

**CITY OF SPOKANE PLAN COMMISSION
FINDINGS OF FACT, CONCLUSIONS, AND RECOMMENDATIONS
REGARDING THE 2021 FLOODPLAIN MANAGEMENT TEXT AMENDMENT**

A recommendation of the City of Spokane Plan Commission to the City Council to approve amendments to the Spokane Municipal Code proposed by the 2021 Floodplain Management text amendment. The proposal amends the Unified Development Code (UDC) Chapter 17A.020 Sections 17A.020.010 “A” Definitions, 17A.020.020 “B” Definitions, 17A.020.040 “D” Definitions, 17A.020.060 “F” Definitions, 17A.020.080 “H” Definitions, 17A.020.130 “M” Definitions, 17A.020.140 “N” Definitions, and 17A.020.190 “S” Definitions; and Chapter 17E.030 Sections 17E.030.030 Floodplain Management Purpose, 17E.030.050 General Provisions, 17E.030.060 Establishment of Development Permit, 17E.030.070 Designation of the Local Administrator, 17E.030.080 Duties and Responsibilities of the Local Administrator, 17E.030.090 Variance Procedure - Hearing Examiner, 17E.030.100 Variances, 17E.030.120 Resource Material, 17E.030.130 General Standards, 17E.030.140 Specific Standards, 17E.030.150 Before Regulatory Floodway, 17E.030.160 Floodways, and 17E.030.170 Standards for Shallow Flooding Areas (AO Zones).

FINDINGS OF FACT:

- A. The Floodplain Management review and update is State mandated and was completed by the City of Spokane in close collaboration with the Department of Ecology. This proposal is narrowly focused to achieve compliance with changes to the State *FEMA Model Ordinance*, and Federal changes put forth by the Federal Emergency Management Agency (FEMA).
- B. Authority of the City of Spokane to regulate development within the floodplain is based upon RCW 86.16.020. This amendment was developed by the City to comply with Chapter 173-158 WAC, which outlines the State’s minimum floodplain management requirements.
- C. The review and update of City regulations ensures the City meets minimum requirements to continue participation in the National Flood Insurance Program administered by FEMA.
- D. The proposed text amendment aligns with the following adopted Shaping Spokane Comprehensive Plan goals and policies:
 1. Chapter 9 Natural Environment, Goal 19 – Flood Hazard Management directs policy that protects life and property from flooding and erosion by directing development away from flood hazard areas;
 2. Chapter 3 Land Use, Policy LU 5.4 – Natural Features and Habitat Protection outlines that development should be accomplished in a manner that protects significant natural features and wildlife habitat; and
 3. Chapter 14 Shorelines, Goal 6 – Flood Hazard Reduction guides development such that flood damage is minimized or prevented in shoreline areas to protect ecological functions, shoreline habitat, lives, and public and private property.

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- E. Amendments to Title 17, Unified Development Code, are subject to review and recommendation by the Plan Commission.
- F. On June 21, 2021 the Washington State Department of Commerce and appropriate state agencies were given the required 60-day notice before adoption of proposed changes to the Unified Development Code pursuant to RCW 36.70A.106.
- G. A State Environmental Protection Act (SEPA) Determination of Nonsignificance was issued by Planning Services on September 2, 2021 and a 14-day comment period commenced September 2 through September 16, 2021. No comments were received during the comment period.
- H. The proposed text amendment was processed pursuant to the process established under RCW 36.70A.370 to ensure that the proposed changes will not result in unconstitutional takings of private property.
- I. The City's floodplain management update was reviewed against the Department of Ecology *FEMA Model Ordinance* and the Code of Federal Regulations Title 44.
- J. Information on the text amendment was presented to the public, neighboring jurisdictions, and partner agencies in a virtual Open House held via Webex on August 19, 2021. The Urban Development Committee was briefed on July 12, 2021 and the Community Assembly was briefed on September 5, 2021.
- K. A legal notice of public hearing was published in the *Spokesman-Review* on September 8 and 15, 2021.
- L. The Plan Commission held a public hearing on September 22, 2021 to obtain public input on the proposed amendments, if any.

CONCLUSIONS:

- 1. The Plan Commission has reviewed all public testimony received during the public hearing.
- 2. The Plan Commission finds that the proposed amendments are consistent with applicable provisions of the Comprehensive Plan and that the proposed amendment bears a substantial relation to the public health, safety, welfare, and protection of the environment.

RECOMMENDATION:

In the matter of the amendment to the Unified Development Code proposed by the 2021 Floodplain Management Text Amendment, by unanimous vote, the Plan Commission recommends to the Spokane City Council the approval of the proposed amendment to Chapter 17A.020 SMC and Chapter 17E.030 SMC.


Todd Beyreuther (Sep 27, 2021 17:05 PDT)

**Todd Beyreuther, President
Spokane Plan Commission**

Sep 27, 2021

09-22-2021_PC Findings and Conclusions

Final Audit Report

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