantial Improvement.** Any repair, reconstruction, rehabilitation, alteration, addition or other improvement of a structure, whereby the cost equals or exceeds 50 percent of the market value of the structure before the improvement or repair started. When the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the actual extent of the work performed. Substantial improvement does not include the following: [Also defined in CCR Title 24 Part 2.]

(1) Any improvement of a structure required to correct health, sanitary, or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions.

(2) Any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.

#### **23.07.64 – Duties and Powers of the Floodplain Administrator.**

a. **Designation.** The Director of Public Works is designated as the Floodplain Administrator. The Floodplain Administrator shall have the authority to delegate performance of certain duties to other employees. Where California Building Code (CBC) Appendix G refers to the Building Official, each such reference shall refer to the Floodplain Administrator. The Floodplain Administrator is authorized and directed to administer and enforce the provisions of Appendix G.

b. **General authority.** The Floodplain Administrator is authorized and directed to administer the provisions of these regulations. The Floodplain Administrator shall have the authority to render interpretations of these regulations consistent with the intent and purpose of these regulations and to establish policies and procedures in

order to clarify the application of its provisions. Such interpretations, policies and procedures shall be consistent with the intent and purpose of these regulations and the flood provisions of the building code and shall not have the effect of waiving specific requirements without the granting of a variance pursuant to Appendix G.

c. **Coordination.** The Floodplain Administrator shall coordinate with and provide comments to the Building Official to administer and enforce the flood provisions of the building code and to ensure compliance with the applicable provisions of these regulations. The Floodplain Administrator and the Building Official have the authority to establish written procedures for reviewing applications and conducting inspections for buildings and for administering and documenting determinations of substantial improvement and substantial damage made pursuant to Section 23.07.065(b).

### **23.07.0654 - Flood Hazard Area Permit and Processing Requirements.**

Drainage plan approval is required where any portion of the proposed site is located within a Flood Hazard combining designation, in addition to all other permits required by this title, state and federal law. In addition to the information called for in Section 23.05.042 (drainage plan required) the drainage plan shall include:

a.b. ~~\_\_\_\_\_ Federal Insurance Administration~~ ~~Federal Emergency Management Agency~~ flood data, including base flood elevations, flood hazard areas and floodway locations.

b.c. In areas where water surface elevation data has not been provided by the ~~Federal Insurance Administration~~ ~~Federal Emergency Management Agency~~, a normal depth analysis or other equivalent engineering analysis that identifies the location of the floodway and demonstrates to the satisfaction of ~~Director of Public Works~~ ~~the Floodplain Administrator~~ that the structure will not be located within the floodway or be subject to inundation by the 100-year storm. The following information is required to determine the location of flood elevation and the floodway, ~~except where waived or modified by the Director of Public Works~~:

- (1) Plans drawn to scale showing the location, dimensions, and elevation of the lot, existing or proposed structures, fill, storage of materials, flood-proofing measures, and the relationship of the above to the location of the floodway.
- (2) Typical valley cross-sections showing the normal channel of the stream, elevation of the land areas adjoining each side of the channel, cross-sections of areas to be occupied by the proposed development, and high-water information sufficient to define the 100-year ~~storm flood profile level~~ base flood elevation.
- (3) A profile showing the slope of the bottom of the channel or flow line of the stream.
- (4) Any previously determined flood data available from any state, federal or other source.

[Amended 2004, Ord. 3025]

