

**FERRY COUNTY PLANNING COMMISSION  
REGULAR MEETING  
November 9, 2011**

Chairwoman Lorna Johnson called the regular November 9, 2011 meeting of the Planning Commission to order. Commissioners Gary Howden, Bob Kirkham, Tammy Stevens, John Egge and Mickey Woolley were also present. Irene Whipple was present from the Planning Department. Alex Wirt attended as a guest.

Minutes from the regular meeting of September 7, 2011 were approved as written.

Alex Wirt, representing the Emergency Medical Services (EMS) addressed the Planning Commission with a possible goal to be added to the Comprehensive Plan. After discussion, the Planning Commission approved to add the following to Section 3.2.3. "5. To provide for the general health, safety and welfare of the public, the County and the City of Republic shall encourage the development of public facilities capable of being used by first responders; including but not limited to, Emergency Medical Services and Search and Rescue. To this end we shall endeavor to aid, in whatever means are practical, the development of a facility or facilities sufficient to meet their goals and objectives."

The Planning Commission reviewed two boundary adjustment applications submitted by Linell Harvey and Toni Tami. They own property within the Nelson Townsite and Danville Townsite within Section 4, Township 40, Range 34. To clean up the three existing parcels, they would like to boundary adjust Lots 1 through 12 and Fraction of Lots 21, 22, 23: Block 3: Nelson Townsite. TOGETHER WITH Government Lot 4, EXCEPTING that portion of Government Lot 4 lying within Block 14: Danville Townsite. ALSO EXCEPTING that portion of Government Lot 4 necessary to make Lot 20: Block 3: Nelson Townsite a full lot. ALSO TOGETHER WITH any associated vacated streets and alleys. The other parcel would be fractions of Lots 2 and 3 TOGETHER WITH Lots 4 through 24: Block 14: Danville Townsite. TOGETHER WITH Lots 1 and 2: Block 4: Nelson Townsite. ALSO, TOGETHER WITH that portion of Government Lot 4 lying within Block 14: Danville Townsite. ALSO TOGETHER WITH any associated vacated streets and alleys. Mickey made a motion to approve the two boundary adjustments. Tammy Stevens seconded the motion and it passed unanimously.

Tim LaPorte owns Lots 13, 14, 15 and 20 of Dollar Bar Beach Subdivision within Section 05, Township 37, Range 33. He would like to boundary adjust the lots to make one parcel. Because of the location, size and configuration of the lots; the septic system is located on Lot 20, which makes the four lots dependent on each other. Gary Howden made a motion to approve the boundary adjustment. It was seconded by Bob Kirkham and it passed unanimously.

Randy Dawson submitted an application for a plat amendment on the Ardohain Short Plat located within Section 32, Township 38, Range 33. Running through the middle of Lot 1 is a 30' easement for alternate access to Lot 2. The proposal is to remove that alternate access. Since Lot 2 has access off of the county road in a different location and since both parties are in agreement, Bob Kirkham made a motion to approve the plat amendment. Mickey Woolley seconded the motion and it passed unanimously.

The Ferry County Planning Commission reviewed a reasonable use exception request submitted by David Wilson to place a replacement septic system no closer than 50' from the ordinary high water mark of Curlew Lake. Mr. Wilson owns Lot 26 of the Blacks Beach Curlew Lake Tracts located in Section 08, Township 37, Range 33. This plat was created around 1950 and does not meet the current standards. The current drain field is placed closer to Curlew Lake than the current proposal. There is a community well that is about 25' from his north line. The undersized lot and the location of that well and his private well and their two 100' well protective radius which encompasses a good share of Lot 26 requires the

placement of the new septic system to be placed closer to the lake than our current 150' setback. Because of the size of the lot which does not allow for the 150' current setback and the location of the two well protective zones, Bob Kirkham made a motion to approve the reasonable use request to install a septic system no closer than 50' from the ordinary high water mark as long as there is protection for the system from vehicular traffic and it satisfies all the other Northeast Tri-County Health Department requirements. Tammy Stevens seconded the motion and it passed unanimously.

A reasonable use exception request was submitted by Michael S. Harrison to place a storage shed on skids no closer than 130' from the ordinary high water mark of the San Poil River and outside the 100' setback of Scatter Creek. Mr. Harrison owns Lot 3 of the Tom Dassel Short Plat located in Section 12, Township 35, Range 32. The entire lot is within the flood plain; with Hwy 21 South, the San Poil River, and Scatter Creek comprising three of the lot boundaries. The San Poil River has a 150' setback and Scatter Creek has a 100' setback. Because of the size of the lot which does not allow for the 150' current setback, Mickey Woolley made a motion to approve the reasonable use request to place a storage shed on skids no closer than 130' from the ordinary high water mark of the San Poil River and outside the 100' setback of Scatter Creek. Since it is also located within a flood plain, during high water it may need to be moved if necessary as there is the possibility that it may be washed away and may cause damage not only to it but other property as well. Bob Kirkham seconded the motion and it passed unanimously.

