January 9, 2020

The Honorable Rod Dembowski

Chair, King County Council

Room 1200

C O U R T H O U S E

Dear Councilmember Dembowski:

This letter transmits a proposed ordinance that, if enacted, would update King County’s floodplain development regulations to meet the federal and state minimum standards. These updates will ensure that King County remains a community in good standing with the National Flood Insurance Program, as well as protecting residents and businesses from negative impacts of flooding while protecting natural floodplain functions.

Federal regulations also require that King County formally adopt the new Flood Insurance Rate Maps, which are anticipated to be effective in July 2020. The exact effective date will be transmitted to the County by Federal Emergency Management Agency (FEMA) Region 10 in the “Letter of Final Determination,” which is sent to communities six months before the effective date of the maps.

The proposed ordinance would update floodplain development regulations in King County Code Title 21A to be consistent with federal regulations in 44 Code of Federal Regulations (CFR) Section 60.3 and state regulations in Revised Code of Washington 86.16.041. The updates also clarify inconsistencies, provide technical changes, and provide administrative changes. The ordinance includes the following regulatory changes:

* New and revised regulations for agricultural and accessory buildings,
* Prohibiting new water wells in the FEMA floodway,
* Removing a noncompliant exemption from compensatory storage requirements,
* Updating definitions to match those in 44 CFR 59.1,
* New variance criteria for floodplain development, and
* Clarifying language to help permit applicants better understand the code requirements.

Updating King County’s floodplain management code preserves the King County Flood Hazard Management Plan’s long-standing goal of “no adverse impact” in floodplains, which ensures that development does not exacerbate flood problems on other property owners. Having a compliant floodplain management code is important in maintaining the County’s participation in the National Flood Insurance Program, which ensures that federal flood insurance is available to homeowners, renters, and business owners. Additionally, a compliant floodplain management code is also crucial for King County’s rating in the FEMA Community Rating System, which is a voluntary program that rewards communities for, in part, adopting higher regulatory floodplain standards. Participation in the Community Rating System program allows for reductions in federal flood insurance rates for policyholders in the participating jurisdiction’s floodplain. King County is a Class 2 community, which is among the best in the country. This rating results in a 40 percent discount in flood insurance rates for residents of unincorporated King County, totaling over $1 million saved for policyholders every year.

In developing the ordinance, King County consulted with FEMA Region 10 and the Washington Department of Ecology and sought input from the public, including: the King County Agriculture Commission; stakeholders in the Snoqualmie Valley as part of the Farm, Fish, Flood Task Force; and members of the Hmong farming community.

This legislation furthers the Health and Human Services goal of the King County Strategic Plan by protecting the well-being and safety of unincorporated residents, as well as the Healthy Environment goal by preserving natural floodplain processes.

Thank you for your consideration of this ordinance. This important legislation will help King County residents and businesses stay safe from flooding.

If your staff have any questions, please feel free to contact Josh Baldi, Division Director of the Water and Land Resources Division of the Department of Natural Resources and Parks, at 206‑477-9440.

Sincerely,

Dow Constantine

King County Executive

Enclosure

cc: King County Councilmembers

ATTN: Carolyn Busch, Chief of Staff

Melani Pedroza, Clerk of the Council

Dwight Dively, Director, Office of Performance, Strategy and Budget

John Taylor, Director, Department of Local Services (DLS)

Jim Chan, Division Director, Permitting Division, DLS

Christie True, Director, Department of Natural Resources and Parks (DNRP)  
 Josh Baldi, Division Director, Water and Land Resources Division, DNRP