

ORIGINAL

CITY OF REDMOND, WASHINGTON

ORDINANCE NO. 863

AN ORDINANCE, relating to flood control and participation in the National Flood Insurance Program; and providing for a review procedure in connection with the issuance of building permits and permits for development.

WHEREAS, certain areas of the City of Redmond are subject to periodic flooding and/or mudslides from rivers, streams, surface and groundwaters, which may cause serious damage to properties within these areas; and

WHEREAS, relief for such damages is available in the form of Federally subsidized flood insurance as authorized by the National Flood Insurance Act of 1968; and

WHEREAS, the City has the legal authority to adopt land use control measures to reduce future flood and mudslide losses pursuant to RCW Title 35A and has adopted and is enforcing the Uniform Building Code, which prohibits any person, firm or corporation from erecting, constructing, enlarging, altering, repairing, improving, moving or demolishing any building or structure without first obtaining a separate building permit for each building or structure from the Building Official; and

WHEREAS, the Building Official administers the Uniform Building Code and must examine all plans and specifications for the proposed construction when application is made to him for a building permit; and

WHEREAS, it is the intent of the City Council to recognize and evaluate such hazards in all official actions relating to land use in areas having special flood and/or mudslide hazards; Now, Therefore,

THE CITY COUNCIL OF THE CITY OF REDMOND DO ORDAIN AS FOLLOWS:

Section 1. Purpose. It is the purpose of this ordinance to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by methods and provisions designed for:

(1) Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;

(2) Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;

(3) Controlling the alternation of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel floodwaters;

(4) Controlling filling, grading, dredging, and other development which may increase flood damage; and

(5) Preventing or regulating the construction of flood barriers, which will unnaturally divert floodwaters or which may increase flood hazards in other areas.

Section 2. Definitions. The following words and phrases shall be defined and give the meaning set forth below for the purpose of this ordinance. Other words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and all interpretations shall be made as to give this ordinance its most reasonable application.

(1) "Area of Special Flood Hazard" means the land in the floodplain within a community subject to a base flood.

(2) "Base Flood" means a flood having a one percent chance of being equalled or exceeded in any given year.

(3) "Development" means any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations located within the area of special flood hazard.

(4) "Flood or Flooding" means a general and temporary condition or partial or complete inundation of normally dry land areas from:

- (a) The overflow of inland waters and/or
- (b) The unusual and rapid accumulation of runoff of surface waters from any source.

(5) "Flood Insurance Rate Map" (Firm) means the official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

(6) "Flood Insurance Study" means the official report provided by the Federal Insurance Administration that includes flood profiles, the Flood Boundary-Floodway Map, and the water surface elevation of the base flood.

(7) "Floodway" means the channel or portion of a watercourse and the adjacent land areas that must be reserved in order to discharge a base flood without cumulatively increasing the water surface elevation more than one foot.

(8) "Floodway Fringe" means that portion of the area of special flood hazard exclusive of the floodway.

(9) "Habitable Floor" means any floor usable for living purposes, which includes working, sleeping, eating, cooking or recreation, or a combination thereof. A floor used only for storage purposes is not a "habitable floor," so long as such sole use continues.

(10) "Mobile Home" means a structure that is transportable in one or more sections, built on a permanent chassis, and designed to be used with or without a permanent foundation when connected to the required utilities. It does not include recreational vehicles or travel trailers.

(11) "New Construction" means structures for which the "start of construction" commenced on or after the effective date of this ordinance.

(12) "Start of Construction" means the first placement of permanent construction of a structure on a site, such as the pouring of slabs or footings or any work beyond the grading, and filling, nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not as part of the main structure.

(13) "Structure" means a walled and roofed building or mobile home that is principally above ground.

(14) "Substantial Improvement" means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either:

- (a) Before the improvement or repair is started, or
- (b) If the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not the alteration affects the external dimensions of the structure.

Section 3. Lands to which this Ordinance applies. This ordinance shall apply to all areas of special flood hazards within the jurisdiction of the City of Redmond, Washington.

Section 4. Basis for establishing the areas of special flood Hazard. 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 City of Redmond, Washington, King County," dated August 1978, and by the Flood Insurance Maps entitled and numbered "FIRM (Flood Insurance Rate Map) City of Redmond, Washington, King County, Community Panel Number 530087 0005 B" and "Floodway (Flood Boundary and Floodway Map) City of Redmond, Washington, King County, Community Panel Number 530087 0005B," with an effective date of February 1, 1979, are hereby adopted by reference and declared to be a part of this ordinance. The Flood Insurance Study is on file at the offices of the Department of Planning and Community Development and Department of Public Works, City Hall, Redmond, Washington.

Section 5. Compliance. No building permit or other development or land use permit or approval shall be granted that is not in compliance with the requirements of this ordinance.

Section 6. Administration and enforcement. The Building Official shall administer and implement this ordinance by granting, granting with conditions, or denying building permit applications in accordance with its provisions. Administration and enforcement of the provisions of this ordinance shall be the same as provided in the Uniform Building Code.

Section 7. Duties and responsibilities of the Building Official. Duties of the Building Official shall include, but not be limited to:

- (1) Permit Review, which shall involve the review of all applications for building permits to determine:
 - (a) that the permit requirements of this ordinance have been satisfied;
 - (b) that all necessary permits have been obtained from those federal, state or local

governmental agencies from which prior approval is required; and

(c) if the proposed development is located in the floodway, to assure that the provisions of Section 9 are met.