Robert and Michele Johnson submitted an application for a boundary adjustment to combine Lots 30 and 31 of Kettle River Park Estates #2 located within Section 21, Township 38, Range 37. These existing small lots are each only 75' wide and about 190' long and their house is built across the lots lines. Due to these facts, Bob Kirkham made a motion to approve the Boundary Adjustment. Tammy Stevens seconded the motion and it passed unanimously.

A non-conforming exemption request was submitted by Gary Douvia. Mr. Douvia leases a Lot 8 within Sherman Creek Homes which is improvement only on government leased land along Lake Roosevelt that is managed by the National Park Service. It is located within Range 37, Township 36, Section 27. His cabin burned down a number of years ago, and has been working with the National Park Service and the county to rebuild. The National Park Service has supplied a plot plan and has granted permission to rebuild a single story 19'9" x 34' cabin in exactly the same footprint as the original cabin with the exception of enclosing the southeast corner of the cabin after removal of the patio shed that is located closer to the shoreline. He would not be able to cover the existing patio area with any roof structure or enlarge the carport nor alter its support system. The foundation, on the existing footprint, may be improved to comply with existing codes and he must provide written documentation that proves the septic system is approved for use. This is also within a possible archaeological site. Therefore, an archaeological protection plan that has been approved by the Department of Archaeology and Historic Preservation, the Tribe, the archaeologist, and Mr. Douvia must be in place prior to any work being done and permits issued. The placement of a mobile home instead of rebuilding the cabin would be approved by Ferry County as long as the National Park Service approves the proposal as well. The mobile home would need to be in the exact footprint and square footage as the original cabin. Since this meets Section 28.60.00 of the Shoreline Master Program and Section 11.04.09 of the Resource Lands and Critical Areas Ordinance, Mickey Woolley made a motion to approve the variance. Bob Kirkham seconded the motion and it passed unanimously.

The Planning Commission continued their review for updating the Comprehensive Plan and made the following changes to the draft ordinance:

Section 3.2.3: Add to the end: "5. To provide for the general health, safety and welfare of the public, the County and the City of Republic shall encourage the development of public facilities capable of being used by first responders; including but not limited to, Emergency Medical Services and Search and

Rescue. To this end we shall endeavor to aid, in whatever means are practical, the development of a facility or facilities sufficient to meet their goals and objectives.”

Section 7.4, third paragraph: Delete “in the Appendix C1 and C2”

Section 7.4.1, 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup> paragraphs: Delete and move to the record

Section 7.4.2: Delete

Section 7.4.3:

- Delete the “7.4.3” and leave heading as “Goals”
- Delete paragraph and replace with:
  1. Maintain and protect existing wetland areas in Ferry County to insure no net loss of wetland function or area.
  2. To recognize that while the loss of wetlands is undesirable, there may be certain cases where property rights conflict with the County’s goal of protecting wetlands. In those cases, wetland impacts may be permitted provided that there is appropriate mitigation which may include restoration, enhancement, creation or off-site compensation for any net loss of wetland functions and values.

Section 7.4.4, Delete “7.4.4. Designation of Wetlands”

- 1<sup>st</sup> and 2<sup>nd</sup> paragraph: Delete
- 3<sup>rd</sup> paragraph: Add: a heading “Policies” before the 3<sup>rd</sup> paragraph
- 3<sup>rd</sup> paragraph, place a #1 in front of the paragraph and leave the 1<sup>st</sup> sentence as is
- 3<sup>rd</sup> paragraph 2<sup>nd</sup> sentence: Change to read: “The Critical Areas Ordinance will determine the final delineation based on ....”
- Move 3<sup>rd</sup> and 4<sup>th</sup> paragraphs from 7.4.5 to here and change to read: “2. RCW 36.70A.172 requires cities and counties to include best available science in developing policies and development regulations to protect the functions and values of critical areas. The Ferry County Board of Commissioners has considered best available science in developing the policies of the Critical Areas Ordinance. The science considered in requiring buffers to protect the functions and values of wetlands is found in the record.
- Move 5<sup>th</sup> paragraph from 7.4.5 to here and change to read: “3. Ferry County will utilize the Critical Areas Ordinance when reviewing development permits and activities within wetland areas.

