



# MEMORANDUM

DATE: July 24, 2020

TO: Chair Hummer and Members of the East Bellevue Community Council

FROM: Trisna Tanus, Consulting Attorney  
Nick Whipple, Senior Planner  
*Development Services Department*

SUBJECT: Public Hearing – Ordinance No. 6521

## I. Introduction

On August 4, the East Bellevue Community Council (EBCC) will hold a public hearing and take action on Ordinance No. 6521 amending 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). The Land Use Code Amendment (LUCA) is necessary for the City's continued eligibility in the National Flood Insurance Program (NFIP). The City Council adopted Ordinance No. 6521 on July 27 as an item on the consent calendar. A copy of the Ordinance is provided as Attachment A.

## II. Discussion

### A. 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 and 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. If the City does not take this legislative action by August 19, then residents and businesses in Bellevue would lose their federally-backed flood insurance, and the City and its residents would lose eligibility for federal disaster assistance in the event of flooding.

At the June 15 City Council Study Session, the City Council was introduced to the recommended LUCA and after discussion, Council decided to initiate the LUCA. The City Council also directed staff to prepare and schedule the LUCA for public hearing on July 13 in lieu of forwarding the amendment to the Planning Commission. This action allowed the City Council to hold the public hearing on the recommended LUCA and address the City Council's interest in adopting the LUCA before FEMA's August 19 deadline so the City can remain in the NFIP.

At the July 13 regular session, the City Council held a public hearing on the LUCA. Following public testimony, the City Council directed staff to prepare an ordinance for the LUCA for final adoption on July 27 as an item on the consent calendar.

On June 30, the EBCC was introduced to the recommended LUCA. At the August 4 meeting, the EBCC is being asked to hold a public hearing and take action on Ordinance No. 6521.

## **B. Code Amendment Review Process**

A LUCA to update the City's frequently flooded areas regulations to meet current minimum federal and state standards and to adopt FEMA's updated FIRMs and FIS is necessary for continued eligibility in the NFIP. City staff has worked closely with the Washington Department of Ecology and FEMA to narrowly tailor the recommended LUCA to achieve conformance with the minimum federal and state standards.

A public hearing before the City Council occurred on July 13 with final adoption of Ordinance No. 6521 on July 27. The EBCC is now being asked to hold a public hearing and take action on this Ordinance. Notice of the public hearing before the EBCC was provided in the Seattle Times on July 24.

## **C. EBCC Jurisdiction**

The EBCC jurisdictional area contains properties within frequently flooded areas. A map of the City's frequently flooded areas, with the EBCC jurisdictional area delineated, is provided in Attachment B.

## **III. Proposed Land Use Code Amendment**

The Land Use Code Amendment analysis as well as the comprehensive plan analysis is included in the Frequently Flooded Areas LUCA Staff Report as Attachment C.

## **IV. Action requested of the EBCC**

The EBCC is requested to hold a public hearing on the Frequently Flooded Areas LUCA Ordinance No. 6521. Following the public hearing, the EBCC is requested to adopt Resolution No. 578 approving City Council Ordinance No. 6521.

Staff will be present at the August 4 public hearing to answer any questions the EBCC members may have. If there are questions prior, please contact Nick Whipple, 452-4578 or at [nwhipple@bellevuewa.gov](mailto:nwhipple@bellevuewa.gov).

## **ATTACHMENTS:**

- A. Ordinance No. 6521
- B. Map of City's Frequently Flooded Areas with EBCC Jurisdictional Area Delineated
- C. Frequently Flooded Areas LUCA Staff Report
- D. LUCA Final Strike-Draft