

CITY OF SUMAS

433 Cherry Street/PO Box 9, Sumas, WA 98295

P: (360) 988-5711 F: (360) 988-8855

Notice of Public Hearing

The City of Sumas hereby gives notice that the Sumas City Council will hold a public hearing regarding proposed amendments to Chapter 14.30 of the Sumas Municipal Code to revise the City's Flood Damage Prevention Ordinance to require new structures to be elevated at least two feet above the FEMA base flood elevation. The public hearing will be held at Sumas City Hall at 7:00 p.m. on Monday, February 13, 2023. Any party may submit written comments prior to the hearing. Any party may submit written or oral testimony at the hearing. The draft amendments are available for review at Sumas City Hall during normal business hours. People with special needs who will be attending the hearing are asked to contact City Hall by February 10, 2023, to request special accommodations.

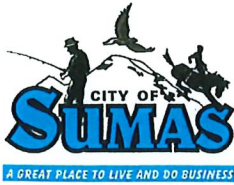
Sumas City Hall

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PO Box 9

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(360) 988-571



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Determination of Nonsignificance

Description of proposal: Proposed amendments to Chapter 14.30 of the Sumas Municipal Code to revise the City's flood damage prevention ordinance, require new construction to be elevated at least two feet above the FEMA base flood elevation, and ensure continued consistency with the National Flood Insurance Program.

Proponent: City of Sumas

Location of proposal: Within the City limits of the City of Sumas.

Lead agency: City of Sumas, WA

The lead agency for this non-project proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This DNS is issued under WAC 197-11-340(2). The lead agency will not act on this proposal for a period of fourteen days from the date of issuance of this determination. Comments must be received by February 13, 2023.

There is no local agency appeal of this determination.

Responsible official: Bruce Bosch

Position/title: Mayor

Address: 433 Cherry Street, PO Box 9, Sumas, WA 98295

Phone: (360) 988-5711

Date of issue: January 30, 2023



Signature

City of Sumas

Chapter 14.30 – Flood Damage Prevention Proposed Revisions – January 2023

14.30.120 Flood hazard reduction—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 resulting from hydrodynamic and hydrostatic loads including the effects of buoyancy.
 - (B) All manufactured homes must likewise be anchored to prevent flotation, collapse or lateral movement, and shall be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to ground anchors (reference FEMA's "Manufactured Home Installation in Flood Hazard Areas" guidebook for additional techniques).
- (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.
 - (C) Electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities shall be designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components during conditions of flooding and ~~one foot~~ be elevated two feet or more above the base flood elevation.
- (3) Utilities.
 - (A) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system;
 - (B) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discard from the systems into floodwaters;
 - (C) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding; and
 - (D) Water wells shall be located on high ground that is not in the floodway.
- (4) Subdivision Proposals and Development. All subdivision proposals, as well as new development, shall:
 - (A) Be consistent with the need to minimize flood damage;
 - (B) Have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage;
 - (C) Have adequate drainage provided to reduce exposure to flood damage; and
 - (D) Where subdivision proposals and other proposed developments contain greater than fifty lots or five acres (whichever is the lesser), base flood elevation data shall be included as part of the application.

(5) Review of Building Permits. Where elevation data is not available either through the Flood Insurance Study or from another authoritative source (Section 14.30.170(2)), applications for building permits shall be reviewed to assure that proposed construction will be reasonably safe from flooding. The test of reasonableness is a local judgment and includes use of historical data, high water marks, photographs of past flooding, etc., where available. Failure to elevate at least two feet above grade in these zones may result in higher insurance rates. (Ord. 1783 § 2, 2021; Ord. 1738 § 3, 2018; Ord. 1035 § 3.7, 1991)

14.30.130 Flood hazard reduction—Specific standards.

In all areas of special flood hazards where base flood elevation data has been provided as set forth in Section 14.30.070, Basis for establishing the areas of special flood hazard, or Section 14.30.170(2), Use of Other Base Flood Data, the following provisions are required:

(1) Residential Construction.

(A) New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated to ~~one-two~~ or more feet above the base flood elevation. Mechanical equipment and utilities shall be waterproof or elevated at least one foot above the BFE.

(B) Fully enclosed areas below the lowest floor that are subject to flooding are prohibited, or shall be usable solely for parking of vehicles, building access or storage and 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:

- (i) A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
- (ii) The bottom of all openings shall be no higher than one foot above grade.
- (iii) Openings may be equipped with screens, louvers, or other coverings or devices; provided, that they permit the automatic entry and exit of floodwaters.
- (iv) A garage attached to a residential structure, constructed with the garage floor slab below the BFE, must be designed to allow for the automatic entry and exit of floodwaters.

