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Title: AN ORDINANCE relating to protecting lives and property by controlling flooding in King County; declaring the intention of the King County council to create a countywide flood control zone district and to dissolve existing flood control zone districts within the county as required by state law.

Sponsors: Dow Constantine, Jane Hague, Larry Phillips

Indexes: Flood Control

Code sections:

Attachments: 1. 15550.pdf, 2. 2006-0305 Fiscal Note.xls, 3. 2006-0305 Hearing Notice.doc, 4. 2006-0305 Transmittal Letter.doc, 5. A. Existing Flood Control Zone Districts, 6. B. King County Flood Control Zone District Boundaries (Countywide), 7. Staff Report 7-11-05

Date	Ver.	Action By	Action	Result
7/17/2006	1	Metropolitan King County Council	Hearing Held	
7/17/2006	1	Metropolitan King County Council	Passed	Pass
7/11/2006	1	Growth Management and Natural Resources Committee	Recommended Do Pass	Pass
7/10/2006	1	Metropolitan King County Council	Introduced and Referred	

AN ORDINANCE relating to protecting lives and property by controlling flooding in King County; declaring the intention of the King County council to create a countywide flood control zone district and to dissolve existing flood control zone districts within the county as required by state law.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings:

A. Every year, King County faces significant threats from flooding, the impacts of which are far-reaching and pose significant threats to public health and safety and economic activities throughout the county.

B. Flooding impacts public infrastructure, including transportation corridors and critical public safety facilities, as well as private businesses and personal residences, all of which are vital to the health, safety and

well being of citizens throughout the entire county.

C. Throughout King County there are nearly five hundred aging flood protection facilities that, because of historical and current revenue limitations, cannot be repaired or maintained adequately. In addition, there are significant needs for new or enhanced flood protection facilities and measures throughout the county.

D. Since 1990 King County has been declared a flood disaster area seven times. Floods in future years are also expected to exceed the capacity and protective abilities of existing flood protection facilities, thereby threatening property, lives, major transportation corridors, communities and regional economic centers. This potential for significant flooding threatens the health, safety and prosperity of citizens countywide.

E. The impacts of flooding can be severe and extend far beyond the floodplain itself. Buildings can be damaged along with household furnishings and business inventories. In addition to the direct threats and damage from floodwater, people face the threat of electrocution, explosions and fires caused by leaking gas lines and damaged electrical lines. Severe flooding can also destroy utility infrastructure, causing extensive disruptions in service. Loss of power and communication are common with severe floods. Damage to drinking water and wastewater facilities can also spread disease. In addition, impacts to roads and highways can impair the mobility of people, goods and services -- including emergency service vehicles and personnel.

F. One of the most fundamental functions of government is to protect citizens and public and private property from the ravages of natural disasters such as flooding.

G. Flood control needs exist throughout the county, and an integrated and coordinated approach is needed to effectively and efficiently address those needs.

H. Chapter 86.15 RCW authorizes the county council to initiate the creation of a countywide flood control zone district within King County for the purpose of undertaking, operating or maintaining flood control projects or storm water control projects, among other powers. A countywide district could address flood and storm water control needs throughout the county, including within King County cities.

I. Forming a district is a multi-step process that begins with this ordinance declaring the intent to create

a district and setting a public hearing. A second ordinance is necessary to create the district.

J. Certain flood control zone districts exist in the county, including those specified on Attachment A to this ordinance. However, only the Green River Flood Control Zone District has an ongoing revenue source.

K. RCW 86.15.023 provides that the council may not establish a flood control zone district that includes areas located in another flood control zone district unless such area is removed from the other district, or the other district is dissolved, as part of the action creating the new flood control zone district.

L. This ordinance constitutes the resolution to initiate the creation of a proposed countywide flood control zone district, consistent with RCW 86.15.020 and the resolution describing the proposed boundaries of the district and the flood control needs of the district, as required by RCW 86.15.030.

SECTION 2. The council intends to create a countywide flood control zone district covering the entire area of King County with proposed boundaries as set forth in Attachment B to this ordinance. The new district shall be known as the "King County Flood Control Zone District."

SECTION 3. The council finds and determines that since 1986 within the proposed boundaries of the King County Flood Control Zone District major flood events along King County's rivers have resulted in more than fifty-seven million dollars of damage to public and private property. The one-hundred-year floodplain in King County covers more than twenty-five thousand acres in the county or close to forty square miles. As of 2005, there were more than two thousand structures in the one-hundred-year floodplain with a total assessed valuation of two billion seven hundred million dollars. The flood control needs in King County are described more extensively in chapter 3 of the 2006 King County Flood Hazard Management Plan.

SECTION 4. Dissolving existing flood control zone districts is a statutory prerequisite to the formation of a countywide flood control zone district, and the proposed King County Flood Control Zone District will address flood control needs throughout the county. Therefore, consistent with the requirements of chapter 86.15 RCW, the council declares its intention to dissolve the existing flood control zone districts within the county, including the flood control zone districts specified and described in Attachment A to this ordinance.

SECTION 5. All persons who may desire to be heard with respect to the creation of the countywide flood control zone district or the dissolution of existing flood control zone districts are notified to appear at a meeting of the council to be held in King County Council Chambers Room 1001 King County Courthouse, 516 Third Ave. Seattle at 1:30 pm , local time, on July 31, 2006, which time and place are fixed for hearings on the creation of the countywide district and the dissolution of the existing flood control zone districts within the county. The council finds that the hearing dates are not more than thirty days after the adoption of this ordinance. Notice of the public hearings shall be provided in accordance with RCW 36.32.120(7).

SECTION 6. Upon adoption of this ordinance, the clerk of the council or the clerk's designee shall cause notices of the intent to form a countywide flood control zone district and to dissolve existing flood control zone districts in the county to be provided to the King County Boundary Review Board, consistent with chapter 36.93 RCW.