### **23.07.0665 - General Hazard Avoidance.**



- a. **New Development in Flood Hazard Areas.** New structural development, including expansions, additions and improvements to existing development, shall be located outside of the flood hazard areas to the maximum extent feasible. All new structural development located in ~~a~~ flood hazard areas, including expansions, additions, improvements, and repairs to existing development, shall be constructed consistent with the standards set forth in Section 23.07.066.
- b. **Substantial improvement and substantial damage determinations.** ~~For applications for building permits to improve buildings and structures, including alterations, movement, enlargement, replacement, repair, additions, rehabilitations, renovations, substantial improvements, repairs of substantial damage, and any other improvement of or work on such buildings and structures, the Floodplain Administrator, in coordination with the Building Official, shall:~~ **Improvement/repair to existing structures in Flood Hazard Areas.** ~~Where the value of improvements or repairs to existing structures located in flood hazard areas is greater than 50 percent of the market value of the existing structure before the start of construction of the new structure or any improvement, and prior to the damage requiring the repair, all structural development (existing and proposed) shall be located outside of flood hazard areas to the maximum extent feasible. This can be determined by the assessment roll or by a current appraisal. The appraisal shall be completed by an appraiser with a "Certificate General License" issued by the State Office of Real Estate Appraisal and shall determine full market value of the existing site improvements based on the Uniform Standards of the Professional Appraisal Practices as published by the Appraiser Standards Board of the Appraisal Foundation. Any structural development (existing and proposed) that cannot be located outside of flood hazard areas shall be constructed and/or reconstructed consistent with the standards set forth in Section 23.07.066.~~
- ~~(1)~~ Estimate the market value, or require the applicant to obtain an appraisal of the market value prepared by a qualified independent appraiser, of the building or structure before the start of construction of the proposed work; in the case of repair, the market value of the building or structure shall be the market value before the damage occurred and before any repairs are made.
  - ~~(2)~~ Compare the cost to perform the improvement, the cost to repair the damaged building to its pre-damaged condition, or the combined costs of improvements and repairs, when applicable, to the market value of the building or structure.
  - ~~(3)~~ Determine and document whether the proposed work constitutes substantial improvement or repair of substantial damage.
  - ~~(4)~~~~(4)~~ Notify the applicant when it is determined that the work constitutes substantial improvement or repair of substantial damage and that compliance with the flood resistant construction requirements of the building code is required and notify the applicant when it is determined that work does not constitute substantial improvement or repair of substantial damage.

- c. **Land Division in Flood Hazards Areas.** Land divisions, including lot line adjustments, are prohibited within hazard areas where they create new buildable areas within a hazard zone.

[Added 2006, Reso. 2006-6]

**23.07.0676 - Construction Standards.**

- a. **Construction, general:** New structures or any substantial improvement or any repair of substantial damage to an existing structure (including manufactured homes) are subject to the following construction standards:

- (1) No construction or grading is to limit the capacity of the floodway or increase flood heights on existing structures unless the adverse effect of the increase is rectified to the satisfaction of the ~~Director of Public Works~~Floodplain Administrator. In no case shall flood heights be increased above that allowed under the ~~National~~Federal Flood Insurance Program.
- (2) Structures shall be anchored to prevent collapse, lateral movement or flotation that could result in damage to other structures or restriction of bridge openings and narrow sections of the stream or river.
- (3) Service facilities such as electrical and heating equipment are to be floodproofed or constructed at minimum of one-foot above the 100-year ~~storm flood profile level~~base flood elevation for the site.
- (4) Water supply and sanitary sewage systems shall be designed to minimize infiltration of flood waters into the system and discharge from systems into flood waters.
- (5) On-site waste disposal systems shall be located outside of the flood hazard area to the extent feasible and designated to avoid minimize impairment or contamination their being impaired or contaminated during flooding.
- (6) All buildings or structures shall be located landward of mean high tide.
- (7) Residential, commercial and industrial development shall be prohibited outside of urban and village reserve lines.
- (8) Whenever a watercourse is to be altered or relocated, the ~~Department of Planning and Building~~Floodplain Administrator shall notify adjacent communities and the California Department of Water Resources and evidence of such notification shall be sent to the ~~Federal Insurance Administration~~Federal Emergency Management Agency.
  - (i) Require applicants who submit hydrologic and hydraulic engineering analyses to support permit applications to submit to FEMA the data and information necessary to maintain the Flood Insurance Rate Maps when the analyses indicate changes in base flood elevations, flood hazard area boundaries, or floodway designations; such submissions shall be made within 6 months of such data becoming available.
  - ~~(i)(ii)~~—When additional hydrologic, hydraulic or other engineering data, studies, and additional analyses are submitted to support an application, the applicant has the right to seek a Letter of Map Change from FEMA to

