

ORDINANCE NUMBER 80 - 98

IN THE MATTER OF:

Enacting an extension to and amendment of Ordinance No. 23-98, under the authority of Chapters 36.70 and 36.70A RCW.

WHEREAS, Mason County Resolution No. 113-97 was enacted as an interim measure to prohibit all new construction in the Skokomish River Valley where there was a threat to life and property due to a potential river avulsion, and the areas safe from such an avulsion had not been determined; and

WHEREAS, the Mason County Interim Resource Ordinance No. 77-93 was adopted on August 3, 1993, and has since been amended; and

WHEREAS, said ordinance was appealed to the Western Washington Growth Management Hearings Board as provided in the Growth Management Act; and

WHEREAS, said ordinance was found not to be in compliance with the Growth Management Act and remanded to Mason County for compliance by orders of the Growth Management Hearings Board, Case No. 95-2-0073; and

WHEREAS, Mason County has adopted recent amendments to the ordinance to bring it into compliance with the Growth Management Act, but the petitioners involved in the appeal continue to be concerned that the amendments do not fully comply with the Growth Management Act; and

WHEREAS, Mason County and the petitioners wish to resolve the remaining issues through discussions, if possible, but that in order to do this, the petitioners found that certain immediate actions should be implemented by the county to protect resources and critical areas during the period prior to resolution of the issues; and

WHEREAS, Mason County agreed to take those actions on an interim basis so that there was no dispute between the parties of the agreement that adequate regulations were in place to protect the resources and critical areas until further investigation and analysis can be completed, and took action by adopting Ordinance 23-98; and

WHEREAS, said ordinance expires June 23, 1998; and

WHEREAS, ordinance 68-98 was adopted June 23, 1998, on an interim basis and a public hearing was held on July 14, 1998 to affirm that action; and

WHEREAS, the evidence available to the Board of Commissioners lead them to conclude that ordinance 68-98 should be affirmed, but in an amended form;

NOW, THEREFORE, BE IT HEREBY ORDAINED, that the Board of Commissioners of Mason County hereby approves findings of fact and amends ordinance 68-98 to the effect that it reads as follows:

1) Extends and amends Resolution No. 113-97 for six months, until December 23, 1998, as follows:

a) For the detailed study area:

(i) The "detailed study area" is defined as:

That area in the Skokomish River Valley within the 100 year flood plain and within the study area of the Skokomish River Comprehensive Flood Hazard Management Plan, dated February 1997, and as delineated on the Flood Insurance Rate Map 530115 0180D dated September 30, 1997, or as amended. A map delineating this area is attached hereto as "Exhibit A."

(ii) Within the detailed study area the following regulations shall apply:

(a) Construction of any new structure, as defined in Flood Damage Prevention Ordinance #59-91, shall not be allowed. Reconstruction shall be allowed pursuant to all applicable regulations and the following condition:

The area of the footprint of the structure following reconstruction shall be no greater than the areas of footprints prior to reconstruction. A footprint is defined as the total area of the first floor of a structure, regardless of how the structure is supported.

(b) Except that, new or reconstructed non-residential structures may be allowed in areas where the existing site elevation is no more than 2 feet below the base flood elevation, and provided that the site is not within the Zone 1A area established in the attached map, "Exhibit C."

b) For the upstream area.

(i) The "upstream area" is defined as:

The 100 year (Zone A) flood plain of Vance Creek and tributaries, and South Fork Skokomish River and tributaries within Sections 1, 2, 12, and 13, Township 21 N., Range 5 W, W.M., as delineated on Flood Insurance Rate Map 530115 0175 D dated September 30, 1997, or as amended, and the 100 year Zone A floodplain of the Skokomish River system as delineated on the Flood Insurance Rate Map 530115 0180 D lying upstream of the detailed study area. Maps delineating this area are attached hereto as "Exhibit A" and "Exhibit B."

(ii) Within the upstream area the following regulations apply:

The moratorium which was established by Resolution 113-97 and continued by ordinance 23-98 is hereby continued, except that existing property owners as of the date of adoption of this ordinance may construct or reconstruct a residential or non-residential structure which is at least 200 feet from the ordinary high water mark of a stream or river within the upstream area, provided that a report from an professional engineer with an hydraulic background has determined that the structure is not at risk from avulsions from the respective stream. The term "ordinary high water mark" shall be defined as provided in the Mason County Shorelines Master Program.

(iii) Within the upstream area no new subdivisions of land shall be allowed.

- 2) Extends Ordinance 23-98, which amends Mason County Ordinance No. 77-93 on an interim basis by deleting the words "in Management Areas" from section 17.01.110.D.2.f; and
- 3) Extends Ordinance 23-98, which amends Mason County Ordinance No. 77-93 on an interim basis by adding to section 17.01.110.D.2. the following subsection: "i. Clearing and construction is prohibited within the vegetation area for Water Types II, III, IV, and V; and clearing and construction is prohibited in Class I Management Areas within 100 feet of the Type I Waters. This subsection shall not apply to salt water bodies, including Hood Canal, or to lakes greater than 20 acres."