(2) Nonresidential Construction. New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall meet the requirements of either subsection (2)(A) or (2)(B) of this section.

(A) New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall meet all of the following requirements:

- (i) New construction and substantial improvement of any commercial, industrial, or other nonresidential structure shall have the lowest floor, including basement, elevated ~~one-foot~~**two feet** or more above the BFE, or elevated as required by ASCE 24, whichever is greater. Mechanical equipment and utilities shall be waterproofed or elevated at least one foot above the BFE, or as required by ASCE 24, whichever is greater.
- (ii) 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:
 - (a) Have a minimum of two openings with a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
 - (b) The bottom of all openings shall be no higher than one foot above grade;

(c) Openings may be equipped with screens, louvers, valves, or other coverings or devices; provided, that they permit the automatic entry and exit of floodwater; and

(d) A garage attached to a nonresidential structure, constructed with the garage floor slab below the BFE, must be designed to allow for the automatic entry and exit of floodwaters.

Alternatively, a registered engineer or architect may design and certify engineered openings.

(B) If the requirements of subsection (2)(A) are not met, then new construction and substantial improvement of any commercial, industrial or other nonresidential structure shall meet all of the following requirements:

(i) Be floodproofed so that the structure is watertight with walls substantially impermeable to the passage of water; to an elevation ~~one~~two or more feet above the base flood elevation.

(ii) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.

(iii) 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/of review of the structural design, specifications and plans. Such certification shall be provided to the official as set forth in Section 14.30.170(3)(B).

(iv) 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.

(v) 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 the base flood level will be rated as one foot below that level.

(3) Enclosed Area Below the Lowest Floor. If buildings or manufactured homes are constructed or substantially improved with fully enclosed areas below the lowest floor, the areas shall be used solely for parking of vehicles, building access, or storage; provided, that accessory structures shall also conform to the requirements set forth in Section 14.30.135. (Ord. 1783 § 3, 2021; Ord. 1738 § 4, 2018; Ord. 1105 § 1, 1993; Ord. 1089 § 1, 1993; Ord. 1035 § 3.8, 1991)

14.30.135 Accessory structures.

Accessory structures constructed or substantially improved within the SFHA shall conform to the requirements set forth in this section.

(1) Accessory structures located in the SFHA with the lowest floor below the BFE may be wet floodproofed in lieu of being elevated or dry floodproofed without a variance, under the following conditions:

(A) The accessory structure should be small, one story and four hundred square feet or less in area, and represent a minimal investment; provided, that accessory structures of any size may be considered for a variance;

(B) The accessory structure must meet the definition of “structure,” for floodplain management purposes, where “walled and roofed” shall be interpreted as having two outside rigid walls and a fully secured roof;

(C) The accessory structure must be anchored to resist flotation, collapse, and lateral movement;

(D) The portions of the accessory structure located below the BFE must be constructed with flood-resistant materials;

(E) Mechanical and utility equipment for the accessory structure must be elevated or dry floodproofed to ~~one foot~~two feet or more above the BFE;

(F) Where applicable, the accessory structure must comply with the special flood risk zone, special flood corridor and floodway encroachment provisions of this chapter;

(G) The accessory structure must be wet floodproofed to protect the structure from hydrostatic pressure. The design must meet the NFIP design and performance standards for openings as set forth in Section 14.30.130 and must allow for the automatic entry and exit of floodwaters without manual operation or the presence of a person (or persons);

(H) If the accessory structure is converted to another use, it must be brought into full compliance with the standards governing such use set forth in this chapter; and

(I) The structure shall not be used for human habitation.

(2) Accessory structures located in the SFHA with the lowest floor below the BFE that do not meet all of the conditions set forth in subsection (1) of this section shall require approval of a variance; provided, that any such accessory structure shall conform to the requirements set forth in subsections (1)(B) through (1)(H) of this section.

(3) Accessory structures located in the SFHA with the lowest floor elevated to or above the BFE where the lowest floor is used solely for limited storage and parking of vehicles shall be allowed without a variance.

(4) Except as allowed pursuant to subsections (1), (2) and (3) of this section, all accessory structures shall conform to the requirements set forth in Section 14.30.130. (Ord. 1783 § 4, 2021)

14.30.220 Manufactured homes.

All manufactured homes to be placed or substantially improved within Zones A1—30, AH, and AE shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is ~~one-foot~~two feet or more above the base flood elevation; and be securely anchored to an adequately anchored foundation system in accordance with the provisions of Section 14.30.120(1). (Ord. 1399 § 2, 2004; Ord. 1035 § 5.2-3, 1991)