



# AGENDA

## WASHINGTON COUNTY BOARD OF COMMISSIONERS

**Agenda Category:** Public Hearing – First Reading and First Public Hearing  
Land Use & Transportation; County Counsel (All CPOs)

**Agenda Title:** **CONSIDER PROPOSED ORDINANCE NO. 847 – AN ORDINANCE AMENDING THE COMMUNITY DEVELOPMENT CODE RELATING TO PUBLIC TRANSPORTATION FACILITIES TO COMPLY WITH FEDERAL FLOOD PLAIN MANAGEMENT REGULATIONS**

**Presented by:** Andrew Singelakis, Director of Land Use & Transportation  
Alan Rappleyea, County Counsel

### SUMMARY:

Ordinance No. 847 proposes to amend the Community Development Code provisions relating to public transportation facilities in a flood plain or drainage hazard area. The proposed ordinance is posted on the County's land use ordinance webpage at the following link:

[www.co.washington.or.us/landuseordinances](http://www.co.washington.or.us/landuseordinances)

At its March 6, 2019 public hearing for this ordinance, the Planning Commission voted 6 - 0 to recommend the Board adopt Ordinance No. 847 as filed. A staff report will be provided to the Board prior to the April 2 hearing and posted on the above land use ordinance webpage. Copies of the report will be available electronically and at the Clerk's desk prior to the hearing.

Consistent with Board policy, testimony about the ordinance is limited to three minutes for individuals and 12 minutes for a representative of a group.

Clerk's Desk Item: Staff Report *(click to access electronic copy)*

### DEPARTMENT'S REQUESTED ACTION:

Read Ordinance No. 847 by title only and conduct the first public hearing. At the conclusion of the hearing, adopt Ordinance No. 847 and associated findings.

### COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur the recommended action.

# ADOPTED

Agenda Item No.	<u>6.c.</u>
Date:	<u>04/02/19</u>



BEFORE THE BOARD OF COMMISSIONERS  
FOR WASHINGTON COUNTY, OREGON

ORDINANCE 847

An Ordinance Amending the Community  
Development Code Relating to Public  
Transportation Facilities to Comply with  
Federal Flood Plain Management Regulations

The Board of Commissioners of Washington County, Oregon (“Board”) ordains as follows:

SECTION 1

A. The Board recognizes that the Community Development Code Element of the Comprehensive Plan (Volume IV) was readopted with amendments on September 9, 1986, by way of Ordinance No. 308, and subsequently amended by Ordinance Nos. 321, 326, 336-341, 356-363, 372-378, 380, 381, 384-386, 392, 393, 397, 399-403, 407, 412, 413, 415, 417, 421-423, 428-434, 436, 437, 439, 441-443, 449, 451-454, 456, 457, 462-464, 467-469, 471, 478-481, 486-489, 504, 506-512, 517-523, 525, 526, 528, 529, 538, 540, 545, 551-555, 558-561, 573, 575-577, 581, 583, 588, 589, 591-595, 603-605, 607-610, 612, 615, 617, 618, 623, 624, 628, 631, 634, 635, 638, 642, 644, 645, 648, 649, 654, 659-662, 667, 669, 670, 674, 676, 677, 682-686, 692, 694-698, 703, 704, 708, 709, 711, 712, 718-720, 722, 725, 730, 732, 735, 739, 742-745, 754- 758, 760, 762, 763, 765, 766, 769-776, 782-788, 791, 792, 797-802, 804, 809-811, 813-815, 820, 822-824, 826-828, 831-835, 838, and 840-42.

B. On September 18, 2018, the Board adopted Ordinance 840 in partial response to a Federal Emergency Management Agency (“FEMA”) directive dated April 19, 2018.

This ordinance ensured the County’s continued participation in the National Flood Insurance

1 Program. As a result of subsequent discussions with FEMA representatives, the Board  
2 adopted Resolution & Order 18-99 on October 16, 2018, directing staff to file a land use  
3 ordinance to incorporate additional FEMA-compliant regulations into the CDC. Ordinance  
4 845 was filed fall 2018. Ordinance 845 and Ordinance 847 are scheduled for concurrent  
5 public hearings in 2019. The Board recognizes that such changes are necessary for the  
6 health, safety and welfare of the residents of Washington County, Oregon.

