

ORDINANCE NO. 299, 1987

An ordinance amending Clallam County Floodplain Management Code Chapter 32.01.

C.C.C. 32.01.050

DEFINITIONS. Unless specifically defined below, words and phrases used in this ordinance shall be interpreted so as to give the meaning they have in common usage and to give this ordinance its most reasonable application.

1. ALTERATION TO AN EXISTING MANUFACTURED ((~~MOBILE~~)) HOME PARK SUBDIVISION means the construction of additional facilities for servicing the mobile home sites in existing mobile home parks.
2. BASE FLOOD ELEVATION means the elevation of surface water during the 100-year flood.
3. BASE FLOOD OR ONE HUNDRED-YEAR FLOOD means the flood having a one percent chance of being equaled or exceeded in any given year.
4. BREAKAWAY WALL means any type of wall, whether solid or lattice, and whether constructed of material which is so designed as to breakaway under abnormally high tide or wave action without damage to the structural integrity of the building on which it is used or to any building to which it may be carried by the flood waters.
5. COASTAL HIGH HAZARD AREA means the area subject to high velocity waters, including but not limited to storm surge or tsunamis. The areas are designated on FIRM as Zone V1-30 and are located within Special Flood Hazard Areas.
6. DEVELOPMENT means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavating or drilling operations located within the floodplain. The growing of crops and trees and associated land preparation and harvesting activities is not included in this definition provided that land filling or excavating of floodplain areas are not a part of said activities.
7. FLOOD OR FLOODING means a general and temporary condition of partial or complete inundation of normally dry land from the overflow of inland or tidal waters or from the unusual and rapid accumulation of runoff of surface waters from any source.
8. FLOODPLAIN means the floodway and the special flood hazard area.
9. FLOODWAY means the channel of a stream, plus any adjacent floodplain areas, that must be kept free of encroachment in order that the base flood be carried

- without substantial increases in flood heights. As minimum standards, the Federal Insurance Administration limits such increases in flood heights to 1.0 foot, provided that hazardous velocities are not produced.
10. LOWEST FLOOR means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance.
~~((HABITABLE FLOOR means any floor usable for living purposes which includes working, sleeping, eating, cooking or recreation, or any combination thereof. A floor used only for storage purposes is not a "habitable floor".))~~
 11. MANUFACTURED ((Mobile)) HOME means a structure which is transportable in one or more sections, built on a permanent chassis, and used for human occupation. It shall include travel trailers, and inhabitable recreation vehicles that are placed on a site for more than 30 days.
 12. NEW CONSTRUCTION means a development for which the "start of construction" began on or after the effective date of this ordinance.
 13. RECREATION VEHICLE PARK means a plat of ground divided into lots or sites under ownership or management of one person, firm, corporation for recreation vehicles.
 - 14(~~13~~). RESPONSIBLE OFFICIAL means the county department head having jurisdiction to act on a proposed development, e.g. the Director of Environmental Health for septic tank permits; the Planning Director for Shoreline Permits, subdivisions; and the Building Official for building permits, etc.
 - 15(~~14~~). SPECIAL FLOOD HAZARD AREA means the area adjoining the floodway which is subject to a one percent or greater chance of flooding in any given year, as determined by engineering studies accepted by Clallam County. Coastal high hazard areas are located within special flood hazard areas. The term shall include the floodway fringe which is synonymous with the special flood hazard area.
 - 16(~~15~~). START OF CONSTRUCTION means the first phase of construction or placement of a structure, including land preparation. There is no "start of construction" prior to the issuance of all required permits, regardless of the actual state of construction.
 - 17(~~16~~). STRUCTURE means a walled and roofed building or mobile home that is principally above ground.

18(~~17~~). SUBSTANTIAL IMPROVEMENT means any change in a development which requires a county, state or federal action. The term does not include any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions or any alteration of a structure on the National Register of Historic Places or a State Inventory of Historic Places.

19(~~18~~). TEMPORARY USE means the occupancy of a parcel of land or a structure for not more than 30 consecutive days, nor more than a cumulative total of 30 days in any given year.

