Implementing California Flood Legislation into Local Land Use Planning:

A Handbook for Local Communities

California Department of Water Resources
February 25, 2010
Presentation to Floodplain Management Association
Presentation Outline

- History
- Handbook Purpose
- Geographical Regions
- Affected “Planning Tools”
- Interagency Coordination
- Early Feedback
- Next Steps
History of Handbook

- 2007 Flood Legislation
  - Links local and regional planning and flood management
  - New focus: 200-year level
  - Different geographical regions and various deadlines
- Guidance requests by local communities
  - Clarification, Data Availability, Compliance
Purpose and Function

- **Identifies** and interprets the provisions of the applicable laws by geographical regions
- **Highlights** pertinent triggers and schedules for compliance
- **Informs** jurisdictions how to obtain information and assistance
- **Notes** additional factors and actions that DWR recommends local jurisdictions consider
State Mandates and Assistance Needed

- 25 modifications to Water Code and Government Code
- Responsibility of Local Jurisdictions and Timeline Summary Handout (from Executive Summary)
- Effective January 1, 2008 – Annual Review of Land Use Element
- Effective January 1, 2009 – Housing Element, which triggers Safety Element and Conservation Element
- Primary Users
Handbook Geography

- Legislation Applies:
  - Statewide
  - Sacramento-San Joaquin Valley
  - Sacramento-San Joaquin Drainage District

- Additive in Nature
Affected General Plan “Planning Tools” Statewide

- **Land Use Element** (annual review)
  - Identify areas subject to flooding via floodplain mapping
- **Conservation Element** (next housing element revision, after Jan. 1, 2009)
  - Identify areas that may accommodate floodwater for groundwater recharge and stormwater management
- **Safety Element** (next housing element revision, after January 1, 2009)
  - Identify and revise per new flood hazard information
- **Housing Element/RHNA** (January 1, 2008)
  - Consider and may exclude land that is not adequately protected to avoid the risk of flooding
Affected “Planning Tools”
Sacramento- San Joaquin Valley

- **General Plan** (within 24 months of CVFPP adoption)
- **Zoning Ordinance** (within 36 months of CVFPP adoption)
- **Development Agreements, Permits, or Parcel Maps** (post CVFPP adoption and amendments to the general plan and zoning ordinance)
  - Cannot approve within a flood hazard zone unless the adequacy of flood protection specific to the area has been demonstrated
Affected “Planning Tools”
Sacramento-San Joaquin Drainage District

- **General Plan** (January 1, 2008)
  - Prior to adoption or amendment may submit to the Central Valley Flood Protection Board for review and comment
- **General Plan Safety Element** (January 1, 2008)
  - Prior to preparation or revision must consult with the Central Valley Flood Protection Board
  - Prior to adoption or amendment must submit to Central Valley Flood Protection Board for review and comment
Input/Interagency Coordination

- Central Valley Flood Protection Board staff
- California Emergency Management Agency
- Federal Emergency Management Agency
- Governor’s Office of Planning and Research
- California Department of Housing and Community Development
- California Geological Survey
Early Feedback
(From State Agencies/Locals/FloodSAFE Outreach Efforts)

- High interest on how to comply
- Penalties for non-compliance?
- “Non-funded mandate”
- Impact on growth
- Who defines “adequate progress”?
- Flood liability with local planning decisions
- 200-year flood protection for urban and urbanizing areas
- Who is creating the 200-year maps?
Schedule

- Complete Draft Handbook – February 2010
- Review by interagency groups
- “Test Run” with selected local jurisdictions
- FMA Luncheon Presentation – February 2010
- Complete Final Draft of Handbook – April 2010
- 30-day Public Review through Web – April 2010
- Announce availability to the public – May 2010
- [www.water.ca.gov/LocalLandUsePlanning](http://www.water.ca.gov/LocalLandUsePlanning) (under development)
Questions?

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