SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
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* Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.

1. BILL SUMMARY

Legislation Title: AN ORDINANCE relating to floodplains; third extension of interim regulations established by Ordinance 126113, and amended by Ordinance 126536, for an additional six months, to allow individuals to rely on updated National Flood Insurance Rate Maps to obtain flood insurance through the Federal Emergency Management Agency's Flood Insurance Program.

Summary and Background of the Legislation:
This legislation extends the interim floodplain development legislation adopted by Ordinance 126113, and amended by Ordinance 126536, for a third time with a public hearing as allowed by state growth management laws. Without adoption of this legislation the interim regulations would expire on August 18, 2022. This legislation extends the amended interim regulations 6 months so that the City's floodplain mapping and development regulations will continue to be consistent with federal law. These regulations will continue to be in place while SDCI works to resolve issues raised by the Port of Seattle through a SEPA appeal in July 2021. The additional time is needed for City staff and Port staff to work on additional code amendments, Director's Rules, Tips, and a Memorandum of Understanding to clarify code requirements and procedures.

The extension of the interim regulations applies to permit applications for construction on property within floodplain areas mapped by the Federal Emergency Management Agency (FEMA). FEMA has required these types of updates across the country. FEMA published the final updated floodplain map for King County in February 2020. This map (called the Flood Insurance Rate Map) identifies properties that are at risk of flooding and is used to determine which properties are required to have flood insurance. The updated FEMA map is considered final and took effect on August 19, 2020.

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? **___ Yes _X_ No**

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? **___ Yes _X_ No**

Does the legislation have other financial impacts to The City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?
No. While the updated mapping in the interim legislation, Ordinance 126113, includes approximately 185 additional properties, the number of permit applications that are being reviewed using the interim regulations is minimal. Existing SDCI staff is sufficient to review permit applications and costs are recovered by existing permit fees. The updated maps have already been prepared.

Are there financial costs or other impacts of *not* implementing the legislation?
No financial costs to the City are anticipated. If the City does not extend the interim regulations, property owners in the FEMA mapped floodplain areas may not be able to purchase flood insurance or renew an existing policy.

4. OTHER IMPLICATIONS

a. **Does this legislation affect any departments besides the originating department?**
Yes, SPU, Parks, SDOT, and any other department that is proposing development in the floodplain will need to comply with these regulations.

b. **Is a public hearing required for this legislation?**
Yes, there will be a public hearing in July 2022 and there were public hearings for the adoption of the interim regulations and 1st and 2nd extension of the interim regulations in September 2020, January 2021, and February 2022 respectively.

c. **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**
Yes, a hearing notice is required in the Daily Journal of Commerce and this information will be sent prior to the public hearing.

d. **Does this legislation affect a piece of property?**
The legislation will continue to apply to approximately 2,190 properties along the Puget Sound coast, the Duwamish River, and certain streams. This number includes the additional 185 properties included in the interim regulations.

e. **Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?**
Nationally, areas with more minority residents tend to have a greater share of unmapped flood risk. While FEMA's February 2020 maps better reflect that risk, some property owners will need to purchase flood insurance, which low-income property owners may struggle to afford. The City's floodplain regulations meet the federal requirements for flood insurance and in some instances are more protective. The more protective standards will result in lower insurance rates over the long term.

f. Climate Change Implications

    1. Emissions: Is this legislation likely to increase or decrease carbon emissions in a material way?

    No

    2. Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle's resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.

    The interim floodplain regulations are intended to increase resiliency to climate change in Seattle by identifying areas that are at risk of flooding and requiring building standards that either keep development out of the areas that are at the highest risk of damage or require structures to be floodproofed to decrease the risk of damage.

g. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s)?

N/A

Summary Attachments:

None