

ORDINANCE NO. 1264

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO FLOOD HAZARD CONSTRUCTION STANDARDS; AMENDING SUBSECTIONS 18.10.050.B, 18.10.070.H.3 AND 18.10.070.I OF THE GIG HARBOR MUNICIPAL CODE AND ADDING A NEW SECTION 18.10.100 TO THE GIG HARBOR MUNICIPAL CODE FOR FLOOD HAZARD REDUCTION IN COMPLIANCE WITH MINIMUM FEDERAL AND STATE OF WASHINGTON FLOODPLAIN STANDARDS; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, on March 20, 2013 the Gig Harbor City Council adopted Ordinance No.1259 relating to development in areas of special flood hazard and within 200 feet landward of areas of special flood hazard and amending Chapter 18.10 of the Gig Harbor Municipal Code to require a habitat assessment or letter from NMFS or FEMA establishing compliance with the Endangered Species Act; and

WHEREAS, pursuant to RCW 86.16.041 communities proposing to amend their floodplain management ordinances are required to submit the changes to the Department of Ecology (Ecology) for review; and

WHEREAS, Ecology reviewed the ordinance and determined it to be compliant with National Flood Insurance Program (NFIP) and State Floodplain Standards; and

WHEREAS, Ecology determined that additional amendments to Chapter 18.10 of the Gig Harbor Municipal Code are required to maintain its consistency with federal and state floodplain standards; and

WHEREAS, the Gig Harbor City Council desires to bring Chapter 18.10 GHMC into compliance with federal and state floodplain standards as identified by Ecology's review; now, therefore,

**THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON,
ORDAINS AS FOLLOWS:**

Section 1. Subsection 18.10.050.B. - Amended. Subsection 18.10.050.B of the Gig Harbor Municipal Code is hereby amended to add the date of the flood insurance rate map as follows:

18.10.050 General provisions.

B. 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 Gig Harbor" dated March 2, 1981, and any revisions thereto, with an

accompanying flood insurance rate map (FIRM) dated September 2, 1981, and any revisions thereto, are hereby adopted by reference and declared to be a part of this chapter. The flood insurance study and the FIRM are on file at the Gig Harbor Civic Center, 3510 Grandview St., Gig Harbor, WA. The best available information for flood hazard area identification as outlined in GHMC 18.10.060 shall be the basis for regulation until a new FIRM is issued that incorporates data utilized under GHMC 18.10.060.

Section 2. Section 18.10.070 - Amended. Section 18.10.070 - Provisions for flood hazard reduction of the Gig Harbor Municipal Code is hereby amended to revise subsection H.3, without change to Figure 3, and to add a new subsection I.5 to read as follows:

18.10.070 Provisions for flood hazard reduction.

H. Residential Construction.

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3. Crawlspace Construction for Buildings Located in Special Flood Hazard Areas.

- a. Below grade crawl spaces will not be considered basements if the following conditions are met:
 - (i) The interior grade of a crawlspace below the base flood elevation must not be more than 2 feet below the lowest adjacent exterior grade (LAG), shown as D in Figure 3.
 - (ii) the height of the below grade crawlspace, measured from the interior grade of the crawlspace to the top of the floor joist must not exceed 4 feet at any point (shown as L in Figure 3).
 - (iii) There must be an adequate drainage system that removes floodwaters from the interior area of the crawlspace. The enclosed area should be drained within a reasonable time after a flood event.
 - (iv) The velocity of floodwater at the site should not exceed 5 feet per second.
 - (v) The ductwork must be placed above the base flood elevation or sealed to prevent the entry of floodwaters.

- b. Buildings that have below-grade crawlspaces will have higher flood insurance premiums than buildings that have the interior elevation at or above the lowest adjacent exterior grade. For additional information refer to FEMA Technical Bulletin 11.

- I. 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 or more above the base flood elevation; or, together with attendant utility and sanitary facilities, shall:

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5. Applicants who are floodproofing nonresidential buildings are hereby notified that flood insurance premiums will be based on rates that are one foot below the floodproofed level (e.g. a building floodproofed to the base flood elevation will be rated as one foot below.)

Section 3. Section 18.10.100 - Added. A new section 18.10.100 is hereby added to the Gig Harbor Municipal Code to read as follows:

18.10.100 Severability.

If any section, clause, sentence, or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

Section 4. Ratification. The City Council hereby acknowledges and ratifies the provisions of Ordinance No. 1259, passed by the City Council on March 11, 2013.

Section 5. Effective Date. Pursuant to RCW 86.16.041(1), this ordinance shall take effect 30 days from filing with the Department of Ecology and be in full force after publication of an approved summary consisting of the title, unless the Department of Ecology disapproves the ordinance within the 30-day period set forth in RCW 86.16.041(1).

PASSED by the Council and approved by the Mayor of the City of Gig Harbor, this 24th day of June, 2013.

CITY OF GIG HARBOR

Mayor Charles L. Hunter

ATTEST/AUTHENTICATED:

Molly M. Towslee, City Clerk

APPROVED AS TO FORM:
Office of the City Attorney

Angela S. Belbeck

FILED WITH THE CITY CLERK: 06/05/13
PASSED BY THE CITY COUNCIL: 06/24/13
PUBLISHED: 06/26/13
FILED WITH DEPARTMENT OF ECOLOGY: 06/26/13
EFFECTIVE DATE: 07/26/13
ORDINANCE NO: 1264