



MEMORANDUM

City of Angels City Council

Date: May 6, 2025

To: City of Angels City Council

From: Amy Augustine, AICP – City Planner

Re: **Introduce, waive the first reading, hold a public hearing and set May 20, 2025, to consider Ordinance 544 Updating the City of Angels Municipal Code Chapter 15.20 (Floodplain Management and Flood Damage Prevention)**

RECOMMENDATION

Introduce, waive the first reading, hold a public hearing and set May 20, 2025, to consider Ordinance 544 Updating the City of Angels Municipal Code Chapter 15.20 (Floodplain Management and Flood Damage Prevention)

BACKGROUND

The City of Angels City Council approved Resolution 20-46 on November 17, 2020, adopting the City of Angels Camp hazard mitigation projects for the 2021 Calaveras County Operational Area Multi-Jurisdictional Hazard Mitigation Plan). Mitigation Projects included:

MU-6: Update Local Mitigation, Disaster Recovery, and All Hazards Planning Codes. Update or prepare and adopt in the City Codes:

- Fire Safety Standards,
- Flood Hazard Prevention;
- Grading, Drainage and Erosion Control Standards; and
- Post Disaster Recover Standards.

Funding was secured through the California Governor's Office of Emergency Services (CAL OES) Hazard Mitigation Grant Program to prepare the codes. Interwest was hired through a Request for Proposals to prepare the code amendments in consultation with the All-Hazards Planning Codes Steering Committee composed of:

City Council Member
Planning Commission Member
Fire Chief
Fire Marshal
Police Chief

City Engineer
City Planner
Public Works
City Administrator

Public workshops were held on December 12, 2024, and January 16, 2025, to gather public input.

A staff presentation summarizing the program was provided to the Planning Commission at its November 14, 2024, meeting and to the City of Angels City Council at its November 19, 2024, meeting.

This Floodplain Management and Flood Damage Prevention Ordinance is the result of those efforts. The current Flood Damage Prevention Ordinance, Angels Municipal Code Chapter 15.20, was last updated in 1996. Since then, there have been numerous statutory changes. Therefore, all of former Chapter 15.20 (current Chapter) is being removed and replaced with this proposed Floodplain Management and Flood Damage Prevention Ordinance reflecting all state and federal regulation changes through December 2024.

In addition, in accordance with the General Plan, stream setback standards also are established in the proposed ordinance.

A summary of Ordinance highlights includes, but is not limited to:

- Replaces 1996 Code with current state requirements
- Adds Section 15.20.700 Establishing setbacks along creeks to encompass the streambed channel, bed, and top of bank plus the landward edge (dripline) of riparian vegetation except as provided in 15.20.710
- Includes Section 15.20.710 to reduce setbacks along creeks as follows:

Creek and stream setbacks may be reduced with approval by the City Engineer when a study conducted by a qualified biologist or engineer, as applicable, makes a finding that a narrower setback:

- A. Would not increase the potential for erosion (generally based on existing vegetation, soil and slope stability), and
- B. Still encompasses the 100-year floodplain, and
- C. Fully protects riparian vegetation on the site (or may protect riparian vegetation through replanting on or off-site), or
- D. Is appropriate based on existing development near the stream in the vicinity; or
- E. Is necessary to avoid a private property “taking”
- F. Proposed new development within a creek/stream setback generally requires a landowner or developer to obtain a Lake or Streambed Alteration Agreement from the California Department of Fish and Wildlife.

When reduced setbacks are granted, design measures should be incorporated to protect riparian habitat by limiting the amount of clearing and fencing and/or locating such disturbances away from the stream.

- Addresses construction of roadways and infrastructure (Section 15.20.720) as follows:
 - A. The number of road crossings for streams should be limited to the greatest extent possible.
 - 1. Roadway crossings should be designed perpendicular to streams.
 - 2. Culverts, piping, or lining intermittent or perennial streams by private entities is discouraged unless no feasible alternative exists.

The Planning Commission considered the ordinance on April 10, 2025, and unanimously recommended to the City of Angels City Council approval of the proposed ordinance pursuant to Resolution of Intent 25-04.

ANALYSIS

Pursuant to Angels Municipal Code Section 17.90.040, decisions pertaining to code amendments shall be made upon the following findings of fact:

- A. The proposed change or amendment is consistent with the city of Angels Municipal Code; and
- B. The proposed change or amendment is consistent with the city of Angels general plan; and
- C. The proposed change or amendment will not be substantially detrimental to the health, safety, or general welfare of the city.

Findings A & B – Consistency with the Angels Municipal Code and General Plan

Adopting the proposed code amendment in the Angels Municipal Code with the accompanying implementation standards and guidelines referenced in the code, will allow for implementation of the following General Plan goals, policies, programs, and mitigation measures:

Goals:

1.B.2 Protect life and property from identified flood hazards.

Implementation Programs (and mitigation measures where indicated):

1.B.f, 4.D.d, 4.G.c, 6.B.g, and 11.B.b Designate Resource Management & Open Space Setbacks Along Creeks

Establish an open space setback encompassing designated flood hazard areas along Angels Creek and Six Mile Creek. Designate these areas as Resource Management (RM) on the city's general plan maps and as Open Space (OS) on the city's zoning maps. Establish similar setbacks along other drainages within the city (e.g., China Gulch) or along drainages in areas that may be annexed into the city in the future.

