

November 1, 1978

Introduced by Bob Dunn

Proposed No. 78-917

ORDINANCE NO. 3952

AN ORDINANCE relating to Flood Hazard; establishing interim flood hazard areas, providing for the retention of records and the regulation of development to comply with the requirements of the Federal Insurance Administration Amending Ordinance #1527, Sections 5, 6 and 7; Ordinance #2985, Section 11 and KCC 21.54.050, 21.54.060 and KCC 21.54.070 and adding new sections to KC 21.54.

PREAMBLE:

The National Flood Insurance Act requires that King County amend its floodplain management regulations so that County residents will be eligible for:

- 1) subsidized flood insurance;
- 2) federal disaster relief; and
- 3) federal mortgage insurance.

The Flood Insurance Administration has hired Michael Baker Jr., Inc., to remove from King County's Flood Insurance Rate Maps small streams which should not be included in the maps.

Consistent with the provisions of KCC 21.54.080 King County will assist individual property owners in preparing information required by this chapter.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

NEW SECTION SECTION 1. There is added to KCC 21.54 a new section to read as follows:

Interim Flood Hazard Areas. Lands identified as areas of special flood hazard by the Federal Insurance Administration in the September 29, 1978 "Flood Insurance Study for King County, Washington" which were not previously adopted as Flood Hazard areas pursuant to the provisions of KCC 21.54.030 are hereby adopted as Interim Flood Hazard Areas. As Interim Flood Hazard Areas these lands shall be subject to all the provisions of this chapter to the extent that the detailed information necessary to implement this chapter has been provided.

SECTION 2. Ordinance #2985, Section 11, Ordinance #1527, Section 7 and KCC 21.54.070 are amended to read as follows:

Permits and licenses - Approval required. No permit or license for structures of the development or use of land shall be issued by King County within a flood hazard area unless approved by the director of the department of public works. Such approval shall be based on a review of the provisions set forth in this chapter and

1 the technical findings and recommendations of county divisions
 2 including, but not limited to, the Division of Building and Land
 3 Development. Compliance with the provisions of this chapter does
 4 not obviate the need to obtain other permits which may be required
 5 pursuant to state or federal law including approvals required from
 6 the Washington State Departments of Social and Health Services and/
 7 or Ecology relating to water and/or sewer systems which, such ap-
 8 provals ensure that water and sewer systems will be designed to
 9 avoid infiltration, inflow or impairment.

10 NEW SECTION SECTION 3. There is added to KCC 21.54 a new sec-
 11 tion to read as follows:

12 Information to be obtained and maintained. The King County
 13 Executive will obtain and maintain a record of the actual elevation
 14 (in relation to mean sea level) of the lowest habitable floor
 15 (including basement) of all new or substantially improved structures
 16 within a Flood Hazard Area and whether or not the structure contains
 17 a basement.

18 SECTION 4. Ordinance 1527, Section 5 and KCC 21.54.050 are
 19 amended to read as follows:

20 Limitation on uses in floodway. The following shall not be
 21 permitted as a new use or new structure or development in a known floodway:

22 (a) Any structure, development or (~~landfill~~) grading which
 23 is prohibited in the floodway fringe;

24 (b) Any permanent building or structure designed to be used
 25 year-round for human habitation, commerce, employment or public
 26 assembly;

27 (c) Any structure or (~~excavation~~) grading which would cause
 28 water to be diverted from the established floodway, cause erosion,
 29 obstruct the natural flow of water, increase the potential for tur-
 30 bidity or pollution, (~~or~~) materially reduce the carrying capacity
 31 of the floodway (~~or~~), or raise the elevation of the 100-year flood;

32 (d) During the flood season, the construction or storage of
 33 any object or material which would be subject to flotation and

1 movement, provided that the following may be permitted when per-
 2 mitted in the underlying use classification and when the objec-
 3 tives of this chapter are secured by the attachment of conditions:

4 (1) Dwellings, and structures or buildings relating to com-
 5 merce, employment or public assembly which are seasonal in nature
 6 and either mobile or readily disassembled; and are removed from the
 7 floodway during the flood season.

