



Fw: Emailing: 2013-09-04 163528

Hannah Miller to: BOS_Legislative Assistants, cr_board_clerk
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09/05/2013 08:47 AM

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From: "Margaret" <heely@tcsn.net>
To: <hmiller@co.slo.ca.us>
Date: 09/04/2013 06:07 PM
Subject: Emailing: 2013-09-04 163528

09/04/2013
Good evening inforamtion
for BOS Meeting September 10 Items 21 agenda'

Margaret Holstine
heely@tcsn.net

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09/04/2013

Margaret Holstine
Land Use Consulting

heely@tcsn.net
License # 543468

Rocky Canyon Dog Kennel

Atascadero, Ca
Robert and Melanie Tucker
Owner

BOS Agenda
Sept 10, 2013
Agenda Item #21

Submitted May 2013
To Public Works
History & Finding for Approval
Waiver Request from the Tuckers

Response
TimeLine of Expenses and Events for RCK Building
Subject: Hearing to consider and response information

Resolution & Variance and response information

e-mailing 12 pages

mh

ROBERT AND MELANIE TUCKER
Rocky Canyon Dog Kennel

Timeline of Expenses and Events for RCK building

I received the code enforcement letter on April 4, 2012. I contacted a civil engineer within 2 days. He drew up plans and got them ready for me to submit to planning and building.

I dropped the plans off on April 18, 2012. I received a call a couple of weeks later that I could come and pick up my "corrections". The clerk handed them to me, I went to my car and looked over them and was shocked to see that I would need to get a demolition permit to tear down my building! I thought I was just picking up the standard corrections. I contacted the engineer and he set up a meeting with the staff at planning and building and public works.

We had a meeting on June 18, 2012 where everyone said we could work through the corrections needed except for public works because the building is in the floodway. Tim advised me that the next step would be to have the property surveyed to see how far in the flood zone we actually were. According to his maps, the whole building would be under water. So Twin Cities Survey came out and surveyed for us on June 21, 2012. The building is 2 feet in the flood zone on one end and 3 feet in on the other end. The whole building would not be under water. We reported back to public works but they said it didn't matter, we were still in the flood zone.

I was told the next thing to do was to write a letter to the Board of Supervisors asking to grant a variance for our property. I hired Margaret Holstine to assist me with this. We have since met individually with some of the supervisors and worked out some things that we think can help us do what is necessary to get this building permitted.

I have an evacuation plan for the dogs in place in case of an emergency. We also have a plan to disassemble and remove the building in question if necessary in case of heavy rains and flooding. We have talked to CDF to comply with their requests as well.

This is a small business and we are just trying to keep the dogs safe and sheltered while they stay with us. If we don't have an enclosed place

to keep them, people will not want to leave their four legged family members with us. Rocky Canyon Kennels is the only dog boarding kennel left in Atascadero besides the local vets offices that just put them in a cage. We have a client list of over 1500 people that would not have a place they feel comfortable leaving their pets. We would lose majority of our business resulting in extreme hardship.

Below is a list of things I have done to comply and try to get the building permitted and how much it has cost me.

Engineer:	\$1975.00
Permit Fees:	\$10,062.89
Survey Fees:	\$600.00
Fire plan fees:	\$1750.00
Consultant fees:	\$2523.60

Total so far to get
building permitted:\$16,910.60

The building itself cost \$20,000 to build

09/04/2013

Robert and Melanie Tucker
Rocky Canyon Dog Kennel
Atascadero, California
APN 034-551-025
COD2011-00677
PMT2011-0187

