new defined term to add clarity when regulating the saltwater flood hazards. Terms is used in chapter title of 18E.70.040.E and Figure 18E.70 - 16

2 substantial Clarifying that mapping sources, e.g. flood insurance rate maps, are not development regulations within PPC 18 series
18E.20.030 Exemptions
Aligning the definition with the federal definition and clarifying what is certified on a floodproof project. yes
18.25.030 Coastal flood fringe area that is referenced in 18E.70.040.E and Figure 18E.70 - 16
clarifies the standard used when reviewing a building permit, such as the effective flood map. This is required for participation in the NFIP and in the case of stormwater standards supported by Supreme Court rulings.

3 minor new definition of "coastal flood fringe area" that is referenced in 18E.70.040.E and Figure 18E.70 - 16
18E.20.030 Exemptions
new defined term to add clarity when regulating the saltwater flood hazards. Terms is used in chapter title of 18E.70.040.E and Figure 18E.70 - 16

4 minor 18.25 Definitions - Refuse CMZ floodway to be only severe risk areas
18E.20.030 Exemptions
clarifying definition to add saltwater flood hazards.

5 minor Clarify definition to align with I-Codes and FEMA forms
18E.20.030 Exemptions
No, new defined term to add clarity when regulating the saltwater flood hazards. Terms is used in chapter title of 18E.70.040.E and Figure 18E.70 - 16

6 minor Clarify definition to align with FEMA standards
18E.20.030 Exemptions
No, new defined term to add clarity when regulating the saltwater flood hazards. Terms is used in chapter title of 18E.70.040.E and Figure 18E.70 - 16

7 minor Clarify definition to align with FEMA standards
18E.20.030 Exemptions
No, new defined term to add clarity when regulating the saltwater flood hazards. Terms is used in chapter title of 18E.70.040.E and Figure 18E.70 - 16

8 moderate Adopt two new channel migration zone studies
18E.10.140 Appendix A-F
clarifying what is certified on a floodproof project. yes

9 no new defined term to add clarity when regulating the saltwater flood hazards. Terms is used in chapter title of 18E.70.040.E and Figure 18E.70 - 16

10 moderate returning exemption language to pre-2016
18E.20.030 Exemptions
Correcting an error of omission introduced in the Shoreline update. Clarifying the exemption does not apply in the life safety hazards of flood and landslide areas. This is necessary to be in the NFIP.

ID | Minor, Moderate or Substantial | Description | Code Citation(s) | Proposed code change | Statement | NFR | Rationale
--- | --- | --- | --- | --- | --- | --- | ---
1 | minor | new definition of "coastal flood fringe area" that is referenced in 18E.70.040.E and Figure 18E.70 - 16 | 18E.25.030 coastal fringe areas for floodplain management purposes are in the areas landward of the base flood elevation but less than two feet below the base flood elevation. It does not include areas mapped as a 2% a 1% or a special purpose flood plain which has been approved by FEMA requiring the high ground from the coastal flood hazard zone. This area is in or due to the priority of a high hazard and a possibility of waves and surge that could be damaging to a structure not built to coastal standards. | | yes | new defined term to add clarity when regulating the saltwater flood hazards. Terms is used in chapter title of 18E.70.040.E and Figure 18E.70 - 16

2 | substantial | Clarifying that mapping sources, e.g. flood insurance rate maps, are not development regulations within PPC 18 series | 18E.20.030 Exemptions | | yes | proposal language will meet FEMA NFR requirement to use current and updated flood data. For stormwaters the Washington Supreme Court ruled in Southern Co. v. Pollution Control Hearings Board, 187 Wn. 2 nd 944 (2016) and it is in the requirements of the County’s MPDR permit

3 | minor | new definition of "coastal flood fringe area" that is referenced in 18E.70.040.E and Figure 18E.70 - 16 | 18E.20.030 Exemptions | | yes | | new defined term to add clarity when regulating the saltwater flood hazards. Terms is used in chapter title of 18E.70.040.E and Figure 18E.70 - 16