8 (2) Agriculture, forestry and open recreation uses such as
 9 campgrounds, parks, golf courses, gun clubs, tennis clubs, swimming
 10 clubs, boat launching, riding clubs, transient amusement activities,
 11 racetracks, and airstrips, provided that all permanent or year-
 12 round buildings are either located outside the floodway or, if
 13 located in the floodway, can be flood-proofed with negligible ob-
 14 struction, diversion and loss of carrying capacity.

15 (3) The storage of equipment, machinery and building materi-
 16 als during the period from May 1st to September 15th,

17 (4) The primary processing of forest and agricultural pro-
 18 ducts and the mining and processing of natural materials, provided
 19 portable equipment and machinery are used and the storage of pro-
 20 ducts and equipment are limited to the non-flood season.

21 (e) Any alteration in the river or stream channel without
 22 notifying adjacent communities.

23 SECTION 5. Ordinance #1527, Section 6 and KCC 21.54.060 are
 24 amended to read as follows:

25 Limitation or uses in the floodway fringe. The following
 26 shall not be permitted (~~as-a-new-use-or-new-structure~~) in the
 27 floodway fringe:

28 (a) Any residential structure, hotel, motel or boarding
 29 house (~~(;-development-or-landfill-which,-if-generally-permitted~~
 30 would+)) whose building site and lowest floor, including basement
 31 if any, are not at or above the elevation of the 100-year flood.

32 (~~(1) Reduce-significantly-the-natural-holding-capacity-of-an~~
 33 ~~upstream-flood-plain,-or~~

1 (2) Pollute or contribute materially to the turbidity of
2 flood water at intermediate regional flood stage,

3 (b) Any permanent structure which is not fully protected from
4 water damage at the intermediate regional flood level;-- provided,
5 that the following may be permitted when permitted in the underly-
6 ing zoning code classification, and when the objectives of this
7 chapter are secured by the attachment of conditions:

8 (1) Structures, uses, developments and landfills as permitted
9 in the floodway, except that seasonal restrictions may be reduced.))

10 (b) Any non-residential structure which would not have the
11 lowest floor, including basement if any, either elevated to the
12 elevation of the 100-year flood; or, together with attendant
13 utility and sanitary facilities, would not:

14 (1) be flood-proofed so that at and below the 100-year
15 flood level the structure is water-tight with walls substantially
16 impermeable to the passage of water;

17 (2) have structural components capable of resisting hy-
18 drostatic and hydrodynamic loads and effects of buoyancy; and,

19 (3) be certified by a registered professional engineer
20 or architect that the standards of this subsection are satisfied.

21 (c) Any grading which would raise the elevation of the 100-
22 year flood one foot or more, or would pollute or contribute materi-
23 ally to the turbidity of flood water at the 100-year flood level.

24 (d) The subdivision of land into residential lots when such
25 lots do not have a buildable area of 5,000 square feet and vehic-
26 ular roadway access to such buildable area which both are at or
27 above the elevation of the 100-year flood.

1 (e) Any structure or development which is not constructed
2 with materials and in a manner to minimize flood damage; PROVIDED,
3 that structures, uses, developments, and grading which are
4 permitted in the floodway may be permitted in the floodway fringe.

5 INTRODUCED AND READ for the first time this 11th
6 day of September, 1978.

7 PASSED this 6th day of November, 1978.

8 KING COUNTY COUNCIL
9 KING COUNTY, WASHINGTON

10 Bernice Stern
11 Chairman

12 ATTEST:

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14 Dorothy M. Quinn DEPUTY
15 Clerk of the Council

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17 APPROVED this 13th day of November, 1978.

18 [Signature]
19 King County Executive
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