

## CITY COUNCIL REGULAR SESSION

Public Hearing on a Land Use Code Amendment (LUCA) to conform the frequently flooded areas regulations in the Land Use Code (LUC) to current federal and state standards and to adopt the Federal Emergency Management Agency's (FEMA) updated countywide Flood Insurance Rate Maps (FIRMs) and Flood Insurance Study (FIS), as necessary for continued eligibility in the National Flood Insurance Program (NFIP).

Mike Brennan, Director, 452-4113  
Trisna Tanus, Consulting Attorney, 452-2970  
Nick Whipple, Senior Planner, 452-4578  
*Development Services Department*

## EXECUTIVE SUMMARY

During the June 15 Study Session, Council initiated this recommended LUCA to update the City's frequently flooded areas regulations in the LUC and to adopt updated FIRMs and FIS transmitted to the City by FEMA on February 19. Council also directed staff to prepare and schedule this LUCA for Public Hearing. FEMA requires communities to have in place conforming regulations within six months of the transmittal date, or by August 19, in order for continued eligibility for Bellevue residents and businesses to obtain insurance and participate in the NFIP.

## RECOMMENDATION

Hold the Public Hearing on the recommended LUCA and, following the Public Hearing, direct staff to finalize the Ordinance for approval at a future meeting.

## BACKGROUND/ANALYSIS

### Background

On February 19, FEMA transmitted to the City updated countywide FIRMs and FIS. The City is required to adopt the new FIRMs and FIS, as well as conform its frequently flooded areas regulations in chapter 20.25H LUC and several related sections in the LUC to applicable federal and state standards, by August 19, 2020. Meeting this requirement is necessary for the City's continued eligibility for disaster assistance and is necessary for City residents and businesses to obtain insurance and participate in the NFIP.

At the June 15 Study Session, Council was introduced to the recommended LUCA and after discussion, Council decided to initiate the LUCA. Council also directed staff to prepare and schedule the LUCA for Public Hearing. The Staff Report describing the background, process, and components of the LUCA in greater detail is included with this Memorandum as Attachment A.

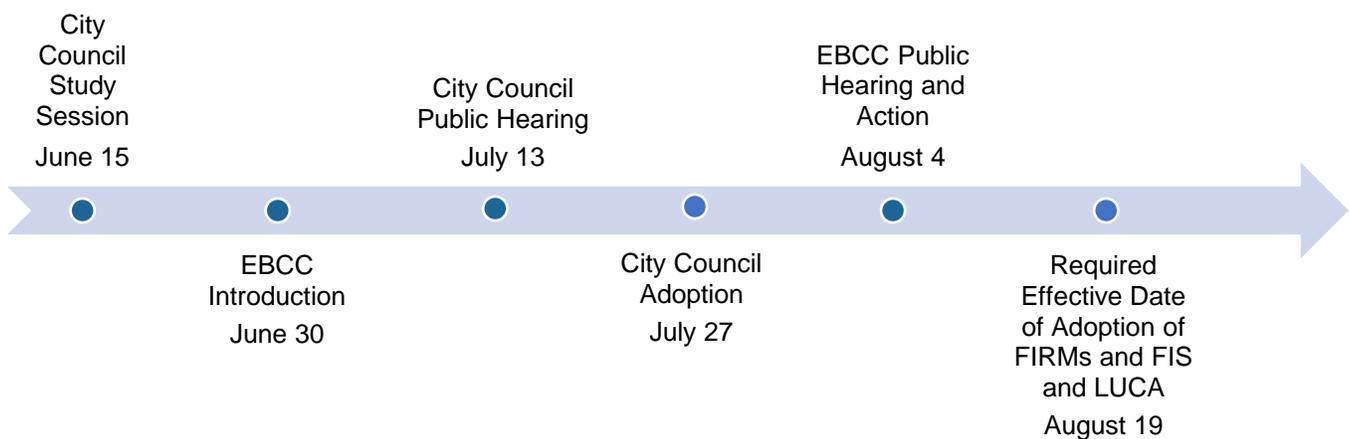
Staff is continuing to work closely with the Washington Department of Ecology (Ecology) to narrowly tailor the recommended LUCA to achieve conformance with federal and state standards. After the publication of the Staff Report, Ecology directed additional changes to the LUCA, including clarification on the type of information obtained and maintained during review and approval of development applications in frequently flooded areas; and additional standards for residential utility protection to

maintain the City's current Community Rating System (CRS) class 5 designation. An updated strike-draft, with these changes highlighted, is provided as Attachment B.

### Questions Raised by Council

During discussion at the June 15 Study Session, Council raised several questions about certain details regarding the current LUC frequently flooded areas regulations and the amendments; the number and types of properties and structures impacted by floodplains; the number of flood insurance policies in the City; the updated FIRMs and FIS; the practical effects of the recommended LUCA; and other topics. Staff prepared and transmitted to Council a Management Brief (Attachment C) to provide answers to these questions as well as anticipated questions, in order to assist in Council's discussion and consideration of the LUCA at the Public Hearing scheduled on July 13.

### Review Process



## POLICY & FISCAL IMPACTS

### Policy Impact

The recommended LUCA will conform the frequently flooded areas regulations in the LUC with the new FIRMs and FIS and federal and state standards by the required effective date of August 19. This timely conformance is necessary in order for residents and businesses in the City to remain eligible in the NFIP and to continue to receive 25 percent discount in their flood insurance rates as a CRS Class 5-rated community.

### Fiscal Impact

There is no fiscal impact associated with implementing this recommended LUCA.

## OPTIONS

1. Hold the Public Hearing on the recommended LUCA and, following the Public Hearing, direct staff to finalize the Ordinance for approval at a future meeting.
2. Hold the Public Hearing on the recommended LUCA and, following the Public Hearing, provide alternative direction to staff.

## **ATTACHMENTS & AVAILABLE DOCUMENTS**

- A. Staff Report
- B. Updated LUCA Strike-Draft
- C. Management Brief

## **AVAILABLE IN COUNCIL LIBRARY**

N/A