

ARTICLE III ZONING DISTRICTS AND ALLOWABLE LAND USES

CHAPTER 17.52 FP FLOODPLAIN ZONES

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17.52.010 Intent

The Floodplain zone is intended to be applied to those areas of the City which under present conditions are subject to periodic flooding and accompanying hazards, in the interest of promoting health, safety, morals, and general welfare of the people of Loma Linda. The objective of the Floodplain zone shall be:

- A. To prohibit occupancy or the encroachment of any structure, improvement, or development that would obstruct the natural flow of floodwaters within a designated floodway on the floodplain;
- B. To keep developments in the remainder of the floodplain above the design flood flow elevation;
- C. To prevent economic loss caused by excessive flooding and to prevent loss of life or property. (Ord. 98 § 54.01, 1974)

17.52.020 Definitions

As used in this chapter:

- A. "Design flood" means that flood against which protection is provided, or

eventually will be provided, by means of flood-protective or control works. When a federal flood control project survey has been authorized, the design flood will be that established by the cognizant federal agency and in all other cases will be determined by the San Bernardino County Flood Control District.

- B. "Flood" means any temporary rise in stream flow or water surface level that results in significant adverse effects in the flood plain. Adverse effects of floods may include damages from overflow of land areas, effects of temporary backwater or sewers and local drainage channels, bank erosion, or channel shifts, unsanitary conditions, or other unfavorable conditions resulting from deposition of materials in stream channels during flood recessions, rise of groundwater coincident with increased stream flow, and interruption of traffic at bridge crossings.
- C. "Floodplain" means the relatively flat area or lowlands adjoining the channel of a stream or watercourse and subject to overflow by floodwaters.
- D. Floodplain zoning. The floodplain of the design flow shall be subdivided into two zones for regulation purposes:
 - 1. Zone FP-1 (Designated Roadway): The channel of a stream and that part of the adjoining floodplain designated to reasonably provide for the construction of a project for passage of the design flood.
 - 2. Zone FP-2 (Restrictive Zone): That part of the floodway or floodplain within the overflow limits as determined by the selected flood.
- E. "Floodway" means the channel of a stream and that part of the floodplain inundated by a flood and, therefore, used to carry flood flow.
- F. "San Bernardino County Flood Control District" means a district established by act of the State Legislature, empowered to protect the watercourses of said district and governed by the Board of Supervisors of the County acting as ex officio governing board of the district.
- G. "Selected flood" means a flood of a recurrence interval determined by the City Council after a recommendation of the City Engineer.
- H. "Standard project flood" means a flood that would result from a storm that is considered reasonably characteristic of the region in which the drainage area is located, giving consideration to the run-off characteristics of the drainage area and excluding rare combinations of meteorological and hydrologic conditions. Such a flood provides a reasonable upper limit to be considered in designing

flood control improvements and floodplain limits. (Ord. 98 § 54.02, 1974)

17.52.030 Permitted Uses – FP -1 Zone

The following uses will be permitted where shown to be consistent with initial and ultimate confined conditions for zone FP-1:

- A. Flood-control channels, levees, spreading grounds and basins, roads, bridges, and diversion drains, where plans are approved by the San Bernardino County Flood Control District and/or City;
- B. Grazing, field crops, truck gardening, berry and bush crops, flower gardening, wildlife preserves, forest reserve, and similar open or agricultural uses;
- C. Other uses or enterprises similar to the above if approved by the Planning Commission;
- D. The following uses shall be permitted if the location and development plan is approved by the City Council;
 - 1. Recreation areas, parks, playgrounds, fishing lakes, golf courses, polo fields, parking lots involving open use of land, without structures or improvements, where it can be shown that the natural flow of flood or storm waters will not be obstructed.
 - 2. Excavation and removal of rock, sand, and gravel. (Ord. 98 § 54.03, 1974)

17.52.040 Non-Conforming Uses – FP-1 Zone

Uses and structures existing at the effective date of any application of the FP-1 zone, which are inconsistent with the provisions thereof, will be allowed to remain under the conditions as set forth in Section 17.58.030 except that:

- A. If the useful life of a structure has not expired by a date fifty years after effective date of the application of the FP-1 zone, the life of the structure shall be considered to have expired automatically and said structure shall be removed following the procedure set forth in Chapter 17.22.
- B. If any existing structure is damaged in excess of fifty percent of its reasonable value, by fire, flood, explosion, acts of God or the enemy, it shall be removed forthwith, following the procedure as set forth in Chapter 17.22
- C. The enlargement, expansion, extension, or change in use of any structure will not be permitted. (Ord. 98 § 54.04, 1974)

17.52.050 Prohibited Uses

Uses specifically prohibited in the FP zones shall be as follows:

- A. No fills or excavations will be permitted, except as provided in this chapter;
- B. No human habitations will be permitted;
- C. No storage of floatable substances or other materials will be permitted which, in the opinion of the City Engineer, will add to the debris loads of the stream or watercourse;
- D. No improvements or developments will be permitted that, in the opinion of the City Engineer, will obstruct the natural flow of floodwaters or which will endanger life and property. (Ord. 98 § 54.05, 1974)

17.52.060 Permitted Uses – FP-2 Zone

The following uses will be permitted when shown to be consistent with initial and ultimate conditions for Zone FP-2:

- A. All uses permitted in Zone FP-1;
- B. Orchards, tree crops, nurseries for producing trees, vines, and other horticultural stock, and similar open or agricultural uses;
- C. Other uses or enterprises similar to the above if approved by the Planning Commission;
- D. The following uses shall be permitted if the location and development plan is approved by the Planning Commission:
 - 1. Excavation and removal of rock, sand, and gravel. (Ord. 98 § 54.03, 1974)
 - 2. Recreation areas, parks, playgrounds, fishing lakes, golf courses, polo fields, golf driving ranges, baseball and football fields, and parking lots.
 - 3. When the FP-2 zone is combined with one or more other land use classifications, the provisions of the FP-2 zone shall be added to the provisions of the zone to which it is applied. (Ord. 485 § 11, 1992; Ord. 98 § 54.06, 1974)

17.52.070 Non-Conforming Uses – FP-2 Zone

Uses and structures existing at the effective date of any application of the FP-2 zone which are inconsistent with the provisions thereof, will be allowed to remain under the conditions as set forth in Section 17.58.040 (Ord. 98 § 54.07, 1974)

If damaged 51% or more the structure cannot be rebuilt. If damaged 50% or less, the structure can be rebuilt.