



SUMMARY REPORT

Agenda Date: 1/14/2025

To: Sonoma County Board of Supervisors

Department or Agency Name(s): Permit Sonoma

Staff Name and Phone Number: Tennis Wick, (707) 565-1925, Azine Spalding, (707) 565-2541

Vote Requirement: Majority

Supervisorial District(s): Countywide

Title:

9:35 A.M. Flood Hazard Area Realignment

Recommended Action:

- A) Conduct a public hearing and adopt an Ordinance finding the project exempt from the California Environmental Quality Act under CEQA Guidelines Section 15268 and amending the Official Zoning Database to update the boundaries of the Floodway (F1) and Floodplain (F2) Combining Districts to correspond to new flood hazard area maps adopted by the Federal Emergency Management Agency (Majority Required) (Countywide); and
- B) Provide direction to Permit Sonoma to proceed with a technical review of the Federal Emergency Management Agency's new flood hazard maps for the Russian River Watershed to identify possible modeling errors and locations of focus for a potential restudy, and develop a resource request to complete the work.

Executive Summary:

The Federal Emergency Management Agency (FEMA) periodically updates Flood Insurance Rate Maps (FIRMs), which show flood risk areas and are used by insurance agencies to determine flood insurance requirements. FEMA recently completed a new study of flood hazards in the Russian River Watershed. During the 30 years since the last study, there have been updates to topographic information, rainfall data, and flood modeling that make flood risk mapping more accurate. On July 31, 2024, FEMA published final FIRMs which have been in effect since then. Property owners may view the updated flood maps using FEMA's [National Flood Hazard Map <https://hazards-fema.maps.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d4879338b5529aa9cd&extent=-122.94330427295434,38.51689308065658,-122.90176221973168,38.533680132891625>](https://hazards-fema.maps.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d4879338b5529aa9cd&extent=-122.94330427295434,38.51689308065658,-122.90176221973168,38.533680132891625)

The County participates in the National Flood Insurance Program (NFIP), which is managed by FEMA and provides flood insurance in communities that have adopted NFIP-compliant floodplain management regulations. If the County does not adopt updated FEMA regulations and mapping by January 31, 2025, the County will be suspended from the flood insurance program. If suspended, property owners will lose FEMA flood insurance, FEMA funded grant opportunities for home flood improvements, and other beneficial risk reduction opportunities. The County has initiated the process to implement the new FEMA maps through parcel zoning regulations to prevent suspension.

On November 12, 2024, the Board of Supervisors considered Sonoma County's Floodway (F1) and Floodplain

(F2) Combining District zoning updates with the annual Zoning and Land Use Technical Corrections item. The Board continued consideration of changes to the F1 and F2 Combining District boundaries, and directed Permit Sonoma to conduct outreach with affected communities before returning to the Board in January 2025 for final consideration of parcel zoning updates corresponding to FEMA's new flood hazard maps. The Board also directed Permit Sonoma to explore how the County could work directly with FEMA to restudy the flood risk along the Russian River to ensure the updated maps are as accurate as possible.

This item presents an ordinance amending the Official Zoning Database to update the F1 and F2 Combining District boundaries to correspond to the new flood hazard area maps adopted by FEMA to remain compliant with the NFIP. Per FEMA regulations, the County's adoption of the updated regulations and mapping must be completed by January 31, 2025, for continued participation in the NFIP.

Given Board discussion and community input, staff also recommends proceeding with a technical review of the updated FEMA flood hazard maps to identify possible modeling errors and locations of focus for a potential restudy, update public noticing procedures to generate greater awareness of future FEMA changes, and update local code requirements to provide certainty and support for property owners wanting to rebuild after a flood.

Discussion:

Project Description

The County's F1 and F2 Combining Districts correspond to the FEMA's FIRMs that identify Special Flood Hazard Areas. Amendments to the F1 and F2 Combining District boundaries are necessary to reflect recent updates to FIRMs, which FEMA finalized and published on July 31, 2024.

Flood Insurance Rate Maps (FIRMs)

FEMA periodically updates FIRMs to determine flood insurance requirements, and recently completed a study of the Russian River Watershed (2024). FEMA also recently updated FIRMs for the Todd Creek Watershed (2022), and the County is still pursuing a Letter of Map Revision (LOMR).

In October 2022, FEMA released preliminary FIRMs of the Russian River Watershed for public review. On June 22 and 29, 2023, FEMA published notices of appeal for preliminary FIRMs in the Press Democrat. Between June 29 and September 27, 2023, a 90-day appeal period commenced during which residents, businesses, and the County could appeal flood risk information on the preliminary FIRMs. FEMA did not receive the County's appeal within the appeal period, but did review the County's input as a letter of concern, which was rejected for lack of supporting technical data. On July 31, 2024, FEMA published the final FIRMs for the Russian River Watershed.

