Ordinance No. 3232

(Amending or Repealing Ordinances)

CFN=119 – Flood Control & Watershed Control
Passed – 6/20/1995
Areas of Special Flood Hazards
Amending Secs. 14.09.060 and 14.09.180

Amended by Ord. 3746 (Sec. 14.09.170 formerly 14.09.180)
Amended by Ord. 3909
ORDINANCE NO. 3228

AN ORDINANCE of the City Council of the City of Kent, Washington, amending Kent City Code Section 14.09.060 and 14.09.180(4) (KCC Ordinance No. 2867 as amended by Ordinance 3228) relating to areas of special flood hazards.

WHEREAS, the Kent City Council has adopted floodplain guidelines and maps established by the Federal Emergency Management Agency ("FEMA"); and

WHEREAS, the floodplain maps have been updated by FEMA through a revised flood insurance study and, therefore, the city code should be amended to incorporate the updated study and maps; and

WHEREAS, the City has received notice from FEMA of required amendments that should be incorporated into existing sections of the Kent City Code. NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Kent City Code Section 14.09.060 is hereby amended as follows:

Sec. 14.09.060. Basis for establishing the areas of special flood hazard.

The areas of special flood hazard identified by the Federal Emergency Management Agency in a scientific and engineering report entitled "Flood Insurance
Study for King County, Washington and Incorporated Areas," dated September 30, 1994 June 16, 1995, with accompanying flood insurance maps is hereby adopted by reference and declared to be a part of this chapter as if stated verbatim. The flood insurance study is on file and available for examination at the office of the department of public works.

**SECTION 2.** Section 14.09.180 of the Kent City Code as it pertains to Manufactured homes, is hereby amended as follows:

**Sec. 14.09.180. Specific Standards.**

In all areas of special flood hazards where base flood elevation data has been provided as set forth in section 14.09.060 or section 14.09.140, the following provisions are required:


   a. New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated one (1) foot or more above base flood elevation.

   b. Fully enclosed areas below the lowest floor that are subject to flooding are prohibited, or 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:
(1) A minimum of two (2) openings having a total net area of not less than one (1) square inch for every square foot of enclosed areas subject to flooding shall be provided.

(2) The bottom of all openings shall be no higher than one (1) foot above grade.

(3) Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

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 one (1) foot or more above the level of the base flood elevation; or, together with attendant utility and sanitary facilities, shall:

a. Be floodproofed so that below one (1) foot above 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;

c. Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted
standards of practice for meeting provisions of this subsection based on their development and/or review of the structural design, specifications and plans. Such certifications shall be provided to the official as set forth in section 14.09.150 2;

d. Nonresidential structures that are elevated, not floodproofed, must meet the same standards for space below the lowest floor as described in subsection 1.b. of this section.

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 floodproofed to one foot above the base flood level will be rated as at the base flood level).

3. **Critical facility.** Construction of new critical facilities shall be, to the extent possible, located outside the limits of the base floodplain. Construction of new critical facilities shall be permissible within the base floodplain if no feasible alternative site is available. Critical facilities constructed within the base floodplain shall have the lowest floor elevated to three (3) feet or more above the level of the base flood elevation at the site. Floodproofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters. Access routes elevated to or above the level of the base flood-plain shall be provided to all critical facilities to the extent possible.

4. **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 one (1) 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 14.09.170 1.b. This subsection applies to manufactured homes to be placed or substantially improved in an expansion to an existing manufactured home park or subdivision. This subsection 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 equal or exceeds fifty (50) percent of the value of the streets, utilities and pads before the repair, reconstruction or improvement has commenced.

SECTION 3. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

SECTION 4. Effective Date. This ordinance shall take effect and be in force thirty (30) days from and after its passage, approval and publication as provided by law.

JIM WHITE, MAYOR
ATTEST:

BRENDA JACOBER, CITY CLERK

APPROVED AS TO FORM:

ROGER A. LUBOVICH, CITY ATTORNEY

PASSED 20 day of June, 1995.
APPROVED 21 day of June, 1995.
PUBLISHED 23 day of June, 1995.

I hereby certify that this is a true copy of Ordinance No. 3232 passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

BRENDA JACOBER, CITY CLERK

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