7 C. Under the provisions of Washington County Charter Chapter X, the  
8 Department of Land Use and Transportation has carried out its responsibilities, including  
9 preparation of notices, and the County Planning Commission has conducted one or more  
10 public hearings on the proposed amendments and has submitted its recommendations to the  
11 Board. The Board finds that this Ordinance is based on that recommendation and any  
12 modifications made by the Board, as a result of the public hearings process.

13 D. The Board finds and takes public notice that it is in receipt of all matters and  
14 information necessary to consider this Ordinance in an adequate manner and finds that this  
15 Ordinance complies with the Statewide Planning Goals, the standards for legislative plan  
16 adoption as set forth in Chapters 197 and 215 of the Oregon Revised Statutes, the Washington  
17 County Charter, the Washington County Community Development Code, and the Washington  
18 County Comprehensive Plan.

19 ///

20 ///

1     SECTION 2

2             The following exhibit, attached hereto and incorporated herein by reference, is adopted  
3 as an amendment to the designated document as follows:

4             A.     Exhibit 1 (3 pages), amends the following Section of the Community  
5 Development Code:

- 6                     1. Section 709 – Alterations to Flood Plain and Drainage Hazard Areas.

7     SECTION 3

8             All other Comprehensive Plan provisions that have been adopted by prior ordinance,  
9 which are not expressly amended or repealed herein, shall remain in full force and effect.

10    SECTION 4

11            All applications received prior to the effective date shall be processed in accordance  
12 with ORS 215.427.

13    SECTION 5

14            If any portion of this Ordinance, including the exhibit, shall for any reason be held  
15 invalid or unconstitutional by a body of competent jurisdiction, the remainder shall not be  
16 affected thereby and shall remain in full force and effect.

17    SECTION 6

18            The Office of County Counsel and Department of Land Use and Transportation are  
19 authorized to prepare planning documents to reflect the changes adopted under Section 2 of  
20 this Ordinance, including deleting and adding textual material and maps, renumbering pages  
21 or sections, and making any technical changes not affecting the substance of these  
22 amendments as necessary to conform to the Washington County Comprehensive Plan format.

1 SECTION 7

2 This Ordinance shall take effect 30 days after adoption.

3 ENACTED this 2nd day of April, 2019, being the first reading  
4 and first public hearing before the Board of County Commissioners of Washington  
5 County, Oregon.

8 **ADOPTED**

6 BOARD OF COMMISSIONERS  
7 FOR WASHINGTON COUNTY, OREGON

8 *Ken Hilt* 04/02/19  
CHAIR

9 *Barbara Hejzmanek*  
10 RECORDING SECRETARY

11 READING

PUBLIC HEARING

12 First April 2, 2019  
13 Second \_\_\_\_\_  
14 Third \_\_\_\_\_  
15 Fourth \_\_\_\_\_  
16 Fifth \_\_\_\_\_  
17 Sixth \_\_\_\_\_

12 First April 2, 2019  
13 Second \_\_\_\_\_  
14 Third \_\_\_\_\_  
15 Fourth \_\_\_\_\_  
16 Fifth \_\_\_\_\_  
17 Sixth \_\_\_\_\_

15 VOTE: Aye: Harrington, Rogers,  
Schouten, Treece, Willey

Nay: \_\_\_\_\_

16 Recording Secretary: Barbara Hejzmanek Date: April 2, 2019

Section 709 of the COMMUNITY DEVELOPMENT CODE is amended as follows:

## **SECTION 709 - ALTERATIONS TO FLOODPLAIN AND DRAINAGE HAZARD AREAS**

Category B alterations of a floodplain or drainage hazard area shall comply with the following standards:

### **709-1 Lands Subject to Floodplain and Drainage Hazard Area Standards**

~~Refer to Sections 421-1.1 and 1.2 for purposes of determining lands subject to flood plain and drainage hazard area standards. The maps entitled "Flood Insurance Rate Map, Washington County, Oregon effective dates February 18, 2005 and November 4, 2016, together with the "Flood Insurance Study for Washington County, Oregon and Incorporated Areas, dated November 4, 2016" with amendments.~~

~~The Flood Boundary and Floodway Maps, as provided for in the regulations of the Federal Emergency Management Agency (FEMA) (44 CFR part 59-60), are adopted by reference as setting forth the flood plain, floodway and drainage hazard areas of Washington County. Where the maps are not available, or where the Director determines more accurate information is available, the Director may use any Base Flood Elevation and floodway data available from a federal or state source, or from a licensed professional engineer, to determine the boundaries of the flood plain, floodway and drainage hazard areas of Washington County.~~

