



Chelan County Planning Commission

Chair: Ryan Kelso

Vice Chair: Carl Bulm

Commissioners District 1: Vicki Malloy, Ryan Kelso

Commissioners District 2: Jim Newberry, Randy Baldwin, Jordan McDevitt

Commissioners District 3: Carl Blum, Pat Hammersmith, Greg Becker

Meeting Agenda

Wednesday, March 25, 2020 at 6:00 P.M.

Chelan County Administration Building, Room 1

400 Douglas Street, Wenatchee, WA

I. Call Meeting to Order

II. Administrative

A. Review/Approval of Minutes from January 22, 2020

III. Public Comment Period

Comment for any matters not identified on the agenda (limit 3 minutes per person)

IV. Old Business

None

V. New Business

A. Hearing for CPA 2020-002 Comprehensive Plan Map Amendment for CIP Amended Projects

B. Hearing for Text Amendments to Chelan County Code Chapter 3.20 Flood Hazard Development

VI. Discussion, at the Chair's discretion

VII. Adjournment

Materials available on the Community Development website

Next Meeting: April 22, 2020 at 7:00 P.M.

All Planning Commission meetings and hearings are open to the public.

Chelan County Community Development

316 Washington Street Suite 301, Wenatchee, WA 98801 ♦ Phone: (509) 667-6586 Fax: (509) 667-6475



CHELAN COUNTY PLANNING COMMISSION MINUTES

Chelan County Meeting Chelan County Administration Building, Room 1 400 Douglas Street Wenatchee, WA 98801	Date: January 22, 2020 Called to Order: 6:03 PM
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CALL TO ORDER

Meeting was called to order at 6:03 pm by Chairman Jordan McDevitt

COMMISSIONER PRESENT/ABSENT

Greg Becker	Absent	Jim Newberry	Present
Randy Baldwin	Present	Carl Blum	Absent
Pat Hammersmith	Absent	Vicki Malloy	Present
Jordan McDevitt	Present	Ryan Kelso	Present
James Wiggs	Present		

STAFF PRESENT

Dave Kuhl, Director
Kirsten Larsen, Planning Manager
Emily Morgan, Planner II
Susan Hinkle, Prosecuting Attorney
Lisa Ogle, Permit Clerk

PUBLIC PRESENT

Clay Gatens
Marty Fallon
Duane Goehner
Chris Clark
Aaron Young
Dan Beardslee

I. Administrative

Review/Approval of Minutes from December 9, 2019

APPROVAL OF THE DECEMBER 9, 2019 MINUTES

Upon motion and second by Commissioners Kelso and Newberry the Commission unanimously approves the minutes.

A. Recognition for Aaron Young, Chelan County Commissioner Kevin Overbay is present to present a plaque to Aaron recognizing his 12 years of service to the Planning Commission.

Elect Chair and Vice Chair

Upon motion and second by Commissioners Malloy and Baldwin , the Commission unanimously approves election of Commissioner Kelso as Chairman and Commissioner Blum as Vice Chair.

At this time Chairman elect Kelso takes over and Commissioner McDevitt excuses himself from the discussion and will not be involved in the process.

Planner Morgan presents CPA 2019-001 Riverstone Ranch Comprehensive Plan Map Amendment.

Clay Gatens agent for the applicant is present and addresses the Commission for any questions. Commissioner Malloy asks about the island of which the project has been called. Mr. Gatens speaks of her concerns.

Commissioner Kelso opens public hearing.

Marty Fallon, 12275 Village View Leavenworth. Marty address the Commission with her concerns of the project and of the comment of sproul.

Duane Goehner, 11670 Riverbend Drive, Leavenworth. Duane address the Commission that he is from a orchardist family and is concerned about the project.

Public Testimony is closed.

Commissioner Newberry speaks that there are no islands just borders with other zoning designations.

Planner Morgan explains the City of Leavenworth letter which has been a concern on this project to the Commission and public that is present.

Upon motion and second by Commissioners Baldwin and Newberry, the Commission unanimously approves CPA 2019-001.

II. New Business

Hearing for ZTA 2020-001 Repeal of Resolution 2019-85 a text amendment to Chelan County Code section 12.22.020 Plat alteration.

Planning Manager Larsen presents to the Commission and explains the Repeal of Resolution 2019-85 a text amendment to Chelan County Code section 12.22,020 Plat alteration.

Dan Beardslee is present and address the Commission in regards to the Repeal of Resolution 2019-085 and his involvement has a Land Surveyor since 1969 and the obstacles and challenges.

Prosecuting Attorney Susan Hinkle was present and answered questions that the Commission had and any clarifications to the process.

Upon motion and second by Commissioners Baldwin and McDevitt , the Commission unanimously voted to approve ZTA 2020-001.

Discussion, at the Chair's discretion

Director Dave Kuhl let the Commission know of all of the updates to the website of Chelan Community Development, and invited them to take a look.

Adjournment

Upon motion and second by Commissioners Baldwin and McDevitt , the Commission unanimously voted to adjourn.

Materials available on the Community Development website

Next Meeting : February 26,2020 at 6:00 pm

All Planning Commission meetings and hearings are open to the public.



CHELAN COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT
316 WASHINGTON STREET, SUITE 301, WENATCHEE, WA 98801
TELEPHONE: (509) 667-6225 FAX: (509) 667-6475

STAFF REPORT
Comprehensive Plan Amendment

FROM: Department of Community Development
TO: Chelan County Planning Commission
DATE: March 25, 2020
SUBJECT: Proposed revision to the Capital Improvement Plan

A. Introduction

The proposed amendment is to the Comprehensive Plan Capital Facilities Element to update the new Six Year Capital Improvement Plan for years 2020-2025. This plan describes public capital expenditures, including the sources of funding for these items. The goal of the Capital Improvement Plan is to ensure that all capital improvement expenses have adequate funding. The proposed amendments are to address changes in timing and cost for projects listed for Ohme Garden and the Wenatchee River County Park, and purchase of property by the County.

The goal of the Capital Improvement Plan is to ensure that all capital improvement expenses have adequate funding. The County's Administrator, Cathy Mulhall has reviewed the projects and determined that project costs can be covered through various funding sources noted on the spreadsheet.

The Planning Commission is being asked to review and make a recommendation to the Board of Chelan County Commissions to approve, approve with modification or deny the proposed amendment. Suggested Findings of Fact and Conclusions of Law, which may be modified, are included in this Staff Report.

B. Public Hearing Notice Compliance

SEPA	DNS issued February 13, 2020; published February 18, 2020
State Agency 60-day Review	February 13, 2020
Planning Commission Public Hearing	March 25, 2020
Published in the Wenatchee World	October 29, 2019
Board of County Commissioners Hearing	April 14, 2020 (tentative)

C. Public/Agency Comments and Responses

There have been no public or agency comments received to date.

D. Chelan County Code Requirements

Chelan County Code Section 14.14.047 Amendment review criteria for Comprehensive Plan text changes. Proposed text amendments to the Chelan County Comprehensive Plan and county-adopted city plans must meet the following criteria:

- (1) The proposal is necessary to address a public land use issue or problem; and
- (2) The proposed amendment is consistent with the requirements of the Washington State Growth Management Act (Chapter 36.70A RCW as amended) and any applicable county-wide planning policies; and
- (3) The text amendment complies with or supports the Comprehensive Plan’s goals and policies, or how amendment of the plan’s goals or policies is supported by changing conditions or state or federal mandates; and
- (4) The amendment does not adversely affect lands designated as resource lands of long-term commercial significance or designated critical areas in ways that cannot be mitigated; and
- (5) The proposed amendment would serve the interests of not only the applicant, but the public as a whole, including health, safety or welfare.

Staff Findings: The proposed amendments are necessary to fund capital projects which are intended to maintain existing facilities, serve the public and protect the public welfare.

RCW 36.70A.120 states that, all capital budget decisions shall be in conformance with the adopted Comprehensive Plan.

The proposed amendments are programmatic, relating to a project and funding schedule. However, it is worth noting that the areas of future development are not located within resource lands but may be located within critical areas which would be reviewed with future building permit(s), if necessary.

The proposed amendments support existing County facilities.

Staff Recommendation: Staff finds that the proposed changes are consistent with the requirements of Chelan County Code Title 14. Staff recommends approval of the proposed amendments to the Capital Improvement Plan.

E. Suggested Findings of Fact

1. Chelan County adopted a Comprehensive Plan per the requirements of RCW 36.70A.040 (4) (d), the Growth Management Act; last amended February 26, 2019, Resolution 2019-31.
2. An Environmental Checklist. Pursuant to WAC 197-11 and RCW 43.21C of the State Environmental Policy Act (SEPA), environmental review and a threshold determination was completed, and a Determination of Non-Significance (DNS)

was issued on February 13, 2020. The SEPA Checklist and DNS are included within the file of record and adopted by reference.

3. The required State agency review with the Department of Commerce was initiated on February 13, 2020, Submittal ID # 2020-S-1195. No comments have been received.
4. Chelan County Code, Title 14, provides review criteria for the consideration of adopting amendments to Comprehensive Plans and Development Regulations. Chelan County followed the procedures required for amendment of the Comprehensive Plan.
5. The proposed amendments are necessary to address public needs related to capital improvements, pursuant to RCW 36.70A.130(2)(b).
6. Chelan County has designated resource lands of long-term commercial significance and regulations for protection of critical areas. The proposed amendments programmatic. Any future projects will be reviewed for compliance with all regulations at the time of permitting.
7. A Public Hearing is scheduled with the Chelan County Planning Commission on March 25, 2020. Public testimony will be taken and included in the file of record.

F. Suggested Conclusions of Law

1. The proposed amendments to the Chelan County Comprehensive Plan Capital Improvement Plan conform to the provision and requirements of RCW 36.70 and RCW 36.70A.
2. The requirements of RCW 43.21C, the State Environmental Policy Act and WAC 197-11 have been satisfied.
3. Reviewing agencies were given an opportunity to comment on the proposed amendments.
4. The proposed amendments to the Chelan County Comprehensive Plan are consistent with Chelan County Code Title 14.
5. The proposed amendments are programmatic and do not adversely affect designated resource lands of long-term commercial significance or designated critical areas in ways that cannot be mitigated.
6. The adoption of these amendments is in the best interest of the public and furthers the health, safety, and welfare of the citizens of Chelan County.

G. Attachment

Attachment A: Capital Improvement Plan

Attachment A

2020-2025 CHELAN COUNTY CAPITAL IMPROVEMENT PLAN						
YEAR	2020	2021	2022	2023	2024	2025
CASHMERE DRYDEN AIRPORT						
Uses of Funds						
Reconstruct taxi lane	0	0	0	0	0	250,000
Relocate entrance and access gate	0	0	0	50,000	0	0
Design Runway 7/25 project	0	0	0		0	220,000
Obstruction Removal (trees) EA	0	277,776	0	0	0	0
Obstruction Removal (trees)	0	0	0	126,666	0	0
Obstruction Removal - General	0	0	0	50,000	0	0
Property Acquisition RWY 25	0	0	0	0	0	110,000
Property Acquisition RWY 7	0	0	0	0	0	200,000
Above-ground fuel system	0	0	0	0		100,000
Total Uses of Funds	0	277,776	0	226,666	0	880,000
Sources of Funds						
Grant and County Funds		13,888		11,333		44,000
WSDOT Aviation		13,888		11,333		44,000
Non-primary entitlement (FAA)		250,000		204,000		792,000
Total Sources of Funds	0	277,776	0	226,666	0	880,000
Variance	0	0	0	0	0	0
COMMISSIONER'S OFFICE						
Uses of Funds						
Tech Bond Debt Service	65,329	66,230	66,967	0	0	0
Master Plan Debt Service	225,200	224,200	225,100	0	0	0
Jail Facilities Debt Service	610,827	612,203	613,083	613,395	1,112,995	827,195
Total Uses of Funds	901,356	902,633	905,150	613,395	1,112,995	827,195
Sources of Funds						
Chelan County General Fund	65,329	66,230	66,967	0	0	0
Rural Counties Tax Fund	225,200	224,200	225,100	0	0	0
Criminal Justice Fund	610,827	612,203	613,083	613,395	1,112,995	827,195
Total Sources of Funds	901,356	902,633	905,150	613,395	1,112,995	827,195
Variance	0	0	0	0	0	0
Rural County Tax Fund						
Uses of Funds						
County Wide Public Projects	146,578	143,984	145,971	147,594	0	
Total Uses of Funds	146,578	143,984	145,971	147,594	0	0
Sources of Funds						
Local Option Tax (LOTS)	146,578	143,984	145,971	147,594	0	
Total Sources of Funds	146,578	143,984	145,971	147,594	0	0
Variance	0	0	0	0	0	0
COUNTY EXPO CENTER						
Uses of Funds						
Fairgrounds Redevelopment Bonds	90,415	91,662	92,682			
Building Upgrades	140,000					
Carnival Lot Improvements			250,000			
Grounds Improvement/Electric/Asphalt	30,000					

