

SULTAN PLANNING BOARD AGENDA ITEM COVER SHEET

ITEM NO: H-1

DATE: January 20, 2009

SUBJECT: Hold Public Hearing:
Amendments to Sultan Municipal Code Chapter 17.08,
Flood Damage Prevention.

CONTACT PERSON: Robert Martin, Community Development Director

ISSUE: Public Hearing on update of Sultan Municipal Code (SMC) Chapter 17.08, Flood Damage Prevention to accommodate changes called for in recent Community Assistance Visit (CAV) by Washington Department of Ecology (DOE) and the Federal Emergency Management Agency (FEMA).

RECOMMENDATION:

Staff recommends that the Board hold a Public Hearing on Attachment A, take public comment, and close or continue the Hearing as appropriate.

Action will be taken on the proposed Amendment under Action Item A-1 following the Hearing.

SUMMARY:

At its regular meeting of January 6, 2009, the Board set January 20, 2009 as the date for a Public Hearing on Amendment of Sultan Municipal Code (SMC) Chapter 17.08, Flood Damage Prevention.

Due to the extensive portion of the City that is in the Skykomish/Sultan River Floodplain, the City is heavily involved in the National Flood Insurance Program (NFIP). An important component of this program is the Community Rating System (CRS) that assigns value to various activities by the community in pursuit of effective flood loss management. Sultan is a participant in the CRS and has a high rating of Class 7, documenting ongoing and effective flood loss management. This high rating results in reduced flood insurance premiums for residents of the city who are in the NFIP.

The DOE and FEMA periodically engage in Community Assistance Visit (CAV) interactions with local communities to assist them in keeping current and, if possible, increasing their insurance rating. Sultan had a CAV this summer. On July 9, 2008, the City received a letter outlining the activities that would keep Sultan current with its favorable insurance rating.

Pages 1, 2, & 3, of the July 9th letter indicate several changes that need to be made to SMC Chapter 17.08, Flood Damage Prevention. Staff and a Consultant have prepared a draft of the changes called for in the July 9th letter. Other activities need to be enacted to fully comply with the letter, most of which have been done already. **Attachment A** contains the Staff changes in legislative mark-up needed to accomplish the changes to SMC Chapter 17.08 that are called for in the July 9th letter.

DISCUSSION:

The July 9th letter addresses three categories of work to be done.

1. **“Floodplain Regulations”** on pages 1, and 2 calls for very specific modifications of Code to implement Flood Management Standards required of new construction or substantial remodel construction as it occurs on a day-to-day basis in the community. These are required by state and federal standards. We have essentially no options in these items. Staff has included these provisions in the draft of Chapter 17.08 at the appropriate locations.
2. **“Procedures”** on pages 2 and 3 calls for the City to set up specific procedures and standards on how floodplain provisions are implemented and managed on a day-to-day basis. The requirement for these procedures is not optional. The specific provisions established to enact the requirements can be adjusted to fit the community’s governmental structure.
 - a. Section 17.08.070 Administration, has been significantly modified to establish codified procedures from the permit stage through construction, to final inspection.
 - b. Section 17.08.090 and 17.08.100 have been significantly modified to provide procedures and criteria for Conditional Uses and Variances under the SMP.
 - c. The role of Staff in daily administration and in development of staff reports for various applications is clarified.
 - d. Where applicable, the Council has been removed from procedures involving implementation of the SMP, and those functions have been vested in the Hearing Examiner with appeal to Superior Court.Staff work on these changes is constructed to conform with the City of Sultan’s administrative structure. The Board has some latitude in review of these procedures to insure that the community is involved and protected to the best advantage.
3. **“Field Inspection Report Cases”** lists specific properties that did not have complete field inspection records in the appropriate file. Documentation for these properties is substantially complete at this time.

With these changes, and the others called for in the letter, the City is doing everything requested to retain its Class 7 rating in the CRS.

ATTACHMENTS:

Attachment A: Staff Draft of Amendments to SMC Chapter 17.08