### **709-2 Submittal Requirements**

~~Applicants shall submit a delineation of the flood plain, floodway and/or drainage hazard area and drainageway in accordance with Section 421-3.1 A. and B. Recognizing that the scale may be such that the true and accurate flood plain or drainage hazard area cannot be determined from the maps referenced in Section 709-1 alone, an applicant for lands within said areas and two hundred fifty (250) feet of the map boundary of a flood plain or drainage hazard area identified in Section 709-1, shall submit with the Development Permit application:~~

~~A. A delineation of the flood plain and the floodway boundaries, established by a registered engineer or a registered surveyor from the surface elevations prepared by the county for the flood plain based upon maps referenced in Section 709-1, and upon any other available authoritative flood plain data approved by the Director, including but not limited to high water marks, photographs of past flooding or historical flood plain data; and~~

~~B. A delineation of the drainage hazard area and drainageway by a registered surveyor or a registered engineer from surface elevations prepared by a registered engineer. Such delineation shall be based on mean sea level datum and be field located from recognized landmarks.~~

**709-3** A project proposed to encroach into a regulatory floodway adopted and designated pursuant to FEMA regulations shall demonstrate through hydrologic and hydraulic analysis, performed in accordance with standard engineering practice by a licensed professional engineer, that the use will not result in any increase in flood levels ~~within the community~~ during the occurrence of the base (regional)-flood discharge.

~~Notwithstanding this provision, a project that would result in such an increase may be approved if the County, at the sole expense of the applicant, first obtains FEMA approval in accordance with 44 CFR Ch. 1, Part 65 (October 1, 1990 edition, or its successor). No increase to the flood plain elevation shall be permitted unless the area in which the rise will occur contains no structures and the owner of such property signs a written acceptance of any increase in the flood plain elevation. These properties are not required to be part of the application for the proposed development.~~

**709-4** A project proposed within a 100-year flood plain site where the use does not encroach into an adopted FEMA regulatory floodway shall demonstrate through hydrologic and hydraulic analysis, performed in accordance with standard engineering practice by a licensed professional engineer, that the use will not increase the flood plain elevation levels during the occurrence of the base flood discharge more than one (1) foot at any point in the community.

~~Notwithstanding this provision, such an increase in excess of one (1) foot may be approved if the County, at the sole expense of the applicant, first obtains FEMA approval in accordance with 44 CFR Ch. 1, Part 65 (October 1, 1990 edition, or its successor). Upon demonstration by the Director of no other alternative ~~as determined by the County Engineer~~, applicants shall obtain a Conditional Letter of Map Revision (CLOMR) from FEMA before an encroachment, including fill, new construction, substantial improvement, fences or other development, in the regulatory floodway is permitted that will cause any increase in the Base Flood Elevation. The CLOMR shall be submitted prior to the application being deemed complete.~~

~~Within six (6) months of project completion, an applicant who obtains a CLOMR from FEMA, or whose development alters a watercourse, modifies floodplain boundaries, or modifies base flood elevations within the regulatory floodway shall submit evidence to the County that a Letter of Map Revision (LOMR) from FEMA has been requested that reflects the as-built changes to the Flood Insurance Study (FIS) and/or Flood Insurance Rate Map (FIRM).~~

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**709-9** All cut and fill shall be structurally sound and designed to minimize erosion. All fill below the flood surface elevation shall be accompanied by an equal or greater amount of cut or storage within the boundary of the development site unless:

\*\*\*

B. Off-site excavation will be utilized to balance a fill, provided:

\*\*\*

(6) Ownership of the excavated area shall be by one of the following mechanisms:

\*\*\*

(d) Deed or easement-restricted private ownership that prevents any use or future development of the area as specified by Section ~~421-7.6709-9~~ B. (5). Maintenance of the area shall be the responsibility of the applicant or property owner. A contract for conditions shall be required as specified by Section 207-5.3. The contract for conditions shall be recorded in the Department of Assessment & Taxation Recording Division.