2020-2025 CHELAN COUNTY CAPITAL IMPROVEMENT PLAN						
YEAR	2020	2021	2022	2023	2024	2025
RV Park Improvement	20,000					
Grandstands/Stage	70,000					
Exhibit Building Roofs	40,000					
Total Uses of Funds	390,415	91,662	342,682	0	0	0
Sources of Funds						
Rural County Tax Funds	90,415	91,662	92,682			
Capital Improvement Reet 2 Fund	220,000	0	250,000			
Grants, Loans, Donations	80,000	0				
Expo and Fair Revenues						
Total Sources of Funds	390,415	91,662	342,682	0	0	0
Variance	0	0	0	0	0	0

2020-2025 CHELAN COUNTY CAPITAL IMPROVEMENT PLAN						
YEAR	2020	2021	2022	2023	2024	2025
FACILITIES DEPARTMENT						
Uses of Funds						
Orondo Street Sidewalk	100,000					
Parking Lot Crack Sealing	100,000	100,000				
L&J Office Remodel						
Boilers - 1974 Courthouse			200,000			
Campus-wide Access Control	100,000	150,000				
Detox Safety & Facility Upgrades		100,000	300,000			
Remote server/network upgrade-Campus & Off Campus	50,000					
Telephone System Upgrade	230,000					
HVAC&Control Systems Upgrade (316 bldg)	200,000					
Facilities Signage (Courthouse)	20,000					
Carpet (Courthouse)	55,000		50,000		50,000	
Marble Restoration (Courthouse)	70,000			50,000		
Level 5 Remodel (Courthouse)		475,000				
Fire Alarm System Update	75,000	50,000	50,000			
Justice Facilities Improvement (Law & Justice)	420,000	225,000	225,000	225,000		
Elevator Modernization (Law & Justice)		275,000	275,000			
HVAC Unit Replcement (410 Washington)		20,000				
Security Systems Upgrade (Juvenile Detention)	450,000	450,000	200,000	200,000		
HVAC Upgrade/Replacement (West Annex)	90,000	90,000				
ADA Upgrades (West Annex)			150,000	150,000		
Commissioner Chamber Remodel	125,000					
Total Uses of Funds	2,085,000	1,935,000	1,450,000	625,000	50,000	0
Sources of Funds						
Capital Improvement Reet 1 Fund	1,265,000	1,185,000	1,025,000	625,000	50,000	
Rural Counties Tax Fund						
Energy Incentives (PUD)						
Grant Funding (Department of Commerce)						
Criminal Justice Fund	820,000	750,000	425,000			
Total Sources of Funds	2,085,000	1,935,000	1,450,000	625,000	50,000	0
Variance	0	0	0	0	0	0
OHME GARDENS						
Uses of Funds						
Irrigation Pump Station	40,000					
Parking Lot Improvements	50,000	50,000				
Ox Yoke Lodge Renovation						
Restroom/Event Multi-Purpose Room	20,000	350,000				
New Visitor & Interpretive Center Building	335,000	335,000				
Garden Expansion/Land Purchase	400,000					
Total Uses of Funds	845,000	735,000	0	0	0	0

2020-2025 CHELAN COUNTY CAPITAL IMPROVEMENT PLAN						
YEAR	2020	2021	2022	2023	2024	2025
Sources of Funds						
Capital Improvement Reet 2 Fund	600,000	435,000				
Rural Counties Tax Fund	225,000	300,000				
Tourism Grant, Other Grants, Donations	0					
Donations, Grants, Fund Raising	20,000	0	0			
Total Sources of Funds	845,000	735,000	0	0	0	0
Variance	0	0	0	0	0	0

2020-2025 CHELAN COUNTY CAPITAL IMPROVEMENT PLAN							
YEAR	2020	2021	2022	2023	2024	2025	
NATURAL RESOURCES							
Uses of Funds							
Countywide Water Resource Projects	25,000						
Countywide Parks and Recreation Projects	25,000						
Total Uses of Funds	50,000	0	0	0	0	0	
Sources of Funds							
Rural Counties Tax Fund	50,000	0					
Total Sources of Funds	50,000	0	0	0	0	0	
Variance	0	0	0	0	0	0	
PUBLIC WORKS							
Uses of Funds							
W Cashmere Bridge Replacement	1,000,000	1,000,000					
Construct Hazardous Waste Facility	200,000	100,000					
Vegecide Truck Wash Facility		50,000					
Wenatchee District Shop Replacement		125,000	2,500,000				
Road Rehaulitation	500,000	500,000	500,000	500,000	500,000		
Road District Sheds: Accessibility, Shop Lighting & Electrical Efficiency Upgrades	150,000	150,000					
Total Uses of Funds	1,850,000	1,925,000	3,000,000	500,000	500,000	0	
Sources of Funds							
County Road Fund	1,150,000	1,325,000	2,500,000				
Solid Waste Fund	200,000	100,000					
Rural Counties Tax Fund							
Capital Improvement Reet 2 Fund	500,000	500,000	500,000	500,000	500,000		
Total Sources of Funds	1,850,000	1,925,000	3,000,000	500,000	500,000		
Variance	0	0	0	0	0	0	
REGIONAL JUSTICE CENTER							
Uses of Funds							
H6/H7 Improvements	20,000						
Booking Remodel	25,000						
3rd & 4th flr Ofcr Stations & Ofc Remodel	25,000						
CCTV	800,000						
Security Locks	26,400						
2nd flr railing	40,000						
Cell Reconfiguration	30,000						
EAC Key Cards			500,000	500,000			
Total Uses of Funds	966,400	0	500,000	500,000	0	0	
Sources of Funds							
Capital Improvement Reet 1 Fund	766,400		500,000	200,000			
Criminal Justice Funds				300,000			
Grants, Loans, Donations	200,000						
Total Sources of Funds	966,400	0	500,000	500,000	0	0	
Variance	0	0	0	0	0	0	
SHERIFF							

2020-2025 CHELAN COUNTY CAPITAL IMPROVEMENT PLAN							
YEAR	2020	2021	2022	2023	2024	2025	
Uses of Funds							
Emergency Operations Center	2,200,000						
Total Uses of Funds	2,200,000	0	0	0	0	0	0
Sources of Funds							
Capital Improvement Reet 1 Fund	1,000,000						
Grants, Loans, Donations	1,200,000						
Total Sources of Funds	2,200,000	0	0	0	0	0	0
Variance	0	0	0	0	0	0	0
Wenatchee River County Park/ Farm Worker Housing							
Uses of Funds							
Sewer/Water system upgrade	75,000						
Total Uses of Funds	75,000	0	0	0	0	0	0
Sources of Funds							
Capital Improvement Reet 2 Fund	75,000						
Total Sources of Funds	75,000	0	0	0	0	0	0
Variance	0	0	0	0	0	0	0
MANSON PARKS AND RECREATION							
Uses of Funds							
Acquisition of Property (Lefler Field)	1,375,000						
Total Uses of Funds	1,375,000						
Sources of Funds							
Rural Counties Tax Fund	500,000						
Grants, Loans, Donations	875,000						
Total Sources of Funds	1,375,000	0	0	0	0	0	0
Variance	0	0	0	0	0	0	0
Total Uses	10,884,749	6,011,055	6,343,803	2,612,655	1,662,995	1,707,195	
REET 1	3,031,400	1,185,000	1,525,000	825,000	50,000	0	
REET 2	1,395,000	935,000	750,000	500,000	500,000	0	
Criminal Justice	1,430,827	1,362,203	1,038,083	913,395	1,112,995	827,195	
Rural Counties	1,237,193	759,846	463,753	147,594	0	0	
Other (SW, CR, Grants, CE, etc)	3,790,329	1,769,006	2,566,967	226,666	0	880,000	
Total Sources	10,884,749	6,011,055	6,343,803	2,612,655	1,662,995	1,707,195	



CHELAN COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT
316 WASHINGTON STREET, SUITE 301, WENATCHEE, WA 98801
TELEPHONE: (509) 667-6225 FAX: (509) 667-6475

ISSUANCE OF DETERMINATION OF NONSIGNIFICANCE

Description of Proposal: Amendment is to the Comprehensive Plan Capital Facilities Element to update the new Six Year Capital Improvement Plan for years 2020-2025. This plan describes public capital expenditures, including the sources of funding for these items. The goal of the Capital Improvement Plan is to ensure that all capital improvement expenses have adequate funding. The proposed amendments are to address changes in timing and cost for projects listed for Ohme Garden and the Wenatchee River County Park, and purchase of property by the County.

Proponent: Chelan County, Washington

Location of Proposal: The proposed amendment cover all of unincorporated Chelan County

Lead agency: Chelan County Department of Community Development

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030 (2) (c). The decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public upon request.

This DNS is issued under 197-11-340(2). The lead agency will not act on this proposal for fourteen (14) days from the date of publication on February 18, 2020.

Responsible Official: Dave Kuhl
Position/Title: SEPA Responsible Official
Director, Chelan County Department of Community Development
Phone: 509-667-6228
Address: 316 Washington Street, Suite 301
Wenatchee, WA 98801

Dave Kuhl, SEPA Responsible Official

Date of Issuance: February 13, 2020 Date of Publication: February 18, 2020

SEPA ENVIRONMENTAL CHECKLIST

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

The help links in this checklist are intended to assist users in accessing guidance on the checklist questions. Links are provided to the specific sections of the guidance applicable to the questions. However, the links may not work correctly on all devices. If the links do not work on your device, open the guidance at www.ecy.wa.gov/programs/sea/sepa/apguide/EnvChecklistGuidance.html and navigate to the appropriate section.

Use of checklist for nonproject proposals:

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the [SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS \(part D\)](#). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

A. Background

1. Name of proposed project, if applicable:
Amendment is to the Comprehensive Plan Capital Facilities Element to update the new Six Year Capital Improvement Plan for years 2020-2025.
2. Name of applicant:
Chelan County
3. Address and phone number of applicant and contact person:
Kirsten Larsen, AICP
316 Washington Street, Suite 301
Wenatchee, WA. 98801
Phone: 509-667-6246
Email: kirsten.larsen@co.chelan.wa.us
4. Date checklist prepared:
February 12, 2020
5. Agency requesting checklist:
Chelan County
6. Proposed timing or schedule (including phasing, if applicable):
The proposed amendments are tentatively scheduled to be heard by the Planning Commission on March 26, 2020 and the Board of County Commissioners on April 14, 2020.
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.
Does not apply
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.
N/A
9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain
No.
10. List any government approvals or permits that will be needed for your proposal, if known.
Requires approval by the Chelan Board of County Commissioners.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

Proposed amendment is to the Comprehensive Plan Capital Facilities Element to update the new Six Year Capital Improvement Plan for years 2020-2025. This plan describes public capital expenditures, including the sources of funding for these items. The goal of the Capital Improvement Plan is to ensure that all capital improvement expenses have adequate funding. The proposed amendments are to address changes in timing and cost for projects listed for Ohme Garden and the Wenatchee River County Park, and purchase of property described below.

Ohme Gardens:

The Parking Lot Lighting Project has been renamed the Parking Lot Improvement Project as it encompasses more than just lighting. We also added funds to this project for 2021 for landscaping, signage, striping, etc.

Garden Expansion/Land Purchase was added. There has been on going discussions regarding a purchase of an adjacent property. These discussions had been at the Commission level and Ohme did not include that in the plan. This potential for purchase is moving forward and should be added at \$400,000.