BOS – Recommendation and Discussion

1. Robert and Melanie Tucker are requesting a waiver of the County's Land Use Ordinance 22.14.060. D. 1.A
Tucker's in no case increased above that allowed under the Federal Flood Insurance Plan. See Exhibit's #6, #7, #8 and #11
2. In an attempt to remedy the code enforcement action, the Tucker's applied for a Building permit (PMT201-01817) for the new kennel building. During the Building review process, it was discovered that the new structure is located within The 100-year flood way of the Salinas River. In a large storm event, the new Structure would be inundated by floodwaters of the Salinas River. Furthermore, as this new structure is also located in the "Regulatory Flood Way" (rather than just merely in the 'floodplain") the new structure would be subjected to the river forces, suffer significant structural failure and be partly or entirely washed downstream.
All of the above is assumption because of location- as I have stated; House Built 1983 – in 30 years the 11 acres land to value has seen large storm event, never has flooded waters on the property; the property is located 75 feet above the Salinas river bed; In all the years property has never has erosion Problems. See Exhibits #6 , #7 and #8
3. In order to prevent these hazards, County Ordinance (22.14.060.D.4) requires The applicants' engineer to certify the floor of the structure is either one foot Above 100 year flood level or the structure is flood proofed to withstand the Flood depths, pressures, velocities, impact and uplift force, and other forces Associated with a 100-year flood. The Applicant has not submitted this Certification from a registered civil engineer.
**Certified elevation exhibit #3/ To show proof – after meeting Jan 23, 2013 Public Works – did not matter if could show proof to withstand the flood Depths/ First option from County dismantle and will solve all issues; I ask made provision is structure so water could flow freely through building The answer was no: if allowed would have check for velocities. There is so Much you can do with dog kennel – and building; for RCK to survive the economics and the economy I believe at this point have done what was requested by the county;
Have Emergency plans, comply with FEMA, fire and safety, insurance**

Have complied with debris problems for a location has not seen floodwaters in 30 years

4. The County's Land Use Ordinance implements the requirements of the National Flood Insurance Program (NFIP), which is administered by the Federal Emergency Management Agency (FEMA). The intent of the National Flood Insurance program is to lessen the threat to life and property attendant to Structures build in a Flood Hazard Zone. One primary facet of this program Requires that no new structures or other impairments to flow be constructed within the Regulator Flood Way. The Regulator Flood Way must be preserved to adequately, conduct run off in the watershed during the larger storms.
See Exhibit #7, #8, and #11 I believe this is debatable
5. While the NFIP allow for a few exceptions, the criteria indicated for the Exceptions have not been satisfied. The new structure will rise the flood level In the Regulatory Flood Way and pose a safety threat to downstream properties. The need the requested variance also fails to provide compelling and Extraordinary proof (Per FEMA requirements, CFR Title 44, Chapter 1 Section 60.6) that denial would result in exceptional hardship to the applicant. These are listed and more fully explained in the attached resolution.
See response in Attach resolution #11, Exhibit 5, #6, #7, and #8
6. Were this structure not located within the Regulatory Flood Way, there might Be measures that could legitimize its construction and also provide for public Safety. However , the specific requirements of the NFIP regarding the Regulatory Flood Way do not afford us the opportunity to pursue those measures.
There are exception to the Regulatory Flood Way Exhibit #7 and #8;
7. Other options, such as flood proofing or relocating the building on this site, are not feasible.
That is not a options dismantle per PW
8. There fore , staff recommends this variance be denied due to the findings Of its location in the Regulatory Flood Way, increased flood heights due to its Construction, attendant threats to public safety (in a flood event, the structure Could become debris, and cause downstream damage), and lack of Exceptional hardship (as defined by FEMA)
**Denying due to the findings increase flood heights and debris that is Assumptions made by PW.. See Exhibit #3, #4, #5, #6, #7, and #8
As far as hardship income loss - business, loss in property value.
Resolution #11 A determination that failure to grant the variance would result in Exceptional hardship to the applicant – See response #11**

mh

To: Board of Supervisors

From: Tim Tomlinson, Development Services Division

Via: Dave Flynn, Deputy Director of Public Works

Date: September 10, 2013

Subject: Hearing to consider a request by Robert and Melanie Tucker for a variance granting modification of special construction standards in a flood hazard zone and submittal of a resolution denying the requested variance. District 5.

Recommendation

It is our recommendation that your Honorable Board adopt the attached resolution denying the requested variance.

Discussion

Robert and Melanie Tucker are requesting a waiver of the County's Land Use Ordinance (22.14.060 D. 1. a.) which limits placing new structures in a floodplain or floodway. A portion of this ordinance states:

"No construction or grading shall limit the capacity of the floodway or increase flood heights on existing structures unless the adverse effect of the increase is rectified to the satisfaction of the Director of Public Works. In no case shall flood heights be increased above that allowed under the Federal Flood Insurance Program."

Background / History

In April 2012, a Code Enforcement Case (COD2011-00677) was initiated against the Tuckers when an un-permitted structure was discovered on their property. This new structure is a metal building located on a pre-existing concrete foundation and is currently used as a commercial dog kennel. Per local ordinance, an un-permitted structure requires permitting to allow its existing use to continue in compliance with local building codes and ordinances.