These interim amendments shall expire on December 23, 1998.

DATED this 14th day of July, 1998.


Board of County Commissioners
Mason County, Washington



John A. Bolender, Commissioner

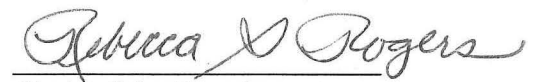


Mary Jo Cady, Commissioner




Cynthia D. Olsen, Commissioner

ATTEST:

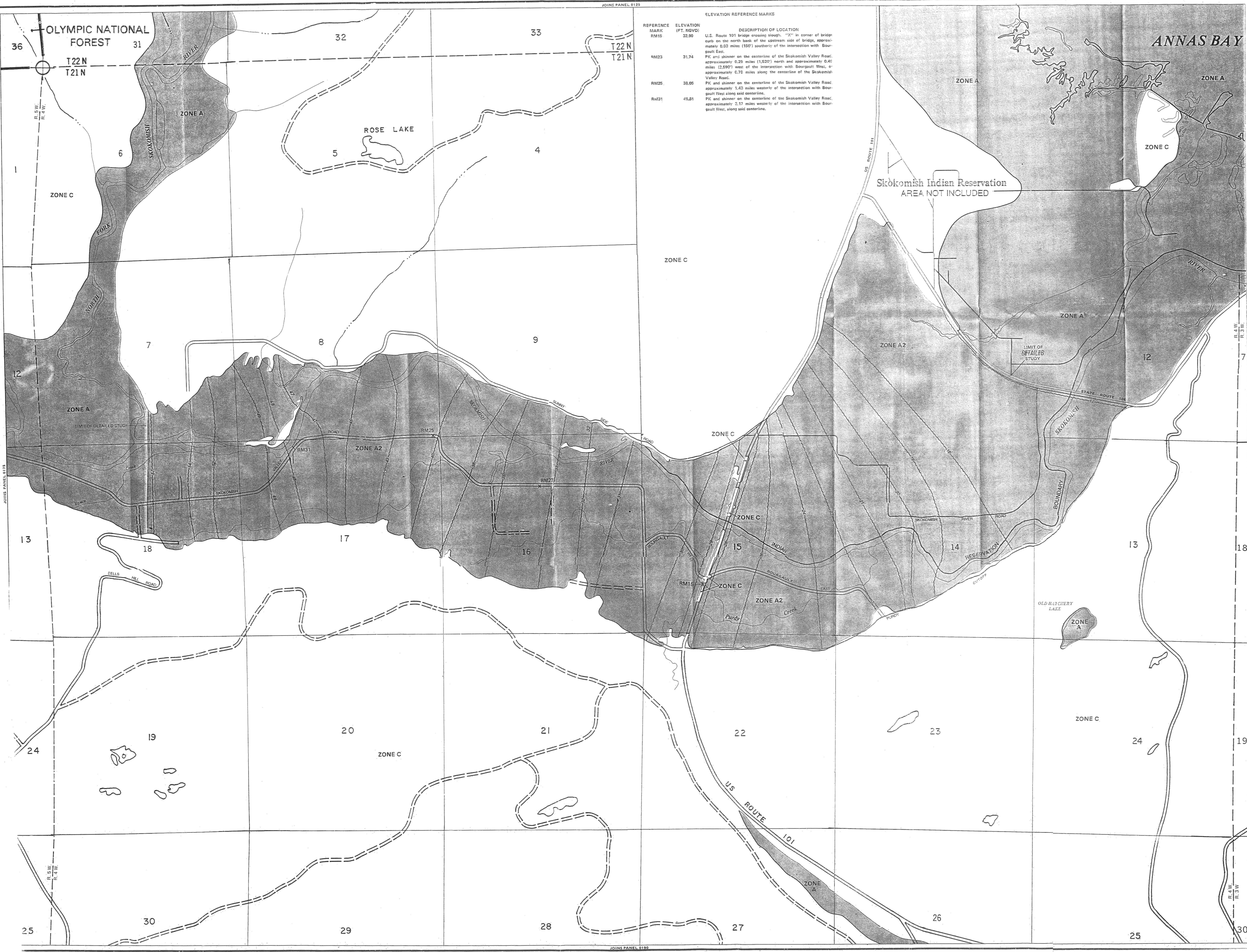


Clerk of the Board

APPROVED AS TO FORM:



Prosecuting Attorney



REFERENCE MARK

RM15	22.90
RM23	31.74
RM25	38.05
RM31	45.81

ELEVATION REFERENCE MARKS

DESCRIPTION OF LOCATION
 U.S. Route 101 bridge crossing through "101" in corner of bridge cut on the north bank of the upstream side of bridge, approximately 0.03 miles (150') southerly of the intersection with Bourgault East.
 Pk. and stinner on the centerline of the Skokomish Valley Road, approximately 0.25 miles (1,320') north and approximately 0.41 miles (2,590') west of the intersection with Bourgault West, or approximately 0.76 miles along the centerline of the Skokomish Valley Road.
 Pk. and stinner on the centerline of the Skokomish Valley Road, approximately 1.43 miles westerly of the intersection with Bourgault West along said centerline.
 Pk. and stinner on the centerline of the Skokomish Valley Road, approximately 2.17 miles westerly of the intersection with Bourgault West, along said centerline.