4 | minor | 18.25 Definitions - Refuse CMZ floodway to be only severe risk areas | 18E.20.030 Exemptions | | no | No, new defined term to add clarity when regulating the saltwater flood hazards. Terms is used in chapter title of 18E.70.040.E and Figure 18E.70 - 16

5 | minor | Clarify definition to align with I-Codes and FEMA forms | 18E.20.030 Exemptions | | no | The concept of floodway or "point of compliance" are not defined in code but represented in required structural standards in 18E.70.060.C-6. The term “design flood elevation” is used in 18E.70.060.C-10 to set the construction height of floodway elevations and is also in the NFIP Elevation Certificate (Line 1022) for administering local construction standards. In common use it is expected that “design flood elevation” would replace the term “point of compliance” for explaining the construction freeboard standards.

6 | minor | Clarify definition to align with FEMA standards | 18E.20.030 Exemptions | | no | No, new defined term to add clarity when regulating the saltwater flood hazards. Terms is used in chapter title of 18E.70.040.E and Figure 18E.70 - 16

7 | minor | Clarify definition to align with FEMA standards | 18E.20.030 Exemptions | | yes | Flood insurance and floodplain management are in the same and need to be merged in this definition. Additionally, generalizing the function rather than a long list of certain structures that have overlapping definitions.

8 | moderate | Adopt two new channel migration zone studies | 18E.10.140 Appendix A-F | | no | These geomorphic studies have been completed by licensed geologist and accepted by the staff for meeting standards and representing best available science. These are the last two major river segments with potential development areas listed in 18E.70.060.A for channel migration zones mapped. Adding these studies to the 18E.10.140 Appendix A – Mapping Sources indicates adoption by Pierce County whereby the severe areas mapped in these studies would be regulated as CMZ floodway.

9 | no | new defined term to add clarity when regulating the saltwater flood hazards. Terms is used in chapter title of 18E.70.040.E and Figure 18E.70 - 16

10 | moderate | returning exemption language to pre-2016 | 18E.20.030 Exemptions | | yes | Projects often have multiple facets where a single element may appear to meet an exempted activity but the project could also allow participation in other Titles or the broader project could trigger additional review. Proposers need to discuss the exemptions with staff to ensure a successful outcome.
11 minor adding flood and landslide area caveat in the exemption for safety issues, to avoid adverse impacts on other properties, and maintain compliance with NFIP

18E.20.030.A.3 A residential building permit for a lot which was created through a land division action subject to previous reports and assessments as required under this Title; when the activity is not located in a flood hazard area or active landslide hazard area;

The described work in a floodplain can cause adverse impacts to adjacent landowners and be non-compliant with the NFIP. Clarifying the exemption does not apply in the life safety hazards of flood and landslide areas.

12 minor 18E.20.030.A.4 “Code Revision’s note” A maintenance of lawfully established landscaping and gardens within a regulated critical area or its buffer (including but not limited to mowing lawns, weeding, removal of noxious and invasive species as identified by Pierce County, harvesting and replanting of garden crops, pruning and planting of vegetation to maintain the condition and appearance of such areas as they existed on the referenced date

Building permits for development in SFHA must be obtained from the Pierce County Building Department and are subject to review by Pierce County Planning and Development. Building permits are necessary to prevent adverse impacts to listed species and property. It is also advisable water utility crossings of the Puyallup River are artificial channels. Title 17A waives site development permits only when minor redevelopment is a minimum of 25 feet from a drainage course/ natural flood area and does not qualify for a blanket exemption.

13 minor adding condition to cause no adverse flood impacts

18E.20.030.A.5 An unpaved access path from a residential dwelling to a shoreline is allowed if:

The described work in a floodplain can cause adverse impacts to adjacent landowners and be non-compliant with the NFIP. Clarifying the exemption does not apply in the life safety hazards of flood and landslide areas.

