



City of Bellevue

# **Frequently Flooded Areas LUCA Public Hearing**

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Development Services Department


August 4, 2020



# **Direction Needed from EBCC**

Hold the Public Hearing on Ordinance No. 6521 and, following the Public Hearing, take action on this Ordinance.

# Agenda

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- Floodplains Regulatory Framework
  - Objectives of this LUCA
  - Recommended LUCA Components
  - Public Engagement
  - Direction Needed from EBCC

# Floodplain Regulatory Framework

“Frequently Flooded Areas” includes:

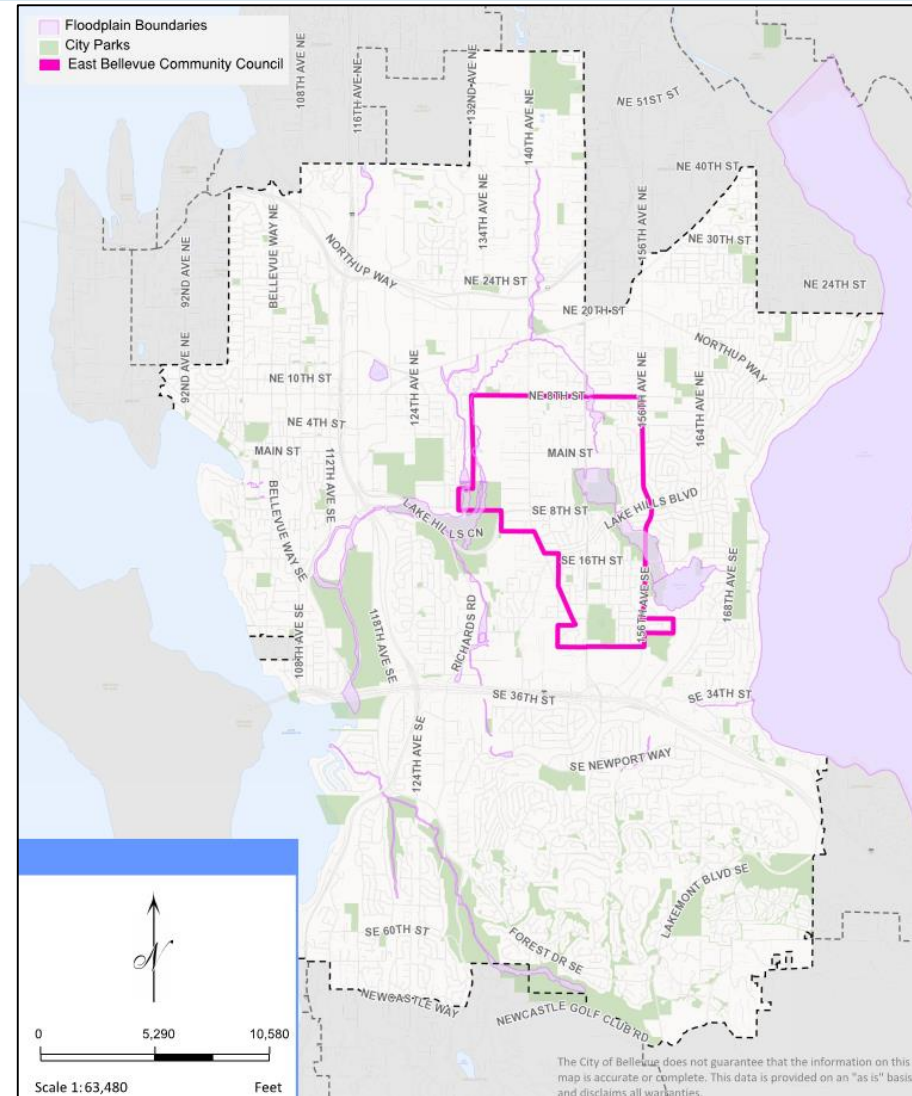
1. Land subject to One-Hundred-Year Flood
2. Areas identified on the Flood Insurance Rate Map(s) (FIRMs) in the Flood Insurance Study (FIS)

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:
  - 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)
  - Routine maintenance of existing landscaping and landscape features may continue in accordance with today’s requirements
- 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 the week of June 8
- 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/Community Council Review and Action

<input checked="" type="checkbox"/>	June 15	City Council Study Session
<input checked="" type="checkbox"/>	June 30	EBCC Introduction
<input checked="" type="checkbox"/>	July 13	City Council Public Hearing
<input checked="" type="checkbox"/>	July 27	City Council Adoption of Ordinance No. 6521
<input type="checkbox"/>	August 4	EBCC Public Hearing and Approve/Disapprove
<input type="checkbox"/>	August 19	Required Effective Date



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