



SAN JUAN COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

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DATE RECEIVED
February 26, 2021

Comprehensive Plan Text/SJC Code* Amendment Request

*San Juan County Code Titles 15, 16 & 18
 (Annual Docket)

APPLICANT INFORMATION:			
Name of Applicant:	Department of Community Development	Name of Agent:	Sophia Cassam
Address	135 Rhone Street	Address	
City, State, Zip	Friday Harbor, WA 98250	City, State, Zip	
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This request is for a text amendment to the Comprehensive Plan or development regulations, not a comprehensive plan map amendment. I understand that this request will be reviewed according to the County's annual docket process.

	Sophia Cassam	02/26/2021
<i>Signature</i>	<i>Printed Name</i>	<i>Date</i>
<i>Signature</i>	<i>Printed Name</i>	<i>Date</i>

Please Describe the Proposed Amendments (attach additional pages if you need more space):

1. Comprehensive Plan amendments (if applicable). Describe proposed amendment and/or attach proposed text changes. List Comprehensive plan section, page numbers, title and policies proposed for amendment.

N/A

2. San Juan County Code Title 15, Title 16 or Title 18 amendments (if applicable). Describe proposed amendment and/or attach proposed text changes. List code sections proposed for amendment.

Amend Chapter 15.12 San Juan County Code (SJCC) Flood Hazard Control Regulations to allow agricultural and accessory structures located in the Special Flood Hazard Areas (SFHA) to be wet floodproofed in lieu of the elevation or dry floodproofing requirement without a variance. Attachment A explains agricultural and accessory structures and wet and dry floodproofing.

3. Why is the amendment being proposed?

FEMA issued new policy #104-008-03 in 2020 regarding the approval of agricultural and accessory structures being proposed in the Special Flood Hazard Area (100-year floodplain). As a participant in the National Flood Insurance Program (NFIP), San Juan County has the option to amend its floodplain regulations in accordance with the policy and new guidance from FEMA to allow for wet floodproofing of agricultural buildings and accessory structures without a variance.

4. How is the proposed amendment consistent with the Growth Management Act (RCW 36.70A), Comprehensive Plan and development regulations?

Allowing agricultural and accessory structures located in SFHAs to be wet floodproofed without a variance is consistent with San Juan County's Comprehensive Plan and development code. Wet floodproofing gives property owners, including farmers, more flexibility in how they floodproof agricultural and accessory structures in the floodplain. Policies throughout the Comprehensive Plan support property rights and flexible standards for agriculture. For example, Land Use Element General Policy 1 states:

Balance the public's interest in the management of community growth and its associated impacts, with the protection of individual property rights through adoption of a coordinated set of goals, policies and regulations to guide future development in the County.

Allowing another floodproofing option for certain structures FEMA has deemed appropriate protects individual property owners' right to develop on their property. The Land Use Element also includes goals and policies promoting agriculture and commercial agriculture. This proposed change increases flexibility for farmers who require agricultural structures in the SFHA.

Chapter 15.12 SJCC Flood Hazard Control Regulations includes provisions for flood hazard reduction with specific standards for nonresidential structures. These structures must be elevated one foot or more above base flood elevation or be dry floodproofed. The development regulations also allow applicants to request a variance from the type and extent of required floodproofing. With a variance, some applicants may develop nonresidential structures in the SFHA with wet floodproofing. The proposed code amendment would specifically allow accessory and agricultural structures to be developed in the SFHA with wet floodproofing without a variance.

5. Does this proposal impact an Urban Growth Area (UGA)? Lopez Village, Eastsound and the Town of Friday Harbor are the only UGAs in the County.

- Yes, indicate UGA: Friday Harbor, Lopez Village and Eastsound (all contain some land in an SFHA)
- No

6. Does this proposal increase population or employment capacity?

No, this proposal does not increase population or employment capacity in San Juan County.

FEMA Explanations of Agricultural and Accessory Structures and Wet and Dry Floodproofing

Agricultural and Accessory Structures

According to FEMA Policy #104-008-03:

An *agricultural structure* means a structure (defined below) that is used exclusively in connection with the production, harvesting, storage, raising, or drying of agricultural commodities and livestock; an agricultural structure specifically excludes any structure used for human habitation.

An *accessory structure* means a structure (defined below) that is on the same parcel of property as a principal structure and the use of which is incidental to the use of the principal structure; an accessory structure specifically excludes structures used for human habitation.

Wet and Dry Floodproofing, and “Structure”

According to FEMA Floodplain Management Bulletin P-2140:

Wet floodproofing is the use of flood damage resistant materials and construction techniques to minimize flood damage to structures by intentionally allowing floodwater to enter and exit automatically (without human intervention) to minimize unequal pressure of water on walls (called hydrostatic load or pressure). Wet floodproofing also requires structures to be anchored to resist flooding, have mechanical and utility equipment elevated or protected, and have flood openings installed in walls.

Dry floodproofing is a combination of measures that results in structures, including attendant utilities and equipment, being watertight with all elements substantially impermeable to the entrance of floodwater and with structural components having the capacity to resist flood loads.

Structure: For floodplain management purposes, a structure is a walled and roofed building that is principally above ground, where walled is considered “two or more outside rigid walls” and roofed is “a fully secured roof.”

FEMA Policy and Management Bulletin

The FEMA Policy and Floodplain Management Bulletin provide greater detail on the above terms.

- FEMA Policy #104-008-03 Floodplain Management Requirements for Agricultural Structures and Accessory Structures. Issued February 2020.

Link: https://www.fema.gov/sites/default/files/2020-09/fema_agricultural-structures-policy_02-2020.pdf

- FEMA Floodplain Management Bulletin P-2140. July 2020.

Link: https://www.fema.gov/sites/default/files/2020-09/fema_agricultural-structures_policy-guidance_08-20-20.pdf