14 substantial qualified the exemption from for activities that caused to flooding or aggravate a landslide risk

18E.20.030.A.11 Activities in artificial channels that are not in a mapped waterfront, flood hazard area or active landslide area.

Building permits for development in SFHA must be obtained from the Pierce County Building Department and are subject to review by Pierce County Planning and Development. Building permits are necessary to prevent adverse impacts to listed species and property. It is also advisable water utility crossings of the Puyallup River are artificial channels. Title 17A waives site development permits only when minor redevelopment is a minimum of 25 feet from a drainage course/ natural flood area and does not qualify for a blanket exemption.

15 minor adding flood areas caveat in the exemption to avoid adverse impacts on other properties and maintain compliance with NFIP

18E.20.030.A.12 Activities on improved portions of roads, rights-of-way, or easements, provided there is no expansion of ground cover, no reduction in flood storage, and no increase in flood velocities.

Building permits for development in SFHA must be obtained from the Pierce County Building Department and are subject to review by Pierce County Planning and Development. Building permits are necessary to prevent adverse impacts to listed species and property. It is also advisable water utility crossings of the Puyallup River are artificial channels. Title 17A waives site development permits only when minor redevelopment is a minimum of 25 feet from a drainage course/ natural flood area and does not qualify for a blanket exemption.

16 minor remove exemption with no history of use an

18E.20.030.A.14 Activities designed for purposes consistent with emergency preparedness or critical areas are not adverse impacts.

Building permits for development in SFHA must be obtained from the Pierce County Building Department and are subject to review by Pierce County Planning and Development. Building permits are necessary to prevent adverse impacts to listed species and property. It is also advisable water utility crossings of the Puyallup River are artificial channels. Title 17A waives site development permits only when minor redevelopment is a minimum of 25 feet from a drainage course/ natural flood area and does not qualify for a blanket exemption.

17 minor Add condition that this exemption does not apply to flood hazards or active landslide areas

18E.20.030.A.17 Activities in artificial waterbodies intentionally created from upland to serve as mitigation are regulated.

Building permits for development in SFHA must be obtained from the Pierce County Building Department and are subject to review by Pierce County Planning and Development. Building permits are necessary to prevent adverse impacts to listed species and property. It is also advisable water utility crossings of the Puyallup River are artificial channels. Title 17A waives site development permits only when minor redevelopment is a minimum of 25 feet from a drainage course/ natural flood area and does not qualify for a blanket exemption.

18 minor adding flood and landslide area caveat in the exemption for safety issues, to avoid adverse impacts on other properties, and maintain compliance with NFIP

18E.20.030.A.18 Maintenance or reconstruction of existing graded roads, driveways, or drainage systems, and walls, provided the activity is not located in a flood hazard area or active landslide hazard area, that reconstruction does not involve expansion of facilities, widening, or relocation. Mitigation sequencing is required for temporary impacts associated with reconstruction.

Replacement of ODS and wells are explicitly regulated in 17E.040.C.10. The other development activities listed here also need review. Fix to the flood hazard and likely an active landslide area. This could allow for just maintenance but the reconstruction is a problem.

19 minor adding flood and landslide area caveat in the exemption for safety issues, to avoid adverse impacts on other properties, and maintain compliance with NFIP

18E.20.030.A.19 Public and private utility line work (residential, commercial, municipal, and repair) within improved areas (i.e., driveways, parking lots, concrete or asphalt surfaces, graded roads and road shoulders, and hard surface-water rights of way, or easements) when the activity is not located in a flood hazard area or active landslide hazard area.

Non problem is new utility work that could possible avoid a hazard with proper review and design. Without a current that there can be cut change in existing grade even maintenance becomes an issue. We (SWM) have found it shows problems with orphan utility crossings of the Puyallup River when we had no notification. A blanket exemption is problematic.