20(~~19~~). UTILITY means a private or public facility which provides direct service of heat, light, power, water, sewage disposal or communication to Clallam County citizens. The term utility shall not apply to transmission facilities and energy plants as defined by RCW 80.50.020, nor to hydroelectric plants and associated facilities which are nominally capable of generating and transmitting 25 megawatts or more of electricity.

21(~~20~~). WATERCOURSE means a natural or man-made channel through which water flows continuously or intermittently. It has a definite bed and is bounded by banks that are produced wholly or in part by and forms the path of a definite permanent or periodic flow of water. It includes, but is not limited to, a flow of water such as a river, creek, slough, brook, irrigation ditch, estuary, aqueduct, or underground stream.

22(~~21~~). WATER SURFACE ELEVATION means the height of surface water in relation to Mean Sea Level.

23. MANUFACTURED HOME PARK OR SUBDIVISION means the division of a parcel into two or more manufactured home lots for sale, lease or transfer.

C.C.C. 32.01.090

DUTIES OF THE RESPONSIBLE OFFICIAL. The responsible official shall, when applicable:

1. In the absence of reliable base flood elevation data being contained in the Flood Insurance Study, obtain, review and utilize any other base flood elevation data available in order to administer this ordinance;
2. Obtain and record the actual elevation (in relation to mean sea level) of the bottom of the lowest structural member of the lowest floor of all new or substantially improved structures, and whether or not the structure contains a basement;
3. Maintain the floodproofing certifications required in Section 32.01.130(2);
4. Make a good faith effort to determine that all applicable county, state, and federal permits have been issued prior to the start of construction;

5. Maintain for public inspection all records pertaining to this ordinance;
6. Notify adjacent communities and the Washington Department of Ecology prior to any alteration or relocation of a watercourse and submit evidence of such notification to the Federal Insurance Administration;
7. Require that maintenance is provided within the altered or relocated portion of the watercourse, so that the flood carrying capacity is not diminished and public safety and improved property is not threatened;
8. Make interpretations where needed, as to exact location of the boundaries of the special flood hazard areas (for example, where there appears to be a conflict between mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in Section 32.01.100;
9. Provide information for the Board of Appeals.

C.C.C. 32.01.110

CONDITIONS FOR VARIANCE

1. Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this section.
2. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result. A variance shall not be granted which allows the habitable portion of a structure under the base flood elevation.
3. Variance shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
4. Variances shall only be issued upon:
 - a. a showing of good and sufficient cause; and
 - b. a determination that failure to grant the variance would result in exceptional hardship to the applicant; and
 - c. a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause victimization of the public interests as identified in Section 32.01.100(5) or conflict with existing local laws or ordinances; and
 - d. a determination that the granting of the variance does not constitute a special privilege inconsistent with the limitations upon other, similar properties.

5. (~~Two-weeks~~) Prior to the denial of a county permit, approval, authorization, license, franchise, or plat on the basis of non-compliance with this ordinance, the responsible official shall inform the applicant in writing of the non-compliance.

If the applicant desires, he may within 14 days of such notice by registered return receipt requested mail (~~those two-weeks~~) apply for a variance from the standards of this ordinance, in which case no such county action on the building permit application shall occur until after the request for a variance has been acted upon by the Board of Appeals.

6. Any applicant to whom a variance is granted shall be given written notice of the conditions of approval, the limitations of the permit, and that the cost of flood insurance will be commensurate with the increased risk resulting from the granting of the variance.

C.C.C. 32.01.120

PROVISIONS FOR FLOOD HAZARD PROTECTION - SPECIAL FLOOD HAZARD AREAS - GENERAL STANDARDS

In all special flood hazard areas, the following standards are required:

1. Anchoring:

- a. All new developments or substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure;
- b. All manufactured (~~mobile~~) homes placed or replaced after the adoption of this ordinance shall be anchored to resist flotation, collapse, or lateral movement by securely anchoring to a foundation system in accordance with the provisions of Chapter 296-150B W.A.C. (~~providing over the top and frame ties to ground anchors. Specific requirements shall be that:~~

~~(i) over the top ties be provided at each of the four corners of the mobile home, with two additional ties per side at intermediate locations, with mobile homes less than 50 feet long requiring one additional tie per side;~~