Section 7.4.5:

- Delete the “7.4.5” and leave the heading “Classification and Protection”
- Move 3<sup>rd</sup>, 4<sup>th</sup>, and 5<sup>th</sup> paragraphs up under the new heading of “Policies”

Section 7.4.6:

- Delete the “7.4.6 Floodplains” and change to “7.4.2 Frequently Flooded Areas”
- Delete 1<sup>st</sup> paragraph
- 4<sup>th</sup> paragraph, 1st sentence: Change to read: “Frequently flooded areas are not suitable for intensive land use—particularly if these uses rely on on-site sewage....”
- 5<sup>th</sup> paragraph: Delete

Section 7.4.7:

- Delete the “7.4.7” and leave the heading “Goals”
- 1<sup>st</sup> paragraph: Delete
- #1: change to read: “To promote the public health, safety and general welfare of its citizens”
- #9 No net loss of flood plains will become a new #7 but change to read “7. Conserve frequently flooded areas”
- Add a new #8: “8. Mapping of frequently flooded areas
- After the new #8, Add a heading: “Policies”
- #7 will become #1 under Policies
- #8 will become #2

- #10 will become #3, but change to read: “Identify where the frequently flooded areas are located”
- #11 will become #4, but change to read: “Implementation of regulations utilizing the Flood Damage Prevention Ordinance and/or the Critical Areas Ordinance”
- #12: Delete
- #13 will become #5, but change to read: “Encourage non-structural flood control measures”
- #14 will become #6, but change to read: “Use structural flood control measures where appropriate”

Section 7.4.8:

- Delete the “7.4.8 Designation” and change to: “Classification, Designation and Protection
- Delete section and add: “The Classification, Designation and Protection can be found in the Flood Damage Prevention Ordinance and/or the Critical Areas Ordinance.

Section 7.4.9:

- Delete the “7.4.9” but leave “Historical Background”
- Delete entire section and reword as follows:  
 “The estimated cost to delineate and map flood plains mile per mile may be prohibitive. To perform this task successfully, coordination must occur with Ferry County, the Colville Confederated Tribes, Washington Department of Ecology, Federal Emergency Management Agency, Army Corps of Engineers, and the Natural Resource Conservation Service. Estimated cost for such a project would only depend on the scope. In the past due to grant money availability, previous Flood Maps have been produced sporadically, or in certain sections along the Kettle River that were platted. There are literally hundreds to thousands of acres of farm land that are currently in the Flood Plain that may one day be sold for the purpose of development. However, Ferry County can look at past projects and river miles to get a fair estimate as to future projects. These are:

Northwest Hydraulics Study of Kettle River Ranches, 1 river mile. In 1991, Northwest Hydraulic Consultants performed a hydraulic study of a one mile section along the Kettle River. The study scope was limited to only the 100-year water surface profile and its corresponding flood plain boundaries. Floodway and flood plain boundaries for other flood events were not considered.

Army Corps of Engineers Study of the Kettle River, 4.53 river miles. In 1994, the Army Corps of Engineers studied approximately six miles of the Kettle River along platted and developed land. The study scope included the 100-year and 500-year flood events. Also, included for the first time were elevations.

Natural Resources Conservation Service Study of the San Poil River, 53.5 river miles. In 2002, The Natural Resources Conservation Service conducted a study on the San Poil River to determine the water surface elevations for the 2-year, 5-year, 10-year, 25-year, 50-year, 100-year, and 500-year runoff events. The study delineated the San Poil River floodplain for the base flood (100-year) event.

Flood Insurance Rate Maps as issued by Federal Emergency Management Agency (FEMA). With the development of the Flood Damage Prevention Ordinance in 1989, Ferry County was eligible to participate in the National Flood Insurance Program (NFIP). This step has led to the issuance of Flood Insurance Rate Maps (FIRM). These FIRM Maps play a large part in siting development, but are only based on aerial photos and describe no contours.

The areas of special flood hazard identified by the Federal Insurance Administration in a scientific and engineering report entitled "The Flood Insurance Study for the Ferry County dated April 17, 1985, or the most current, with accompanying Flood Insurance Maps is hereby adopted

by reference and declared to be a part of this plan. The Flood Insurance Study is on file at the Ferry County Planning Department.

Section 7.4.10: Delete section

Section 7.4.11: Delete section

Section 7.4.12: Delete “7.4.12 Basis for Establishing the Areas of Special Flood Hazard” and move 1<sup>st</sup> paragraph up under Historical Background.

At the next meeting, continued review of the Comprehensive Plan will start at 7.4.13 Aquifer Recharge Areas.

The meeting was adjourned at 8:30 p.m.