change the base flood elevations, change floodway boundaries, or change boundaries of flood hazard areas shown on FIRMs, and to submit such data to FEMA for such purposes. The analyses shall be prepared by a qualified CA Licensed Civil Engineer in a format required by FEMA. Submittal requirements and processing fees shall be the responsibility of the applicant. Provided FEMA issues a Conditional Letter of Map Revision, construction of proposed flood control projects and land preparation for development are permitted, including clearing, excavation, grading, and filling. Permits for construction of buildings shall not be issued until the applicant satisfies the FEMA requirements for issuance of a Letter of Map Revision.

- (9) Fully enclosed areas below the lowest floor that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:
- (i) A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding.
  - (ii) The bottom of all openings shall be no higher than one foot above grade.
  - (iii) Openings may be equipped with screens, louvers, valves or other coverings or devices provided that they permit the automatic entry and exit of flood waters.
- (10) On the basis of structural plans and the depth analysis, the ~~ground-lowest~~ floor of all residential and non-residential structures, including manufactured homes, is to be constructed at a minimum of one-foot above the 100-year ~~storm-flood profile level~~base flood elevation. ~~Within any AO zone on the Flood Insurance Rate maps, this elevation shall be determined by adding one foot to the depth number specified. If no depth is specified, structures shall be elevated a minimum of two feet above adjacent natural grade.~~
- (11) Non-residential construction shall either be elevated in conformance with Section 23.07.06~~67~~a(10) above, or together with attendant utility and sanitary facilities, be-have the lowest floor elevated a minimum of two feet above the highest adjacent grade and be floodproofed to a minimum of one-foot above the 100-year ~~storm-flood profile level~~base flood elevation. Certification to which the lowest floor has been dry floodproofed shall be required prior to final inspection, using the FEMA Dry Floodproofing Certificate form. Examples of dry floodproofing include, but are not limited to:
- (i) Installation of watertight doors, bulkheads, and shutters.
  - (ii) Reinforcement of walls to resist water pressure.
  - (iii) Use of paints, membranes, or mortars to reduce seepage through walls.
  - (iv) Addition of mass or weight to structure to resist flotation.
  - (v) Armor protection of all fill materials from scour and/or erosion.



(12) All structures subject to inundation shall use flood resistant materials up to one foot above base flood elevation.

(13) All proposed development in flood hazard areas shall be reviewed to determine that:

(i) Such proposals are consistent with the need to minimize flood damage and will be reasonably safe from flooding.

(ii) All public utilities and facilities, such as sewer, gas, electric, communications, and water systems are located and constructed to minimize or eliminate flood damage.

~~(i)(iii)~~ Adequate drainage is provided to reduce exposure to flood hazards.

b. **Storage and processing:** The storage or processing of materials that in time of flooding are buoyant, flammable, or explosive; that could be injurious to human, animal, or plant life; or that may unduly affect the capacity of the floodway or unduly increase flood heights is not permitted. Storage of other material or equipment may be allowed if not subject to major damage by floods and if firmly anchored to prevent flotation, or if readily removable from the area within the time available after flood warning.

c. **Coastal High Hazard areas.** The following requirements shall apply to new structures or any improvement / repair to an existing structure as specified in Section 23.07.0676 in areas identified as having special flood hazards extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity waters including coastal and tidal inundation or tsunamis, including flood hazard areas identified as Zone V, as established on the ~~maps~~ Flood insurance Rate Maps identified adopted in subsection 23.07.060 of this title:

(1) All buildings or structures shall be elevated on adequately anchored pilings or columns and securely anchored to such pilings or columns so that the lowest horizontal portion of the structural members of the lowest floor (excluding the pilings or columns) is elevated at least one (1) foot to or above the base flood elevation level. The pile or column foundation and structure attached thereto is anchored to resist flotation, collapse, and lateral movement due to the effects of wind and water loads acting simultaneously on all building components. Water loading values used shall be those associated with the base flood. Wind loading values used shall be those required by applicable state or local building standards.

