


Memorandum

Date: October 21, 2008

To: Honorable Salud Carbajal, Chairman, and
Members, Board of Supervisors

From: Michael F. Brown, County Executive Officer 

Subject: Flood Plain Management Regulations

CC: John Baker, Assistant CEO/Planning Director
Scott McGolpin, Director, Public Works
Tom Fayram, Deputy Director, Public Works. Flood Control
Michael Allen, Chief Deputy Clerk of the Board



As you may recall, back on October 7, 2008, item A-37 of the regular agenda dealt with amending Chapter 15A of the Santa Barbara County Code relating to Flood Plain Management Regulations. Please note that the original item from the Board Agenda of October 7, 2008 is attached.

During that discussion the Board had questions about whether or not the regulations would adversely impact certain elderly residents, particularly in connection with the impact on manufactured housing.

Please find attached an analysis provided by Scott McGolpin, Director of Public Works. It indicates that existing manufactured homes are not subject to the proposed ordinance change unless they exist in a special flood hazard area.

This item is scheduled to come back on October 28 and November 18, 2008.

Please let me know if you need further information or need clarification. By indicated copy it is requested that Michael Allen include this update along with the item when it comes back.

Attachments

B.10.10
B.62.2

COUNTY OF SANTA BARBARA
PUBLIC WORKS DEPARTMENT
123 East Anapamu Street
Santa Barbara, CA 93101
805\568-3000 FAX 805\568-3019



SCOTT D. MCGOLPIN
Director

Date: October 14, 2008
To: The Board of Directors, Santa Barbara County Flood Control & Water Conservation District
From: Scott McGolpin, Director of Public Works
Cc: John Baker, Assistant County Executive Officer
Tom Fayram, Deputy Director – Public Works, Flood Control

2008 OCT 15 AM 10:35
ROUTE 10
118
COUNTY ADMINISTRATOR
Handed Madeline

A question was posed at the October 7th Board meeting as to whether the proposed changes to the County's Floodplain Management Ordinance will adversely affect the elderly, seniors and existing structures. It is our opinion that these specific groups will not be burdened by these proposed changes for the following reasons:

Although one part of the ordinance change relates to manufactured housing units, existing manufactured housing units are not subject to this proposed ordinance change unless they propose substantial improvement and are located within the special flood hazard area. The intent of the existing ordinance is that units meeting these situations conform to the standard foundation tie-down requirements listed in the existing ordinance. An ambiguity within the existing ordinance leaves it unclear as to whether these standards are required or not. The proposed ordinance revision removes the ambiguity.

Discussions with the Federal Emergency Management Agency (FEMA) indicated that the Ordinance needed clarification.

Note that the six manufactured housing parks located in the unincorporated area of the County were contacted by letter of the proposed ordinance change. No negative response was received.

The second part of the ordinance change is to provide definition of how to calculate "market value" and to introduce a rolling ten-year accumulated value related to "substantial improvement" to the Ordinance.

The "market value" definition will standardize the steps required to establish the market value of the structure in question. This will allow projects County-wide to be consistently valued which ends up being a fairer approach for all. These values are needed when contemplating proposed substantial improvement.

If you have any questions please contact me at extension 3008.

AA/EEO Employer

Thomas D. Fayram, Deputy Director
Rochelle Camozzi, Chief Financial Officer

Dacé B. Morgan, Deputy Director
Michael B. Emmons, County Surveyor

Mark A. Schleich, Deputy Director

www.publicworkssb.org



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Public Works
Department No.: 054
For Agenda Of: October 7, 2008
Placement: Set Hearing
Estimated Tme: 10 minutes on October
28, 2008 and November
18, 2008
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Scott McGolpin, Public Works Director, 568-3010
Director(s)
Contact Info: Thomas D. Fayram, Deputy Public Works Director, 568-3436

SUBJECT: Set Hearings to Adopt "An Ordinance Amending Chapter 15A of the Santa Barbara County Code relating to Flood Plain Management Regulations"

County Counsel Concurrence

As to form: Yes

Other Concurrence: N/A

As to form: No

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

- 1) Set the first reading for October 28, 2008 (ESTIMATED TIME: 10 MINUTES) to Introduce an ordinance entitled, "An Ordinance Amending Chapter 15A, of the Santa Barbara County Code Relating to Flood Plain Management Regulations".
- 2) Set the second reading for November 18, 2008 (ESTIMATED TIME: 10 MINUTES) to Adopt the ordinance entitled, "An Ordinance Amending Chapter 15A, of the Santa Barbara County Code Relating to Flood Plain Management Regulations"; and
 - a) File the attached CEQA Notice of Exemption to Adopt an Ordinance entitled "An Ordinance Amending Chapter 15A, of the Santa Barbara County Code Relating to Flood Plain Management Regulations" (POST);

Summary Text:

This Ordinance is to amend Chapter 15A relating to Flood Plain Management Regulations of the Santa Barbara County Code. Two items within Chapter 15A are being amended.

