

Mike Smith

From: Radabaugh, David (ECY) <DRAD461@ECY.WA.GOV>
Sent: Tuesday, September 17, 2013 11:48 AM
To: Mike Smith
Cc: McKinney, Scott (ECY); Andersen, Dave (COM)
Subject: Question Regarding Frequently Flooded Area

Mike,

Scott McKinney asked me to respond to your email question. Since your question related to the Growth Management Act, I also spoke with Dave Anderson at the Department of Commerce about this.

The core substantive mandate in the GMA is to protect “frequently flooded areas” as critical areas. If the city would rather use a different term, that might be possible. However, it’s always better to say exactly what you mean. I think that it would be easier to use standardized language, “frequently flooded areas”. Also, whatever the terminology used, it should help inform buyers of property understand the flood risk before they purchase property. That may be a little scary-sounding, but that’s the point.

If you choose to use a different term, it should be clear somewhere in the record that the term you choose means “frequently flooded area” Under the GMA. This should be in the definitions section of your ordinance. It might also be good idea to say in the beginning of that section of the CAO that this ordinance is to meet the requirements to, among other things, designate and protect frequently flooded areas.

Let Dave Andersen or I know if you have questions.

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Mike Smith

From: Steve Lathrop <Steve@lwhsd.com>
Sent: Tuesday, September 17, 2013 2:27 PM
To: Mike Smith
Subject: LDC Reference Errors

Here are the references found so far that I think are in error:

15.250.070(C)(1) references ECC 15.280

.070 has two "D" sections

Para 1 of the first "D" Decision criteria should reference 15.310.040

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