In an attempt to remedy the code enforcement action, the Tuckers applied for a building permit (PMT2012-01817) for the new kennel building. During the building permit review process, it was discovered that the new structure is located within the 100-year flood way of the Salinas River. In a large storm event, the new structure would be inundated by

floodwaters of the Salinas River. Furthermore, as this new structure is also located in the "Regulatory Flood Way" (rather than just merely in the "floodplain") the new structure would be subjected to the river forces, suffer significant structural failure and be partly or entirely washed downstream.

In order to prevent these hazards, County ordinance (22.14.060.D.4) requires the applicant's engineer to certify the floor of the structure is either one foot above 100 year flood level or that the structure is floodproofed to "... *withstand the flood depths, pressures, velocities, impact and uplift forces, and other forces associated with a 100-year flood.*" The applicant has not submitted this certification from a registered civil engineer.

Federal Regulations

The County's Land Use Ordinance implements the requirements of the National Flood Insurance Program (NFIP), which is administered by the Federal Emergency Management Agency (FEMA). The intent of the National Flood Insurance Program is to lessen the threat to life and property attendant to structures built in a Flood Hazard Zone. One primary facet of this program requires that no new structures or other impairments to flow be constructed within the Regulatory Flood Way. The Regulatory Flood Way must be preserved to adequately conduct run off in the watershed during the larger storms.

While the NFIP allows for a few exceptions, the criteria indicated for the exceptions have not been satisfied. The new structure will raise the flood level in the Regulatory Flood Way and pose a safety threat to downstream properties. The need for the requested variance also fails to provide compelling and extraordinary proof (per FEMA requirements; CFR Title 44, Chapter 1, Section 60.6) that denial would result in exceptional hardship to the applicant. These are listed and more fully explained in the attached resolution.

Were this structure not located within the Regulatory Flood Way, there might be measures that could legitimize its construction and also provide for public safety. However, the specific requirements of the NFIP regarding the Regulatory Flood Way do not afford us the opportunity to pursue those measures.

Other options, such as flood proofing or relocating the building on this site, are not feasible.

Therefore, staff recommends this variance be denied due to the findings of its location in the Regulatory Flood Way, increased flood heights due to its construction, attendant threats to public safety (in a flood event, the structure could become debris, and cause downstream damage), and lack of exceptional hardship (as defined by FEMA).

Other Agency Involvement

The Department of Planning and Building is also involved in flood plain management as they implement most of the provisions of the Land Use Ordinance. They issue building permits and inspect construction after the application is reviewed for flood hazard concerns by the Public Works Department. The two departments act jointly to carry out the

requirements of FEMA and the NFIP.

Financial Considerations

There should be no cost to the County associated with the denial of this waiver. However, approval of a variance could result in a surcharge of \$50 annually on all flood insurance policies in the County or, ultimately, suspension from the NFIP which would result in negative economic impacts to those property owners currently in the program.

Results

Denial of the requested variance will require the applicant to apply for a demolition permit through the Planning and Building Department to remove their illegally constructed structure so that they will become in compliant with County ordinances and the NFIP.

Attachments: Vicinity Map
Waiver Request from the Tuckers
Resolution Denying a Variance and Exception Waiving Certain
Construction Standards of the Land Use Ordinance in a Flood Hazard
Area

Reference: 13SEP10-H-1

File: Flood Hazard Waivers TJT

C:\Documents and Settings\Owner\Local Settings\Temporary Internet Files\Content.IE5\QH0AF60P\Tucker Variance brd ltr.doc.TT:mac

09/03/2013

Robert and Melanie Tucker
Rocky Canyon Dog Kennel
Atascadero California
APN 034-551-025
COD2011-00677
PMT 2011-0187

Tucker purchase property Sept 13, 1995/ Dog Kennel Business for 18 years;

Appeal to the BOS Granting the Tuckers Variance and exception
Waiving certain construction;

In May of 2013 Submitted to County of SLO Public Works requesting
Granting waver and appeal to the BOS!

Correction; Tucker report submitted in May 23, 2013
Page #4 should read Lenior County, North Carolina – FEMA Dog Park;

County of SLO BOS response to resolution

: Subject: Hearing to consider a request by Robert and Melanie Tucker
For a variance granting modification of special construction standards in a flood
Hazard zone and submittal of a resolution denying the requested variance. District 5.