~~(ii) frame ties be provided at each corner of the home with five additional ties per side at intermediate points, with mobile homes less than 50 feet long requiring four additional ties per side;~~

~~(iii) each component of the anchoring system be capable of carrying a force of 4,800 pounds; and;~~

~~(iv) any additions to the mobile home be
----similarly anchored--)~~

- c. An alternative method of anchoring may involve a system designed to withstand a wind force of 90 miles per hour or greater. Certification by a registered engineer must be furnished the Responsible Official that the alternative system results in safety equal to, or greater than, that provided by the anchoring system.
2. Construction Materials and Methods
 - a. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
 - b. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.
 3. Water and Sewage Disposal Systems
 - a. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
 - b. New and replacement sanitary sewage systems shall be designed to eliminate buoyancy and to minimize or eliminate infiltration of flood waters into the systems and discharge from the system into flood waters;
 - c. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.
 4. Subdivision Proposals

New subdivisions, manufactured ((~~mobile~~)) home park subdivisions, and short subdivisions as defined by local ordinances are prohibited in special flood hazard areas, unless each buildable lot has an area outside the special flood hazard area equal to or greater than the applicable minimum lot size.

Recreation ((~~camper~~)) vehicle park subdivisions, membership camper club subdivisions, and other outdoor recreation facilities may be permitted provided the following conditions are met:

 - a. They shall be consistent with the need to minimize flood damage.
 - b. They shall have public utilities and facilities such as sewer which meet floodproofing criteria of Section 32.01.120(3).
 - c. They shall have adequate drainage provided to reduce exposure to flood damage.

- d. Base flood elevation data shall be provided for the proposed development.
- e. One single-family residence is allowed in connection with the subdivision site provided that the subdivision is 5 acres or larger.
- f. Camper vehicles which are allowed to occupy the park must be ~~removed~~ within two hours.

removable * *dd*

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 *(It was not the intent of the Board of Clallam County Commissioners to change any portion of this sentence and no notice of any intended change was given to the public. It is, therefore, the intent of the Board to have this clerical error corrected and the ordinance return to its original wording, "removable".)

Review of Building Permits

Where elevation data is not available, historical data, high water marks, photographs or past flooding, etc., shall be used to determine base flood elevations.

Change of Use

Unauthorized change of use, e.g., from non-residential to residential, is prohibited.

C.C.C. 32.01.130

PROVISIONS FOR FLOOD HAZARD PROTECTION - SPECIAL FLOOD HAZARD AREAS - SPECIAL STANDARDS

In all special flood hazard areas, the following provisions are required:

1. Residential Construction

New construction and substantial improvement of any residential structure shall have the lowest floor, including mechanical and utility equipment (~~basement~~) elevated to or above base flood elevation. (~~However, the basement may be below base flood elevation if it is designed for storage only.~~)

2. Non-residential Construction

New construction and substantial improvement of any commercial, industrial or other non-residential structure shall either have the lowest floor, including basement, elevated to the level of the base flood elevation; or, together with attendant utility and sanitary facilities, shall;

- a. Be floodproofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water;
- b. Have structural components capable of resisting hydraulic and hydrodynamic loads and effects of buoyancy; and,
- c. Be certified by a registered professional engineer or architect that the standards of this subsection are satisfied and that the structure designs, specifications and plans comply with 44 C.F.R.

60.3(c)(3)(ii) or (c)(8)(ii). A record of said certification which includes specific elevation to which such structures are floodproofed shall be maintained with the responsible official.

3. Manufactured ((Mobile)) Homes

All manufactured homes to be placed or substantially improved within Zones AI-30, AH-30, AH and AE shall be elevated and anchored on a permanent foundation such that the lowest floor of the manufactured home is at or above the base flood elevation. ((For existing mobile home park subdivisions where the repair, construction or improvement of the streets, utilities and pads is a substantial improvement or when mobile homes are placed or replaced outside of a subdivision, the following requirements shall apply in addition to those listed in Section 32.01.120.

- a. Sites shall be elevated on compacted fill or on pilings so that the lowest floor of the mobile home will be at or above the base flood level;
- b. Adequate surface drainage and access for a hauler shall be provided; and,
- c. In the instance of elevation on pilings:
 - (i) piling foundations shall be placed in stable soil no more than ten feet apart, and
 - (ii) reinforcement shall be provided for
 - pilings protruding more than six feet above the ground level.))