(2) Obtaining and Maintaining Information consisting of the following:

(a) the actual elevation (in relation to mean sea level) of the lowest habitable floor or storage flood (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement; and

(b) For all new or substantially improved flood-proofed structures;

(i) the actual elevation (in relation to mean sea level) which shall be verified and recorded, and

(ii) the certifications required in Sections 8 and 9 shall be maintained on file.

(3) Notification of the alteration of watercourses and maintenance of flood carrying capacity, consisting of the following:

(a) Notify adjacent communities and the State Departments of Ecology and Fisheries, prior to any alteration or relocation of the Sammamish River, Bear Creek, Evans Creek and Lake Sammamish, and submit evidence of such notification to the Federal Insurance Administration; and

(b) Require that maintenance is provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.

(4) Interpretation of FIRM Boundaries. Together with the Technical Committee make interpretation where needed, as to exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The Technical Committee shall obtain, review, and reasonably utilize any base flood elevation data available from a federal, state or other source, in making such interpretations. Any person contesting the location of the boundary shall be given thirty (30) days to appeal the interpretation in writing to the Board of Adjustment or its successor.

Section 8. General Standards. In all areas of special flood hazards, the following standards are required:

(1) Anchoring

(a) All new construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure;

(b) All mobile homes shall be anchored to resist flotation, collapse, or lateral movement by 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 to 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) all components 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 involving a system designed to withstand a wind force of 90 miles per hour or greater may be permitted. Certification must be provided to the Building Official that this standard has been met.

(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) Utilities

(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 minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters;

(c) On-site waste disposal systems are prohibited.

(4) Subdivision Proposals

(a) All subdivision proposals shall be consistent with the need to minimize flood damage;

(b) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;

(c) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage; and

(d) Base flood elevation data shall be provided by the applicant for subdivision and short subdivision proposals and other proposed development which contain at least 50 lots or 5 acres (whichever is less).

(5) Residential Construction. New construction and any substantial improvement of any residential structure shall have the lowest floor, including basement, elevated one foot above the base flood elevation.

(6) Nonresidential Construction. New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated one foot above the level of the base flood elevation; and 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 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.

(7) Mobile Homes

(a) Mobile homes shall be anchored in accordance with subsection (1) of this Section;

(b) For new mobile home parks and mobile home subdivisions; for expansions to existing mobile home parks and mobile home subdivisions; for existing mobile home parks and mobile home subdivisions where the repair, reconstruction or improvement of the streets, utilities and pads equals or exceeds 50 percent of value of the streets, utilities and pads before the repair, construction or improvement has commenced; and for mobile homes not placed in a mobile home park or mobile home subdivision, it shall be required that:

(i) stands or lots are elevated on compacted fill or on pilings so that the lowest floor of the mobile home will be one foot above the base flood level; and,

(ii) in the instance of elevation on pilings, that:

- lots are large enough to permit steps,
- piling foundations are placed in stable soil no more than ten feet apart, and
- reinforcement is provided for pilings more than six feet above the ground level;

(c) No new mobile homes shall be placed in a floodway.

Section 9. Floodway/Floodway Fringe. Special restrictions with respect to floodways and floodway fringe areas shall be as follows:

(1) Floodway. Located within areas of special flood hazard established in Section 4 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters which carry debris, potential projectiles, and erosion potential, the following are not permitted in the floodway: structures, developments, or landfills, other than for shoreline protective structures, bridges, roads, trails, and railroads.

(2) Floodway Fringe Restrictions. The following are not permitted in a floodway fringe:

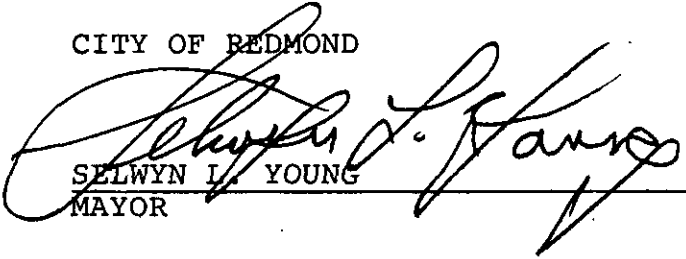
(a) Except in areas designated "Urban Environment," in the Redmond Shoreline Master Program, any structure, development or landfill which would: reduce the natural floodwater storage capacity of the area of special flood hazard; pollute or contribute materially to the turbidity of floodwater at the base flood stage; significantly change the existing base flood hydraulic characteristics, or alter the temperature characteristics of the water body unless an improvement in fish habitats would result; and

(b) Any structure which is not fully protected from water damage at the base flood stage by having the lowest usable habitable or storage floor or level raised at least one foot above the base flood stage level, and by flood proofing in a manner complying with the requirements of this ordinance.


Section 10. Effective Date. This ordinance shall take effect and be in force five (5) days after the date of its publication in the manner provided by law.

PASSED by the Council of the City of Redmond, Washington, at a regular meeting thereof, and APPROVED by the Mayor this 20th day of February, 1979.

CITY OF REDMOND


SELWYN L. YOUNG
MAYOR

ATTEST:


PAUL F. KUSAKABE
CITY CLERK

APPROVED AS TO FORM:


JOHN D. LAWSON
CITY ATTORNEY

Published in the Sammamish Valley News on February 28, 1979