**Permit P960127P – Home occupation Personal Service – Commercial Kennel 26
Enclosed Kennels for Dogs Issued Date 08/14/1996 See Exhibit #1**

1. Variations must pertain to a piece of property and are not personal in nature;
None of the Tucker efforts have been personal; it about the dog Kennel,
property land value and business Value
**Code Enforcement date 04/02/2012; Planning Department received plans
04/18/2012 PMT 2012-01817**
**Time of submittal , excepted by Planning and Building , commercial fee
paid to the County SLO \$10,062.89. Exhibit #10**
Public Works received plans 04/26/2012 / Public works review 05/02/2012
1) You can convert this building permit into a **demolition permit and remove
this Illegal structure** and remove any appurtenant fill that may have been
added along with it. This would be the simplest County
2. Variations shall not be issued within any designated Regulatory Flood Way if any
increase in flood levels during the base flood discharge would result.
Response Exhibit #6 and #8
3. A determination that the granting of the variance will not result in increased flood
heights; The County answer is assumption not facts;
Exhibit #6

-1-

4. .The variance will not cause additional threats to public safety or create nuisance.
Exhibit #5 and #6
5. The variance will not result in extraordinary public expense
6. The variance will not cause fraud on nor victimization of the public.
7. The variance will not result in conflict with existing local laws or ordinances
8. A determination that the variance is the minimum necessary to afford relief
If property value goes down Tucker's paid property taxes all these years, Tuckers are eligible for property tax relief.
9. Lots should generally be to a lot size of one-half acre or less. Experience indicates that for lots greater than one-half acre, a structure can be elevated on fill at or above the base flood elevation without causing measurable adverse drainage impact on surrounding properties. But, per the Code of Federal Regulations 60.6, deviations from the above grounds may occur.
Meeting over the counter with Public works January 23, 2013;
The request plans per county as-built plans – Structural;
Tried to work on solutions over the counter meeting – removing parts of structure and answer no;
The answer to the question above owner statement cover page dog picture ;
Variance is not being requested to alleviate adverse drainage; Those concern been **address; Emergency Plans see exhibit #5,#6, #7, and #8.**
10. Good and Sufficient Cause. Good and Sufficient cause means that by granting a Variance there is substantial and legitimate benefit to be achieved by numerous Other citizens or the community as a whole:
11. A determination that failure to grant the variance would result in exceptional hardship to the applicant'
**The loss of income and land value -0-; income\$115,000.00 per year – Loss of service to the community (Blight). Loss of another business not able to do business in County of SLO – the current house on property build in1983 – House and Land on 11.3 acres and reaming 11 acres zoned Ag land. .If variance is denied, property value is worthless; Over the counter meeting ask if planting grapes an option at that time and fencing keep deer out if possible; response again would denying the variance – debris going down the Salinas River – this would deem 11 acres worthless – Business worthless– Tucker's have paid property tax since 1995 Land Value; We believe have proven hardship, including; :loss of all beneficial or productive uses. With out a reasonable doubt have proven hardship.
Exhibits #5, #6, # 7, and #8.**

**The cost to Tucker's at this time cash out lay \$16,910.60 plus land value and business;
Structures cost \$20,000.00**

mh

IN THE BOARD OF SUPERVISORS

County of San Luis Obispo, State of California

_____ day _____, 20__

PRESENT: Supervisors

ABSENT:

RESOLUTION NO. _____

RESOLUTION DENYING A VARIANCE AND EXCEPTION WAIVING CERTAIN CONSTRUCTION STANDARDS OF THE LAND USE ORDINANCE IN A FLOOD HAZARD AREA

The following resolution is now offered and read:

WHEREAS, the County of San Luis Obispo, State of California has been duly requested by Robert and Melanie Tucker to grant a variance waiving certain construction standards on a thirteen acre parcel (APN 034-551-025) located near the community of Atascadero on the banks of the Salinas River; and

WHEREAS, Land Use Ordinance Section 22.14.060.D.5 allows the Board of Supervisors to waive or modify the Construction Standards through the exception procedure set forth in the Code of Federal Regulations, Title 44, Chapter 1, Section 60.6; and

WHEREAS, the findings that the Federal Emergency Management Agency requires for granting of a variance and our discussion of those findings follow:

1. Variances must pertain to a piece of property and are not personal in nature.

The property in question is a thirteen acre portion of the Rancho Asuncion, Atascadero & Adjacent Lands (Book A of Maps, page 1), owned by Robert and Melanie Tucker (the applicants). In April 2012, a Code Enforcement Case (COD2012-00677) was initiated for an un-permitted metal building. Later in April 2012, a building permit was applied for to rectify the Code Enforcement Case (PMT2012-01817). Review of this permit resulted in the determination that the structure was in the Flood Hazard Zone and that this triggered compliance requirements with County Ordinances for construction in Flood Hazard Zones. The waiver would be for the structure identified in PMT2012-01817 only.