KEY TO MAP

500-Year Flood Boundary ——— ZONE B
 100-Year Flood Boundary ——— ZONE A1
 Zone Designations* ——— ZONE A5
 100-Year Flood Boundary ——— ZONE B
 500-Year Flood Boundary ——— 573
 Base Flood Elevation Line With Elevation in Feet ——— (EL 987)
 Base Flood Elevation in Feet Where Custom With Zone* ——— RM7x
 Elevation Reference Mark ——— RM7x
 Zone D Boundary ———
 River Mile ——— M1.5
 Approximate 100-Year Flood Boundary ——— ZONE A
 *Reference to the National Geodetic Vertical Datum of 1929

UNDEVELOPED COASTAL BARRIERS†

Identified 1981 ———
 Identified 1990 ———
 Otherwise Protected Areas ———

†Coastal barrier areas are normally located within or adjacent to special flood hazard areas.

EXPLANATION OF ZONE DESIGNATIONS

ZONE	EXPLANATION
A	Areas of 100-year flood; base flood elevations and flood hazard factors not determined.
AO	Areas of 100-year shallow flooding where depths are between one (1) and three (3) feet; average depths of inundation are shown, but no flood hazard factors are determined.
AH	Areas of 100-year shallow flooding where depths are between one (1) and three (3) feet; base flood elevations are shown, but no flood hazard factors are determined.
A1-A30	Areas of 100-year flood; base flood elevations and flood hazard factors not determined.
A99	Areas of 100-year flood to be protected by flood protection system under construction; base flood elevations and flood hazard factors not determined.
B	Areas between limits of the 100-year flood and 500-year flood; or certain areas subject to 100-year flooding with average depths less than one (1) foot or where the contributing drainage area is less than one square mile or areas protected by levees from the base flood. (Medium shading)
C	Areas of minimal flooding; (No shading)
D	Areas of undetermined, but possible, flood hazards.
V	Areas of 100-year coastal flood with velocity (wave action); base flood elevations and flood hazard factors not determined.
V1-V30	Areas of 100-year coastal flood with velocity (wave action); base flood elevations and flood hazard factors not determined.

NOTES TO USER

This map is for use in administering the National Flood Insurance Program; it does not necessarily identify all areas subject to flooding, particularly from local drainage sources of small size, or all elements of features outside Special Flood Hazard Areas. The community map repository should be consulted for more detailed data on SFHAs, and for any information on floodway designations, prior to use of this map for property purchase or construction purposes.

Areas of special flood hazard (100-year flood) include Zones A, A1-30, AE, AH, AO, AP, V, V1-30 and VE.

Certain areas not in Special Flood Hazard Areas may be protected by flood control structures.

Coastal base flood elevations apply only landward of 0.0 NGVD, and include the effects of wave action; these elevations may also differ significantly from those developed by the National Weather Service for hurricane evacuation planning.

Corporate limits shown are current as of the date of this map. The user should contact appropriate community officials to determine if corporate limits have changed subsequent to the issuance of this map.

For adjoining map panels see separately printed Map Index.

INITIAL IDENTIFICATION:
 AUGUST 9, 1977
FLOOD HAZARD BOUNDARY MAP REVISION:
 MAY 15, 1979
FLOOD INSURANCE RATE MAP EFFECTIVE:
 MAY 17, 1988
FLOOD INSURANCE RATE MAP REVISIONS:
 DECEMBER 8, 1998 to change special flood hazard areas, to add roads and road names, and to reflect updated topographic information.

Map revised December 8, 1998 to change special flood hazard areas, to add roads and road names, and to reflect updated topographic information.

To determine if flood insurance is available in this community, contact your insurance agent, or call the National Flood Insurance Program, at (800) 638-6629.

APPROXIMATE SCALE IN FEET
 1000 0 1000

NATIONAL FLOOD INSURANCE PROGRAM

FIRM
FLOOD INSURANCE RATE MAP

MASON COUNTY,
 WASHINGTON
 (UNINCORPORATED AREAS)

PANEL 180 OF 300
 (SEE MAP INDEX FOR PANELS NOT PRINTED)

COMMUNITY-PANEL NUMBER
 530115 0180 D

MAP REVISED:
 DECEMBER 8, 1998

Federal Emergency Management Agency