Wenatchee River County Park

Sewer/Water System improvements – The Park Manager only put in the costs to the Park leaving out the costs associated with the Farm Worker Housing side of the operation. This is one project; therefore, the full amount needed to be shown, increasing the project amount from \$35,000 to \$75,000

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

Chelan County

C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: _____

Name of signee: Kirsten Larsen, AICP

Position and Agency/Organization: Planning Manager/Community Development

Date Submitted: February 12, 2020

D. supplemental sheet for nonproject actions

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

The proposed amendments would not likely result in an increase discharge to water, emissions to air, relate to hazardous substances or produce noise. Most of the projects in the CIP will trigger a project level SEPA analysis which will address impacts and mitigation measures.

Proposed measures to avoid or reduce such increases are:

A review of all uses and developments would be reviewed through the permit process. All projects would be required to adhere to Federal, State, and local requirements.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

The proposed regulations would not result in a direct impact and each project will be reviewed and, when appropriate, be required to mitigate impacts.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

Each proposed amendment will modify uses or developments which will be reviewed and, when appropriate, required to mitigate impacts.

3. How would the proposal be likely to deplete energy or natural resources?

The development of land uses may require additional energy sources which would be determined at the time of the proposed use or development.

No depletion of natural resources is likely based on the type of proposed amendments.

Proposed measures to protect or conserve energy and natural resources are:

Each proposed amendment will modify uses or developments which will be reviewed for availability, as appropriate, with the service provider. Applicants may have to provide alternatives to traditional energy sources if the service is not available or is determined inadequate for the proposed use or development.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

The proposed amendments would not likely affect environmentally sensitive areas.

Proposed measures to protect such resources or to avoid or reduce impacts are:

Each proposed amendment will modify uses or developments which may require review for potential impacts. If impacts are identified a mitigation or modification may be required.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

The proposed amendments are consistent with existing plans.

Proposed measures to avoid or reduce shoreline and land use impacts are:

The proposed amendments would be regulated through the building permit process or code enforcement to address potential impacts.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

The proposed amendment will not directly result in impacts. Each project will be required to review transportation and meet code requirements in place at that time.

Proposed measures to reduce or respond to such demand(s) are:

Project review would occur with permits required for the individual projects.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

The proposed amendments do not conflict with local, state or federal laws relating to environmental protection.



STATE OF WASHINGTON
DEPARTMENT OF COMMERCE
1011 Plum Street SE • PO Box 42525 • Olympia, Washington 98504-2525 • (360) 725-4000
www.commerce.wa.gov

02/13/2020

Ms. Kirsten Larsen
Planning Manager
Chelan County
316 Washington Street Suite 301
Wenatchee, WA 98801

Sent Via Electronic Mail

Re: Chelan County--2020-S-1195--60-day Notice of Intent to Adopt Amendment

Dear Ms. Larsen:

Thank you for sending the Washington State Department of Commerce (Commerce) the 60-day Notice of Intent to Adopt Amendment as required under [RCW 36.70A.106](#). We received your submittal with the following description.

Amendment is to the Comprehensive Plan Capital Facilities Element to update the new Six Year Capital Improvement Plan for years 2020-2025. This plan describes public capital expenditures, including the sources of funding for these items. The goal of the Capital Improvement Plan is to ensure that all capital improvement expenses have adequate funding. The proposed amendments are to address

We received your submittal on 02/13/2020 and processed it with the Submittal ID 2020-S-1195. Please keep this letter as documentation that you have met this procedural requirement. Your 60-day notice period ends on 04/13/2020.

We have forwarded a copy of this notice to other state agencies for comment.

Please remember to submit the final adopted amendment to Commerce within ten days of adoption.

If you have any questions, please contact Growth Management Services at reviewteam@commerce.wa.gov, or call Scott Kuhta, (509) 795-6884.

Sincerely,

Review Team
Growth Management Services

AFFP

Affidavit of Publication

STATE OF WASHINGTON }
COUNTY OF CHELAN } SS

DETERMINATION OF NON-SIGNIFICANCE &
NOTICE OF HEARING

The Wenatchee World is a legal newspaper published in the Chelan County, Washington, and approved as such by the Superior Court of said County and State. Serving the counties of Chelan, Douglas, Grant & Okanogan.

That said newspaper was regularly issued and circulated on those dates.

February 18, 2020

Subscribed to and sworn to me this 18th day of February 2020.



Chris Gerber, Notary Public, Chelan County, Washington

My commission expires: March 07, 2022

00002552 00086832 509-667-6475

CHELAN CO DEPT OF COMMUNITY DEVELOPMENT
(CCDCD)
316 WASHINGTON ST. #301
WENATCHEE, WA 98801

CHRIS GERBER
Notary Public
State of Washington
My Commission Expires
March 07, 2022

Kirsten

PURSUANT to RCW 43.21C, NOTICE IS HEREBY GIVEN THAT on February 13, 2020 Chelan County Community Development (LEAD AGENCY) did issue a determination of non-significance relative to the environmental impact for CPA 2020-002: proposed amendment is to the Comprehensive Plan Capital Facilities Element to update the new Six Year Capital Improvement Plan for years 2020-2025. This plan describes public capital expenditures, including the sources of funding for these items. The goal of the Capital Improvement Plan is to ensure that all capital improvement expenses have adequate funding. The proposed amendments are to address changes in timing and cost for projects listed for Ohme Garden and the Wenatchee River County Park, and purchase of property by the County. The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21.C.030 (2)(c). This decision was made after review of completed environmental checklist and other information on file with the lead agency. This information is available to the public on request and may be reviewed at Chelan County Community Development, 316 Washington Street, #301, Wenatchee, WA, during normal business hours, Monday-Thursday from 8am to 5pm, Friday from 8am to 12pm. Comments on this determination should be sent to the above listed address. Comments on the determination must be received by March 3, 2020.

NOTICE IS HEREBY GIVEN that the Chelan County Department of Community Development has received the following application and on February 18, 2020, this proposal was noticed to the public. The Planning Commission will hold a hearing on this item March 25, 2020 at 6:00 pm at 400 Douglas Street, Wenatchee, WA.

The County encourages public comments before the hearing. Comments must include your name, current address and signature; and, should be as specific as possible and may be mailed, emailed to kirsten.larsen@co.chelan.wa.us, or personally delivered at the address listed below. Any person has the right to receive notice, participate in any Hearings, request a copy of the final decision and appeal the decision as provided by law. For updates on the amendment, please become a party of record by emailing cdplanning@co.chelan.wa.us or contacting Community Development.

RECEIVED

FEB 25 2020

CHELAN COUNTY
COMMUNITY DEVELOPMENT

Staff Report

Date: March 9, 2020
To: Chelan County Planning Commission
From: Community Development Department, Floodplain Administrator/Building Official
Re: Proposed Text Amendments to Chapter 3.20

I. OVERVIEW

The purpose of the Flood Hazard Development regulations is to promote public safety and minimize public and private losses through implementing design standards for all development within known flood hazard areas, such as the floodplain or Special Flood Hazard Area.

The proposed amendments are the result of Federal Emergency Management Agency (FEMA) review of County Flood Hazard Development Codes. Further, the amendments have been through an internal review, resulting in a few minor modifications to the Federal recommendations.

Attachment: A: Proposed Amendments

II. APPLICATION & PUBLIC HEARING NOTICE COMPLIANCE

Agency 60 Day Review	60-day Notice of Intent to Adopt Amendment was sent 2/24/2020. ID #2020-S-1225
SEPA	DNS issued March 13, 2020; published March 18, 2020
Planning Commission Public Hearing	March 25, 2020 (notice published March 13, 2020)
Board of Chelan County Commissioners Hearing	TBD

III. STATE ENVIRONMENTAL POLICY ACT REVIEW (SEPA)

An Environmental Checklist. Pursuant to WAC 197-11 and RCW 43.21C of the State Environmental Policy Act (SEPA), environmental review and a threshold determination was completed, and a Determination of Non-Significance (DNS) was issued on March 13, 2020. The SEPA Checklist and DNS are included within the file of record and adopted by reference.

IV. CODE REVIEW CRITERIA

The approval, modification or denial of a development regulation amendment application shall be evaluated on, but not limited to, the following criteria:

CCC 14.13.040 (1) The amendment is necessary to resolve a public land use issue or problem.

Finding: The proposed amendments are intended to comply with recommendation from FEMA, which reviewed the county's processes and procedures on January 13, 2020.

Conclusion: The amendments will address a public need and clarify the codes.

CCC 14.13.040 (2) The amendment is consistent with goals of the Growth Management Act, Chapter 36.70A RCW.

Finding: The 14 goals of the Growth Management Act are. Goal (7) states "Permits Applications for both state and local government permits should be processed in a timely and fair manner to ensure predictability." Goal (11) states "Citizen participation and coordination. Encourage the involvement of citizens in the planning process and ensure coordination between communities and jurisdictions to reconcile conflicts."

Conclusion: The proposed amendments will provide clarity and support implementation of State regulations, specifically supporting GMA goals (7) and (11).

CCC 14.13.040 (3) The amendment complies with or supports comprehensive plan goals and policies and/or county-wide planning policies.

Finding: The Chelan County Comprehensive Plan Policy CL 1.4 addresses the need to regulate development in flood areas. It states "Regulate the development of floodplains in order to help mitigate the loss of floodplain storage capacity."

Conclusion: The proposed amendments are consistent with the Chelan County Comprehensive Plan. There are no changes affecting the County-wide planning policies.

CCC 14.13.040 (4) The proposed amendment does not adversely affect lands designated as resource lands of long-term commercial significance or critical areas in ways that cannot be mitigated.

Fact: The proposed amendments affect development in known flood areas, a type of critical area.

Conclusion: The proposed amendments are intended to be protective of the critical area and of private development.

CCC 14.13.040 (5) The amendment is based on sound land use planning practices and would further the general public health, safety and welfare.

Fact: The amendments are based on recommendations from FEMA.

Conclusion: The proposed amendments appear consistent with sound land use planning principles and would further the general public health, safety and welfare.

Staff Comments: Staff recommends approval of the proposed amendments.

Chapter 3.20

FLOOD HAZARD DEVELOPMENT

Sections:

Article I. General Provisions

- ~~3.20.010~~ 3.20.010 Statutory authority.
- ~~3.20.020~~ 3.20.020 Title.
- ~~3.20.030~~ 3.20.030 Applicability.
- ~~3.20.040~~ 3.20.040 Exemptions.
- ~~3.20.050~~ 3.20.050 Purpose.
- ~~3.20.060~~ 3.20.060 Warning and disclaimer of liability.
- ~~3.20.070~~ 3.20.070 Interpretation.
- ~~3.20.080~~ 3.20.080 Floodplain Administrator.
- ~~3.20.090~~ 3.20.090 Flood hazard areas established.
- ~~3.20.100~~ 3.20.100 Use of other base flood data.
- ~~3.20.110~~ 3.20.110 Severability.

Article II. Definitions

- ~~3.20.120~~ 3.20.120 Definitions.
 - ~~Article III. Administration~~ Article III. Administration ~~Conformance with Adopted Standards~~

- ~~3.20.130~~ 3.20.130 Development permit required. ~~3.20.110—Compliance required.~~
- ~~3.20.140~~ 3.20.140 Floodplain delineation.
- ~~3.20.150~~ 3.20.150 Information to be submitted.
- ~~3.20.160~~ 3.20.160 Elevation certificates.
- ~~3.20.170~~ 3.20.170 Administrative review.

~~Article IV. Administration and Appeals~~

- ~~3.20.180~~ 3.20.180 Floodplain Administrator's responsibilities.
- ~~3.20.190~~ 3.20.190 Alteration of watercourse.
- ~~3.20.200~~ 3.20.200 Review of building permits.
- ~~3.20.210~~ 3.20.210 Appeals.

Article IV. Improvement Standards

- ~~3.20.220~~ 3.20.220 General.
- ~~3.20.230~~ 3.20.230 Anchoring.
- ~~3.20.240~~ 3.20.240 Construction materials and methods.
- ~~3.20.250~~ 3.20.250 Utilities.
- ~~3.20.200~~ ~~Use of other base flood data.~~
- ~~3.20.260~~ 3.20.260 Specific standards for Construction activities.
- ~~3.20.270~~ 3.20.270 Grading and filling.
- ~~3.20.280~~ 3.20.280 Manufactured homes, and recreational vehicles.
- ~~3.20.290~~ 3.20.290 Recreational vehicles.
- ~~3.20.300~~ 3.20.300 Regulatory floodways.
- ~~3.20.310~~ 3.20.310 Critical facilities.