In 2022, FEMA updated FIRMs for the Todd Creek Watershed. The County appealed. Staff identified data inaccuracies in the hydrology model, as well as topographic changes and missing drainage features that help reduce flooding. FEMA denied the County's appeal. Following denial of the appeal, the County re-studied flooding within the Todd Creek Watershed to build a better case. On June 30, 2023, staff submitted a LOMR. The LOMR application is currently under review by FEMA. The Todd Creek LOMR is not yet approved, and the County continues with this effort.

As discussed above, while the updated FIRMs for the Russian River Watershed can no longer be appealed,

there are pathways to correct inaccurate maps. A property owner who believes their parcel was incorrectly identified as a special flood hazard area may submit a Letter of Map Correction (LOMC) request to FEMA with accompanying technical data from a license land surveyor or civil engineer. The LOMC process determines the location and elevation of a property or structure in relation to the flood hazard area. FEMA reviews the request and issues a determination document that either approves or denies the map changes. A second pathway involves the County taking the lead to re-study the flood hazard and present the re-study to FEMA, similar to the process the County undertook when it submitted the Todd Creek LOMR request.

National Flood Insurance Program (NFIP)

Communities participating in the National Flood Insurance Program (NFIP) have six months to implement FEMA's updated floodplain regulations once the final FIRMs have been published. Since the maps were published on July 31, 2024, the County must implement the regulations by January 31, 2025, or risk suspension from the NFIP. The following sanctions apply if a community is suspended from the NFIP:

- Property owners will not be able to purchase NFIP flood insurance policies, and existing policies will not be renewed.
- Federal grants or loans for development will not be available in identified flood hazard areas. This applies to funds from programs administered by Federal agencies such as the Department of Housing and Urban Development, the Environmental Protection Agency, and the Small Business Administration.
- Federal disaster assistance will not be provided to permanently repair insurable buildings in identified flood hazard areas for damage caused by a flood or any natural disaster.
- Federal mortgage insurance or loan guarantees, such as those written by the Federal Housing Administration and the Department of Veteran Affairs, will not be provided in identified flood hazard areas.
- Federally insured or regulated lending institutions, such as banks and credit unions, are allowed to make conventional loans for insurable buildings in flood hazard areas of non-participating communities. However, the lender must notify applicants that the property is in a flood hazard area and that the property is not eligible for Federal disaster assistance. Some lenders may voluntarily choose not to make these loans.
- Sonoma County Flood Elevation Mitigation Program, which has elevated over 300 homes and provided \$27 million for elevation projects since 1997, would be unavailable.
- Access to the Hazard Mitigation Grant Program (HMGP) would be removed.

To avoid suspension from the NFIP, the County is required to implement the updated regulations through parcel rezoning, by either adding or removing the F1 and F2 Combining Districts to select parcels, which correspond to FEMA's flood hazard maps and regulations.

Planning Commission Review

On October 17, 2024, the Planning Commission considered the Technical Corrections (File no. PLP24-0013) item and passed a resolution recommending that the Board of Supervisors approve amendments to the County General Plan Land Use Map and the Official Zoning Database, which included updated Floodway and Floodplain Combining District boundaries.

Board of Supervisors Review and Public Outreach

On November 12, 2024, the Board of Supervisors heard the Technical Corrections item and directed staff to

conduct outreach with affected communities before returning to the Board for final consideration of parcel zoning updates for the updated flood maps prior to the January 31, 2025, deadline.

Following the Board's direction, staff met with the Russian River Chamber of Commerce to discuss the proposed Floodway and Floodplain rezoning and express community concerns related to the changes. Staff also attended the December 11, 2024, Mark West Area Municipal Advisory Council, and December 12, 2024, Lower Russian River Municipal Advisory Council meetings. During these meetings, staff gave a presentation outlining the proposed changes and participated in a Question & Answer discussion with the Councils and community members to address specific questions and concerns related to the changes. Staff provided the Councils and community members with several resources including an interactive [FEMA Flood Hazard and Zoning Update \(F1 and F2\) Map](https://experience.arcgis.com/experience/6a336939ddad424f8b097ddffb580b90/) <<https://experience.arcgis.com/experience/6a336939ddad424f8b097ddffb580b90/>>.

Impacts of Updated Parcel Zoning

The County implements the updated FEMA regulations through parcel rezoning, by either adding or removing the F1 and F2 Combining Districts, which correspond to FEMA's flood hazard maps and regulations. If a parcel is within the F1 or F2 Combining District boundaries, the parcel is subject to regulations in the County's zoning and building code that apply only when a property owner wants to build a new structure, remodel, or make other improvements. F1 and F2 regulations only apply to the portions of properties that are within the mapped floodway and floodplain. Property owners may utilize the interactive [FEMA Flood Hazard and Zoning Update \(F1 and F2\) Map](https://experience.arcgis.com/experience/6a336939ddad424f8b097ddffb580b90/) <<https://experience.arcgis.com/experience/6a336939ddad424f8b097ddffb580b90/>> that shows both current and proposed F1 and F2 boundaries to identify which portions of their parcel are within the mapped flood areas and subject to F1 or F2 regulations.

