

County of Santa Clara
Department of Planning and Development
Development Services Office

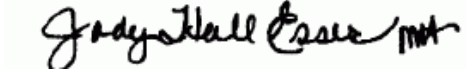


PLN02 031909

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DATE: March 19, 2009

TO: Supervisor Donald F. Gage, Chairperson
Supervisor Liz Kniss, Vice Chair
Housing, Land Use, Environment, & Transportation Committee (HLUET)

FROM: 
Jody Hall Esser
Director of Planning and Development

SUBJECT: Consider recommendation from the Department of Planning and Development to review the new Floodplain Management Ordinance and corresponding Federal Emergency Management Agency (FEMA) Digital Floodplain Insurance Rate Maps (dFIRM) for Santa Clara County and forward a favorable recommendation to the Board of Supervisors.

RECOMMENDED ACTION

Consider recommendation from the Department of Planning and Development to review the new Floodplain Management Ordinance and corresponding Federal Emergency Management Agency (FEMA) Digital Floodplain Insurance Rate Maps (dFIRM) for Santa Clara County and forward a favorable recommendation to the Board of Supervisors. Accept staff determination that modification to the Floodplain Ordinance is exempt from environmental review.

FISCAL IMPLICATIONS

There is no fiscal impact to the General Fund, but there is a gross impact as a result of these actions.

REASONS FOR RECOMMENDATION

The Federal Emergency Management Agency (FEMA) is issuing new digital FEMA Flood Insurance Rate Maps, (dFIRM), and Flood Insurance Study, (FIS), a companion to the digital maps, for Santa Clara County. In order to comply with State and Federal requirements and FEMA's new adopted digital maps, the existing Floodplain Ordinance must be revised and approved by the Board of Supervisors on or before May 18, 2009.

This modification to the Floodplain Ordinance has been reviewed in accordance with the California Environmental Quality Act (CEQA). Staff has determined that: (a) The project will not have a significant effect on the environment. (b) The proposed modification to the Floodplain Ordinance is exempt from environmental review under CEQA pursuant to the Categorical Exemption under section 15308 (Class 8) of the CEQA Guidelines which pertains to procedures for protection of the environment and there is no reasonable possibility that the project will have a significant effect on the environment due to unusual circumstances. (See CEQA Statement of Exemption under attachments).

BACKGROUND

The current Floodplain Management Ordinance will be outdated when the new dFIRMs become effective. The proposed new Floodplain Management Ordinance is updated to the State's current Model Ordinance, and incorporates both federal and local regulations, amendments and administrative processes.

CONSEQUENCES OF NEGATIVE ACTION

If no action is taken, Santa Clara County's current ordinance will not be in compliance with State and Federal regulations. Santa Clara County residents that live in special flood hazard areas may pay higher premiums for their flood insurance.

STEPS FOLLOWING APPROVAL

The Department of Planning and Development will notify the public of the eminent adoption of the new Floodplain Management Ordinance and will be available to answer their questions or refer them to FEMA Region IX Office as appropriateo New Draft Floodplain Management

Ordinance.

ATTACHMENTS

- CEQA Statement of Exemption