

## SUMMARY and FISCAL NOTE

<b>Department:</b>	<b>Dept. Contact:</b>	<b>CBO Contact:</b>
SDCI	Margaret Glowacki	Christie Parker

### **1. BILL SUMMARY**

**Legislation Title:** AN ORDINANCE relating to floodplains; adopting permanent regulations consistent with Federal Emergency Management Agency (FEMA) regulations; adopting the February 2020 updated National Flood Insurance Rate Maps to allow individuals to continue to obtain flood insurance through FEMA’s Flood Insurance Program; repealing Ordinances 126113 and 126536; and amending Chapter 25.06 and Section 25.09.030 of the Seattle Municipal Code.

**Summary and Background of the Legislation:** In February 2020, FEMA finalized new Flood Insurance Rate Maps for Seattle. The maps identify properties that are at risk of flooding and are used to determine which properties, if backed by a federal mortgage, are required to have flood insurance. Along with the adoption of the updated maps, the City was required to update its floodplain regulations, which have been in place for several decades and vary by specific flood hazard zone. This legislation adopts permanent Floodplain Development regulations to comply with 44 CFR 60.3 as required by FEMA.

The permanent Floodplain Development regulations apply to permit applications for construction on property within floodplain areas mapped by FEMA. FEMA has required these types of updates across the country. The 2020 FEMA maps and interim floodplain regulations were adopted by the City in July 2020 and became effective on August 19, 2020.

The City extended these interim regulations and interim maps nine times while working to adopt permanent floodplain regulations and maps. The interim floodplain maps and the proposed permanent floodplain maps are identical.

### **2. CAPITAL IMPROVEMENT PROGRAM**

**Does this legislation create, fund, or amend a CIP Project?** **NO**

### **3. SUMMARY OF FINANCIAL IMPLICATIONS**

**Does this legislation have financial impacts to the City?** **NO**

### 3.d. Other Impacts

**Does the legislation have other financial impacts to The City of Seattle, including direct or indirect, one-time or ongoing costs, that are not included in Sections 3.a through 3.c? If so, please describe these financial impacts.**

No. While the updated FEMA mapping includes a net increase of 89 acres on land and 784 acres in water equaling a total net increase of 873 acres, the change in the number of permit applications that are expected to be reviewed based on the interim regulations with the same change in acreage 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.

**If the legislation has costs, but they can be absorbed within existing operations, please describe how those costs can be absorbed. The description should clearly describe if the absorbed costs are achievable because the department had excess resources within their existing budget or if by absorbing these costs the department is deprioritizing other work that would have used these resources.**

See response above.

**Please describe any financial costs or other impacts of *not* implementing the legislation.**

No financial costs to the City are anticipated. If the City does not adopt permanent regulations, property owners in the FEMA mapped floodplain areas may not be able to purchase flood insurance, renew an existing policy, or obtain federally backed mortgages.

**Please describe how this legislation may affect any City departments other than the originating department.**

SPU, Parks, SDOT, and any other department that is proposing development in the floodplain will need to comply with these regulations.

### 4. OTHER IMPLICATIONS

- a. **Is a public hearing required for this legislation?** Yes
- b. **Is publication of notice with The Daily Journal of Commerce and/or The Seattle Times required for this legislation?** Yes
- c. **Does this legislation affect a piece of property?**  
The permanent legislation will apply to 3,759 acres of property along the Puget Sound coast, the Duwamish River, and certain streams. This number includes an additional 873 acres: 89 of which are on land and 784 acres are in the water.
- d. **Please describe any perceived implication for the principles of the Race and Social Justice Initiative.**

- i. How does this legislation impact vulnerable or historically disadvantaged communities? How did you arrive at this conclusion? In your response please consider impacts within City government (employees, internal programs) as well as in the broader community.**

This legislation applies to lands mapped with increased flood risk. 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.

- ii. Please attach any Racial Equity Toolkits or other racial equity analyses in the development and/or assessment of the legislation.**

N/A

- iii. What is the Language Access Plan for any communications to the public?**

Access to language translation services is available, if needed. No language access plan was prepared for these regulations.

**e. Climate Change Implications**

- i. Emissions: How is this legislation likely to increase or decrease carbon emissions in a material way? Please attach any studies or other materials that were used to inform this response.**

There will be no increase or decrease of carbon emissions as a result of this legislation.

- ii. 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 permanent floodplain development 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 elevated and/or floodproofed to decrease the risk of damage.

- f. 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)? What mechanisms will be used to measure progress towards meeting those goals?**

N/A

**g. Does this legislation create a non-utility CIP project that involves a shared financial commitment with a non-City partner agency or organization?**

N/A

## **5. ATTACHMENTS**

**Summary Attachments:**

None