The Floodway (F1) Combining District applies to properties within the Regulatory Floodway as shown on FEMA maps. F1 regulations are strict, in that on undeveloped/vacant parcels, no new permanent structures are allowed within mapped floodway areas. On parcels with existing structures, no new permanent structures or additions are allowed within the mapped floodway areas. Exceptions to these regulations include structural elevation above the base flood level, repairs that do not increase floor area, septic improvements, and well improvements. The Floodplain (F2) Combining District applies to properties within the 100-year (1% annual risk) flood hazard area as shown on FEMA maps. F2 regulations require that structural development within the 100-year flood hazard area comply with local building code in Sonoma County Code Chapter 7B, which relates to floodproofing. Within the F2, new residential structures must be elevated 1-foot above the Base Flood Elevation (BFE). Within the F2, new commercial structures have the option to elevate or flood proof to 1-foot above the BFE.

Homes and businesses in high-risk flood areas with mortgages from government-backed lenders are required to have flood insurance. As the updated FEMA maps are already published and final as of July 31, 2024, any potential changes to insurance rates should already be in place, however, property owners should verify with their insurance providers or lenders. Otherwise, property owners do not need to take any action at this time.

County Next Steps

In addition to parcel rezoning to remain in compliance with the NFIP, staff has identified several follow up options for Board consideration relating to flood hazards in the county.

County-led Study

Permit Sonoma would take action to ensure accuracy of the updated FIRMs by conducting its own technical study and review of the new mapping to better identify modeling errors and locations of focus for a potential restudy. This study would then be shared with FEMA for collaboration with the County to ensure the mapping is accurate. As mentioned above, a similar study is underway for Todd Creek. Based on the Todd Creek study, it is estimated that a study of the lower Russian River and airport Mark West Creek area would be approximately \$250,000. If directed, Permit Sonoma will return to the Board with a standalone budget request and contract item to secure a consultant and initiate the technical analysis.

If this review confirms that there are significant errors in the model and mapping as suspected, then staff will request Board permission and funding to pursue a restudy and Letter of Map Revision (LOMR) to modify the maps for greater accuracy.

Public Noticing Updates

While FEMA does publicly notice their mapping updates, the public comment regarding this item has clearly stated that this does not meet the standards expected in Sonoma County. Permit Sonoma will be updating how/when we communicate actions being taken by our Federal agency partners. Permit Sonoma can implement this without any follow up action by the Board.

Rebuilding & Local Regulations

Since the 2017 fires there has been substantial effort to make it clear that any resident or business should be able to restore what was lost in a time of emergency. While this has been tested and made clear regarding fires, the same clarity has not been provided relating to flooding. Through this map update process, it is clear that a holistic examination of our various code sections relating to non-fire disasters needs to occur.

Local regulations are based on the Sonoma County General Plan, building code, and zoning code. This assessment will bring forward a recommendation that considers zoning, modern building code requirements, and policy options such as a critical service overlay for the Lower Russian River community to make it clear that the existing commercial and industrial uses are critical to the continued success of the region. Local F1 Floodway/F2 Floodplain zones were created in the 1940s and has remained largely unchanged since that point. In 2025, an update to the General Plan Safety Element will be considered by the Board of Supervisors and Planning Commission and it will include a program to assess whether these zones are still meeting the needs of the community with the intent of safeguarding the ability of residents to restore what was lost.

California Environmental Quality Act (CEQA)

Amendments to the Official Zoning Database to update the Floodway and Floodplain Combining Districts to reflect FEMA's updated flood hazard area maps are directed by County Code and are thus ministerial and statutorily exempt from CEQA pursuant to CEQA Guidelines Section 15268.

General Plan Consistency

The proposed amendments to the Floodway and Floodplain Combining Districts to reflect FEMA's updated flood hazard area maps are consistent with the Sonoma County General Plan Public Safety Element Policy PS-2v that directs the County to continue enforcing floodplain management code requirements in flood hazard areas to implement the National Flood Insurance Program (NFIP).

Agenda Date: 1/14/2025

Strategic Plan:
Not Applicable

Racial Equity:
Not Applicable

Was this item identified as an opportunity to apply the Racial Equity Toolkit?
No

Prior Board Actions:

Title	Ordinance/Resolution #	Adoption Dates
Technical Corrections Round 10	ORD# 6497 RES# 24-13	November 12, 2024

FISCAL SUMMARY
Not Applicable

Narrative Explanation of Fiscal Impacts:
Not Applicable

Narrative Explanation of Staffing Impacts (If Required):
Not Applicable

Attachments:
Attachment 1: ORD24-0011 Rezoning Ordinance with Exhibit A. Table of Zone Changes
Attachment 2: ORD24-0011 Staff PowerPoint
Attachment 3: PLP24-0013 Planning Commission Resolution

Related Items "On File" with the Clerk of the Board:
Technical Corrections Round 10 (Permit Sonoma File No. PLP24-0013)