(2) All new construction and other development shall be located on the landward side of the reach of mean high tide.

(3) All buildings or structures shall have the space below the lowest floor free of obstructions or constructed with breakaway walls. Such enclosed space shall not be used for human habitation and will be usable solely for parking of vehicles, building access or storage.

(4) Fill shall not be used for structural support of buildings.

- (5) Man-made alteration of sand dunes that would increase potential flood damage is prohibited.
  - (6) The Director of Planning and Building and/or the ~~Public Works Director~~Floodplain Administrator shall obtain and maintain the following records.
    - (i) Certification by a registered engineer or architect that a proposed structure complies with the requirements of this Subsection D.3.a.
    - (ii) The elevation (in relation to mean sea level) of the bottom of the lowest structural member of the lowest floor (excluding pilings or columns) of all buildings and structures, and whether such structures contain a basement.
  - d. **Certification of Compliance.** The following certifications shall be filed with the Floodplain Administrator and Building Official prior to final building inspection:
    - (1) Upon completion of any structure within a flood hazard combining designation, compliance with elevation requirements shall be certified by a registered civil engineer or licensed land surveyor. Such certification shall include as a minimum the elevation of the lowest floor. If the structure has been floodproofed in conformance with Section 23.07.066a(11) above, the certification shall include the elevation to which the structure has been floodproofed. Elevations shall be based on the North American Vertical Datum of 1988 ~~National Geodetic Vertical Datum of 1929.~~
    - (2) Where floodproofing is used, a registered civil engineer or architect shall certify that the floodproofing methods are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the 100-year flood.
    - (3) Compliance with the structural design requirements within Coastal High Hazard areas stated in Section 23.07.066c shall be certified by a registered civil engineer or architect.
  - e. **Exceptions to construction standards.** The standards of this section may be waived or modified by the Board of Supervisors through the variance procedure set forth in Code of Federal Regulations, Title 44, Chapter 1, Section 60.6, instead of through the adjustment process described in Section 23.01.044 of this title. Requests for such waivers or modifications shall be reviewed and determined per the requirements in Section 22.14.060(E)(7) and shall be filed with County Public Works for processing. Procedures for the granting of variances under Title 14 are available from the County Public Works Department.
- [Amended 1995, Ord. 2715; 1995, Ord. 2740; 2003, Ord. 3025]
- f. **Waiver of rights to future armoring.** Where applicant's geologic assessment/wave run-up studies determine that the new or improved development is sited such that it will not need a shoreline protective device for the life of the structure, the applicants shall waive their rights to a future shoreline protective device.  
[Added 2006, Reso. 2006-6]

~~f.g.~~ **Tsunami Inundation Zone.** Where feasible, development shall be sited outside of potential tsunami inundation zones, even if not currently designated FH. A Registered Civil Engineer with coastal experience shall make a determination, through examination of the most current tsunami inundation and run-up maps or a wave run-up analysis, whether the site is subject to inundation during a tsunami, pursuant to the criteria of Section 23.07.06~~5~~**4**b. If it is not feasible to site development outside of tsunami inundation zone, new development shall be in conformance with all provisions set forth in Section 23.07.06~~7~~**6**(c).

[Added 2006, Reso. 2006-6]

~~h.~~ **Installation of manufactured homes.** In addition to the provisions for manufactured homes in Appendix G:

~~(1) All manufactured homes installed in flood hazard areas shall be installed by an installer that is licensed pursuant to the Business and Professions Code and shall comply with the requirements of the Department of Housing and Community Development (HCD) and the requirements of these regulations.~~

~~(2) In addition to permits pursuant to Appendix G, permits from the HCD are required where the HCD is the enforcement agency for installation of manufactured homes.~~

~~(3) Upon completion of installation and prior to the final inspection by the Floodplain Administrator, the installer shall submit certification of the elevation of the manufactured home, prepared by a licensed land surveyor or registered civil engineer, to the Floodplain Administrator.~~

~~h.i. **Recreational vehicles.** All recreational vehicles located in flood hazard areas must be placed in accordance with the provisions for recreational vehicles in Appendix G.~~

SECTION 3. That Section 23.11.030 of the Coastal Zone Land Use Ordinance, Title 23 of the San Luis Obispo County Code, is amended to read as follows:

### **23.11.030 – Coastal Zone Land Use Ordinance Definitions.**

...