3.20.320 Livestock Sanctuaries

Article VI. ~~Subdivision~~Development Proposals

3.20.~~330~~320~~260~~ ~~Subdivisions~~Development Proposals

~~Article VII. Review of Building Permits~~

~~3.20.270 Building permits.~~

Article VIII. Enforcement, Variances and Penalties

3.20.~~340~~280 Violations and fines.

3.20.~~350~~290 Action to restrain violations.

3.20.~~360~~300 Permits prohibited.

3.20.~~370~~310 Penalties.

3.20.~~380~~320 Variance procedure.

Article I. General Provisions

3.20.010 Statutory authority.

The Legislature of the State of Washington has delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the Chelan County Board of Commissioners, does ordain as follows:

3.20.0210 Title.

This resolution and amendments thereto shall be known and may be cited as “The Chelan County Flood Hazard Development Code.”

3.20.0320 Applicability.

The provisions contained herein shall be applicable to land within the unincorporated areas of Chelan County that have been designated as special flood hazard areas as defined in Section 3.20.090~~Article II of this chapter.~~

3.20.0430 Exemptions.

The following uses and activities are exempt from the provisions of this chapter:

~~(1) The alteration or substantial improvement of any structure listed on the National Register of Historic Places or a state inventory of historic places.~~

~~(2) The maintenance of aboveground utility transmission lines and poles utilities and facilities, such as replacing power lines and utility poles;~~

~~(3) Private driveways, fences, and other accessory activities and/or uses that do not include structures which the administrator determines will not: unduly decrease flood storage or capacity, significantly restrict floodwaters, create a substantial impoundment of debris carried by floodwaters, and will resist flotation and collapse.~~

~~(4) Normal agricultural practices on existing agricultural areas that do not include structures involving plowing, storing of materials, etc., normal to operation of a farm (other than new structures);~~

~~(3) Removal of noxious weeds, hazard trees, and replacement of non-native vegetation with native vegetation;~~

- (4) Routine maintenance of existing landscaping that does not involve grading, excavation, or filling;
- (5) Normal road maintenance, such as filling potholes, repaving, installing sign and traffic signals, but not including any expansion; and
- (6) Normal maintenance of a levee or other flood control facility as prescribed in the operations and maintenance plan for the facility. Normal maintenance does not include repair from flood damage, any expansion of the prism, face or toe expansion, or the addition of material for protection or armor.

3.20.0540 Purpose.

It is the purpose of this chapter to promote the general public health, safety, and welfare, and to minimize public and private losses due to flood conditions in specific areas, by providing standards designed to:

- (1) Protect human life and health;
- (2) Minimize expenditure of public moneys and reduce the need for uneconomical flood control projects;
- (3) Minimize the need for rescue and relief efforts associated with flooding and usually undertaken at the expense of the general public;
- (4) Minimize prolonged business interruptions;
- (5) Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone, and sewer lines; and streets and bridges located in flood hazard areas;
- (6) Help maintain a stable tax base by providing for the sound use and development of flood hazard areas so as to minimize future flood loss;
- (7) Ensure that potential buyers are aware that the property is located in a flood hazard area;
- (8) Ensure that those who occupy the flood hazard areas assume responsibility for their own actions; and
- (9) Satisfy the requirements established by the Federal Emergency Management Agency as failure to do so would jeopardize federal financial support to the county and its citizens.

3.20.0650 Warning and disclaimer of liability.

This chapter does not imply that the lands outside of flood hazard areas, or uses permitted within such areas, shall be free from flooding or flood damage, nor does this chapter imply that the compliance herewith or related resolutions will in all instances protect property from flood damage. This resolution shall not create liability on Chelan County, or any officer or employee thereof, for any flood damage that results from reliance on this resolution or any administrative decision lawfully made thereunder.

3.20.0760 Interpretation.

In the interpretation and application of this resolution, all provisions shall be considered as minimum requirements, shall be liberally construed in favor of Chelan County, and deemed neither to limit or repeal any other powers granted under state statutes. Further, this resolution is not intended to repeal, abrogate, or diminish the effect of any existing easement, covenant, or deed restriction. However, where conditions imposed by this resolution are less restrictive than comparable conditions imposed by any other resolutions or regulations, the provisions which are more restrictive shall apply.

3.20.0870 Floodplain administrator.

The ~~D~~irector of the Chelan County department of community development, or designated representative, hereinafter referred to as the floodplain administrator, is vested with the duty of administration of the provisions of this chapter within the unincorporated area of Chelan County, and shall prepare and require the use of such forms deemed appropriate for the proper administration of these requirements.

3.20.0980 Flood hazard areas established.

The areas of special flood hazard identified by the Federal Insurance ~~Administration~~ Administrator in a scientific and engineering report titled “The Flood Insurance Study for Chelan County, Washington, Unincorporated Areas” dated February 4, 1981, and revised September 30, 2004, with accompanying flood insurance rate maps dated February 4, 1981, June 5, 1989, July 2, 2002, and September 30, 2004, and any subsequent revisions thereto are hereby adopted by reference and declared to be part of this chapter. The flood insurance study is on file at the Department of Community Development, 316 Washington Street, Suite 301, Wenatchee, Washington 98801.

The best available information for flood hazard area identification as outlined in Section 3.20.100 shall be the basis for regulation until a new flood insurance rate map is issued that incorporates data utilized under Section 3.20.200.

The board of county commissioners adopts the Federal Emergency Management Agency’s modified ~~BFEs~~ base flood elevations and revised map panels 5300115 0625 D, 0779 D, 0800 D, 2730 D, 2740 D, 2745 D, 2763 D, 2764 D, and 2768 D, dated September 30, 2004, for the unincorporated areas of Chelan County, Washington.

3.20.100 Use of other base flood data.

When base flood elevation data has not been provided in accordance with Section 3.20.090, Special Flood Hazard Areas established, the floodplain administrator shall obtain, review and reasonably utilize any base flood elevation data and floodway data available from a federal, state or other source, in order to administer Article IV, Improvement Standards, Sections 3.20.220 through 3.20.310, including Section 3.20.300, Regulatory floodways.

3.20.110090 Severability.

Should any section, paragraph, sentence, or word of this chapter, or of any of the code and resolutions herein referenced, or the application to any person or circumstances be held invalid in a court of competent jurisdiction for any reason, the remainder of this chapter or the application of the provision to other persons or circumstances shall not be affected.

Article II. Definitions

3.20.10020 Definitions.

Whenever the following words and phrases appear in this chapter, they shall be given the meanings attributed to them by this section. When not inconsistent with the context, words used in the present tense shall include the future; the singular shall include the plural, and the plural the singular; the word “shall” is always mandatory and the word “may” indicates a use of discretion in making a decision.

~~Administrator” shall mean the director of the Chelan County department of building, fire safety and planning, or his designated representative, who is vested with the duty of administering the provisions of this chapter.~~

“Alteration of watercourse” means any action that will change the location of the channel occupied by water within the banks of any portion of a riverine waterbody.

“Appeal” means a request for review of ~~the administrator’s~~ the interpretation of any provisions of this chapter.

“Area of shallow flooding” shall mean a designated AO zone on the flood insurance rate map (FIRM). Those areas are characterized by base flood depths ranging from one to three feet; the lack of a clearly defined channel; the path of flooding is unpredictable and indeterminate; and velocity flow may be evident.

“Area of special flood hazard” is the land in the floodplain within unincorporated Chelan County subject to a one percent or greater chance of flooding in any given year. Designation on flood insurance rate maps (FIRMs) always includes the letter A. Also known as Special Flood Hazard Area.

“ASCE 24” means the most recently published version of ASCE 24, Flood Resistant Design and Construction, published by the American Society of Civil Engineers.

“Base flood” means the flood having a one percent chance of being equaled or exceeded in any given year (also referred to as the “100-year” flood).

“Base flood elevation (BFE)” means that elevation ~~determined by the Federal Emergency Management Agency~~ to which floodwater can be expected to rise during a base flood.

“Basement” means any area of the building having its floor subgrade (below ground level) on all sides.

“Building”. See “Structure”

~~“Crawl space” is an area defined as having an unfinished floor, ranging between one and four feet in height, located beneath the lowest habitable floor of a structure and intended to provide access for foundation and plumbing inspections or repairs.~~

“Critical facility” means a facility for which even a slight chance of flooding may be too great. Critical facilities include but are not limited to schools, nursing homes, hospitals, police, fire and emergency response installations, installations which produce, use, or store hazardous materials or hazardous waste.

“Development” means any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials located within the area of special flood hazard.

“Elevation Certificate” means an administrative tool of the National Flood Insurance Program (NFIP) that can be used to provide elevation information, to determine the proper insurance premium rate, and to support a request for a Letter of Map Amendment (LOMA) or Letter of Map Revision based on fill (LOMR-F).

“Essential Facility” has the same meaning as “Essential Facility” defined in ASCE 24. Table 1-1 in ASCE 24-14 further identifies building occupancies that are essential facilities.

“Excavation” is the mechanical removal of earth material.

“Farmhouse” means a single-family dwelling located on a farm site where resulting agricultural products are not produced for the primary consumption or use by the occupants and the farm owner.

“Fill” is a deposit of earth material placed by artificial means.

~~“Flood or flooding” means the general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of waters and/or the unusual rapid accumulation of surface runoff.~~means:

(1) A general and temporary condition of partial or complete inundation of normally dry land areas from:

(A) The overflow of inland or tidal waters.

(B) The unusual and rapid accumulation or runoff of surface waters from any source.

(C) Mudslides (i.e., mudflows) which are proximately caused by flooding as defined in paragraph (1)(B) of this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current; or

(2) The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph (1)(A) of this definition.

“Flood damage” means harmful inundation, water erosion of soil, stream banks and beds, stream channel shifting and changes, harmful deposition by water of eroded and shifting soils and debris upon property or in the beds of streams or other bodies of water, damages by high water to public roads, highways, bridges, utilities and to works built for protection against floods or inundation, the interruption by floods of travel, communication and commerce, and all other high water influences and results which injuriously affect the public health and the safety of property.

“Flood Elevation Study”. See Flood Insurance Study.

“Flood Insurance Rate Map (FIRM)” means the official map on which the Federal Insurance Administration Administrator has delineated both the flood hazard areas and the risk premium zones applicable to Chelan County. A FIRM that has been made available digitally is called a Digital Flood Insurance Rate Map (DFIRM).

“Flood Insurance Study (FIS)” means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards, also known as a Flood Elevation Study. means the official report provided by the Federal Insurance Administration that includes flood profiles, flood boundary and floodway maps, and the water surface elevation of the base flood.

“Floodplain or flood-prone area” means any land area susceptible to being inundated by water from any source. See "Flood or flooding."

“Floodplain Administrator” shall mean the Director of the Chelan County department of community development, or designated representative, who is vested with the duty of administering the provisions of this chapter.

“Floodplain management” means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and flood plain management regulations.

“Floodplain management regulations” means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as floodplain ordinance, grading ordinance and erosion control ordinance) and other application of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

“Flood proofing” means any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents. Flood proofed structures are those that have the structural integrity and design to be impervious to floodwater below the Base Flood Elevation.

“Floodway” means the channel of the river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than ~~one foot~~ a designated height. Also known as Regulatory Floodway.

“Functionally dependent use” means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, and does not include long term storage or related manufacturing facilities.

“Highest adjacent grade” means the highest natural elevation of the ground surface prior to construction next to the proposed walls of the structure.

“Historic Structure” means any structure that is:

- (1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (3) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or
- (4) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - (A) By an approved state program as determined by the Secretary of the Interior, or
 - (B) Directly by the Secretary of the Interior in states without approved programs.

“Lowest floor” means the lowest floor of the lowest enclosed area, including basement. An unfinished or flood resistant enclosure, useable solely for parking of vehicles, building access, or storage, in an area other than a basement area, is not considered the lowest floor of a building; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation requirements of this ordinance.

