



COMMUNITY DEVELOPMENT DEPARTMENT

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MEMORANDUM

To: Planning Commission
From: Mark Hofman, Community Development Director, CFM
Jason Rogers, Senior Planner
Date: June 15, 2020
Subject: Flood Hazard Regulations

BACKGROUND

The National Flood Insurance Act of 1968 was enacted by title XIII of the Housing and Urban Development Act of 1968. This is codified at 42 U.S.C. 4001-4128, and is also known as the National Flood Insurance Program (NFIP). The purpose of the NFIP was to provide flood insurance protection to property owners in flood-prone areas. Among other things, the NFIP requires that communities containing special flood hazard areas and other flood-prone areas adopt floodplain management regulations that meet certain minimum criteria set by the Federal Emergency Management Agency (FEMA). These regulations are designed to reduce or avoid flood damages.

FEMA designates portions of the City of Snoqualmie as being areas of special flood hazard. These areas are colloquially referred to as the 100-year floodplain. However, the term 100-year floodplain should not be confused with FEMA's formal definitions for flood-prone areas. FEMA's specific definition for areas of special flood hazard is "land within the community subject to a one percent or greater chance of flooding in any given year." Within this area, the flood hazard regulations apply.

The City's current flood hazard regulations were originally adopted in 1989 (Ord. 621), and have been updated several times since then, including in 2000 (Ord. 856), 2001 (Ord. 890), 2003 (Ord. 920), 2005 (Ord. 976), 2008 (Ord. 1031), 2012 (Ord. 1093), and 2018 (Ord. 1203).

ANALYSIS

FEMA regularly updates its mapping (e.g. the Flood Insurance Rate Maps, or FIRMs) and applicable regulations at 44 CFR Part 60 Subpart A – Requirements for Flood Plain Management Regulations. When this occurs, the City must update its flood hazard regulations to remain in conformance with federal rules. FEMA has reviewed the City's current flood hazard regulations and provided a checklist showing how the City's regulations conform with FEMA's guidance and model ordinance. FEMA is also issuing updated maps for King County which will take effect on August 19, 2020, however the mapped floodplain and floodway in Snoqualmie is not changing as a result of these map updates.

In reviewing FEMA's checklist, some of the requested change are minor, e.g. changing one word, and the City often has some leeway in phrasing to achieve the intent of the FEMA guidance. In other cases, FEMA asks for inclusion of language verbatim, e.g. for some definitions. FEMA notes some situations where language is optional, such as for sections about coastal flooding that do not apply in Snoqualmie, and others where language is optional but recommended, such as for accessory (appurtenant) structures.

Proposed amendments to Chapter 15.12 SMC are included in the Planning Commission Packet. While there are apparently substantial changes, these can be summarized into several highlights:

- Minor adjustments to language throughout for better conformance with FEMA guidance.
- Updates to definitions – This is the most significant area of change, as FEMA’s guideline have adjusted multiple definitions and added new ones.
- Designation of Floodplain Administrator – Now the Community Development Director, instead of the Building Official.
- Variances – Combination of two sections regarding variances into a single section, incorporating FEMA-requested changes as well as changing the decision-maker to the City Hearing Examiner (instead of the City Council).
- Standards – Added requirements for materials storage and accessory structures, and updated requirements for residential and non-residential construction.

NEXT STEPS

Please review this memo, the attached proposed amendments, FEMA Checklist, and Chapter 15.12 SMC Flood Hazard Regulations. FEMA’s February letter to the City about needed changes to the City’s code is also part of the packet for this meeting. The City’s current code was distributed with the 5/18/2020 meeting packet, and the FEMA Checklist was distributed with the 6/1/2020 meeting packet. The City’s current code is also available online at <http://www.codepublishing.com/wa/snoqualmie>. You can find the current FIRMs on FEMA’s website at <https://msc.fema.gov/portal/home>. Finally, applicable federal regulations (44 CFR Part 60 Subpart A) can be found at <https://law.cornell.edu/cfr/text/44/part-60/subpart-A>.

The Planning Commission will consider FEMA’s recommended changes on June 15, 2020, and the Planning Commission will conduct a public hearing on this item on June 15, 2020. Following the public hearing the Planning Commission should be prepared to discuss the proposed changes and public comments received. The Planning Commission will make a recommendation on the amendments to the City Council in the future. For this purpose, a special meeting of the Planning Commission on Monday, June 29, 2020, is desirable.