~~**Base Flood: The flood having a one percent chance of being equalled or exceeded in any given year.** Equivalent to a 100-year flood.~~

...

~~**Flood Boundary Floodway Map:** The official map on which the Federal Insurance Administration has delineated both the areas of flood hazard and the floodway.~~

~~**Flood Fringe.** That portion of the flood plain outside the floodway.~~

~~**Flood Insurance Rate Map (FIRM):** The official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.~~

**Flood Insurance Study:** The official report provided by the Federal Emergency Management Agency that includes flood profiles, the Flood Insurance Rate Map (FIRM), the Flood Boundary Floodway Map, and the water surface elevation of the base flood.

**Flood, 100-Year.** A flood inundation event, the extent of which has a statistical probability of occurring once every 100 years.

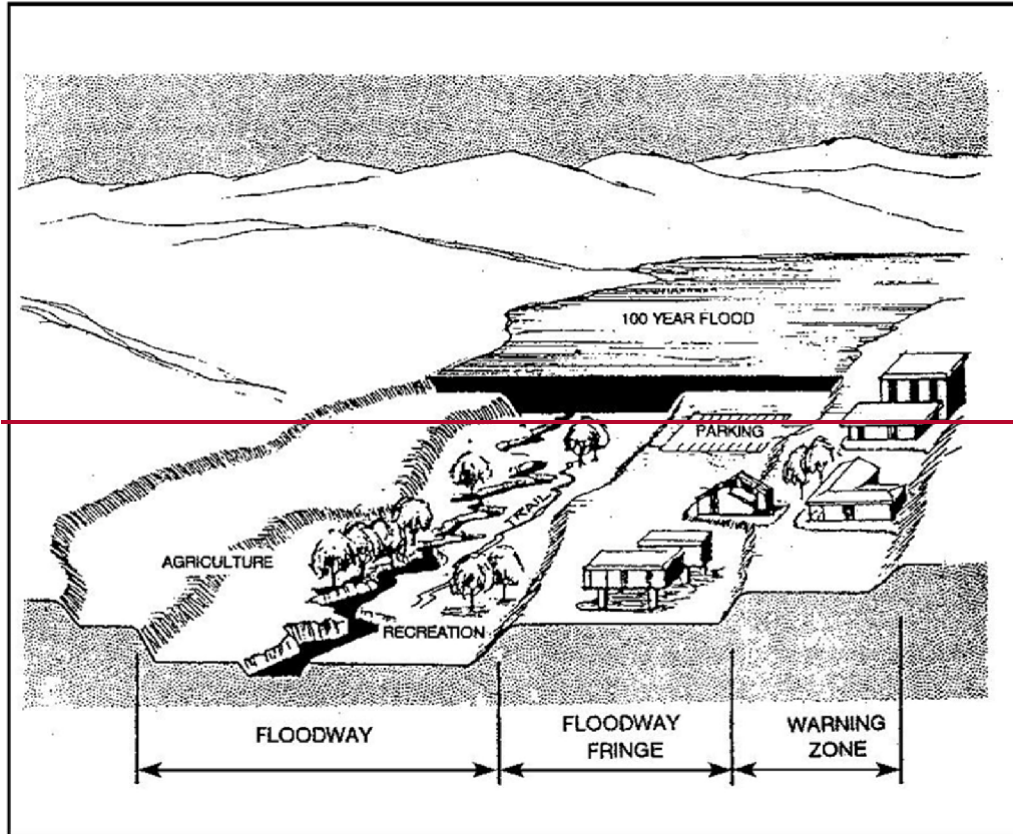
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**Flood Plain.** Land that has been or may be hereafter covered by flood water, including but not limited to the 100-year flood.

**Flood Profile, Storm.** A graph or longitudinal profile showing the relationship of the water surface elevation of a flood event to location along a stream or river.