“Manufactured home” means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities, ~~and certified as approved as such by the state of Washington Department of Labor and Industries as evidenced by the attachment of a red seal (or a Department of Housing and Urban Development (HUD) black and white label if built on or after June 15, 1976).~~ The term “manufactured home” does not include a “recreational vehicle.”

~~“Manufactured home park or subdivision” means a lot, parcel, or tract of land, parcel (or contiguous parcels) of land improved or unimproved divided into two or more manufactured home lots for rent or sale, upon which two or more manufactured homes occupied for dwelling or sleeping purposes are located in compliance with the Chelan County zoning Resolution 153-E.~~

~~“Manufactured home subdivision” means a parcel or parcels of land divided in conformance with Title 12 of the Chelan County Code into two or more manufactured home lots for rent or sale.~~

~~“Mean Sea Level” means, for the purposes of the National Flood Insurance Program, the vertical datum to which Base Flood Elevations shown on a community's Flood Insurance Rate Map are referenced.~~

~~“New construction” means, for the purposes of determining insurance rates, structures for which the “start of construction” commenced on or after the effective date of an initial Flood Insurance Rate Map or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, “new construction” means structures for which the “start of construction” commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.~~

~~“Reasonably safe from flooding” means development that is designed and built to be safe from flooding based on consideration of current flood elevation studies, historical data, high water marks and other reliable data known to the community. In unnumbered A zones where flood elevation information is not available and cannot be obtained by practicable means, reasonably safe from flooding means that the lowest floor is at least three feet above the Highest Adjacent Grade for residential structures or at least two feet above grade for non-residential structures.~~

~~“Recreational vehicle” means a vehicle which is: (1) built on a single chassis; (2) four hundred square feet or less when measured at the largest horizontal projection; (3) designed to be self-propelled or permanently towable by a light duty truck; and (4) designed primarily not for use as a permanent dwelling but as a temporary living quarters for recreational, camping, travel, or seasonal use.~~

~~“Start of construction” includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement or other improvement was within one hundred eighty days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.~~

~~“Structure” means, is, for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home. that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner. This term shall include manufactured homes and gas or liquid storage tanks that are principally above ground.~~

~~“Substantial damage” means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.~~

“Substantial improvement” means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include either:

- (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications that have been previously identified by the local code enforcement official and that are the minimum necessary to assure safe living conditions; or
- (2) Any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure.”

~~means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty percent of the market value of the structure either before the improvement or repair is started, or if the structure has been damaged by any means and is being restored, before the damage occurred. For the purposes of this definition “substantial improvement” is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term can exclude the following: (1) any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the administrator and which are the minimum necessary to assure safe living conditions, or (2) any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places; provided, that the alteration will not preclude the structure’s continued designation as a historic structure.~~

“Variance” means a grant of relief by a community from the terms of a floodplain management regulation grant of relief from the requirements of this chapter which permits construction in a manner that would otherwise be prohibited by this chapter.

“Violation” means the failure of a structure or other development to be constructed or implemented in conformance with the community’s applicable floodplain development regulations.

“Water surface elevation” means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, (or other datum, where specified) of floods of various magnitudes and frequencies in the flood plains of coastal or riverine areas.

~~“Water dependent” means a structure for commerce or industry which cannot exist in any other location and is dependent on the water by reason of the intrinsic nature of its operations.~~

Article III. ~~Conformance with Adopted Standards~~Administration

3.20.1130 ~~Compliance required.~~Development permit required.

A development permit shall be obtained before construction or development begins within any area of special flood hazard established in this chapter. The permit shall be for all structures including manufactured homes, as set forth in Section 3.20.1200, Definitions, and for all development including fill and other activities, also set forth in Section 3.20.1200, Definitions.

3.20.140 Floodplain delineation.

If there is any question as to the location of the boundaries of the special flood hazard area or floodway in relation to the proposed development, the floodplain administrator may require the applicant provide, at the expense of the applicant, a floodplain delineation prepared by a licensed professional land surveyor which shows the boundaries of the special flood hazard area and floodway and ground elevations on a site plan. However, all development shall be reasonably safe from flooding.

3.20.15020 Information to be submitted.

Application for a development permit shall be made on a form furnished by the community development department. The following information shall be submitted to the floodplain administrator in order to apply for a floodplain development permit prior to undertaking any development or substantial improvement in the special flood hazard area. These items shall be submitted in addition to that information necessary to obtain other permits, as well as for those developments and substantial improvements which require no other permit approvals. Other information may be reasonably required by the floodplain administrator in order to review the application.

- (1) The nature, location, dimensions, and ground elevations of the project site;
- (2) Typical cross-sections showing ~~both~~ existing ground elevations, proposed ground elevations, and proposed elevations of the crawlspace and/or finished floor, if applicable; height of existing structures, and height of proposed structures;
- (3) Where appropriate, proposed land contours if development involves grading, cutting, filling or other alterations of land contours. When required, contours shall be at two-foot intervals for land with a slope of zero to five percent and five-foot intervals for land with a slope of five percent and greater;
- (4) Dimensions and locations of existing structures which will be maintained;
- (5) Dimensions and locations of proposed structures;
- (6) Identify the source, composition and volume of fill materials;
- (7) Identify composition and volume of any excavated materials and identify proposed disposal area;
- (8) Location of existing and proposed utilities such as sewer, septic tank, drainfield, water, gas and electricity;
- (9) An elevation certificate for all new or substantially improved structures, prepared by a licensed professional land surveyor;
~~The elevation in relation to mean sea level of the lowest habitable floor of all structures as certified by a registered professional engineer, architect, or licensed land surveyor;~~
- (10) Description of the extent to which any watercourse is proposed for alteration or relocation as the result of a proposed development;
- (11) ~~Location and elevation~~ Boundaries of the special flood hazard area and floodway in relation to the proposed structures or project; and base flood.
- (12) Where development is proposed in a floodway, an engineering analysis indicating or demonstrating no rise of the Base Flood Elevation; and
- (13) Where a structure is to be floodproofed, certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet floodproofing criteria in Section 3.20.260(2).

3.20.160 Elevation certificates.

Three elevation certificates are required throughout the building process for all new and substantially improved structures, unless the floodplain administrator determines an elevation certificate is not necessary for a specific structure:

- (1) For construction drawings prior to review of a building permit;
- (2) For a building under construction prior to scheduling of an underfloor inspection, or equivalent, but always before vertical construction; and
- (3) For finished construction prior to issuance of a Certificate of Occupancy or final approval.

3.20.1730 Administrative review.

The floodplain administrator shall review information submitted for development permits to determine the following:

- (1) The requirements of this chapter have been satisfied;
- (2) All necessary permits which require prior approval have been obtained from federal, state or local government agencies;
- (3) If the proposed development is located in the floodway, assure that the provisions of Chapter 13.20.300 Chapter 11.84, as amended, of the Chelan County Zoning Code, and Chelan County Subdivision Resolution, Section 12.40.080 are met.

(4) In areas where a floodway has not been designated, require that no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30 and AE unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

Article IV. Administration and Appeals

3.20.1840 Floodplain administrator's responsibilities.

It shall be the duty of the floodplain administrator or ~~the administrator's~~ designee to:

- (1) Grant or deny development permits;
- (2) Make interpretations as to the exact location of the boundaries of special flood hazard areas;
- (3) Obtain and record the actual (as-built) elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement, on the form provided by FEMA known as an elevation certificate.
- (4) For all new or substantially improved floodproofed nonresidential structures:
 - (A) Verify and record the actual elevation (in relation to mean sea level) to which the structure was floodproofed; and
 - (B) Maintain the floodproofing certifications required in this chapter.
- (5) Maintain for public inspection all records pertaining to the provisions of this chapter.

(A) Improvement and damage calculations;

(B) Records of all variance actions, including justification for their issuance;

(C) Certifications required by Section 3.20.150;

(65) Notify FEMA when annexations occur in the special flood hazard area.

(76) Notify FEMA within six months of technical or scientific data becoming available confirming the occurrence of physical changes that increase or decrease the base flood elevation.

3.20.190 Alteration of watercourse.

Whenever a watercourse is to be altered or relocated, the floodplain administrator shall:

(1)4) Notify adjacent communities and the Washington State Department of Ecology prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration Administrator through appropriate notification means; and

(2) Assure that the flood carrying capacity of the altered or relocated portion of said watercourse is maintained. The administrator shall require that provisions are made for maintenance within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.

3.20.270200 Review of building permits.

(1) Where elevation data is not available either through the flood insurance study or from another authoritative source identified in this chapter, applications for building permits shall be reviewed to assure that proposed construction will be reasonably safe from flooding. The test of reasonableness is a local judgment and includes use of historical data, high water marks, photographs of past flooding, etc., where available.

3.20.210150 Appeals.

A request for review may An appeal of an administrative decision shall be filed with the community development department administrator when When it is alleged that there is an error in a requirement, decision or determination made by the floodplain administrator in the enforcement or administration of this resolution chapter, an appeal shall be filed following the administrative appeals provisions of Section 14.12.010. The administrative appeal shall be filed with the community development department and heard as an open record hearing by the The Chelan County hearing examiner shall consider such a request at a public meeting. In passing upon such applications, the hearing examiner shall consider all technical evaluations, all relevant factors, standards specified in other sections of this chapter, and the provisions of Article VIII, Section 3.20.380320(A)(i) through (xi).

Article IV. Improvement Standards

3.20.220160 General.

The standards contained herein are the minimum consistent with the protection of the general public health, safety, and welfare and shall apply to all ~~designated special~~ flood hazard areas.

3.20.230170 Anchoring.

(1) All new construction and substantial improvements, including those related to manufactured homes, shall be anchored to prevent flotation, collapse, or lateral movement of the structure, resulting from hydrodynamic and hydrostatic loads including the effects of buoyancy and shall be installed using methods and practices that minimize flood damage.

(2) All manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement, and shall be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to ground anchors. For more detailed information, refer to guidebook, FEMA-85, "Manufactured Home Installation in Flood Hazard Areas."

~~All manufactured homes shall be anchored to resist flotation, collapse, or lateral movement by providing over the top and frame ties to ground anchors; provided however, that double wide units having a width of seventeen feet or more from end to end, and any units manufactured since 1976 that have been certified in compliance with the construction standards of the Department of Housing and Urban Development, require only frame ties.~~

Anchoring requirements for manufactured homes are as follows:

- ~~(1) Over the top ties shall be provided at the end of each manufactured home. Two additional over the top ties shall be provided at intermediate locations for manufactured homes greater than fifty feet in length while those units less than fifty feet in length shall require one additional over the top tie.~~
- ~~(2) Frame ties shall be provided at each corner of a manufactured home. Five additional frame ties shall be provided at intermediate locations for manufactured homes greater than fifty feet in length while those units less than fifty feet in length shall require four additional frame ties.~~
- ~~(3) All components of the anchoring system shall be capable of carrying a force of four thousand eight hundred pounds as certified by a registered professional engineer or manufacturer's specifications.~~
- ~~(4) Any additions to a manufactured home shall be similarly anchored.~~

3.20.240180 Construction materials and methods.

(1) All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage and shall be constructed with materials and utility equipment resistant to flood damage.

(2) Electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities shall be designed and/or otherwise elevated or floodproofed to the same elevation as the lowest floor or located so as to prevent water from entering or accumulating within the components during conditions of flooding. except that minimum electric service required to address life safety and electric code requirements is permitted below the elevation of the lowest floor provided it conforms to the provisions of the electrical part of the building code for wet locations.

3.20.250190 Utilities.

The following standards shall apply to all utilities within the special flood hazard area:

- (1) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system.
- (2) Proposed wWater wells shall be located on high ground that is not in the floodway;
- ~~(23)~~ –Manhole covers shall be designated so as to seal themselves, thereby preventing infiltration of floodwaters;
- ~~(43)~~ –New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration by floodwaters into the system and prevent the discharge from the sewage systems into floodwaters and contamination during flooding. On-site waste disposal systems shall be located to avoid

impairment to them or contamination from them during flooding. The compliance with these requirements shall be as directed by the Chelan Douglas Health District;

(54) All utility systems shall be underground except where the presence of bedrock or other obstructions makes undergrounding prohibitive; provided, that electric transmission lines in excess of fifteen KV are exempt from undergrounding.

