

Lewis County Planning Commission **Public Meeting**

Lewis County Courthouse
Commissioners' Hearing Room – 2nd Floor
351 NW North St – Chehalis, WA

March 26, 2013 - Meeting Notes

Planning Commissioners Present: Mike Mahoney, Russ Prior, Arny Davis, Bob Guenther

Planning Commissioners Excused: Jim Lowery, Richard Tausch, Clint Brown

Staff Present: Stan May, Fred Chapman, Pat Anderson

Others Present: Please see sign in sheet

Handouts/Materials Used:

- Agenda
- Meeting Notes from February 26, 2013
- Capital Facilities and Utilities Proposed Amendments
- Future Land Use Map East County
- Future Land Use Map West County
- Memo from Fred Chapman, Lewis County Building Official
- Chapter 15.35, Flood Damage Prevention

1. Call to Order

Chairman Davis called the meeting to order at 6:02 p.m. The Commissioners introduced themselves.

2. Approval of Agenda

There were no changes to the agenda.

3. Approval of Meeting Notes – February 26, 2013

Commissioner Prior made a motion to approve the meeting notes from February 26. Motion seconded by Commissioner Guenther. Motion passed.

4. New Business

A. 1st Workshop on Flood Damage Prevention Update, Chapter 15.35

Mr. Fred Chapman, Lewis County Building Official and Flood Plain Manager, gave some background for the need to update Chapter 15.35. The original ordinance was adopted in 1981 when Lewis County entered into the National Flood Insurance Program. In 1982 Lewis County became a Community Rating System (CRS) program member which is part of the FEMA flood insurance program. Currently Lewis County has a Class 7 rating. There is an audit every five years and as part of that audit some recommendations came up. Most of the changes are minor; they are to ensure Lewis County is consistent with regulatory changes and modifications with the national insurance program. A new definition for “basement” was added by Mr. Chapman.

The biggest change is the recommendation for a 3' freeboard standard, which is currently 1'. The purpose of the increase is to limit flood damage in the future. The flood of 1996 was the County's flood of record. In 2007 most of the structures that were compliant and were base flood elevated 1' above

received flood damage from 12" to 18". Some structures not located in a mapped flood zone had as much as 9' of water. That was an extraordinary event and by the time the water reached the development in the Chehalis Basin the west end of Chehalis had a water level of 5'.

A 3' freeboard standard will 1) eliminate the possibility of that occurring again if there is an event of that size; and 2) make these homes eligible for ICC funds again. Typically ICC funds are a one-time event. Lewis County received new preliminary flood maps in November of 2010. They have not been adopted yet and when they do the majority of the areas that are currently flood plain A zones will become regulatory flood way. If homes in that area are substantially damaged (51% of their value) again by an event of any kind – flood, fire, ice storm, etc., - they cannot be rebuilt. The 3' freeboard standard will allow them to be eligible for funding should the new maps be adopted.

Chairman Davis asked if the new floodway will be as currently proposed or will there be an amendment.

Mr. Chapman believed some areas around the airport would be amended. The maps were put on hold because these areas were mapped without revetments and levees. It costs hundreds of thousands of dollars to map an area and Mr. Chapman doesn't know if the federal government will ever have those kinds of funds. The federal government is pushing for no development in flood plains: if there are no structures there, there will be no damage.

Mr. Chapman's goal is to change the language in Chapter 15.35 to help some of these people in the future. Higher regulatory standards get a better rating in the CRS program.

Commissioner Mahoney spoke to 15.35.150, page 10 of the handout and asked if the shoreline management substantial development permit is now required along with the other permits. Mr. Chapman stated the Joint Aquatics Application Permit (JARPA) is a permit that allows all agencies to be notified at once and it includes the Flood Plain Development permit. The proposed modification cleans up the process since not all permits that are in shorelines trigger all other types of permits.

Mr. May stated a hydraulics permit in the flood plain may not be in the shoreline jurisdiction. A substantial development permit may not be required – this form is used if it is required.

Commissioner Mahoney confirmed that the biggest change to Chapter 15.35 is the base flood elevation. Mr. Chapman stated that was correct.

Commissioner Prior referenced page 6, section 26, and asked if the grammar could be corrected so that the language flows. Mr. May stated it would be edited.

Chairman Davis asked the resource for making a value assessment. Mr. Chapman stated in the event of structure damage the County allows the owner to get an appraisal value, or there can be a market valuation based off of the permit fee schedule per square foot to calculate a more accurate market value.

