



## ISLAND COUNTY PLANNING & COMMUNITY DEVELOPMENT

PHONE: (360) 679-7339 ■ from Camano (360) 629-4522, Ext. 7339 ■ from S. Whidbey (360) 321-5111, Ext. 7339 FAX: (360) 679-7306 ■ 1 NE 6<sup>th</sup> Street, P. O. Box 5000, Coupeville, WA 98239-5000  
Internet Home Page: <http://www.islandcounty.net/planning/>

---

**TO:** Island County Planning Commission

**FROM:** Jonathan Lange, Assistant Director

**DATE:** June 7th, 2021

**SUBJECT:** Amendments to ICC 14.02A, the Island County Flood Damage Prevention Ordinance to comply with 2013 FEMA Community Assistance Visit (CAV)

### Planning Commissioners:

Staff is currently working with the Federal Emergency Management Agency (FEMA) to comply with their 2013 Community Assistance Visit (CAV). The CAV is an audit of how Island County is complying with FEMA regulations in regards to floodplain development. FEMA reviewed past building permits, flood development permits, floodplain development processes/procedures, floodplain elevation certificates for structures, and Island County's Flood Damage Prevention ordinance, Island County Code, ICC 14.02A. Per the CAV, FEMA requested that Island County review the Flood Damage Prevention Ordinance and make any needed updates. Staff has worked with their consultant and the Prosecuting Attorney's office to draft and update ICC 14.02A and other applicable sections of Island County Code. The draft ordinance has been discussed with, and reviewed by, the Washington State Department of Ecology and FEMA.

### Compliance with FEMA model ordinance

Staff has worked with their consultant and the Prosecuting Attorney's office to comply with all FEMA model ordinance language and organization.

### Elevation Certificate Requirements

FEMA uses Elevation Certificates, prepared by Licensed Surveyors, to verify compliance with base flood elevation and Flood Insurance Rate Maps. The new code proposes requirements for three (3) elevations certificates during the building permit process for all new and substantially improved structures. The certificates are required at the following times, per the proposed new code section ICC 14.02A.040.D:

1. With Submittal of construction drawings prior to review of the building permit application;

2. During building construction, the applicant must submit a second elevation certificate as a prerequisite to scheduling an underfloor inspection or equivalent, and before vertical construction commences; and
3. The applicant must submit a third elevation certificate prior to scheduling a final inspection.

#### Code Compliance

Staff proposes adding the Flood Damage Prevention Ordinance, ICC 14.02A, to the list of code sections that can be enforced through our Penalties and enforcement section of the Zoning Code, ICC 17.03.260. This will allow for any violations or development not in conformance with the Flood Damage Prevention ordinance to go through the civil enforcement processes, rather than criminal enforcement processes.

#### Next Steps

The proposed amendments and code update will be brought to the Planning Commission and Board of County Commissioners in accordance with the following schedule:

June 9<sup>th</sup> – BOCC Workshop

June 14<sup>th</sup> – PC Workshop

June 28th – Planning Commission Public Hearing

July 7<sup>th</sup> – BOCC Workshop

July 20th – BOCC to adopt Planning Commission recommendation on updating ICC 14.02A