Ordinance Response: Creek setbacks, reductions in creek setbacks and best management practices for development adjacent to creeks are included in proposed Code Sections 15.20.700, 15.20.710 and 15.20.720. The Resource Management/Open Space zoning and designations were adopted under previous Council actions.

2.C.q Flood and Fire Hazards and Flood Management Analysis

Continue to analyze and implement programs in the Conservation and Open Space Element and Safety Element of the General Plan addressing flood and fire hazards and flood management in compliance with Government Code Section 65302. In conjunction with Housing Element updates, review the Land Use and Safety Elements of the General Plan to identify potential conflicts with those areas subject to flooding as identified by flood plain mapping prepared by the Federal Emergency Management Agency (FEMA) or the State Department of Water Resources and lands classified as very high fire hazard severity zones (pursuant to Public Resources Code Section 51177). Identify alternative sites for target income group housing and special needs housing should existing target sites be identified as subject to threats from flooding or fire.

Ordinance Response: In response to analysis, it was determined that portions of an RV/Mobilehome park in the City are located within a flood hazard zone. State regulations governing these circumstances are specifically addressed in proposed definitions and in Code Sections 15.20.120, 15.20.180(H), 15.20.590 and 15.20.600.

6.B.d Consider Preparation of a Flood Damage Prevention Ordinance

Consider preparation of a flood damage prevention ordinance to guide development within flood zones identified by the Federal Emergency Management Agency (FEMA).

Ordinance Response: All of Chapter 15.20 provides the proposed Flood Damage Prevention Ordinance.

6.B.f, 7Hc Mitigate Impacts on Downstream Drainage Facilities and Property

In conjunction with 2020 General Plan Program 6.A.k, address requirements for preparation of drainage plans addressing potential impacts on downstream drainage facilities and properties and requiring implementation of measures identified to reduce or eliminate those impacts. Continue to require drainage plans for private development to prevent inundation of the city's Storm Drainage Facilities.

Ordinance Response: Proposed Code Section 15.20.280 addresses, in part, impacts on downstream facilities. Proposed Code Sections 15.20.300(A), 15.20.490, 15.20, 610, 15.20.640, 15.20.650, 15.20.660, and 15.20.670 address placing obstructions or structures within floodways and requirements to demonstrate that such structures do not increase flood hazards (e.g., fences, retaining walls, roadways, driveways).

6.B.k Design New Bridges (Pedestrian and Automobile) to Minimize Damage From Major Flood Events

Require new pedestrian and vehicle bridges to incorporate design features that reduce or avoid damage during major flood events, to the extent feasible (e.g., pedestrian bridges designed to pivot at an upstream corner and break away to reduce debris collection).

Ordinance Response: Proposed Code Sections 15.20.660 and 15.20.300 address bridge design and required studies.

6.B.n Protect New Development from Flood Hazards
[2020 GENERAL PLAN MITIGATION MEASURE, MM-FLOOD-01]

For streams without mapped flood zones and flood elevations:

Prior to approval of new development occurring within 75 feet of both sides of Indian Creek, Greenhorn Creek, Cherokee Creek, San Domingo Creek and Lone Gulch (measured from the top of the bank of the drainage or the edge of the riparian zone); the applicant shall identify flood elevations and provide documentation that new development will be located outside of the 100-year flood elevation, prior to approval of new development. The City may waive this requirement if ample evidence is available on-site (e.g., site topography) to clearly establish that new development will occur outside of the 100-year flood elevation.

Ordinance Response: Creek setbacks, reductions in creek setbacks and best management practices for development adjacent to creeks are included in proposed Code Sections 15.20.700, 15.20.710 and 15.20.720. The Resource Management/Open Space zoning and designations were adopted under previous Council actions.

Adoption of the code amendments brings the Angels Municipal Code into compliance with General Plan 2020 programs as described.

Therefore, based on the preceding, findings A and B may be made.

Finding C. The proposed change or amendment will not be substantially detrimental to the health, safety, or general welfare of the city.

The purpose of the proposed code amendments is to protect the health, safety, and general welfare of the city against threats to life and property related to flooding. This is being accomplished by adopting all current state and federal standards related to construction within floodways and implementing most general plan programs

related to flooding to provide predictability and consistency for developers and residents to ensure the health, safety, and general welfare of the city.

Based on the preceding, Finding C can be made.

FISCAL IMPACT:

The proposed amendments were prepared through a CAL OES grant with time expended by the City as a “soft match” for the grant. Implementation of the code amendments and standards are covered by permit fees charged by the City. Therefore, no fiscal impact is anticipated.

It is noted, however; that the establishment of predictable and consistent standards for floodplain management and prevention for the community is expected to expedite the permitting process in the City. Because “time is money,” this is expected to reduce overall project costs. The adoption of up-to-date consistent standards will assist City Staff in expediting project reviews, thereby reducing staff time spent on project review.

ENVIRONMENTAL FINDING:

Pursuant to the state guidelines for implementing the California Environmental Quality Act (CEQA), the proposed code amendments are exempt from further review, because the proposed amendments implement a program or programs identified within the scope of the 2020 General Plan Environmental Impact Report adopted for the 2020 General Plan.

ATTACHMENT:

- A. Planning Commission Resolution of Intent 25-04
- B. Ordinance 544 with Attachment (Proposed Chapter 15.20)