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**AGENDA**

**WASHINGTON COUNTY BOARD OF COMMISSIONERS**

**Agenda Category:** Action – Land Use & Transportation (All CPOs)

**Agenda Title:** ADOPT FINDINGS FOR ORDINANCE NO. 847

**Presented by:** Andrew Singelakis, Director of Land Use & Transportation

**SUMMARY:**

Ordinance No. 847 amends the Community Development Code provisions related to public transportation facilities in a flood plain or drainage hazard area. The proposed ordinance is posted on the County's land use ordinance webpage at the following link:

[www.co.washington.or.us/landuseordinances](http://www.co.washington.or.us/landuseordinances)

Post acknowledgment comprehensive plan amendments are amendments made to the County's Comprehensive Plan after it was acknowledged by the State Department of Land Conservation and Development as complying with the Statewide Planning Goals. ORS 197.615 requires that such amendments be accompanied by findings setting forth the facts and analysis showing that the amendments are consistent with the applicable Statewide Planning Goals, Oregon Revised Statutes, State Administrative Rules and the applicable provisions of Washington County's Comprehensive Plan.

Additionally, as required by Title 8 of Metro's Urban Growth Management Functional Plan (UGMFP), any amendment to a comprehensive plan or implementing ordinance shall be consistent with the requirements of the UGMFP.

Attached is the Resolution and Order to adopt the findings for Ordinance No. 847. Prior to the April 2, 2019 meeting, the proposed findings will be provided to the Board, posted on the above land use ordinance webpage and available at the Clerk's desk.

Attachment: Resolution and Order

Linked Online: R&O Exhibit A (Ordinance Findings)

**DEPARTMENT'S REQUESTED ACTION:**

Adopt the findings for Ordinance No. 847 and authorize the Chair to sign the Resolution and Order memorializing the action.

**COUNTY ADMINISTRATOR'S RECOMMENDATION:**

I concur with the requested action.

RO 19-26

Agenda Item No.	<u>7.b.</u>
Date:	04/02/19



1 IN THE BOARD OF COMMISSIONERS

2 FOR WASHINGTON COUNTY, OREGON

3 In the Matter of Adopting ) RESOLUTION AND ORDER  
4 Legislative Findings in Support )  
of Ordinance No. 847 ) No. 19-26

5 This matter having come before the Washington County Board of Commissioners (Board) at  
6 its meeting of April 2, 2019; and

7 It appearing to the Board that the findings contained in "Exhibit A" summarize relevant facts  
8 and rationales with regard to compliance with the Statewide Planning Goals, Oregon Revised  
9 Statutes and Administrative Rules, Washington County's Comprehensive Plan, and titles of Metro's  
10 Urban Growth Management Functional Plan relating to Ordinance No. 847; and

11 It appearing to the Board that the findings attached and herein incorporated as "Exhibit A"  
12 constitute appropriate legislative findings with respect to the adopted ordinance; and

13 It appearing to the Board that the Planning Commission, at the conclusion of its public hearing  
14 on March 6, 2019, made a recommendation to the Board, which is in the record and has been  
15 reviewed by the Board; and

16 It appearing to the Board that, in the course of its deliberations, the Board has considered the  
17 record which consists of all notices, testimony, staff reports, and correspondence from interested  
18 parties, together with a record of the Planning Commission's proceedings, and other items submitted  
19 to the Planning Commission and Board regarding this ordinance; it is therefore,

20 RESOLVED AND ORDERED that the attached findings in "Exhibit A" in support of Ordinance  
21 No. 847 are hereby adopted.

22 DATED the 2nd day of April, 2019.

	AYE	NAY	ABSENT
23 HARRINGTON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
24 SCHOUTEN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
25 TREECE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
26 ROGERS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
27 <del>WILSON</del>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

27 Al C. Ryan  
County Counsel  
28 For Washington County, Oregon

BOARD OF COMMISSIONERS  
FOR WASHINGTON COUNTY, OREGON

Ray Hight 04/02/19  
Chair

Barbara Hejmanek  
Recording Secretary



## **EXHIBIT A**

### **FINDINGS FOR ORDINANCE NO. 847**

#### **AN ORDINANCE AMENDING THE COMMUNITY DEVELOPMENT CODE RELATING TO PUBLIC TRANSPORTATION FACILITIES TO COMPLY WITH FEDERAL FLOOD PLAIN MANAGEMENT REGULATIONS**

**April 2, 2019**

Part 1 – General Findings

Part 2 – Statewide Planning Goal Findings

Part 3 – Metro Urban Growth Management Functional Plan Findings

#### **Part 1:**

#### **GENERAL FINDINGS**

Ordinance No. 847 amends the Community Development Code (CDC) related to public transportation facilities in a floodplain or drainage hazard area for consistency with updated definitions and requirements proposed in Ordinance No. 847. Changes are intended to comply with Federal floodplain management regulations relating to County participation in the National Flood Insurance Program and modify drainage hazard area regulations.