20 minor RCE18E.220.030.A.20 Activities in artificial wetland areas or other properties, and maintain compliance with NFIP

RCE18E.220.030.A.20 Activities in artificial wetland areas or other properties, and maintain compliance with NFIP

Removing exemption that raises NFIP compliance concerns and staff have no knowledge of its use or example of this event.

NOTE FROM FEMA Not compliant with the NFIP. Clarifying the exemption does not apply in the life safety hazards of flood and landslide areas.

RESPONSE: The exemption appears to be an artifact from past revisions and can now be deleted.
21 substantial

18E.20.030.A.23

Maintenance or reconstruction of existing, lawfully established public facilities, provided that reconstruction does not involve expansion of the facility or substantial improvement of a building. Mitigation sequencing is required for temporary impacts associated with reconstruction.

B. Roads, paths, bicycle ways, trails, bridges, replacement sewer systems, and associated items drain facilities or other public rights-of-way provided that in a

C. Flood control improvements such as, but not limited to, levees, levees, floodwalls, regional storm drainage facilities, drainage structures, or channel capacity projects to prevent public infrastructure and/or existing enhancement when administered by Pierce County Planning and Public Works. 18E.20.030.A.22 provides that the work shall: (a) last no more than three years; (b) last no more than ten years; (c) last no longer than 3 years; (d) last no longer than 10 years.

22 moderate

18E.20.030.A.23

Technical correction removing reference to FEMA mapped hazard.

A. Moderate Technical correction removing reference to FEMA mapped hazard.

B. Fish/Wildlife activities will mitigate the permitting requirements.

C. Fish/Wildlife activities would mitigate the permitting requirements.

D. Fish/Wildlife activities to mitigate the permitting requirements.

23 new

18E.20.030.A.23

This section defines the types of projects or situations that may be waivered from or partially modified.

A. This section is not applicable to projects or situations in flood hazard areas.

B. A determination of the appropriate zone will be made by County staff through discussion with an applicant or referred to an appropriate zone. An applicant waived from the review requirements of this section may still be required to complete title and land division notification, and critical area boundary identification requirements.

24 new

18E.20.030.A.23

Deleting reference to obsolete code.

A. The cited 18E.20.030.F and G was not applicable in a flood hazard or active landslide hazard area removed in the 2013 SMP update and there is no equivalent exemption language in 18E.20.030.A to point to.

25 new

18E.20.030.A.23

Restricting paragraph for clarity, correcting an error that conflicted with roadway standards, and directing reference to obsolete code.

A. Roadway – Natural Migration Zones. Structures that are located in roadway zones by the fact they are in the Channel Migration Zones, may only be allowed to be restored up to the limits of substantial improvement, as set forth in 18E.20.030.F and G if the structure is damaged or destroyed as a result of flooding or channel migration. Damage as a result of flooding or other causes may be restored or replaced as described in 18E.20.030.F and G.

B. Floodway – Flood Protection Zones. These zones are located in roadway zones by the fact they are in the Channel Migration Zones, may only be allowed to be restored up to the limits of substantial improvement, as set forth in 18E.20.030.F and G, if the structure is damaged or destroyed as a result of flooding or channel migration. Damage as a result of flooding or other causes may be restored or replaced as described in 18E.20.030.F and G.

26 new

18E.20.030.A.23

Correcting topographical error so that moderate (habitat) rather than low (unhatched) risk areas are a regulated flood hazard.

