



Pacific County
PLANNING COMMISSION
April 2, 2015 Minutes
Courthouse Annex Building
South Bend, Washington

ATTENDANCE

Eric deMontigny, Chair
Jim Sayce, Vice Chair
Mike Nichols, Member (Absent)
Scott Turnbull, Member
Bill Kennedy, Member
Stan Smith, Member (Absent)
Faith Taylor-Eldred, DCD Director
Tim Crose, DCD Assistant Director
Will Hamlin, Clerk

There were no members of the general public in attendance.

Chairman Eric deMontigny called the meeting to order at 6:02 p.m. and introduced the Planning Commission (PC) members and staff.

MINUTES

There were three sets of minutes to approve:

January 2, 2014
January 16, 2014
February 6, 2014

Jim Sayce made a motion to approve all the minutes, Scott Turnbull seconded, all approved, motion carried.

CORRESPONDENCE

- No correspondence received.

The clerk administered the oath.

PUBLIC HEARING

Shoalwater Bay Indian Tribe – Request for Open Space Tax Classification

- Tim Crose briefed the planning commission on location, condition, character of the sites, and purposes of Open Space classification. He also discussed a possible future Open Space rating system.
- There was discussion on if the property would eventually become part of Tribal land.
- Bill Kennedy verified with Tim Crose that the land would be used for conservation and there was a small discussion of what that could look like.

Scott made a motion to approve the open space application, Jim seconded the motion, all approved, motion carried.

Proposed Flood Ordinance 176

- Tim briefed the Planning Commission on the new flood maps, how the data was compiled, and what flood zones means for construction standards.
- Jim asked how the new maps affect the current regulation that is based on the old maps. There was discussion on the current regulation and how these maps would be implemented.
- Jim warned about unintended consequences of the reduction in flood zones associated with the new maps. There was a discussion on the availability of flood insurance for those that were removed from the flood zones.
- Eric asked to walk through the proposed ordinance and related documents to discuss questions and comments associated with the new ordinance by going through the relined document provided in the Planning Commission packets.
- Jim asked which comments on the document were added by FEMA, Faith Taylor-Eldred explained how the comments were notated.
- A discussion was held regarding the content of the Ordinance; some of the topics were as follows:
 - *FEMA map update*
 - *Statement of Purpose*
 - *Utilities*
 - *Definitions and consistency with new maps*
 - *Flood map coverage*
 - *Construction elevations and survey datum*
 - *Administrative processes*
 - *Liability*
 - *SEPA/DNS*

Jim Sayce made a motion to approve the Determination of Non-Significance, Scott Turnbull seconded, all approved, motion carried.

Jim Sayce made a motion to adopt the Suggested Findings of Fact for Flood Ordinance 176 as submitted with amendments, Scot Turnbull seconded, all approved, motion carried.

Jim Sayce made a motion to approve the Flood Ordinance 176 Conclusions of Law, Scott Turnbull seconded, all approved, motion carried.

Jim Sayce made a motion to approve Flood Ordinance 176 with recommended changes, Scott Turnbull seconded, all approved, motion carried.

Suggested Findings of Fact (amended)

Ordinance No. 176
Flood Damage Prevention Ordinance

Suggested Findings of Fact

1. Pacific County participates in the National Flood Insurance Program (NFIP), a federal program designed to provide flood insurance for those properties located within identified flood hazards.

