

ORDINANCE NO. 754

**AN ORDINANCE OF THE TOWN OF DARRINGTON, WASHINGTON,
ADOPTING FINDINGS OF FACT; ADOPTING INTERIM ZONING CODE
REGULATIONS REGULATING FLOOD DAMAGE PREVENTION;
PROVIDING FOR THE DURATION OF THIS ORDINANCE AND PUBLIC
HEARING; ESTABLISHING A WORK PROGRAM; PROVIDING FOR
SEVERABILITY, EXPIRATION AND AN EFFECTIVE DATE.**

WHEREAS, the Town of Darrington has adopted Ordinance 424 in 1989 codified as Darrington Municipal Code chapter 15.32 titled Flood Hazard Protection Regulations and amended the said regulations in 2005 by Ordinance 619; and

WHEREAS, Participation in the National Flood Insurance program requires the adoption of flood plain management regulations that comply with federal requirements; and

WHEREAS, the Town of Darrington has an interest in updating its code so that it is consistent with Federal and Washington State laws and the Washington Model Flood Damage Prevention Ordinance; and

WHEREAS, the Town of Darrington finds that health, safety and welfare is addressed in the proposed interim zoning code changes for flood damage prevention; and

WHEREAS, the Town Council will adopt the interim regulations concerning floodplain management, the preliminary Flood Insurance Study (FIS) and accompanying Flood Insurance Rate Map's (FIRM) by the Federal Emergency Management Agency (FEMA). The Council will analyze the effectiveness of the interim standards with the information and data acquired during the interim timeframe; and

WHEREAS, in order to maintain participation in the National Flood Insurance Program (NFIP) and allow citizens within the community to obtain flood insurance and certain types of federal disaster aid, the Town must adopt an updated floodplain ordinance that meets current state and NFIP standards and include the new FIS and FIRM as the basis for establishing areas of special flood hazard within 6 months of the Letter of Final Determination; and

WHEREAS, state statute allows interim land use controls to be effective for up to one year if a work plan is developed for related studies providing for such longer period pursuant to RCW 36.70A.390 and RCW 35A.63.220; and

WHEREAS, the Darrington Town Council is directing the Darrington Planning Commission to review the interim language and definitions consistent with the work plan/schedule attached hereto as Exhibit A, which exhibit is incorporated herein by this reference, and provide a recommendation to the Council for the adoption of permanent amendments to the town basic definitions in Chapter 18.10 DMC.

NOW THEREFORE, be it ordained by the Council of the Town of Darrington Washington:

Section 1. Findings. The Town Council hereby adopts the recitals expressed above as findings in support of this ordinance.

Section 2. Purpose. The purpose of this interim zoning ordinance is to enact for the term of this ordinance an addition to Chapter 18 of the Darrington Municipal Code - Flood Damage Prevention attached hereto as Exhibit B.

Section 3. Duration of Interim Zoning Regulations/public Hearing. The interim Zoning Code amendments adopted by this ordinance shall remain in effect for a period of six months from the effective date and shall automatically expire unless the same are extended as provided in RCW 36.70A.390 and RCW 354.63.220 prior to that date, or unless the same are repealed or superseded by permanent amendments prior to that date. A public hearing on the interim amendments shall be held on or about July 8, 2020 but no later than sixty days following the effective date of this Ordinance. Following the public hearing the Town Council may take action to amend this ordinance, including the making of additional findings.

Section 4. Planning Commission Work Plan. The Town of Darrington Planning Commission is hereby directed to review the interim regulations consistent with Exhibit A attached hereto and to make a recommendation on whether said amendments, some modification thereof, or other amendments should be permanently adopted. The Darrington Planning Commission is directed to complete its review, to conduct such public hearings as may be necessary or desirable, and to forward its recommendation to the Darrington Town Council as scheduled

Section 5. Copy to Commerce Department. Pursuant to RCW 36.70A.106(3), the Town Clerk is directed to send a copy of this ordinance to the State Department of Commerce for its files within ten (10) days after adoption of this ordinance.

Section 6. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be unconstitutional by a court of competent jurisdiction, such invalidity

or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 7. Effective Date. This Ordinance shall take effect and be in full force immediately after passage and publication of an approved summary consisting of the title.

ADOPTED by the Town Council and **APPROVED** by the Mayor this 19 day of June, 2020.

TOWN OF DARRINGTON



Dan Rankin, Mayor

ATTEST:



Dianne Allen, Town Clerk

Passed by Town Council: 6-19-2020

Date of Publication: 6-19-2020

Effective Date: 6-19-2020