~~When base flood elevation data has not been provided in accordance with Section 3.20.080, Flood hazard areas established, the administrator shall obtain, review and reasonably utilize any base flood elevation data and floodway data available from a federal, state or other source, in order to administer Article V, Improvement Standards, Sections 3.20.160 through 3.20.250, including Section 3.20.240, Regulatory floodways. (Res. 2003-70 (part), 5/27/03; Res. 99-91 (part), 7/6/99; Res. 96-22 (part), 2/27/96).~~

3.20.2610 Specific standards for Construction activities.

In all areas of special flood hazards where base flood elevation data has been provided as set forth in Section 3.20.090, Flood hazard areas established, or Section 3.20.100, Use of Other Base Flood Data, the following provisions are required:

(1a) Residential Construction.

(A) New construction or substantial improvement of any residential structure shall require the lowest floor including basement to be elevated to three feet or higher above the base flood elevation base flood elevation(BFE).

(B) Where new construction or substantial improvement is to occur in a special flood hazard area designated as an AO zone, the lowest floor including basement shall be elevated above the highest adjacent grade of the building site, to ~~three feet~~one foot or more above the depth number specified on the FIRM (at least ~~three~~two feet if no depth number is specified). In an AO zone adequate drainage paths shall be provided on slopes to guide floodwaters around and away from proposed structures.

(C) Where ~~hazardous~~ velocities are noted on the FIRM consideration shall be given to mitigating the effects of these velocities in proper construction techniques and methods.

(D) New construction and substantial improvement of any residential structure in an Unnumbered A zone for which a base flood elevation is not available and cannot be reasonably obtained shall be reasonable safe from flooding, but in all cases the lowest floor shall be at least three feet above the highest adjacent grade.

(E) Fully enclosed areas below the lowest floor that are useable solely for parking, access or storage and that are subject to flooding are prohibited or shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs must meet the following minimum criteria:

- (4i) A minimum of two openings on at least two sides of the enclosed area having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided;
- (2ii) The bottom of all openings shall be no higher than one foot above grade;
- (iii3) Openings may be equipped with screens, louvers or other coverings or devices; provided, that they permit the automatic entry and exit of floodwaters; and

(iv) In an AO zone adequate drainage paths shall be provided on slopes to guide floodwaters around and away from proposed structures. A garage attached to a residential structure, used only for parking, storage, or building entry, may be constructed with the garage floor slab below the base flood elevation and must be designed to allow for the automatic entry and exit of flood waters.

(F) The elevation of the interior crawlspace grade must be at or above the lowest elevation of the exterior grade; provided, that below-grade crawlspace foundations may be allowed when all of the following conditions are met:

(i) The interior grade of the crawlspace below the base flood elevation is no more than two feet below the lowest adjacent exterior grade; and

(ii) The height of the below-grade crawlspace, measured from the interior grade of the crawlspace to the top of the crawlspace foundation wall, does not exceed four feet at any point; and

(iii) The crawlspace contains an adequate drainage system that removes floodwaters from the interior of the crawlspace, such as natural drainage through porous, well-drained soils, and/or constructed drainage systems such as perforated pipes, drainage tiles or gravel or crushed stone drainage by gravity or mechanical means; and

(iv) Any building utility systems within the crawlspace are elevated to the flood protection elevation or designed so that floodwaters cannot enter or accumulate within the system components during flood conditions. In particular, all ductwork is elevated above the flood protection elevation or sealed from floodwaters; and

(v) The velocity of floodwaters at the site does not exceed five feet per second for any crawlspace; and

(vi) All other minimum criteria set forth in this section are satisfied.

(2b) Nonresidential Construction.

(A) New construction or the substantial improvement of any commercial, industrial or other nonresidential structure shall require the lowest floor, including basement, to be elevated to or above one foot higher than the base flood elevation-(BFE).

(B) Where new construction or substantial improvement is to occur in a special flood hazard area designated as an AO zone, the lowest floor including basement shall be elevated above the highest adjacent grade of the building site, to one foot or more above the depth number specified on the FIRM (at least two feet if no depth number is specified). In an AO zone adequate drainage paths shall be provided on slopes to guide floodwaters around and away from proposed structures.

(C) Where hazardous velocities are noted on the FIRM, consideration shall be given to mitigating the effects of these velocities in proper construction techniques and methods.

(D) New construction and substantial improvement of any non-residential structure in an Unnumbered A zone for which a base flood elevation is not available and cannot be reasonably obtained shall be either floodproofed or have the lowest floor be at least two feet above the highest adjacent grade.

(E) Fully enclosed areas below the lowest floor that are useable solely for parking, access or storage and that are subject to flooding shall be prohibited, or shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs shall meet or exceed the following criteria:

(i) A minimum of two openings on at least two sides of the enclosed area having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided;

(ii) The bottom of all openings shall be no higher than one foot above grade;

(iii) Openings may be equipped with screens, louvers or other coverings or devices; provided, that they permit the automatic entry and exit of floodwaters; and

(F) As an alternative to the elevation of nonresidential structures, such structures, with attendant utility and sanitary facilities, shall:

(4i) Be floodproofed so that below one foot above the base flood elevation the structure is watertight with walls substantially impermeable to the passage of water;

(ii2) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;

(iii3) Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this section based on their development and/or review of the structural design, specifications and plans. Such certifications shall be provided to and maintained by the floodplain administrator;

~~(iv4) Nonresidential structures that are elevated, not floodproofed, must meet the same standards for space below the lowest floor as provided in subsection (a)(1) through (3) of this section;~~

(v5) Applicants who are floodproofing nonresidential buildings shall be notified that flood insurance premiums will be based on rates that are one foot below the floodproofed level (e.g., a building floodproofed to the base flood level will be rated as one foot below).

(3) Accessory Structures

(A) Accessory structures used solely for parking of vehicles or limited storage may be constructed such that the lowest floor is below the base flood elevation, provided the structure is designed and constructed in accordance with the following requirements:

(i) Use of the accessory structure must be limited to parking of vehicles or limited storage;

(ii) The portions of the accessory structure located below the base flood elevation must be built using flood resistant materials;

(iii) The accessory structure must be adequately anchored to prevent flotation, collapse, and lateral movement;

(iv) Any machinery or equipment servicing the accessory structure must be elevated or floodproofed to or above the base flood elevation;

(v) The accessory structure must comply with floodway encroachment provisions in Section 3.20.300;

(vi) The accessory structure must be designed to allow for the automatic entry and exit of flood waters in accordance with Section 3.20.260(1)(E)(i) through (iii).

(vii) The structure shall have low damage potential,

(viii) If the structure is converted to another use, it must be brought into full compliance with the standards governing such use, and

(ix) The structure shall not be used for human habitation.

(B) Detached garages, storage structures, and other accessory structures not meeting the above standards must be constructed in accordance with all applicable standards in Section 3.20.260(2).

(C) Upon completion of the structure, certification that the requirements of this section have been satisfied shall be provided to the floodplain administrator for verification.

3.20.2720 Grading and filling.

If grading or other activity will displace any effective flood storage volume, compensatory storage shall be created on site, or off site if legal arrangements can be made, to assure that the effective compensatory storage volume will be preserved over time, in equivalent volume, at equivalent elevations to that being displaced. Compensatory storage areas must be hydraulically connected to the source of flooding. Filling and grading shall be in compliance with the most current version of FEMA Technical Bulletin 10 “Ensuring That Structures Built on Fill In or Near Special Flood Hazard Areas Are Reasonably Safe From Flooding.” No fill, including fill for roads, and levees; grading; or excavating that unduly affects the efficiency or the capacity of the channel or floodway, or unduly decreases flood storage or increases flood heights, shall be permitted. Any fill proposed to be deposited in a flood hazard area shall not be contrary to the need for storage of floodwater nor shall the amount of fill proposed be greater than is necessary to achieve the purpose for which the fill is intended. Fill materials shall be clean with a minimum potential for degrading water quality. All fill materials shall be protected against erosion with retaining walls or other mechanisms to deter erosions. If vegetative cover is chosen, the side slopes of the fill should not exceed two units of horizontal distance to one unit of vertical distance.

3.20.2830 Manufactured homes ~~and recreational vehicles.~~

The following standards shall be applicable for all new, ~~or~~ replacement, or substantially improved manufactured home installations and for any existing manufactured home which has incurred substantial damage as the result of flood.

(1) Manufactured homes in ~~designated zones A1 through A30, AH, AE and AO~~ special flood hazard area shall be elevated on a permanent foundation consisting of a minimum of reinforced concrete footings and piers such that the lowest floor of the manufactured home is elevated to at least three feet above the base flood elevation and adequately anchored to resist flotation, collapse and lateral movement. In flood hazard areas designated as an AO zone the lowest floor of the manufactured home shall be elevated above the highest adjacent grade of the building site, to ~~three feet~~ one foot or more above the depth number specified on the FIRM. Where hazardous velocities are noted on the FIRM, consideration shall be given to mitigating the effects of these velocities through engineering design.

(2) Manufactured homes constructed with a block skirting or other solid perimeter wall shall meet the same standards for space below the lowest floor as provided in Section 3.20.260(1)(E).

3.20.290 Recreational vehicles.

~~(2)~~—All recreational vehicles located in ~~the special flood hazard area~~ designated zones A1 through A30, AH, AE and AO shall not be ~~located in the flood hazard on site~~ area for more than one hundred eighty consecutive days ~~unless parked at an occupied single family residence~~ and must be licensed and ready for highway use, on its wheels or jacking system, attached to sites only by quick disconnect type utilities and security devices, and have no permanently attached additions. Recreational vehicles that do not meet these requirements must meet the elevation and anchoring requirements for manufactured homes.

3.20.300240 Regulatory floodways.

Development within a regulatory floodway is prohibited as follows:

Located within areas of special flood hazard established in Section 3.20.090 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters that can

carry debris, and increase erosion potential, the following provisions apply:

(1) No Rise Standard:

Prohibit encroachments, including fill, new construction, substantial improvements, and other development, unless certification by a registered professional engineer is provided demonstrating through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels during the occurrence of the base flood discharge.

(2) Residential Construction in Floodways:

Construction or reconstruction of residential structures is prohibited within designated floodways, except for (i) repairs, reconstruction, or improvements to a structure that do not increase the ground floor area; and (ii) repairs, reconstruction, or improvements to a structure, the cost of which does not exceed 50 percent of the market value of the structure either, (A) before the repair or reconstruction is started, or (B) if the structure has been damaged, and is being restored, before the damage occurred. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications that have been identified by the local code enforcement official and that are the minimum necessary to assure safe living conditions, or to structures identified as historic places, may be excluded in the 50 percent.

(A) Replacement of Farmhouses in Floodway

Repairs, reconstruction, replacement, or improvements to existing farmhouse structures located in designated floodways and that are located on lands designated as agricultural lands of long-term commercial significance under RCW 36.70A.170 may be permitted subject to the following:

- (i) The new farmhouse is a replacement for an existing farmhouse on the same farm site;
- (ii) There is no potential building site for a replacement farmhouse on the same farm outside the designated floodway;
- (iii) Repairs, reconstruction, or improvements to a farmhouse shall not increase the total square footage of encroachment of the existing farmhouse;
- (iv) A replacement farmhouse shall not exceed the total square footage of encroachment of the farmhouse it is replacing;
- (v) A farmhouse being replaced shall be removed, in its entirety, including foundation, from the floodway within ninety days after occupancy of a new farmhouse;
- (vi) For substantial improvements and replacement farmhouses, the elevation of the lowest floor of the improvement and farmhouse respectively, including basement, is a minimum of three feet higher than the base flood elevation;
- (vii) New and replacement water supply systems are designed to eliminate or minimize infiltration of flood waters into the system;
- (viii) New and replacement sanitary sewerage systems are designed and located to eliminate or minimize infiltration of flood water into the system and discharge from the system into the flood waters; and
- (ix) All other utilities and connections to public utilities are designed, constructed, and located to eliminate or minimize flood damage.