2. Participation in the National Flood Insurance Program requires the adoption and enforcement of a flood hazard reduction Ordinance meeting the minimum requirements of the NFIP.
3. Chapter 86.16 RCW, Washington Floodplain Management Law, has instituted additional requirements above and beyond the National Flood Insurance Program and requires that local jurisdiction adopt regulations consistent with both the Washington Floodplain Management Law and the National Flood Insurance Program.
4. The National Flood Insurance Program requires that local participants in the National Flood Insurance Program adopt and implement the more restrictive State requirements.
5. The flood hazard areas of Pacific County are subject to periodic inundation which could potentially result in loss of life and property, health, and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.
6. Flood losses are caused by the cumulative effect of obstructions in areas of special flood hazards which increase flood heights and velocities, and when inadequately anchored, damage uses in other areas. Uses that are inadequately flood proofed, elevated, or otherwise protected from flood damage also contribute to the flood loss.
7. The Federal Emergency Management Agency (FEMA) began to update the Flood Insurance Study (FIS) and Flood Insurance Rate Maps (FIRMs) for Pacific County in 2012.
8. FEMA released the preliminary FIRM maps on August 2013, conducted a Community Coordination Meeting on November 13, 2013, and conducted a Community Public Meeting on December 9, 2013.
9. FEMA published a notice of the proposed flood hazard determinations in the Federal Register and published notification concerning the 90-day appeal process in the Chinook Observer on May 14, 2014, and May 21, 2014. The end of the 90-day appeal period was August 19th, 2014.
10. FEMA issued a Letter of Final Determination on the preliminary FIRMs in December of 2014.
11. Pacific County Ordinance No. 167 was last updated December 21, 2012, to meet current requirements of the Growth Management Act development regulations review.
12. Pacific County Ordinance No. 176 implements minimum state and federal regulations and guidelines for the planning, construction, operation and maintenance of any works, structures and/or improvements within the designated floodplain which might, if improperly planned, constructed, operated or maintained, adversely influence the regime of a stream or body of water, or might adversely affect the security of life, health and property against damage by flood water.
13. Pacific County Ordinance No. 176 promotes the health, safety and welfare of the general public by establishing minimum standards and review criteria for actions within the floodplain.

14. Pacific County issued a SEPA Preliminary Determination of Non-Significance on March 18, 2015, with the end of the 14-day comment period being April 1, 2015. No comments were received.
15. Pacific County sent Notice of Proposed Ordinance Adoption to the Washington State Department of Commerce (Growth Management Services Division) on March 12, 2015, in order to satisfy the Dept. of Commerce's 60-day notification requirement.
16. FEMA authorized and completed the Pacific County Flood Insurance Study effective May 18th, 2015.
17. FEMA Flood Insurance Rate Maps are effective May 18th, 2015.

Conclusions of Law

Ordinance No. 176
Flood Damage Prevention

Suggested Conclusions of Law

1. The Washington State Growth Management Act (GMA), Chapter 36.70A RCW, mandates that Counties and Cities required or choosing to plan under the authority of the Growth Management Act must adopt development regulations consistent with the jurisdictional Comprehensive Plan and state law.
2. Ordinances relating to flood damage prevention are considered to be a GMA development regulation by State Law.
3. Pacific County opted to plan under the authority of the Growth Management Act in 1990 via adoption of Pacific County resolution No. 90-123.
4. Adoption of Ordinance No. 176, Flood Damage Prevention, which is an update to Ordinance No. 167, will adequately effectuate the intent of the Pacific County Comprehensive Plan.
5. Ordinance No. 176, Flood Damage Prevention, will produce no probable significant adverse environmental impacts. A determination of non-significance (DNS) under the State Environmental Policy Act (SEPA) is appropriate for this Ordinance.
6. Ordinance No. 176, Flood Damage Prevention, promotes the health, safety and welfare of the general public, will help to reduce costs related to significant flood events, and is consistent with GMA requirements.

OLD BUSINESS

Tim Crose and Faith Taylor-Eldred gave an update on the Shoreline Master Program process.

NEW BUSINESS

Meeting date schedule for 2015, discussion was had about upcoming dates.

Committee Elections:

- Jim Sayce made a motion to nominate Eric deMontigny as chair of the Planning Commission, Scott Turnbull seconded, all approved, motion carried.
- Scott Turnbull made a motion to nominate Jim Sayce as Vice Chair of the Planning Commission, Bill Kennedy seconded, all approved, motion carried.

Scott Turnbull made a motion to adjourn, Bill Kennedy seconded, all approved, motion carried.

The meeting adjourned at 8:05 p.m.

(Please refer to the recording of the meeting for a more detailed discussion)

**PACIFIC COUNTY
PLANNING COMMISSION**



Eric deMontigny, Chair



Jim Sayce, Vice Chair



Scott Turnbull, Member