



City of Bellevue

Floodplain Regulations LUCA Public Hearing

Mike Brennan, Trisna Tanus and Nick Whipple

Development Services Department

July 13, 2020



Direction Needed from Council

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.

Agenda



Floodplains Regulatory Framework



Objectives of this LUCA



Recommended LUCA Components



Public Engagement



Direction Needed from Council

Floodplain Regulatory Framework

“Frequently Flooded Areas” includes:

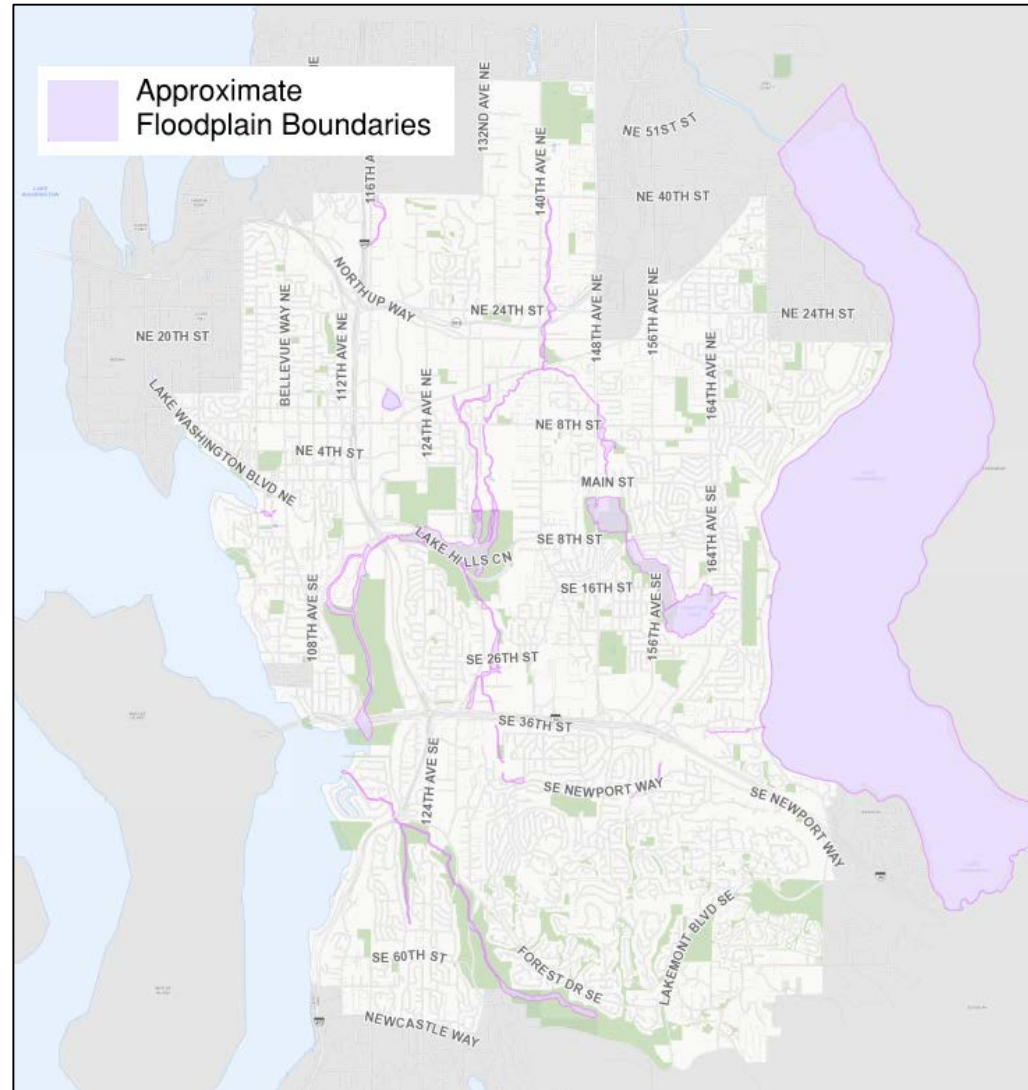
1. Land subject to One-Hundred-Year Flood
2. Areas identified on the Flood Insurance Rate Map(s) (FIRMs) in the Flood Insurance Study (FIS)