2. Variances shall not be issued within any designated Regulatory Flood Way if any increase in flood levels during the base flood discharge would result.

This site is within the Regulatory Floodway and therefore this waiver should not be granted.

3. A determination that the granting of the variance will not result in increased flood heights.

Agenda Item No: 21 • Meeting Date: September 10, 2013

Presented By: Margaret Holstine

Rec'd prior to the meeting & posted on: September 9, 2013

The applicant has not determined whether this construction will result in increased flood heights, but such an increase is considered likely by the County.

4. The variance will not cause additional threats to public safety or create nuisances.

The County believes that this structure will likely become debris during a flooding event and will create a nuisance and a threat to public safety.

5. The variance will not result in extraordinary public expense.

Beyond this hearing process, it will not involve public expense.

6. The variance will not cause fraud on nor victimization of the public.

It will not cause fraud on nor victimization of the public.

7. The variance will not result in conflict with existing local laws or ordinances.

The granting of this variance will not conflict with other local laws or ordinances.

8. A determination that the variance is the minimum necessary to afford relief.

The variance is the minimum necessary to afford relief.

9. Lots should generally be limited to a lot size of one-half acre or less. Experience indicates that for lots greater than one-half acre, a structure can be elevated on fill at or above the base flood elevation without causing measurable adverse drainage impacts on surrounding properties. But, per the Code of Federal Regulations 60.6, deviations from the above grounds may occur.

This variance is not being requested to alleviate adverse drainage impacts on surrounding properties; it is to permit an existing as-built construction that does not comply with the National Flood Insurance Program requirements and local ordinances.

10. Good and Sufficient Cause. Good and sufficient cause means that by granting a variance there is substantial and legitimate benefit to be achieved by numerous other citizens or the community as a whole.

As this variance is for a commercial facility, the granting of this waiver will be of benefit to a portion of the community (their existing and potential customers).

11. A determination that failure to grant the variance would result in exceptional hardship to the applicant.

Per FEMA, the applicant has the burden to prove unnecessary hardship, including: loss of all beneficial or productive use, deprivation of any reasonable return on the property, property rendered valueless, inability to develop property in compliance with regulations, reasonable use cannot be made with regulations. The proof must be compelling and reasons for granting the variance extraordinary. As this property has an



Fw: Emailing: Melanine Tucker BOS
Hannah Miller to: cr_board_clerk Clerk Recorder

09/06/2013 01:42 PM

Hannah Miller
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From: "Margaret" <heely@tcsn.net>
To: <hmiller@co.slo.ca.us>
Date: 09/06/2013 11:32 AM
Subject: Emailing: Melanine Tucker BOS

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09/06/2013

Margaret Holstine
Land Use Consulting

heely@tcsn.net

License # 543468

Rocky Canyon Dog Kennel

Atascadero, Ca
Robert and Melanie Tucker
Owner

BOS Agenda
Sept 10, 2013
Agenda Item #21

Good Morning Adam,

I want to thank you after meeting with you April 2013 on supporting Rocky Canyon Dog Kennel;

1. One of your concerns at the time of the meeting Dog safety ; Mrs. Tucker Exhibit #5 Emergency Plan – Remove Dogs to Safety;
2. In reviewing FEMA Web site – FEMA: Mitigation Best Practices Portfolio; The Rotary Dog Park, with it 23 acres, includes an agility course where dogs can train and compete; Include pictures – Location 100 year floodplain – North Carolina Exhibit #8
3. We have Cal Fire approval – Clint Bullard onsite inspection, Fires sprinklers, Dog safety. Exhibit # 9
4. Insurance – Ted Hamm Insurance – The subject property at Rocky Canyon Road is eligible for flood insurance. . In preliminary checking with the flood carriers it is insurable # 11

If you have any question – would love to meeting with you and or call;
We feel we have done everything County has requested of us and have complied to County concerns and regulations; Thank you again for you time and staff time!