(B) Substantially Damaged Residences in Floodway

- (i) For all substantially damaged residential structures, other than farmhouses, located in a designated floodway, the floodplain administrator may make a written request that the Department of Ecology assess the risk of harm to life and property posed by the specific conditions of the floodway. Based on analysis of depth, velocity, flood-related erosion, channel migration, debris load potential, and flood warning capability, the Department of Ecology may exercise best professional judgment in recommending to the local permitting authority repair, replacement, or relocation of a substantially damaged structure consistent with WAC 173-158-076. The property owner shall be responsible for submitting to the local government and the Department of Ecology any information necessary to complete the assessment. Without a favorable recommendation from the department for the repair or replacement of a substantially damaged residential structure located in the regulatory floodway, no repair or replacement is allowed per WAC 173-158-070(1).
- (ii) Before the repair, replacement, or reconstruction is started, all requirements of the NFIP, the state requirements adopted pursuant to 86.16 RCW, and all applicable local regulations must be satisfied. In addition, the following conditions must be met:

 - (a) There is no potential safe building location for the replacement residential structure on the same property outside the regulatory floodway.
 - (b) A replacement residential structure is a residential structure built as a substitute for a legally existing residential structure of equivalent use and size.
 - (c) Repairs, reconstruction, or replacement of a residential structure shall not increase the total square footage of floodway encroachment.
 - (d) The elevation of the lowest floor of the substantially damaged or replacement residential structure is a minimum of three foot higher than the base flood elevation.
 - (e) New and replacement water supply systems are designed to eliminate or minimize infiltration of flood water into the system.
 - (f) New and replacement sanitary sewerage systems are designed and located to eliminate or minimize infiltration of flood water into the system and discharge from the system into the flood waters.
 - (g) All other utilities and connections to public utilities are designed, constructed, and located to eliminate or minimize flood damage.

~~(1) Encroachments are prohibited, including fill, new construction, substantial improvements, or other development unless certification by a registered professional engineer is provided demonstrating through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment will not result in any increase in flood levels during the occurrence of the base flood discharge.~~

~~(2) Construction or reconstruction of residential structures is prohibited within designated floodways, except for (A) repairs, reconstruction, or improvements to a structure which do not increase the ground floor area; and (B) repairs, reconstruction or improvements to a structure, the cost of which does not exceed fifty percent of the market value of the structure either (i) before the repair or reconstruction is started, or (ii) if the structure has been damaged, and is being restored, before the damage occurred. Any~~

~~project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the administrator and which are the minimum necessary to assure safe living conditions, or to structures identified as historic places, may be excluded in the fifty percent.~~

(3) If subsection (1) of this section is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of this article.

3.20.310250 Critical facilities.

Construction of new critical facilities shall be, to the extent possible, located outside the limits of the base floodplain. Construction of new critical facilities shall be permissible within the base floodplain if no feasible alternative site is available. Critical facilities constructed within the base floodplain shall have the lowest floor elevated to three feet or more above the level of the same flood elevation at the site. Floodproofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters. Access routes elevated to or above the level of the base floodplain shall be provided to all critical facilities to the extent possible. Compliance with these requirements must be certified by a registered professional engineer or architect.

3.20.320 Livestock Sanctuaries

Elevated areas for the for the purpose of creating a flood sanctuary for livestock are allowed on farm units where livestock is allowed. Livestock flood sanctuaries shall be sized appropriately for the expected number of livestock and be elevated sufficiently to protect livestock. Proposals for livestock flood sanctuaries shall meet all procedural and substantive requirements of this chapter.

Article VI. Subdivision Development Proposals

3.20.330260 Development proposals.~~Subdivision proposals.~~

All new development proposals, including subdivisions and manufactured home parks, shall comply with the following:

~~(1a)~~ The development shall ~~All subdivision proposals shall~~ be consistent with the need to minimize flood damage;

~~(2b)~~ The development shall ~~All subdivision proposals shall~~ locate and construct public/private utilities to minimize flood damage;

~~(3e)~~ The development shall ~~All subdivision proposals shall~~ have adequate drainage provided to reduce exposure to flood damage; ~~and~~

~~(4d)~~ Where base flood elevation data has not been provided or is not available from another authorized source, it shall be generated for subdivision proposals and other proposed development of 50 lots or 5 acres, whichever is the lesser;~~s.~~

~~(5)~~ For land divisions and boundary line adjustments, a designated buildable area in each lot shall be provided for outside the floodway and be identified on the face of the final plat, short plat, survey or binding site plan mylar, unless the lot is designated for open space or protected by a conservation easement;

~~(6)~~ Roads necessary to access permitted improvements may cross the floodway if no reasonable route exists outside the floodway;

~~(7)~~ Open space lots may be located within the one-hundred-year floodplain;

(8e) Pursuant to Section ~~12.08.10012.40.080 of this code~~, no development or subdivision or part thereof shall be approved if related improvements such as levees, fills, or other features will individually or collectively significantly increase flood flows, heights, velocities or potential for damage. All development and subdivisions shall be consistent with and in conformance with the requirements of this chapter.

(9f) If a development or subdivision or portion thereof lies within the one-hundred-year floodplain, conformance with all applicable local, state and federal requirements shall be required including, but not limited to, this chapter, the Chelan County zoning resolution, the Chelan County subdivision resolution, the Chelan County critical areas overlay districts, and the Chelan County shoreline master program.

(10) If a development proposal will alter the base flood elevation or boundaries of the special flood hazard area, then the project proponent shall provide the floodplain administrator with engineering documentation and analysis regarding the proposed change. If the change to the base flood elevation or boundaries of the special flood hazard area would normally require a Letter of Map Change, then the project proponent shall initiate, and receive approval of, a Conditional Letter of Map Revision (CLOMR) prior to approval of the development permit. The project shall be constructed in a manner consistent with the approved CLOMR.

If a CLOMR application is made, then the project proponent shall also supply the full CLOMR documentation package to the floodplain administrator to be attached to the floodplain development permit, including all required property owner notifications.

Article VII. Review of Building Permits

~~high water marks, photographs of past flooding, etc., where available. (Res. 2003-70 (part), 5/27/03).~~

Article VIII. Enforcement, Variances and Penalties

3.20.~~340280~~ Violations and fines.

It is unlawful for a person, firm, or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, equip, use, occupy, or maintain any building, structure, or activity or cause or permit the same to be done, in violation of this chapter.

3.20.~~350290~~ Action to restrain violations.

Whenever any development is being undertaken contrary to the provisions of this chapter, the floodplain administrator shall order the work stopped on the development by serving notice in writing on any persons engaged in or causing such work to be done; and any such person shall stop such work until authorized by the floodplain administrator to proceed. If the violation still continues or is still in effect, the matter shall be referred to the Chelan County code enforcement officer, hearing examiner, and/or prosecuting attorney who shall commence action to restrain and enjoin further activities in violation of this chapter.

3.20.~~36090~~ Permits prohibited.

No building permit, septic tank permit, or land use permit shall be issued, nor shall service from the Chelan County Public Utility District #1 be connected, to any development or activity in violation of this chapter.

3.20.~~3710~~ Penalties.

Any person, firm or corporation violating any provisions of this chapter shall be subject to enforcement action and penalties pursuant to the enforcement and violation provisions of the Chelan County Code.

3.20.3820 Variance procedure.

The hearing examiner is authorized to grant variances from the requirements of this chapter subject to the following general and specific requirements. The hearing examiner may attach such conditions to the granting of variances as deemed necessary to further the purposes of this chapter.

(1) General Requirements.

~~(A)~~ No variance shall be granted unless it can be shown that all of the following conditions exist:

~~(A) The variance is necessary for the preservation of a property right of the applicant substantially the same as is possessed by owners of other property in the same neighborhood or district and shall not constitute a grant of special privilege.~~

~~(B)~~ The plight of the applicant is due to unique ~~circumstances~~ physical characteristics, such as topography, lot size or shape, ~~or size of buildings~~, over which the applicant has no control.

~~(ii)~~ ~~C~~ The hardship asserted by the applicant is not the result of the applicant's or the owner's action.

~~(iii)~~ ~~D~~ The authorization of the variance shall not be materially detrimental to the public welfare and safety, to the purposes of this chapter, be injurious to the property in the same district or neighborhood in which the property is located, or be otherwise detrimental to the objectives of the comprehensive plan.

~~(iv)~~ ~~E~~ The hardship asserted by the applicant results from the application of this chapter to the property.

(2) Specific Requirements.

~~(A) In considering variance applications, the Hearing Examiner shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this ordinance, and Generally, the only condition under which a variance from the elevation standard may be issued is for new construction and substantial improvements to be erected on a lot of one half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing that the following items have been fully considered:-~~

- (i) The danger that materials may be swept onto other lands to the injury of others;
- (ii) The danger to life and property due to flooding or erosion damage;
- (iii) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
- (iv) The importance of the services provided by the proposed facility to the community;
- (v) The necessity to the facility of a waterfront location, where applicable;
- (vi) The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
- (vii) The compatibility of the proposed use with existing and anticipated development;
- (viii) The relationship of the proposed use to the comprehensive plan and floodplain management program for the area;

- (ix) The safety of access to the property in times of flood for ordinary and emergency vehicles;
- (x) The expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and
- (xi) The costs of providing government services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.

~~(B) Variances may be issued for the reconstruction, rehabilitation, or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in this section.~~

~~(C) Variances shall not be issued within a designated floodway if any increase in flood levels during the base flood discharge would result.~~

~~(D) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.~~

~~(E) Variances shall only be issued upon:~~

~~(i) Upon a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances;~~

~~(ii) For the repair, rehabilitation, or restoration of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure;~~

~~(iii) Upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief;~~

~~(iv) Upon a showing of good and sufficient cause;~~

~~(v) Upon a determination that failure to grant the variance would result in exceptional hardship to the applicant;~~

~~(vi) Upon a showing that the use cannot perform its intended purpose unless it is located or carried out in close proximity to water. This includes only facilities defined in Section 3.20.100 in the definition of "Functionally Dependent Use."~~

~~(i) A showing of good and sufficient cause;~~

~~(ii) A determination that failure to grant the variance would result in exceptional hardship to the applicant;~~

~~(viii) Upon a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.~~

~~(F) Variances as interpreted in the National Flood Insurance Program are based on the general zoning law principle that they pertain to a physical piece of property; they are not personal in nature and do not pertain to the structure, its inhabitants, economic or financial circumstances. They~~

~~primarily address small lots in densely populated residential neighborhoods. As such, variances from the flood elevations should be quite rare.~~ (E) Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood elevation, provided the procedures of Articles III and IV of this ordinance have been fully considered. As the lot size increases beyond one-half acre, the technical justification required for issuing the variance increases.

~~(G) Variances may be issued for nonresidential buildings in very limited circumstances to allow a lesser degree of floodproofing than watertight or dry flood proofing, where it can be determined that such action will have low damage potential, complies with all variance criteria and the general standards of this chapter.~~

(3) Additional requirements for the issuance of a variance.

(A) Any applicant to whom a variance is granted shall be given written notice over the signature of a community official that:

(i) The issuance of a variance to construct a structure below the base flood elevation will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage, and

(ii) Such construction below the base flood elevation increases risks to life and property.

(B) The floodplain administrator shall maintain a record of all variance actions, including justification for their issuance.

(C) The floodplain administrator shall condition the variance as needed to ensure that the requirements and criteria of this chapter are met.

(D) Variances as interpreted in the National Flood Insurance Program are based on the general zoning law principle that they pertain to a physical piece of property; they are not personal in nature and do not pertain to the structure, its inhabitants, economic or financial circumstances. They primarily address small lots in densely populated residential neighborhoods. As such, variances from the flood elevations should be quite rare.

~~(H) Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation. (Res. 2003 70 (part), 5/27/03).~~



CHELAN COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT
316 WASHINGTON STREET, SUITE 301, WENATCHEE, WA 98801
TELEPHONE: (509) 667-6225 FAX: (509) 667-6475

**ISSUANCE OF
DETERMINATION OF NONSIGNIFICANCE**

Description of Proposal: Amendments for Chelan County Code Chapter 3.20 Flood Hazard Development. The purpose of the Flood Hazard Development regulations is to promote public safety and minimize public and private losses through implementing design standards for all development within known flood hazard areas, such as the floodplain or Special Flood Hazard Area. The proposed amendments are the result of Federal Emergency Management Agency (FEMA) review of County Flood Hazard Development Codes.

Proponent: Chelan County, Washington

Location of Proposal: The proposed amendment cover all of unincorporated Chelan County

Lead agency: Chelan County Department of Community Development

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030 (2) (c). The decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public upon request.