Purpose of Regulations:

- Delineate flood-prone areas
- Avoid and minimize damage to life, property and the environment
- Preserve and promote healthy floodplains and biological processes

Frequently Flooded Areas Map

- Lake Bellevue
- Larsen Lake
- Phantom Lake
- Lake Sammamish
- Most streams
- 980 properties (98 City-owned)
- 135 structures



Federal Flood Insurance

- The City has participated in the National Flood Insurance Program (NFIP) since December 1, 1978
- The City has a Class 5 rating in FEMA's CRS, which equals a 25% discount on NFIP policies
- 229 flood insurance policies (116 for properties in the floodplain; 113 for properties outside of the floodplain)
- As of April 17, 2020, the NFIP has paid out 65 flood claims to Bellevue's residents and businesses for a total amount of \$906,231
- However, with Bellevue's effective floodplain management, there have been only five substantial (more than 50% of the structure's value) damage claims in the City since 1978

Objectives of this LUCA

- FIRMs and FIS are used for eligibility in the NFIP
- FEMA transmitted new FIRMs and FIS to the City on February 19
- The LUCA is to adopt the new FIRMs and FIS, and conform the LUC to federal and state standards
- The City is required to adopt this LUCA by August 19 for continued eligibility in the NFIP for residents and businesses
- **If the City does not meet this requirement, the City would lose eligibility in federal disaster relief; and residents and businesses would lose their NFIP backed insurance**

Recommended LUCA Components

Staff has worked closely with DOE to recommend a narrowly tailored LUCA

1. Amendments to Definitions

2. Amendments to Performance Standards:

- New standard for automatic entry and exit of floodwaters for garages
- New standard to allow waterproofing of utilities
- “Existing Development Declared Legally Nonconforming” to rely on the Critical Areas “Existing Primary Structure(s)” provisions

New terms:	Amended terms:
Alteration of watercourse	Base flood elevation (BFE)
Area of special flood hazard	Flood or flooding
Base flood	Flood Insurance Rate Map (FIRM)
Flood elevation study	Floodproofing
Floodplain or flood-prone area	Floodway
Floodplain administrator	Substantial improvement
Highest adjacent grade	
Historic structure	
Mean sea level	
New construction	
Start of construction	
Variance	

Recommended LUCA Components

3. Amendments to the Variance Process:

- New requirement for a Variance when a development does not incorporate all required performance standards
- New decision criteria for consistency with federal standards

4. Amendments to Procedures:

- New subsection for submittal requirements for consistency with federal standards
- New subsection for clarity in administration and enforcement of the floodplain regulations

Outcomes of Adopting this LUCA

- The City continues to be eligible for federal flood disaster aid
- Bellevue residents and businesses (229 policies) retain their NFIP-backed flood insurance
- No effect on the already-final FEMA FIRMs and FIS
- Existing structures: [Add re-builds and SMP overlay]
 - No change to the use of existing structures
 - No change to procedures to review proposed modification under the “substantial improvements” provisions (threshold of 50% of the existing structure’s value)
- New structures:
 - No change to current restriction to construct structures within a floodplain unless there is no other feasible alternative

Public Engagement

Modes of outreach:

- Process IV Requirements – noticing and public hearing
- Direct Mailing Notice – courtesy notice sent directly to property owners and residents impacted by floodplains
- Dialogue with Stakeholders – discussions to provide information and answer questions
- Online Presence – webpage launched during the week of June 8, and includes FAQs, public information regarding LUCA progression, and contact information for public comment

LUCA Process

Process IV – City Council Legislative Action

<input checked="" type="checkbox"/>	June 15	City Council Study Session
<input checked="" type="checkbox"/>	June 30	EBCC Introduction
<input type="checkbox"/>	July 13	City Council Public Hearing
<input type="checkbox"/>	July 27	City Council Adoption
<input type="checkbox"/>	August 4	EBCC Public Hearing and Approve/Disapprove
<input type="checkbox"/>	August 19	Required Effective Date



Direction Needed from Council

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.