

## ATTACHMENT 3

Proposed Ordinance Code Amendment  
to Comply with 2007 Flood Legislation

ORDINANCE NO. 2016-16

FLOOD HAZARD ZONES

The Contra Costa County Board of Supervisors ordains as follows (omitting the parenthetical footnotes from the official text of the enacted or amended provisions of the County Ordinance Code):

**SECTION I. SUMMARY.** This ordinance amends Chapter 82-28 of the County Ordinance Code to establish requirements, as mandated by Government Code sections 65865.5, 65962, and 66474.5, for new construction and new development in a flood hazard zone located in that portion of the Sacramento-San Joaquin Valley that is within the jurisdiction of Contra Costa County.

**SECTION II.** Article 82-28.14 is added to the County Ordinance Code, to read:

**Article 82-28.14  
Flood Hazard Zones**

**82-28.1402 Lands to which this article applies.** Article 82-28.14 applies to all land in a flood hazard zone located in that portion of the Sacramento-San Joaquin Valley that is within the jurisdiction of Contra Costa County. The location of all flood hazard zones in that portion of the Sacramento-San Joaquin Valley within Contra Costa County, and the location of all urban areas and urbanizing areas in those flood hazard zones, is shown on a map certified by the Conservation and Development Director and on file at the Conservation and Development Department, 30 Muir Road, Martinez. (Ord. 2016-16 § 2.)

**82-28.1404 Definitions.** For purposes of this article, the following terms have the following meanings:

- (a) “Flood hazard zone” has the meaning set forth in Government Code section 65007(d).
- (b) “Urban area” has the meaning set forth in Government Code section 65007(l).
- (c) “Urbanizing area” has the meaning set forth in Government Code section 65007(m).

**82-28.1406 Development Agreements in Flood Hazard Zones.** An agreement under Article 2.5 of Chapter 4 of the California Government Code to develop property located within a flood hazard zone must comply with Government Code section 65865.5. (Ord. 2016-16 § 2.)

**82-28.1408 Permits and Entitlements in Flood Hazard Zones.** The following permits or entitlements for a project located within a flood hazard zone may only be issued in accordance with the requirements of Government Code section 65962:

- (a) A discretionary permit or other discretionary entitlement that would result in the construction of a new building.
- (b) A discretionary permit or other discretionary entitlement for construction that would result in an increase in allowed occupancy for an existing building.
- (b) A ministerial permit that would result in the construction of a new residence. (Ord. 2016-16 § 2.)

**82-28.1410 Maps in Flood Hazard Zones.** A tentative map or a parcel map for a subdivision located within a flood hazard zone must comply with Government Code section 66474.5. (Ord. 2016-16 § 2.)

**SECTION III.** Section 82-28.602 of the County Ordinance Code is amended to read:

**Section 82-28.602 Lands to which this ordinance applies.** Articles 82-28.2 through 82-28.12 apply to all areas of special flood hazards within the jurisdiction of Contra Costa County, as shown on the maps described in Section 82-28.604. (Ords. 2016-16 § 3, 2000-33, 99-35, 96-11, 90-118, 88-50, 87-45.)

**SECTION IV . EFFECTIVE DATE.** This ordinance becomes effective 30 days after passage, and within 15 days after passage shall be published once with the names of supervisors voting for or against it in the Contra Costa Times, a newspaper published in this County.

PASSED on \_\_\_\_\_, by the following vote:

AYES:  
 NOES:  
 ABSENT:  
 ABSTAIN:

ATTEST: DAVID J. TWA,  
 Clerk of the Board of Supervisors  
 and County Administrator

\_\_\_\_\_  
 Board Chair

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

[SEAL]

TLG:  
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