Chairman Davis asked for putting some thought into the options that a homeowner has to set that valuation. Mr. Chapman stated he was using market value because once a structure is damaged the value could plummet. Chairman Davis stated Mr. Chapman had already talked about several options and would like to see those included, or as a sub-document.

Commissioner Mahoney asked if a homeowner always has the right to appeal valuations without going into the court system. Mr. May stated the decision could be appealed administratively to the Hearing Examiner; if the decision is made by the Hearing Examiner it can be appealed to the BOCC. They can always go to court.

Mr. Chapman stated a decision has never been challenged since he's been with the County; the County strives to be fair. He will work on some alternatives.

Commissioner Guenther stated he would like to see the options worked into the body of the chapter rather than as a supplement.

Commissioner Prior asked if 15.35.190 (1) should read "three feet" rather than one foot increase. Mr. Chapman stated this is talking about accumulative fill impact: if you fill everything in within the flood plain the flood way would be the area that is left where the water would stay with a one-foot rise.

Mr. May asked the Commissioners if they needed another workshop regarding the proposed changes before a public hearing. The Commissioners did not feel another workshop was necessary as long as the additions can be reviewed before the public hearing. Mr. May stated a public hearing could be on April 23 to allow for noticing requirements. Commissioner Mahoney made a motion to hold the public hearing on April 23; Commissioner Guenther seconded. The motion carried.

5. Old Business

A. 3rd workshop on 2013 Comp Plan Amendments

Mr. May began with the changes to the text, which were on the second page of the handout: public schools.

Commissioner Mahoney asked if those districts that submit a comprehensive plan will be included by reference so the Planning Commission does not have to approve of them every year. Mr. May stated when the school district has an update to its capital facilities plan it will go through the Planning Commission, mostly to keep the county informed and perhaps catch any issue with land use, etc. It will then go to the BOCC; the Board will adopt it and it will automatically become part of the county comprehensive plan. No Planning Commission public hearing will be required.

Mr. May referenced the Future Land Use Maps. He reported that two other counties do not show National Forest, Parks, etc. Five counties included National Forest similar to the way Lewis County has done it as land use. On these maps the legend has been changed to Rural, Forest, Agricultural, and the National Forest will not be called out to look like a type of zoning.

The biggest reason to include federal lands in our future land use map is the possibility that the federal government could do a land swap. If it is not designated it is no longer federal land and no longer part of the comprehensive plan so it cannot fall through the cracks. That is Mr. May's main argument to leave it like it is. He has a potential alternative if the Commission would prefer to call out the federal lands. He asked for the Commissioners' thoughts.

Commissioner Mahoney stated he understood Mr. May's argument. He does not think the national wilderness and monuments boundaries will change.

Chairman Davis stated he likes the maps. He likes the simplification and he likes the argument behind the forest lands. Commissioner Mahoney thought the maps should be left the way they are. Commissioner Prior asked how the maps prevent a land swap parcel from falling through the cracks. Mr. May stated if it was swapped out of federal ownership into private ownership it would not have a designation. It would be shown as white which is nothing, therefore falling through the cracks. This way the entire county has a designation no matter what happens to those lands. If it is sold to private ownership it will still be designated for future use.

Commissioner Guenther inquired about a designation on the map which was unknown to him. Mr. May stated he would find out what it was by the next meeting.

6. Calendar

The next meeting will be on April 9, 2013, public hearings on the Comprehensive Plan and Large Lot Subdivision, as well as a workshop on the Open Space program.

Mr. May explained that the public hearing for the Open Space would be on May 28. He thought it might be necessary to have a public hearing on the Flood Damage Prevention Chapter 15.35 in Morton and did not want the Open Space workshop to be held in the east end.

Commissioner Guenther asked why the meeting would be held in Morton. Mr. May explained that in the past the County has held public hearings in Morton and stated a meeting could possibly be set up in Packwood. Commissioner Guenther suggested meeting at the Randle Fire Hall. Discussion followed. Commissioner Mahoney made a motion that a public hearing be held in Randle on May 14 if the Fire Hall was available. Commissioner Guenther seconded. The motion carried.

7. Good of the Order

Commissioner Guenther stated he serves on the Pacific Mountain Workforce Development Council. One of the ideas of the Council is to put people to work and access our youth. He asked the Council to go to Randle and talk to the Discovery Team that provides work for youngsters in the national forests. They did that last week and the reception was great. He believes it is very important to be communicating with the East end.

8. Adjourn

Motion made and seconded to adjourn. Adjournment was at 7:17 p.m.