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3-07-89

Ordinance No. 346, 1989

An ordinance amending the Floodplain Management Code of Clallam County, Chapter 32.01.

(All new material shall be underlined, material deleted shall be double parenthesized and scored through.)

BE IT ORDAINED BY THE BOARD OF CLALLAM COUNTY COMMISSIONERS:

Section 1. Sections 32.01.040, 32.01.050, 32.01.130, and 32.01.150 of the Clallam County Floodplain Management Code are amended to read as follows:

Section C.C.C. 32.01.040 APPLICABILITY

(1) This ordinance applies to all areas of the floodplain (as defined in Section ~~((32.01.040(8)))~~ 32.01.050(10) within the jurisdiction of Clallam County, Washington.

~~((2) --The floodways and special flood hazard areas identified by the Federal Insurance Administration in a scientific and engineering report entitled Flood Insurance Study, Clallam County, Washington, Unincorporated Areas" dated November 5, 1980, and as amended February 16, 1983, and accompanying Flood Insurance Rate Maps (FIRM) and Flood Boundary -- Floodway Maps (Floodway) are hereby adopted by reference and declared to be a part of this ordinance.))~~

(2) The minimum regulatory area shall be those areas subject to a base (one hundred year) flood and designated as special flood hazard areas on the most recent maps provided by the Federal Emergency Management Agency (FEMA) for the National Flood Insurance Program. Best available information shall be used if these maps are not available or sufficient. These ((documents)) maps are on file in the Planning Division and the Auditor's Office, Courthouse, Port Angeles, Washington.

(3) No development within the floodplain shall be implemented except in full compliance with the terms and intent of this ordinance.

(4) Compliance with this ordinance does not relieve a development proponent from compliance with all other applicable county, state and federal laws.

Section 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 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) BASEMENT means any area of the building having its floor subgrade (below ground level) on all sides.

(5) BEST AVAILABLE INFORMATION means in the absence of official flood insurance rate map data, communities can use data from other federal, state, or other sources provided this data has either been generated using technically defensible methods or is based on reasonable historical analysis and experience.

~~((4))~~ (6) BREAKAWAY WALL means any type of wall, whether solid or lattice, and constructed of material which is so designed as to break away 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))~~ (7) COASTAL HIGH HAZARD AREAS means the area subject to high velocity waters, including but not limited to storm surge or tsunamis. The areas are designed on FIRM as Zone V1-30 or VE or V and are located within Special Flood Hazard Areas.

(8) CRITICAL FACILITIES means a facility for which even a slight chance of flooding would be too great. They include but are not limited to schools, hospitals, police, fire, emergency response installation, nursing homes, installations which produce, use, or store hazardous materials or hazardous waste.

~~((6))~~ (9) 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))~~ (10) 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.

(11) FLOOD PROOFING means any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate, improved real property, water and sanitary facilities, structures and their contents.

~~((8))~~ (12) FLOODPLAIN means the floodway and the special flood hazard area.

~~((9))~~ (13) 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.

(14) HIGHEST ADJACENT GRADE means the highest natural elevation of ground surface prior to construction next to the proposed walls of a structure.

~~((10))~~ (15) 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.

~~((11))~~ (16) MANUFACTURED 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.

(17) MEAN SEA LEVEL means the national geodetic vertical datum (NGVD) of 1929, or other datum to which base flood elevations on floodplain maps are referenced.

((12)) (18) NEW CONSTRUCTION means a development for which the "start of construction" began on or after the effective date of this ordinance.

(19) PRINCIPALLY ABOVE GROUND means that at least 51 percent of the actual cash value of the structure, less land value, is above ground.

((13)) (20) 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)) (21) 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)) (22) 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)) (23) 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)) (24) STRUCTURE means a walled and roofed building or mobile home that is principally above ground.

((18)) (25) 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)) (26) 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)) (27) 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)) (28) 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)) (29) WATER SURFACE ELEVATION means the height of surface water in relation to Mean Sea Level.

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

Section 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 elevated to ((or-above)) base flood elevation, plus one foot.

(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, plus one foot; or, together with attendant utility and sanitary facilities, shall;

(a) Be floodproofed so that below the base flood level plus one foot the structure is watertight with walls substantially impermeable to the passage of water;

(b) Have structural components capable of resisting hydrostatic 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 Homes. All manufactured homes to be placed or substantially improved within Zones AI-30, AH-30, AH and AE shall be evaluated and anchored on a permanent foundation such that the lowest floor of the manufactured home is at ((or-above)) the base flood elevation plus one foot, except as provided otherwise by 44CFR 60 pertaining to existing mobile home parks.

(4) Critical Facilities. Critical facilities should be afforded additional flood projection due to their nature. Construction of new critical facilities shall be, to the extent possible, located outside the limits of the one hundred year floodplain. Construction of new critical facilities shall be permitted within the one hundred year floodplain if no feasible alternative site is available. Critical facilities constructed within the one hundred floodplain shall have the lowest floor elevated to three or more feet above the level of the one hundred year flood. Flood proofing and sealing measures must be taken to insure that toxic substances will not be displaced by or released into floodwaters. Access routes shall be elevated to or above the level of the one hundred year flood.

((4)) (5) 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.

Section 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 horizontal supporting member of the lowest floor is located no lower than the base flood elevation level plus one foot, 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 and structures attached thereto shall be designed and anchored so as to withstand all applied loads caused by wind and 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. Wind and water loading values shall each have a one percent chance of having equalled or exceeded in any given year (100 year mean recurrence interval).

(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 of buildings.

(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).


Section 2. The Board has determined that this amendment is in the best interest of the public health, safety and welfare.

Section 3. This ordinance shall become effective ten days after adoption.

BOARD OF CLALLAM COUNTY COMMISSIONERS



Dorothy Duncan, Chair




Dave Cameron



Lawrence Gaydeski

ATTEST:



Karen Flores
Clerk of the Board

ORDINANCE NO. 346 1989.