Margaret Holstine
Cell: (805) 550-3552

mh

Exhibit #5

Exhibit #5

**Emergency Flood Plan
Rocky Canyon Dog Kennel (RCK)
Emergency Plan –Remove Dogs to Safety**

**Atascadero, Ca
Owner; Melanie Tucker**

**It is RCK's responsibility for the Health and safety of
Animals**

1. History has proven that the, Salinas River does not flood overnight. It takes weeks and sometimes months of rain even get to flooding stage.
2. History has shown through radio, emergency services, Salinas River has a 36 hours notification system alerting the public Salinas will be over flowing and cresting 5:03pm today.
3. If the forecast calls for heavy rain and/or flooding of the Salinas River, the dogs are to be moved to our facility at 9410 Asuncion Rd. All owners will be notified at once.
4. We have Two (2) vans that can each move 10-15 dogs at a time. Our max capacity at RCK is 40 dogs. It would take two trips – we have two (2) vans to evacuate all dogs from RCK. Our facility on Asuncion Rd is large enough to handle the over 70 dogs and can easily be adjusted to handle the extra doge from RCK in case of an emergency.
5. See Picture below – Vans to move dogs



One of our vans



The other van



Inside the vans

Exhibit #5

Emergency Number: Contacts

Melanie Tucker

Nancy Lillo

Aaron Mills

Roy McDaniel

property

Lives on the

Exhibit #8



FEMA

Plan, Prepare & Mitigate

Before, During & After a Disaster

Disaster Survivor Assistance

Hurricane Sandy, Apply for Assistance, Disaster Declarations

Response & Recovery

Tools, Teams, Individual & Public Assistance

Topics & Audiences

Grants, How to Help, Private Sector, Think Tank

Blog, Newsroom, Videos & Photos

News Releases, Social Media, Mobile, Data Feeds

About FEMA

Offices, Careers, Employee Info, Policies, FAQs

What are you looking for?

Exhibit #8

5 PAGES include pictures

Junkyard Dogs No Longer

Full Mitigation Best Practice Story



Lenoir County, North Carolina

With so much history and natural resources attracting visitors to Kinston, North Carolina, residents wanted to draw attention away from a junkyard situated west of the intersection of Highway 70/258 and E. King Street. Sitting in a 100-year floodplain next to the Neuse River, the junkyard was not only an eyesore, but was also a source of hazardous waste contamination.

Following Hurricane Floyd's rampage through North Carolina in September 1999, money was allocated by the legislature to address problems caused by flooding in the 100-year floodplain. Early in 2000, North Carolina was permitted to use a portion of the funds to institute a buyout program intended to reduce the cleanup costs associated with repetitive flooding of junkyards in the area. The state agreed to purchase the junkyard for \$35,000 and reimburse cleanup costs. Although the owners retain title to the property and are not permitted to sell, the city purchased a conservation easement allowing public access. Responsibility for maintaining the land remains with the owner.

Following the purchase, Kinston city officials left the land vacant until 2009 when the Lenoir County Parks and Recreation Department proposed reinvigorating the property by creating a dog park. The local Rotary Club was approached to sponsor the project. The transformation began with \$45,000 (\$25,000 from a private donation and \$10,000 each from Lenoir County and the Rotary Club). One hundred volunteers from a local church built the restrooms in May 2011, arousing interest and momentum in the project. From there, plans quickly fell into place as the community eagerly jumped on board, donating time, money, and materials.

Kinston citizens have been working on the park since 2009, adding things as they could. "We did most of this work with volunteers," said Bill Ellis, Kinston's interim City Manager. Ellis, usually acting as Lenoir County's Director of Parks and Recreation, has been integrally involved in the process. "We've done some of this with Parks and Recreation staff," he said, noting that there was no additional expense because they are Lenoir County employees. The agility course equipment was built and paid for by the Chamber of Commerce Young Professionals Leadership Class. A local plumbing company offered to plumb the public restrooms for free, charging only their cost for fixtures. Volunteers installed fencing paid for by the county, followed by a local fencing company that leveled and straightened it for free. Kinston High School's Future Farmers of America (FFA) club put in trees and landscaping.

The Rotary Dog Park, with its 23 acres, includes an agility course where dogs can train and compete in the American Kennel Club (AKC) championships, also held here. Encircling the property is a 1/2-mile track funded by a health insurance provider for those who simply want to enjoy a leisurely stroll. In the back are two large ponds with high grass and berms where hunting dogs, some from as far away as Minnesota, come and train. Eight field trials per year are held there from novice to masters class levels for dogs. Channels dug to create a sequence of land, water, land, and water add to the challenge. The park also hosts two enclosed areas where owners can play with their dogs. Dog washing stations and a doggy water fountain are situated nearby.