#### **Key Ordinance Provisions**

The key provisions of Ordinance No. 847:

- Amend the Community Development Code provisions related to public transportation facilities in a floodplain or drainage hazard area for consistency with updated definitions and requirements proposed in Ordinance No. 847
- Clarifies maps used to determine which public transportation projects are subject to floodplain and drainage hazard regulations.

Because the ordinance would make changes that do not affect compliance with Oregon's Statewide Planning Goals (Goals), it is not necessary for these findings to address the Goals with respect to each amendment. The County Board of Commissioners (Board) finds that the Goals apply to amendments covered by these findings only to the extent noted in specific responses to individual applicable Goals, and that each amendment complies with the Goals. Goals 15 (Willamette River Greenway), 16 (Estuarine Resources), 17 (Coastal Shorelands), 18 (Beaches and Dunes), and 19 (Ocean Resources) and related Oregon Administrative Rules (OAR) are not addressed because these resources are not located within Washington County.

The County is also required to make findings that the amendments are consistent with the requirements of Metro's Urban Growth Management Functional Plan (UGMFP). These findings are addressed in this document.

**Part 2:**  
**STATEWIDE PLANNING GOAL FINDINGS**

The purpose of the findings in this document is to demonstrate that Ordinance No. 847 is consistent with Statewide Planning Goals (Goals), Oregon Revised Statutes (ORS), Oregon Administrative Rule (OAR) requirements, Metro’s Urban Growth Management Functional Plan (UGMFP), and Washington County’s Comprehensive Plan (Plan). The County’s Plan was adopted to implement the aforementioned planning documents and was acknowledged by the State of Oregon. The County follows the post-acknowledgement plan amendment (PAPA) process to update the Plan with new state and regional regulations as necessary and relies in part upon these prior state review processes to demonstrate compliance with all necessary requirements. No goal compliance issues were raised in the hearing proceedings described below. In addition, none of the proposed changes to the Community Development Code implicate a goal compliance issue. The following precautionary findings are provided to demonstrate ongoing compliance.

**Goal 1 - Citizen Involvement**

Goal 1 addresses Citizen Involvement by requiring the implementation of a comprehensive program to stimulate citizen participation in the planning process. Washington County has an acknowledged citizen involvement program that provides a range of opportunities for citizens and other interested parties to participate in all phases of the planning process. In addition, Chapter X of the County’s Charter sets forth specific requirements for citizen involvement during review and adoption of land use ordinances. Washington County has followed these requirements for the adoption of Ordinance No. 847.

**Goal 2 - Land Use Planning**

Goal 2 addresses Land Use Planning by requiring an adequate factual base to support a decision as well as coordination with affected governmental entities. Washington County has an acknowledged land use planning process that provides for the review and update of the various elements of the Plan, which includes documents such as the Rural/Natural Resource Plan, Comprehensive Framework Plan for the Urban Area (CFP), Community Plans, Community Development Code (CDC), and Transportation System Plan (TSP). Washington County utilized this process to adopt Ordinance No. 847.

Notice was coordinated with all affected governmental entities and no comments were received regarding the ordinance.

**Goal 3 - Agricultural Lands**

Goal 3 seeks to preserve and maintain agricultural lands for farm use, consistent with existing and future needs for agricultural products, forest and open space, and with the state's agricultural land use policies. Policy 15, Implementing Strategies (a) and (f), of the Rural/Natural Resource Plan include provisions for the preservation of agricultural lands.

Oregon right-to-farm laws are codified at ORS 30.930 to 30.947. Agricultural land will not be taken out of production and impacts to farm activity are not anticipated as a result of adoption of Ordinance No. 847.

The amendments are consistent with the County’s acknowledged policies and strategies for maintaining agricultural land as required by Goal 3.

#### **Goal 4 – Forest Lands**

Goal 4 addresses the conservation of forest lands by maintaining the forest land base and protecting the state’s forest economy by making possible economically efficient forest practices. Policy 16, Implementing Strategies (a) and (c) of the Rural/Natural Resource Plan include provisions for the conservation and maintenance of forest lands.

Commercial forest lands will not be taken out of production and impacts to commercial forest activity are not anticipated as a result of development code amendments reflected in Ordinance No. 847.

The amendments are consistent with the County’s acknowledged policies and strategies for maintaining commercial forestland as required by Goal 4.