4. Openings in enclosures below a structure's lowest floor.

For all new construction and substantial improvements, fully enclosed areas below the lowest floor that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria: A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

C.C.C. 32.01.140

PROVISIONS FOR FLOOD HAZARD PROTECTION FLOODWAYS

In floodways, the following provisions apply:

1. Encroachments, including fill, new construction, substantial improvements, and other development, are prohibited unless the encroachment shall not result in any increase in flood levels during the occurrence of the base flood discharge;
2. The placement, or construction of any habitable structure is prohibited; provided, however, that habitable structures existing prior to the effective date of this ordinance may be replaced if the replacement structure is not prohibited by C.C.C. 32.01.140(1), with any increase in flood levels being calculated from conditions existing on the effective date of this ordinance.
3. If the requirements of Section 32.01.140(1) are satisfied, the flood hazard protection provisions of Sections 32.01.120, .130, and .150, relating to special flood hazard areas, shall also apply to all new construction and substantial improvements within floodways.
4. Electrical heating and ventilation, plumbing and air conditioning equipment and other service facilities shall be designed and located so as to prevent water from entering or accumulating within the component.

C.C.C. 32.01.150

COASTAL HIGH HAZARD AREA

In coastal high hazard areas (V-Zones) which are located within the special flood hazard areas, the following provisions shall apply:

1. All new structures shall be located landward of the reach of mean high tide.
2. All buildings or structures shall be elevated so that the bottom of the lowest supporting member is located no lower than the base flood elevation level, with all space below the lowest supporting member open so as not to impede the flow of water, except for breakaway walls as provided for in Section 32.01.150(8).
3. All buildings or structures shall be securely anchored on pilings or columns.
4. Pilings or columns used as structural support shall be designed and anchored so as to withstand all applied loads caused by the flow of water during a base flood and resist flotation, collapse and lateral movement due to the effects of wind and water loads acting simultaneously on all building components during conditions of flooding.

5. Plans to be in compliance with provisions of Section 32.01.150(2), (3), and (4) shall be certified to by a registered professional engineer or architect. Said certification shall specify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the provisions of Subsections 3 and 4 immediately above.
6. There shall be no fill used for structural support.
7. There shall be no alteration of sand dunes which would increase potential flood damage.
8. Breakaway walls, including open wood lattice-work and insect screenings, shall be allowed below the base flood elevation provided they are not a part of the structural support of the building and are designed so as to break away or collapse under abnormally high tides or wave action, without damage to the structural integrity of the supported building and supporting foundation system. They shall have a design safe loading resistance of not less than 10 and no more than 20 pounds per square foot. Design safe loading over 20 pounds per square foot shall be allowed and must be certified by a registered professional engineer or architect to meet the following conditions:
 - a. breakaway wall collapse shall result from a water load less than that which would occur during the base flood; and,
 - b. the elevated portion of the building shall not be subject to collapse or displacement or other structural damage due to the effects of wind and water loads acting simultaneously on all building components. Maximum wind and water loading values to be used in this determination shall each have a one per cent chance of being equalled or exceeded in any given year.
9. If breakaway walls are utilized, such enclosed space shall not be used for human habitation.
10. Prior to construction, plans for any structure that will have breakaway walls must be submitted to the Responsible Official for approval.
11. The placement of mobile homes, except in an existing mobile home park or mobile home subdivision, is prohibited.
12. Any alteration, repair, reconstruction or improvement to a structure started after the enactment of this ordinance shall not enclose the space below the lowest floor unless breakaway walls are used as provided for in Section 32.01.150(8).

C.C.C. 32.01.200 This chapter shall take effect ten days after adoption.

PASSED AND ADOPTED THIS 17th DAY OF February, 1987.

BOARD OF CLALLAM COUNTY COMMISSIONERS

Dorothy Duncan
Dorothy Duncan, Chair

Lawrence Gaydeski
Lawrence Gaydeski

Evan Jones
Evan Jones

ATTEST:

Karen Flores
Karen Flores
Clerk of the Board

cc: Community Development
files
minutes