

CITY OF GIG HARBOR

ORDINANCE NO. 550

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, MODIFYING CHAPTER 15.04 OF THE GIG HARBOR MUNICIPAL CODE.

WHEREAS, the Gig Harbor City Council, by Ordinances #187 and 506, enacted Chapter 15.04, Gig Harbor Municipal Code as the flood hazard construction standards applicable to the incorporated area of Gig Harbor; and

WHEREAS, the legislature of the State of Washington has in RCW 35A.11 and 86.16 delegated the responsibility to cities to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry;

NOW, THEREFORE, the City Council of the City of Gig Harbor, Washington, ORDAINS as follows:

Section 1. Section 15.04.040 of the Gig Harbor Municipal Code is hereby amended to read as follows:

15.04.040 Definitions.

...

"AREA OF SHALLOW-FLOODING" means a designated "AO" or "AH" Zone on the Flood Insurance Rate Map (FIRM). The base flood depths range from one to three feet; a clearly defined channel does not exist; the path of flooding is unpredictable and indeterminate; and velocity flow may be evident. AO is characterized as sheet flow and AH indicates pending.

"AREA OF SPECIAL-FLOOD-HAZARD" means the land in the flood plain within a community subject to a one percent or greater chance of flooding in any given year. Designation on maps always includes the letters A or V.

"BASE FLOOD" means the flood having a one percent chance of being equalled or exceeded in any given year. Also referred to as the "100 year flood." Designation on maps always includes the letters A or V.

"CRITICAL FACILITY" means a facility for which even a slight chance of flooding might be too great. Critical facilities include, but are not limited to schools, nursing homes, hospitals, police, fire and emergency response installations, installations which produce, use, or store hazardous materials or hazardous waste. ...

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

"WATER DEPENDENT" means a structure for commerce or industry which cannot exist in any other location and is dependent on the water by reason of the intrinsic nature of its operations.

Section 2. Section 15.04.060 of the Gig Harbor Municipal Code is hereby amended to read as follows:

15.04.060 Administration.

...  
C. Duties and Responsibilities of the Building Official. . . .

- c. Those aggrieved by the decision of the Hearing Examiner Building Code Advisory Board, . . .
- d. In passing upon such applications, the Hearing Examiner Building Code Advisory Board shall . . .

D. Variance Procedure.

- 1.a. The Hearing Examiner Building Code Advisory Board shall . . .
- b. The Hearing Examiner Building Code Advisory Board shall . . .
- e. Upon consideration of the factors of section 15.04.060 D 1(d) and the purposes of this ordinance, the Hearing Examiner Building Code Advisory Board may . . .

Section 3. Section 15.04.070 of the Gig Harbor Municipal Code is hereby amended to read as follows:

15.04.070 Provisions for Flood Hazard Reduction.

...  
B. Specific Standards.

- 1.a. New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated-to-or one foot or more . . .

2. Nonresidential Construction.  
New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated to one foot or more above the level...
  - a. be floodproofed so that below one foot above the base ...
  - e. Applicants floodproofing nonresidential buildings shall be notified that flood insurance premiums will be based on rates that are one foot below the floodproofed level (e.g. a building constructed to floodproofed to one foot above the base flood level will be rated as one foot below that at the base flood level).
3. Manufactured Homes.  
All manufactured homes to be placed or substantially improved within Zones A1-30, AH, and AE on the community's FIRM shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is at or above one foot or more above the Base Flood Elevation; and be securely anchored to an adequately anchored foundation system in accordance with the provisions of section 15.04.070 B(3). This paragraph applies to manufactured homes to be placed or substantially improved in an expansion to an existing manufactured home park or subdivision. This paragraph does not apply to manufactured homes to be placed or substantially improved in an existing manufactured home park or subdivision except where the repair, reconstruction, or improvement of the streets, utilities and pads equals or exceeds 50 percent of the value of the streets, utilities and pads before the repair, reconstruction or improvement has commenced.
4. Critical Facility.  
Construction of new critical facilities shall be, to the extent possible, located outside the limits of the base flood plain. Construction of new critical facilities shall be permissible within the base flood plain if no feasible alternative site is available. Critical

facilities constructed within the base flood plain shall have the lowest floor elevated to three feet or more above the level of the base flood elevation at the site. Floodproofing and sealing measure must be taken to ensure that toxic substances will not be displaced by or released into flood waters. Access routes elevated to or above the level of the base flood plain shall be provided to all critical facilities to the extent possible.

C.-- Encroachments:-

The cumulative effect of any proposed development, when combined with all other existing and anticipated development, shall not increase the water surface elevation of the base flood more than one foot at any point.-

C. To the maximum extent possible, avoid the short and long term adverse impacts associated with the destruction or modification of wetlands, especially those activities which limit or disrupt the ability of the wetland to alleviate flooding impacts. The following process should be implemented:

1. Review proposals for development within base flood plains for their possible impacts on wetlands located within the flood plain.
2. Ensure that development activities in or around wetlands do not negatively affect public safety, health, and welfare by disrupting the wetlands' ability to reduce flood and storm drainage.
3. Request technical assistance from the Department of Ecology in identifying wetland areas. Existing wetland map information from the National Wetlands Inventory (NWI) can be used in conjunction with the community's FIRM to prepare an overlay zone indicating critical wetland areas deserving special attention.

Section 4. The City Clerk is hereby directed to maintain not less than one (1) copy of this ordinance on file in the office of the City Clerk for use and examination by the public pursuant to RCW 35A.12.140.

Section 5. This ordinance shall be and is hereby declared to be in full force and effect on January 1, 1989, after publication of the attached summary which is hereby approved.

PASSED by the City Council of the City of Gig Harbor,  
Washington, and approved by its Mayor at a regular meeting of  
the council held on this 9th day of January, 1989.

Don McCarty  
Don McCarty, Mayor

ATTEST:

Michael R. Wilson  
Michael R. Wilson  
City Administrator/Clerk

Filed with city clerk: 12/20/88  
Passed by city council: 1/9/89  
Date published: 1/25/89  
Date effective: 1/30/89

SUMMARY OF ORDINANCE NO. 550

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, MODIFYING CHAPTER 15.04 OF THE GIG HARBOR MUNICIPAL CODE AND SETTING AN EFFECTIVE DATE.

On January 9, 1898, the City Council of the City of Gig Harbor passed Ordinance No. 550, which provides as follows:

Section 1. Amends section 15.04.040 of the Gig Harbor Municipal Code: 15.04.040 Definitions.

Section 2. Amends section 15.04.060 of the Gig Harbor Municipal Code: 15.04.060 Administration.

Section 3. Amends section 15.04.070 of the Gig Harbor Municipal Code: 15.04.070 Provisions for Flood Hazard Reduction.

Section 4. Requires the City Clerk to maintain not less than one (1) copy of this ordinance on file in the office of the City Clerk for use and examination by the public pursuant to RCW 351.12.140.

Section 5. Approves this summary and sets an effective date for this ordinance of January 1, 1989.

The full text of this ordinance will be mailed without charge to anyone who submits a written request to the City Clerk of the City of Gig Harbor for a copy of the text.

Approved by the City Council at their meeting of January 9, 1989.

  
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Michael R. Wilson

City Administrator/Clerk