A. FEMA’s Flood Insurance Rate Map (FIRM), provides moderate (habitat) rather than low (unhatched) risk areas as a regulated flood hazard.
<table>
<thead>
<tr>
<th>ID</th>
<th>Minor, moderate or substantial changes</th>
<th>Code (status) change</th>
<th>Statement</th>
<th>Rationale</th>
</tr>
</thead>
<tbody>
<tr>
<td>28</td>
<td>minor</td>
<td>18E.70.040.C.8.b</td>
<td>3. Placement of essential facilities structures for the purpose of fish habitat enhancement, stream restoration, and monitoring, where structures are outside of the FEMA flood plain and it is really apparent that such placement will not negatively impact adjacent properties or heightened flood risk.</td>
<td>FEMA NOTES: see 40 CFR 60.1(j). If placement of essential facilities structures in a FEMA floodway, a zero-rise analysis is required, there is no exemption for fish enhancement or stream restoration projects. Please refer to FEMA FLOODFlash from this water risk.</td>
</tr>
<tr>
<td>29</td>
<td>minor</td>
<td>18E.70.040.C.8.a</td>
<td>The project is prepared under the responsible charge of and is signed and dated by a registered professional engineer in the State of Washington. The project shall be designed so the project does not result in any increase in flood levels during the occurrence of the base flood discharge (zero-rise) nor obstruct the floodway nor cause an adverse impact to critical fish or wildlife habitat on adjacent, cross-channel, or upstream or downstream properties and will keep documentation on the project how the project meets those requirements.</td>
<td>The question of how the county documents its projects has been added under other audits. A certification is warranted. FEMA NOTES: How does the county account for these developments? Are permits obtained?</td>
</tr>
<tr>
<td>30</td>
<td>minor</td>
<td>18E.70.040.C.8.a</td>
<td>2. A Federal Emergency Management Agency (FEMA) elevation certificate shall be required for new construction, additions affixed to the side of a structure, and substantial improvements located within flood hazard areas. The most current version of the FEMA elevation certificate must be completed by a professional land surveyor, currently licensed in the State of Washington, and kept on file with the Pierce County Planning and Public Works Department.</td>
<td>RESPONSE: the office who reviews permits reviews all plans built to this standard and the code is required to keep a record of elevation determinations.</td>
</tr>
<tr>
<td>31</td>
<td>minor</td>
<td>18E.70.040.C.8.a</td>
<td>The requirement for compensatory storage may be waived at the discretion of a Pierce County Certified Floodplain Manager in flood hazard areas.</td>
<td>FEMA NOTES: see for repairs, reconstruction, replacement, or improvements to existing non-residential agricultural structures.</td>
</tr>
<tr>
<td>32</td>
<td>moderate</td>
<td>18E.70.040.C.8.a</td>
<td>3. Dry flood proof all electrical, heating, ventilation, plumbing, air conditioning equipment, and other utility and service facilities to, or elevated above, the flood plane.</td>
<td>FEMA NOTES: for repairs, reconstruction, replacement, or improvements to existing non-residential agricultural structures.</td>
</tr>
<tr>
<td>35</td>
<td>moderate</td>
<td>18E.70.040.C.8.a</td>
<td>The flood protection structure shall be designed and constructed to protect the essential facilities structures from the base flood discharge and substantially exceed the protection provided by natural levees, engineered flood openings, existing floodproofing, and drainage systems.</td>
<td>FEMA NOTES: Not consistent with the NEP. Areas below A-16 &amp; A-24-16 floodproofed structures that allow the entry and exit of floodwaters requires the &quot;dry floodproofing&quot;. The floodproofing performance standard are to be &quot;authorized&quot;. 40 CFR 60.3(j).</td>
</tr>
<tr>
<td>36</td>
<td>minor</td>
<td>18E.70.040.C.8.a</td>
<td>4. [Dry flood proof] Structural, swimming, ventilation, plumbing, air conditioning, and other utility and service facilities to, or elevated above, the flood protection elevation.</td>
<td>RESPONSE: water proofing floodproofing is not allowed without a variance. Delete this option that has not been utilized in the above zones since adopted.</td>
</tr>
<tr>
<td>37</td>
<td>minor</td>
<td>18E.70.040.C.8.a</td>
<td>The twostream sanctuary is a self-farming operation located within an Agricultural Resource Land (ARL), Rural Farm (RF), Rural Separated (Sep) or Rural 10 (RF-10) zone and located on the same site as the farming operations.</td>
<td>Not critical features (e.g. hospitals, fire stations, schools) use a self-determined- grade foundation construction method. Our current code list a standard for a foot pond and elevation and does not specify a grade. This change will give clarity to the designer.</td>
</tr>
<tr>
<td>38</td>
<td>minor</td>
<td>18E.70.040.C.8.a</td>
<td>Electrical, heating, ventilation, plumbing, air-conditioning equipment, other service facilities, and associated ductwork shall be elevated to at least two feet above the base flood elevation according to the most current FEMA floodplain management regulations. However, the Department may approve a lower minimum distance above base flood elevation provided that the systems are designed to prevent floodwater from entering or accumulating within the compartments. (See Figure 18E.70.040.C.8.a)</td>
<td>FEMA NOTES: Not consistent with the NEP. Areas below A-16 &amp; A-24-16 floodproofed structures that allow the entry and exit of floodwaters requires the &quot;dry floodproofing&quot;. The floodproofing performance standard are to be &quot;authorized&quot;. 40 CFR 60.3(j).</td>
</tr>
<tr>
<td>39</td>
<td>minor</td>
<td>18E.70.040.C.8.a</td>
<td>All utilities are to be elevated the same minimum height regardless of foundation style. Removes a conflict in code and is consistent with flood figures and long standing implementation of standards.</td>
<td>RESPON: the office who reviews permits reviews all plans built to this standard and the code is required to keep a record of elevation determinations.</td>
</tr>
</tbody>
</table>
add more flexibility in placing a new OSS on a parcel. We have not had issues with small OSS findings in our typical flood zone studies and design criteria remain unchanged.