The local Society for the Prevention of Cruelty to Animals (SPCA) donated funds and labor toward the success of the dog park. In addition, twice a year, rabies shots

<http://www.fema.gov/mitigationbp/bestPracticeDetail.do?sessionId=65291822C7B139E178ED59...> 5/20/2013

Exhibit #8

Page 2 of 3

EMA: Mitigation Best Practices Portfolio

#8

or pets are offered for \$5 and discount coupons for pets to be spayed or neutered are distributed. Donations are regularly made by local citizens, so a donation box is slated to be set up where people can conveniently support the park's success. A pet memorial area is also slated to be established, following the wishes of a local long-time veterinarian who passed away. In his memory, his family donated money for a seating area where families can spread ashes of beloved pets, quietly paying tribute to their special bond.

The park isn't just for dog lovers, either. Day camps are organized for children and exhibitions are staged by local police canine units. Everyone is welcome to use the facilities. Canoes can be rented from the nearby nature center and brought to the dog park ponds where people can fish or simply paddle around the water. Fishing videos are held for children in the spring and summer. No one would guess that this natural setting was once a junkyard.

The area has been made "flood resistant, not flood proof," notes Ellis. "We've made a lot of different changes, learned a lot of good lessons." Ellis used to joke about property located nearby, saying, "It wouldn't flood down here, we'll be fine. And then, three months later, we were under water." Thanks to the innovation and spirit of its citizens, coupled with donations augmenting federal, state, and local funding, the area is no longer threatened by contaminated floodwaters requiring expensive cleanup. Now if the area floods, it will require only natural debris removal.

Although no FEMA funds were used in this project, FEMA has provided money for projects nearby. Ellis is grateful for FEMA's assistance, stating, "FEMA has been very, very, very good to us. As a city and a county, and we wouldn't be where we are today without FEMA, I know that much."

Activity/Project Location
Geographical Area: Single County in a State
FEMA Region: Region IV
State: North Carolina
County: Lenoir County
City/Community: Kinston

Key Activity/Project Information
Sector: Public
Hazard Type: Flooding
Activity/Project Type: Acquisition/Buyouts
Activity/Project Start Date: 06/2009
Activity/Project End Date: Ongoing
Funding Source: State sources

Activity/Project Economic Analysis
Cost: Amount Not Available

Activity/Project Disaster Information
Mitigation Resulted From Federal Disaster? No
Year of disaster that resulted in mitigation effort: 1999
Value Tested By Disaster? Yes
Tested By Federal Disaster #: 4019 , 08/31/2011
Repetitive Loss Property? Yes

Reference URLs
No URLs were submitted

Hide Main Points

Main Points
No Main Points have been entered.

Attachments

<http://www.fema.gov/mitigationbp/bestPracticeDetail.do?sessionId=65291822C7B139E178ED59...> 5/20/2013

Dog Park

Exhibit #8

FEMA: Mitigation Best Practices Portfolio



Rotary Dog Park



German Shepherd at Agility Course



ponds in Rotary Dog Park

Exhibit #8

Photo Image Detail

Title: Rotary Dog Park

Short Description: entrance to Rotary Dog Park

Long Description: entrance to Rotary Dog Park in Kinston, NC

Image: 8137_rotary_park_picture_158.jpg (171.94K)



Exhibit #8

Title: **German Shepherd at Agility Course**

Short Description: **German Shepherd on Agility Course Equipment**

Long Description: **German Shepherd on Agility Course Equipment at Kinston Rotary Dog Park**

Image: **8138_german_shepherd_picture_160.jpg (170.41K)**





CAL FIRE
San Luis Obispo
County Fire Department

Exhibit # 9

635 N. Santa Rosa • San Luis Obispo, CA 93405
Phone: 805-543-4244 • Fax: 805-543-4248
www.calfireslo.org



Robert Lewin, Fire Chief

April 23, 2013

Rocky Canyon Kennels
Robert Tucker
9400 Asuncion Road
Atascadero, CA. 93422

Subject: Rocky Canyon Kennels – Fire Safety Plan Addendum (PMT2011-01817)

Mr. and Mrs. Tucker,

As a result of the recent onsite inspection, CAL FIRE/San Luis Obispo County Fire Department has made the following addendum to the Fire Safety Plan provided on August 13, 2012.