**Floodproofing.** As defined in Section 23.07.063. Any combination of structural additions, changes or adjustments to non-residential structures which reduce or eliminate flood damage to real estate or improved property.

**Floodway.** The channel of a river or other watercourse and the adjacent land areas that must be reserved to discharge the 100-year flood without cumulatively increasing the water surface elevation more than one (1) foot. The floodway is delineated on the "Flood Boundary Floodway Map." (See Figure 11-3).



**Figure 11-3: Floodway & Flood Fringe**

SECTION 4. That the Board of Supervisors has considered the General Rule Exemption with respect to the matter described above. The Board of Supervisors has, as a result of its consideration and the evidence presented at the hearings on said matter, determined that the proposed General Rule Exemption is appropriate and has been prepared and is hereby approved in accordance with the California Environmental Quality Act and the County's regulations implementing said Act. The Board of Supervisors, in adopting this ordinance, has taken into account and reviewed and considered the information contained in the General Rule Exemption approved for this project and all comments that were received during the public hearing process. On the basis of the General Rule Exemption, there is no substantial evidence that the adoption of this ordinance will have a significant effect on the environment.

SECTION 5. If any section, subsection, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, such decision shall not affect the validity or constitutionality of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and each section, subsection, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.

SECTION 6. This ordinance shall become effective thirty (30) days after its enactment by the Board of Supervisors and shall become operative immediately only upon certification of the ordinance by the California Coastal Commission, as may be certified with suggested modifications by the Coastal Commission and accepted and agreed to by the Board of Supervisors.

SECTION 7. Before the expiration of 15 days after the adoption of this ordinance, a summary shall be published once in a newspaper of general circulation in the County of San Luis Obispo, State of California, together with the names of the members of the Board of Supervisors voting for and against the ordinance, as authorized on August 13, 2024.

SECTION 8. In accordance with Government Code Section 25131, after reading the title of this ordinance, further reading of the ordinance in full is waived.

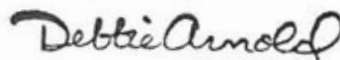
RECOMMENDED at a meeting of the San Luis Obispo Planning Commission held on the 13<sup>th</sup> day of June, 2024, and PASSED AND ADOPTED by the Board of Supervisors of the County of San Luis Obispo, State of California, on the 20<sup>th</sup> day of August, 2024, by the following roll call vote, to wit:

AYES: Supervisors Bruce S. Gibson, Jimmy Paulding, Dawn Ortiz-Legg and Chairperson Debbie Arnold

NOES: None

ABSENT: Supervisor John Peschong

ABSTAINING: None



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Chairperson of the Board of Supervisors  
of the County of San Luis Obispo  
State of California



ATTEST:

MATTHEW P. PONTES  
Ex-Officio Clerk of the Board of Supervisors

By: \_\_\_\_\_  
Deputy Clerk

[SEAL]

APPROVED AS TO LEGAL FORM AND EFFECT:  
RITA L. NEAL  
County Counsel

By: /s/ Benjamin Dore  
Deputy County Counsel

Dated: 7.8.24

The undersigned Deputy Clerk of the Board of Supervisors certifies that, pursuant to Section 25103 of the Government Code, delivery of this document has been made on September 16, 2024.

**MATTHEW P. PONTES**

County Administrative Office and  
Ex-Officio Clerk of the Board of Supervisors

By: \_\_\_\_\_  
Deputy Clerk

**STATE OF CALIFORNIA            )       ss.**  
**COUNTY OF SAN LUIS OBISPO)**

I, **MATTHEW P. PONTES**, Ex-Officio Clerk of the Board of Supervisors thereof, do hereby certify the foregoing to be a full, true and correct copy of an order entered in the minutes of said Board of Supervisors, and now remaining of record in my office.

Witness, my hand and seal of said Board of Supervisors on September 16, 2024.

**MATTHEW P. PONTES**

County Administrative Office and  
Ex-Officio Clerk of the Board of Supervisors

By: \_\_\_\_\_  
Deputy Clerk