39. restructure coastal structure standards for clarity and allow new foundation type in the coastal flood fringe

A new foundation type is allowed in the coastal flood fringe for an additional 12 feet above the base flood elevation. (See Figure 18E.70-14 for New construction, additions affixed to the side of an existing structure, and substantial improvement of any structure located seaward of a line 2 feet above the new flood elevation may be allowed when elevated on a slab on grade with a stem wall foundation provided:

(a) The footing of the stemwall is placed on existing subgrade and any fill in front of the stemwall is placed per Figure 18E.70-14.
(b) The structure must be designed by a professional structural engineer.
(c) All new individual wells and new on-site sewage system (OSS) conveyance systems from a structure to a well or OSS located outside of the mapped V Zone and in the coastal flood fringe area may be allowed when elevated on a slab on grade foundation provided (See Figure 18E.70-14).
(d) The footing of the stemwall is placed on existing subgrade and any fill in front of the stemwall is placed per Figure 18E.70-14.

40. Technical correction to allow new USGS hydrology tools

Calculating flood flows from stream gage data uses the Log-Pearson Type III distribution method as described in the Guidelines for Determining Flood Flow Frequency, Bulletin 17B of the USGS Hydrology Committee, United States Water Resources Council (Reissued 1994) or most current version.

41. modify Figure 18E.70-14 to update code reference

Updating figure to align with current USGS data.

42. moderate Update Shoreline code with the due dates of these changes and removing 18E.70 Flood Hazard Areas from the SMP

Amending the Shoreline Master Program SMP with the package of changes so that they can be effective and enforced within the shoreline jurisdiction. Flood Hazard Areas are being removed from the SMP per Ecology's guidance that they are not necessary to meet the goals of the Shoreline Master Program.

43. clarifying additional activities that can be done in the flood hazard area

Some activities are not allowed in a mapped flood hazard area even if the ground is above the BFE by definition. The shoreline code has a primary purpose to protect the environment from development while the flood hazard code has a primary purpose to protect floodways from the environment. Separating these complimentary regulations does not reduce their effectiveness but does improve the efficiency that future corrections and improvements might be made.

44. Separating the flood hazard regulations from the Shoreline Master Program

Title 18E.00 flood code standard.