#### **Goal 5 – Natural Resources, Scenic and Historic Areas, and Open Spaces**

Goal 5 addresses the protection of natural resources and the conservation of scenic, cultural, and historic areas and open spaces by requiring local programs to protect these resources in order to promote a healthy environment and natural landscape that contributes to Oregon’s livability for present and future generations.

In addition, OAR 660-023-0250 requires application of current Goal 5 provisions to post-acknowledgment plan amendments (PAPAs) when the PAPA 1) creates or amends a resource list or a portion of an acknowledged plan or land use regulation that protects a significant Goal 5 resource, or 2) allows new uses that could be conflicting uses with a particular Goal 5 site.

Policies 10, 11 and 12 of the CFP, Policies 7, 9, 10, 11, 12 and 13 of the Rural/Natural Resource Plan, and various sections of the Community Plans and the CDC include provisions for the protection of Goal 5 resources.

Article VII of the CDC regulates public transportation facilities, and Section 709, specifically, applies to public transportation projects involving alterations to a floodplain or a drainage hazard area. Proposed changes are non-substantive and relate to references for determining lands which lands are subject to floodplain and drainage hazard area standards, delineation requirements, and approval needed for increases in flood elevation.

Amendments adopted through Ordinance No. 847 work together with those being made in Ordinance No. 845 and existing code language to ensure that development within floodplains and drainage hazard areas does not adversely impact the floodplain or drainage hazard areas.

The amendments are consistent with the County’s acknowledged policies and strategies for conserving and protecting natural resources, scenic and historic areas and open spaces through the appropriate management of development within floodplains and drainage hazard areas, as required by Goal 5.

**Goal 7 - Areas Subject to Natural Hazards**

Goal 7 requires the implementation of local land use programs that reduce the risk to people and property from natural hazards such as floods, landslides and earthquakes. Policy 8 of the CFP and Policy 8 of the Rural/Natural Resource Plan set out the County’s policy to protect life and property from natural disasters and hazards.

Article VII of the CDC regulates public transportation facilities, and Section 709, specifically, applies to public transportation projects involving alterations to a floodplain or a drainage hazard area. Proposed changes are non-substantive and relate to references for determining which lands are subject to floodplain and drainage hazard area standards, delineation requirements, and approval needed for increases in flood elevation.

Amendments adopted through Ordinance No. 847 work together with those being made in Ordinance No. 845 and existing code language to reduce the risk to people and property from floods.

The amendments are consistent with the County’s acknowledged policies and strategies for protecting areas subject to natural hazards, such as floods, from financial loss consistent with Goal 7.

**Part 3:**

**URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN FINDINGS**

Section 3.07.810 of Title 8 of Metro’s Urban Growth Management Functional Plan (UGMFP) requires that county comprehensive plan changes be consistent with the UGMFP. The following Ordinance No. 847 findings have been prepared to address Title(s) 3 and 8 of the UGMFP.

**Title 3 - Water Quality and Flood Management**

Title 3 protects beneficial water uses and functions and values of resources within Water Quality and Flood Management Areas by limiting or mitigating impacts from development activities and protecting life and property from dangers associated with flooding.

**RESPONSE**

Article VII of the CDC regulates public transportation facilities, and Section 709, specifically, applies to public transportation projects involving alterations to a floodplain or a drainage hazard area. Proposed changes are non-substantive and relate to references for determining which lands are subject to floodplain and drainage hazard area standards, delineation requirements, and approval needed for increases in flood elevation.

Amendments adopted through Ordinance No. 847 work together with those being made in Ordinance No. 845 and existing code language to ensure that development within floodplains and drainage hazard areas does not adversely impact the floodplain or drainage hazard areas and protecting life and property from dangers associated with flooding.

The amendments are consistent with the County's acknowledged policies and strategies for reducing natural hazard risk as required by Title 3.

### **Title 8 - Compliance Procedures**

Title 8 sets forth Metro's procedures for determining compliance with the UGMFP. Included in this title are steps local jurisdictions must take to ensure that Metro has the opportunity to review amendments to comprehensive plans. Title 8 requires jurisdictions to submit notice to Metro at least 35 days prior to the first evidentiary hearing for a proposed amendment to a comprehensive plan.

### **RESPONSE**

Consistent with Title 8, a copy of proposed Ordinance No. 847 was sent January 30, 2019 to Metro, 35 days prior to the first evidentiary hearing. Metro provided no comments on Ordinance No. 847.