This DNS is issued under 197-11-340(2). The lead agency will not act on this proposal for fourteen (14) days from the date of publication on March 18, 2020.

Responsible Official: Deanna Walter
Position/Title: SEPA Responsible Official
Interim Director, Chelan County Department of Community
Development
Phone: 509-667-6228
Address: 316 Washington Street, Suite 301
Wenatchee, WA 98801

Deanna Walter, SEPA Responsible Official

Date of Issuance: March 13, 2020 Date of Publication: March 18, 2020

SEPA ENVIRONMENTAL CHECKLIST

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

The help links in this checklist are intended to assist users in accessing guidance on the checklist questions. Links are provided to the specific sections of the guidance applicable to the questions. However, the links may not work correctly on all devices. If the links do not work on your device, open the guidance at www.ecy.wa.gov/programs/sea/sepa/apguide/EnvChecklistGuidance.html and navigate to the appropriate section.

Use of checklist for nonproject proposals:

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the [SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS \(part D\)](#). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

A. Background

1. Name of proposed project, if applicable:
Text Amendments to Chelan County Code Chapter 3.20 Flood Hazard Development
2. Name of applicant:
Chelan County
3. Address and phone number of applicant and contact person:
Kirsten Larsen, AICP
316 Washington Street, Suite 301
Wenatchee, WA. 98801
Phone: 509-667-6246
Email: kirsten.larsen@co.chelan.wa.us
4. Date checklist prepared:
March 12, 2020
5. Agency requesting checklist:
Chelan County
6. Proposed timing or schedule (including phasing, if applicable):
The proposed amendments are tentatively scheduled to be heard by the Planning Commission on March 25, 2020 and the Board of County Commissioners in Spring 2020.
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.
Does not apply
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.
N/A
9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain
No.
10. List any government approvals or permits that will be needed for your proposal, if known.

Requires approval by the Chelan Board of County Commissioners.
11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this

page. (Lead agencies may modify this form to include additional specific information on project description.)

The purpose of the Flood Hazard Development regulations is to promote public safety and minimize public and private losses through implementing design standards for all development within known flood hazard areas, such as the floodplain or Special Flood Hazard Area.

The proposed amendments are the result of Federal Emergency Management Agency (FEMA) review of County Flood Hazard Development Codes. Further, the amendments have been through an internal review, resulting in a few minor modifications to the Federal recommendations.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

Chelan County

B. Environmental Elements

1. Earth

a. General description of the site:

(circle one): Flat, rolling, hilly, steep slopes, mountainous, other _____

N/A

b. What is the steepest slope on the site (approximate percent slope)?

N/A

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

N/A

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

N/A

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

N/A

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

N/A

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

N/A

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

N/A

2. Air

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

N/A

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

N/A

c. Proposed measures to reduce or control emissions or other impacts to air, if any:

N/A

3. Water

a. Surface Water:

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

N/A

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

N/A

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

N/A

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

N/A

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

N/A

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

N/A

b. Ground Water:

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

N/A

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

N/A

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

N/A

2) Could waste materials enter ground or surface waters? If so, generally describe.

N/A

3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

N/A

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

N/A

4. **Plants**

a. Check the types of vegetation found on the site:

deciduous tree: alder, maple, aspen, other

evergreen tree: fir, cedar, pine, other

shrubs

grass

pasture

crop or grain

Orchards, vineyards or other permanent crops.

wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other

water plants: water lily, eelgrass, milfoil, other

other types of vegetation

N/A

b. What kind and amount of vegetation will be removed or altered?

N/A

c. List threatened and endangered species known to be on or near the site.

N/A

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

N/A

e. List all noxious weeds and invasive species known to be on or near the site.

N/A

5. *Animals*

a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site.

Examples include:

birds: hawk, heron, eagle, songbirds, other:

mammals: deer, bear, elk, beaver, other:

fish: bass, salmon, trout, herring, shellfish, other _____

N/A

b. List any threatened and endangered species known to be on or near the site.

N/A

c. Is the site part of a migration route? If so, explain.

N/A

d. Proposed measures to preserve or enhance wildlife, if any:

N/A

e. List any invasive animal species known to be on or near the site.

N/A

6. *Energy and Natural Resources*

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

N/A

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

N/A

c. What kinds of energy conservation features are included in the plans of this proposal?

List other proposed measures to reduce or control energy impacts, if any:

N/A

7. Environmental Health

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

- 1) Describe any known or possible contamination at the site from present or past uses.

N/A

- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

N/A

- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

N/A

- 4) Describe special emergency services that might be required.

N/A

- 5) Proposed measures to reduce or control environmental health hazards, if any:

N/A

b. Noise

1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

N/A

2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

N/A

3) Proposed measures to reduce or control noise impacts, if any:

N/A

8. Land and Shoreline Use

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

N/A

b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

N/A

1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

N/A

c. Describe any structures on the site.

N/A

d. Will any structures be demolished? If so, what?

N/A

e. What is the current zoning classification of the site?

N/A

f. What is the current comprehensive plan designation of the site?

N/A

g. If applicable, what is the current shoreline master program designation of the site?

N/A

h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

i. Approximately how many people would reside or work in the completed project?

N/A

j. Approximately how many people would the completed project displace?

N/A

k. Proposed measures to avoid or reduce displacement impacts, if any:

N/A

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

N/A

m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:

N/A

9. Housing

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

N/A

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

N/A

c. Proposed measures to reduce or control housing impacts, if any:

N/A

10. Aesthetics

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

N/A

b. What views in the immediate vicinity would be altered or obstructed?

N/A

b. Proposed measures to reduce or control aesthetic impacts, if any:

N/A

11. Light and Glare

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

N/A

b. Could light or glare from the finished project be a safety hazard or interfere with views?

N/A

c. What existing off-site sources of light or glare may affect your proposal?

N/A

d. Proposed measures to reduce or control light and glare impacts, if any:

N/A

12. Recreation

a. What designated and informal recreational opportunities are in the immediate vicinity?

N/A

b. Would the proposed project displace any existing recreational uses? If so, describe.

N/A

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

N/A

13. Historic and cultural preservation

a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.

N/A

b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

N/A

c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

N/A

d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

N/A

14. Transportation

a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

N/A

b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

N/A

c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

N/A

d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

N/A

e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

N/A

f. How many vehicular trips per day would be generated by the completed project or proposal? If known,

indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

N/A

g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

N/A

h. Proposed measures to reduce or control transportation impacts, if any:

N/A

15. Public Services

a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

N/A

b. Proposed measures to reduce or control direct impacts on public services, if any.

N/A

16. Utilities

a. Circle utilities currently available at the site:
electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system,
other _____


N/A

c. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

N/A

C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature:  _____

Name of signee: Kirsten Larsen, AICP

D. supplemental sheet for nonproject actions

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

The proposed amendments would not likely result in an increase discharge to water, emissions to air, relate to hazardous substances or produce noise. Projects reviewed under CCC Chapter 3.20 may trigger a project level SEPA analysis which will address impacts and mitigation measures or the impacts and mitigation measures are already addressed in the code.

Proposed measures to avoid or reduce such increases are:

A review of all uses and developments would be reviewed through the permit process. All projects would be required to adhere to Federal, State, and local requirements.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

The proposed regulations would not result in a direct impact and each project will be reviewed and, when appropriate, be required to mitigate impacts.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

Each proposed amendment will modify uses or developments which will be reviewed and, when appropriate, required to mitigate impacts.

3. How would the proposal be likely to deplete energy or natural resources?

The development of land uses may require additional energy sources which would be determined at the time of the proposed use or development.

No depletion of natural resources is likely based on the type of proposed amendments.

Proposed measures to protect or conserve energy and natural resources are:

Each proposed amendment will modify uses or developments which will be reviewed for availability, as appropriate, with the service provider. Applicants may have to provide alternatives to traditional energy sources if the service is not available or is determined inadequate for the proposed use or development.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

The proposed amendments would not likely affect environmentally sensitive areas.

Proposed measures to protect such resources or to avoid or reduce impacts are:

Each proposed amendment will modify uses or developments which may require review for potential impacts. If impacts are identified a mitigation or modification may be required.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

The proposed amendments are consistent with existing plans.

Proposed measures to avoid or reduce shoreline and land use impacts are:

The proposed amendments would be regulated through the building permit process or code enforcement to address potential impacts.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

The proposed amendment will not directly result in impacts. Each project will be required to review transportation and meet code requirements in place at that time.

Proposed measures to reduce or respond to such demand(s) are:

Project review would occur with permits required for the individual projects.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

The proposed amendments do not conflict with local, state or federal laws relating to environmental protection.



STATE OF WASHINGTON
DEPARTMENT OF COMMERCE
1011 Plum Street SE • PO Box 42525 • Olympia, Washington 98504-2525 • (360) 725-4000
www.commerce.wa.gov

02/24/2020

Mr. Jason Detamore
Environmental Manager
Chelan County
316 Washington Street Suite 301
Wenatchee, WA 98801

Sent Via Electronic Mail

Re: Chelan County--2020-S-1225--60-day Notice of Intent to Adopt Amendment

Dear Mr. Detamore:

Thank you for sending the Washington State Department of Commerce (Commerce) the 60-day Notice of Intent to Adopt Amendment as required under [RCW 36.70A.106](#). We received your submittal with the following description.

Proposed amendment to update language in county code chapter 3.20 Flood Hazard Development. The proposed amendments are the result of Federal Emergency Management Agency (FEMA) review of County Flood Hazard Development Codes.

We received your submittal on 02/24/2020 and processed it with the Submittal ID 2020-S-1225. Please keep this letter as documentation that you have met this procedural requirement. Your 60-day notice period ends on 04/24/2020.

We have forwarded a copy of this notice to other state agencies for comment.

Please remember to submit the final adopted amendment to Commerce within ten days of adoption.

If you have any questions, please contact Growth Management Services at reviewteam@commerce.wa.gov, or call Scott Kuhta, (509) 795-6884.

Sincerely,

Review Team
Growth Management Services

PUBLIC HEARING NOTICE

NOTICE IS HEREBY GIVEN that the Chelan County Planning Commission will be conducting public hearings on **March 25th at 6:00 P.M. in the Chelan County Administration Building, Room 1, 400 Douglas Street, Wenatchee** for:

To make a recommendation to the Board of County Commissioners in regards to proposed text amendments for Chelan County Code Chapter 3.20 Flood Hazard Development. The purpose of the Flood Hazard Development regulations is to promote public safety and minimize public and private losses through implementing design standards for all development within known flood hazard areas, such as the floodplain or Special Flood Hazard Area. The proposed amendments are the result of Federal Emergency Management Agency (FEMA) review of County Flood Hazard Development Codes.

Any person may appear at said public hearing and present testimony orally or in writing. Written submissions will be accepted up to the close of the public hearing. Comments may be mailed or personally delivered at the address listed below.

Copies of the proposed amendments may be reviewed at the Chelan County Department of Community Development, 316 Washington Street, Suite 301, WA 98801, during normal business hours or by calling (509) 667-6225.

(Please publish once ASAP. Send bill and affidavit of publication to Chelan County Dept. of Community Development, 316 Washington St., Suite 301, Wenatchee, WA 98801)

DETERMINATION OF NON-SIGNIFICANCE

PURSUANT to RCW 43.21C, NOTICE IS HEREBY GIVEN THAT on March 13, 2020 Chelan County Community Development (LEAD AGENCY) did issue a determination of non-significance relative to the environmental impact text amendments to Chelan County Code Chapter 3.20: The proposed amendments are the result of Federal Emergency Management Agency (FEMA) review of County Flood Hazard Development Codes. Further, the amendments have been through an internal review, resulting in a few minor modifications to the Federal recommendations. The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21.C.030 (2)(c). This decision was made after review of completed environmental checklist and other information on file with the lead agency. This information is available to the public on request and may be reviewed at Chelan County Community Development, 316 Washington Street, #301, Wenatchee, WA, during normal business hours, Monday-Friday from 8am to 5pm. Comments on this determination should be sent to the above listed address. Comments on the determination must be received by April 1, 2020.

(Please publish once on March 18, 2020. Send bill and affidavit of publication to Chelan County Dept. of Community Development, 316 Washington St., Suite 301, Wenatchee, WA 98801)