

40.420.020 Standards

A. Uses.

1. Allowed Uses in Special Flood Hazard Areas.
 - a. Outside of shoreline jurisdiction, development may be allowed for those uses in the underlying zoning district with a flood hazard permit pursuant to Section [40.420.030\(D\)](#).
 - b. Within shoreline jurisdiction, development may be allowed for those uses allowed in the shoreline master program, with a flood hazard permit pursuant to Section [40.420.030\(D\)](#) as part of the shoreline permit process.
 - c. Park, recreational, agricultural and other similar open space uses allowed in the underlying zoning district, which do not involve development as defined in this chapter, are permitted outright in special flood hazard areas.
2. Prohibited Uses in Special Flood Hazard Areas.
 - a. Construction or reconstruction of residential structures is prohibited in the floodway except, in accordance with Chapter [86.16](#) RCW, for repairs, reconstruction, or improvements to a lawfully established structure:
 - (1) Which do not increase the ground floor area; and
 - (2) That are not a substantial improvement.
 - b. Floodway encroachments are prohibited unless certification by a licensed professional engineer registered in the state of Washington is provided demonstrating through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge. If it has been adequately demonstrated through calculations that the encroachment will not result in increased flood levels, all new nonresidential construction and nonresidential substantial improvements shall comply with all applicable flood hazard reduction provisions of this chapter.
 - c. Any reduction of existing conveyance capacity, and any net loss of existing storage capacity for the base flood, are prohibited in FEMA Special Flood Hazard Areas (SFHA) unless certification by a licensed professional engineer registered in the state of Washington is provided demonstrating through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that any floodplain encroachments shall not result in any increase in flood levels during the occurrence of the base flood. This prohibition also applies to all areas within the limits of the FEMA Special Flood Hazard Area (SFHA), as determined by hydrologic/hydraulic computations, for all streams and manmade channels. Compensatory storage provided to offset any loss of flood storage capacity must hydraulically equivalent to the areas where flood storage is reduced.

3. Special Flood Hazard Area with Base Flood Elevation but No Floodways. In areas with base flood elevation but where a regulatory floodway has not been designated, no new construction, substantial improvements, or other development (including fill) shall be permitted within Zone AE, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point in the county.

(Amended: Ord. 2005-04-15; Ord. 2012-07-15)