I. "Standards for manufactured units"

This amendment is recommended by staff to clarify certain requirements of the County's Floodplain Management Ordinance ("Ordinance") relating to Manufactured Housing Units (mobile homes).

In general, the County's Ordinance requires specific foundation requirements for new Manufactured Housing units, or when the unit is proposed to be substantially improved. These requirements apply to units located in the FEMA identified 100 year flood plain. However, an ambiguity exists relating to units proposed to be substantially improved.

The ambiguity relates to that situation where an existing manufactured housing unit located in a special flood hazard area proposes to substantially improve. Manufactured housing units located in special flood hazard areas are subject to specific foundation requirements to guard against flotation, collapse and lateral movement during flood events. The particular ambiguity could be misinterpreted to mean that existing manufactured housing units located in the FEMA 100 year floodplain, that have not been subject to prior substantial damages from flooding, would not be subject to requirements under the County's Floodplain Management Ordinance.

This misinterpretation is not the intent of the Ordinance, and discussions with the Federal Emergency Management Agency (FEMA) indicated that the Ordinance needed clarification. This Ordinance to amend Chapter 15A will address FEMA's request for the District to clarify the language and the intent of the County Code.

There are six manufactured housing parks located in the unincorporated area of the County that collectively contain 168 manufactured housing units that currently are located within the special flood hazard area. The Flood Control District contacted by letter the owners of the six manufactured housing parks. The letter informed the owners of the proposed Ordinance change and offered to meet with them to further explain if they preferred. No requests to meet were received. One park owner did call the District with a question, which was adequately answered, and another park owner called to request that the District forward the letter to their park manager, which was done.

II. "Market Value"; "Substantial improvement 10-year accumulation"

This amendment is recommended by staff to add the definition of "market value" and to introduce a rolling ten-year accumulated value related to "substantial improvement" to the Ordinance.

Any reconstruction, rehabilitation, addition, or other proposed new development of a structure is subject to the requirements listed in Section 15A-16, "Standards of construction," as if it were new construction if the value of the proposed development equals or exceeds fifty percent of the market value of the structure before construction. Development exceeding fifty percent of the market value of the structure before construction is known as "substantial improvement".

The "market value" definition will standardize the steps required to establish the market value of the structure in question. This will allow projects County-wide to be consistently valued.

The adoption of a ten-year accumulated value of reconstruction, rehabilitation, addition or other proposed new development is beneficial to the community in that projects in this category will be subject to safer standards of construction.

FEMA considers the concept of accumulated value to be a beneficial floodplain management requirement and gives the community additional community rating credits when adopted.

Background:

This ambiguity was brought to light when an owner of a manufactured housing unit that fit that situation described above applied for a building permit. The applicant took the position that no specific foundation requirements applied. Fortunately, a solution was derived that met both the applicant's and the County's satisfaction, however, after discussion with FEMA officials, it was agreed that the Ordinance needed to be clarified to meet the requirements of FEMA.

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

<u>Funding Sources</u>	<u>Current FY Cost:</u>	<u>Annualized On-going Cost:</u>	<u>Total One-Time Project Cost</u>
General Fund			
State			
Federal			
Fees			
Other:			
Total	\$ -	\$ -	\$ -

Narrative:

Flood Plain Management is an on-going program of the Flood Control District and costs associated with this program are included in the 2008-09 Adopted Budget under the Development Cost Center of the Water Resources Division of the Public Works Department as shown on page D-336 in the budget book.

Special Instructions:

Direct the Clerk of the Board after the October 7, 2008 meeting:

1. Publish notice of these two hearings pursuant to Section 6066 of the Government Code in the Santa Barbara News Press, a newspaper of general circulation (once ten days before the first hearing);

Direct the Clerk of the Board after the November 18, 2008 meeting:

1. Post the attached Notice of Exemption;
2. Publish a copy of the amended ordinance or summary of with names of the members of the BOS voting for or against the amendment in the Santa Barbara News Press within 15 days of adoption of the ordinance; and

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