...Continued...
<table>
<thead>
<tr>
<th>ID</th>
<th>Minor, Moderate or Substantial</th>
<th>Description</th>
<th>Code Citation(s)</th>
<th>Proposed code change Statement</th>
<th>NEP Required</th>
<th>Rationale</th>
</tr>
</thead>
<tbody>
<tr>
<td>47</td>
<td>minor</td>
<td>Separating the flood hazard regulations from the Shoreline Master Program</td>
<td>18S.10.070.D Coordination with Other Titles</td>
<td>Chapter 18E.70 PCC. Development Regulations – Critical Areas – Flood Hazard Areas (as amended by Ordinance 2021-[insert number], effective date [insert date]) for chapters 18E.10, 18E.20, 18E.120 The provisions for development within flood hazard areas are not incorporated by reference into the SMP and therefore continue to be administered through the review, permit, and authorization process identified in Chapter 18E rather than 18S. Flood Hazard Areas are being removed from the SMP per Ecology’s guidance that they are not necessary to meet the goals of the Shoreline Management Act.</td>
<td>no</td>
<td>Joint review and approval of the Shoreline Master Program is time consuming and costly. The shoreline code has a primary purpose to protect the environment from development while the flood hazard code has a primary purpose to protect development from the environment. Separating these complementary regulations does not reduce their effectiveness but does improve the efficiency that future corrections and improvements might be made.</td>
</tr>
<tr>
<td>48</td>
<td>minor</td>
<td>Separating the flood hazard regulations from the Shoreline Master Program</td>
<td>18E.10.070.C Compliance</td>
<td>The Act requires that critical areas located within shorelines be addressed through the Shoreline Master Program (Shoreline Master Program). To meet the requirement, this Title adopts by reference the County Critical Areas Regulations (Title 18E PCC) (with the exception of Chapter 18E.70 Flood Hazard Areas). This Title contains additional regulations that apply to shorelines. Flood Hazard Areas are being removed from the SMP per Ecology’s guidance that they are not necessary to meet the goals of the Shoreline Management Act.</td>
<td>no</td>
<td>Joint review and approval of the Shoreline Master Program is time consuming and costly. The shoreline code has a primary purpose to protect the environment from development while the flood hazard code has a primary purpose to protect development from the environment. Separating these complementary regulations does not reduce their effectiveness but does improve the efficiency that future corrections and improvements might be made.</td>
</tr>
<tr>
<td>49</td>
<td>minor</td>
<td>Separating the flood hazard regulations from the Shoreline Master Program</td>
<td>18S.10.070.D Regulations – Critical Areas</td>
<td>1. Title 18E PCC, Development Regulations – Critical Areas, is hereby adopted by reference (with the exception of Chapter 18E.70 Flood Hazard Areas). In instances where the regulations of Title 18E PCC conflict with the requirements of this Title, the more protective standard shall apply. 2. Because of its incorporation by reference, the provisions of Title 18E PCC shall apply to any use, alteration, or development within shoreline jurisdiction, to include those instances when it is determined that a shoreline permit or approval is not required. 3. The following provisions of Title 18E PCC do not apply within shoreline jurisdiction: a. PCC 18E.10.090, Reclassification and Appeal Procedures; b. PCC 18E.20.050, Reasonable Use Exceptions; and c. PCC 18E.20.040, Variances. d. PCC 18E.70, Flood Hazard Areas. Flood Hazard Areas are being removed from the SMP per Ecology’s guidance that they are not necessary to meet the goals of the Shoreline Management Act.</td>
<td>no</td>
<td>Joint review and approval of the Shoreline Master Program is time consuming and costly. The shoreline code has a primary purpose to protect the environment from development while the flood hazard code has a primary purpose to protect development from the environment. Separating these complementary regulations does not reduce their effectiveness but does improve the efficiency that future corrections and improvements might be made.</td>
</tr>
</tbody>
</table>