- A fire sprinkler system shall not be required to be installed within the dog kennel/metal enclosure structure.

This determination was made based upon the following circumstances –

1. The existing kennel operation and associated metal enclosure pre-date the current 1,000 square foot fire sprinkler ordinance.
2. The general public is not allowed routine access to the dog kennel/metal enclosure.
3. Based upon the design and construction of the dog kennel/metal enclosure, the installation of a code compliant fire sprinkler system would present significant challenges.
4. The building materials for the dog kennel/metal enclosure are of a non-combustible and/or non-flammable nature.

All remaining requirements set forth within the Fire Safety Plan must be satisfied prior to this department conducting a final inspection.

Sincerely,

Clinton I. Bullard
Fire Inspector

Exhibit # 11



License #0554020

Ted Hamm Insurance Services

Crop Insurance • Farm • Ranch • Home • Auto • Health • Life • Worker's Compensation

June 3, 2013

To Whom It May Concern:

The subject property at Rocky Canyon Road is eligible for flood insurance. The elevation certification will be used to establish the rate and acceptance. In preliminary checking with the flood carriers it is insurable

Thank you

A handwritten signature in black ink, appearing to be 'Ted Hamm', written in a cursive style.

Ted Hamm



**Fw: Rocky canyon Dog Kennel/
Hannah Miller** to: Adam Hill
Cc: cr_board_clerk Clerk Recorder

09/09/2013 02:37 PM

Hannah Miller
Legislative Assistant to Supervisor Adam Hill
District 3, County of San Luis Obispo
1055 Monterey St. Rm D430
San Luis Obispo, CA 93408
805-781-4336
805-781-1350 fax

----- Forwarded by Hannah Miller/BOS/COSLO on 09/09/2013 02:37 PM -----

From: "Margaret" <heely@tcsn.net>
To: <hmiller@co.slo.ca.us>
Date: 09/09/2013 02:20 PM
Subject: Fw: Rocky canyon Dog Kennel/

Under FEMA 44 60.6 Variance and exceptions

(iii)Flood warning times that are 12 hours or greater. Flood warning times of two hours or greater may be approved if the community demonstrates that it has a flood warning system and emergency plan in operation that is adequate to ensure safe evacuation of flood plain residents

Thank you, Margaret

09/09/2013

Margaret Holstine

Land Use Consulting

heely@tcsn.net

Rocky Canyon Dog Kennel

Atascadero, Ca

Robert and Melanie Tucker

Owners

BOS Agenda

Sept 10, 2013

Agenda Item #21

Good afternoon Adam,

Thank you for your support

Do you have any question in regards to the Rocky Canyon Dog Kennel?

1. Will be bring engineering plans tomorrow Flood plans;

Rocky Canyon Dog Kennel offers a needed Service;

Rocky Canyon Kennels is the only dog board kennel left in Atascadero besides the local vets offices that just put the in cages;

Robert and Melanin have done a list of things to comply with the County request:

County of SLO Permitted fees: \$10,062.89

Per County request have a survey prepared to determine elevation: \$600.00

Engineering: Fees: \$1,975.00

Fire Plan Fees: \$1,750.00

Total \$14,390.89

1. We have put together a very extensive report that is attach to your staff report

Concerns and compliance

2. In extensive History and finding for approval

Exhibit #2 County of SLO Elevations

Exhibit #3 Twin Cities Elevation; Skip Touchon

Exhibit #4 Emergency Fire Safety Plan

-1-

Exhibit #5 Emergency Flood Plan – Dog removal to safety

Exhibit #6 Emergency Flood Plan Dis- Assembly Structure

Exhibit #7 FEMA – Code of Federal Regulation

Exhibit #8 FEMA Dog Park 100- year floodplain

Exhibit #9 Cal – Fire Addendum

Exhibit #10 County fees paid

Exhibit #11 Flood Insurance

At tomorrow hearing; adding Engineering flood plan protection

This project has financial concerns property Valueless; House on .03 the of acre. 11 acres of agricultural land valueless ; Paying property taxes 1996 Land Value per County tax assessor \$75,000.00 – 17 year

Started business 08/14/2013 – Commercial Kennel 26 enclosed Kennels for dogs

Land Use Permit;

Thank you, Please email or contact me

Margaret Holstine

heely@tcsn.net

mh