



CITY OF SEATAC

PLANNING COMMISSION MEETING

Virtual Meeting
March 16, 2021, 5:30 p.m.

Due to the current COVID-19 public health emergency, and social distancing protocols, pursuant to the Governor's and public health officials' orders, this meeting will be conducted virtually. The public may call in to the conference line to listen to the meeting. The number is 206.973.4555. While you will be able to hear the meeting; you will not be able to participate in the meeting through this phone number. Please note that if you are unable to mute your phone, everyone else on the call-in line will be able to hear you, so please refrain from speaking. No one will be able to physically attend this meeting. Public comment opportunities for this meeting are below.

MEETING AGENDA

- 1) Call to Order/Roll Call
- 2) Approval of the minutes of March 2, 2021 regular meeting
- 3) Public Comment on items not on the agenda. *Comments on agenda items will be taken after the staff presentation and Commission discussion on each item below. See Public Comment Process below.*
- 4) Public Hearing: FEMA Flood Hazards Code Update
- 5) Housing Action Plan Update
- 6) CED Staff Report
- 7) Planning Commission Comments (including suggestions for next meeting agenda)
- 8) Adjournment

Public Comment Process: In an effort to adhere to the social distancing protocols, pursuant to the Governor's and public health officials' orders, and in order to keep our residents, Commission, and staff healthy, the Commission will not hear any in-person public comments during this COVID-19 public health emergency. The Commission is providing remote and written public comment opportunities. All comments shall be respectful in tone and content.

How to Sign Up for Remote Oral Comments: Signing-up for remote oral comments must be done by 3:30p.m. the day of the meeting. Instructions for providing remote oral comments are located at the following link: [Council Committee and Citizen Advisory Committee Virtual Meetings](#).

How to Provide Written Comments: Written public comments may be provided by email or text and must be submitted by 3:30p.m. the day of the meeting. If you wish to submit written testimony or comments, email/text your comments to PCPublicComment@seatacwa.gov. Written testimony for the public hearing will be read verbatim into the record, up to five minutes each. Other written comments will be mentioned by name and subject and then placed in the commission handout packet posted to the website. All public comments submitted to an email/text address other than the provided address, or after the deadline, will not be included as part of the record.

**A quorum of the City Council may be present.
All Commission meetings are open to the public.**

The Planning Commission consists of seven members appointed by the Mayor and confirmed by the City Council. The Commission primarily considers plans and regulations relating to the physical development of the city, plus other matters as assigned. The Commission is an advisory body to the City Council.

**CITY OF SEATAC
PLANNING COMMISSION
Minutes of March 2, 2021 Meeting**

Members present: Tej Basra, Tom Dantzler, Leslie Baker, Kyle Becker (arrived 5:33pm), Andrew Ried-Munro (arrived 5:38pm)

Members absent: Tony Zuniga Sanchez, Jagtar Saroya

Staff & Others

Present: Evan Maxim, *CED Director*; Jenn Kester, *Planning Manager*; Stanley Tombs, *Councilmember*; Aleksandr Yeremeyev, *Economic Development Manager*; David Tomporowski, *Senior Planner*; Barb Mailo, *Administrative Assistant 3*, SeaTV, Bart Phone

1. Call to Order/Roll Call

Chair Basra called the meeting to order at 5:30 p.m. and roll call.

2. Approval of minutes of the February 16, 2021 regular meeting

Once the meeting was quorate, Chair Basra motioned to approve the meeting minutes. Commissioner Ried-Munro seconded. Minutes approved.

3. Public Comments on items not on the agenda

None

4. Briefing on South 200th Street Corridor Study

Senior Planner David Tomporowski presented the South 200th Street Corridor Study. The purpose of the presentation is to provide an overview of the South 200th Street Corridor Study. The presentation included the following: overview map of the area presented in the study, overhead images of study area, images of existing conditions, aerial map of International Blvd/Angle Lake Light Rail Station, background overview, purpose & goal of study, and study outreach.

Presentation was informational only and no action requested.

5. Briefing on Military Road 5-Way Intersection Study

Senior Planner David Tomporowski presented the Military Road South/South 164th Street/42nd Ave South Intersection Study. The purpose of the presentation is to provide an overview of the Military Road S 5-Way Intersection Study. The presentation included the following: vicinity map of the intersection, aerial image of the intersection, existing conditions – (view) looking north, background overview, purpose & goal of study, and study outreach.

Presentation was informational only and no action requested.

6. CED Staff Report

Planning Manager Jenn Kester reported that contact has been made with Ann McFarlane with the Jurassic Parliament training and indicated that Ann has a special training for Planning Commissions. Jenn indicated that along with the Planning Commission, CED is also looking to invite staff that participate in the Planning Commission and other citizen advisory committees to this training. Jenn recommended this training be scheduled on a regular PC night and that she

is looking for direction/thoughts from the PC. Chair Basra and Commissioner Baker expressed approval regarding this recommendation.

Jenn commented on providing more information on City projects such as the ones that were presented in tonight's PC meeting.

Jenn reported on upcoming PC meetings indicating that next meeting on March 16th, Kate Kaehny may be reporting on more pieces of the House Action Plan (HAP). Also, Neil Tabor to continue discussion regarding short-term rentals. Lastly, Jenn reported that the FEMA regulations will be presented to the Planning Commission at a public hearing scheduled on March 16.

7. Planning Commission Comments (including suggestions for next meeting agenda)

Commissioner Dantzler inquired about information regarding the City Hall Study. CED Director Evan Maxim responded with indication that an internal draft will be handed over to the new Project Manager and it is anticipated that a final version may be presented in the not-so-distant future. Director Maxim further indicated that this subject matter is on his radar and that Commissioner Dantzler will be briefed on this as soon as it becomes available.

Discussion commenced with Commissioner Dantzler and Commissioner Baker regarding the South 200th area based on the Study that was presented in tonight's meeting.

Commissioner Becker indicated that the next PC meeting will be his last meeting as he will be moving towards new opportunity.

8. Adjournment

Commissioner Baker moved to adjourn meeting. Commissioner Dantzler seconded. Meeting adjourned at 6:09 pm.



Public Hearing Staff Report

File Number(s): CAM20-0002, SEP20-0010

Project Name: FEMA Flood Hazards Code Update

Project Summary: The City is proposing amendments to the SeaTac Municipal Code related to flood hazard regulations to comply with FEMA provisions for Flood Damage Prevention.

Applicant: City of SeaTac

I. Background

In 2020, the City was required to amend its flood hazard and floodplain regulations to comply with Federal Emergency Management Agency (FEMA) provisions for Flood Damage Prevention. Due to the time sensitive nature of the FEMA requirement, the City adopted interim regulations on August 11, 2020 (Ordinance 20-1013). These interim regulations were extended in December 2020 and are in effect until June 30, 2021

Adoption of interim regulations kept the City in compliance with the National Floodplain Insurance Program, thus allowing renewal and issuance of property owners' floodplain insurance policies within SeaTac. FEMA required adoption by August 19, 2020, to coincide with the effective date of new countywide flood insurance maps identifying a floodplain hazard along Miller Creek (Exhibit B). The City's compliance with the National Floodplain Insurance Program (NFIP) ensures that property owners can receive or renew floodplain insurance policies within SeaTac. According to FEMA, there are six (6) active floodplain policies within the city. As interim regulations, they need to be replaced with permanent regulations or the City will no longer be compliant with the NFIP.

II. Summary of Amendments

The code amendments shown in Exhibit A include all the specific FEMA required language and regulations for the minimum protection of properties in special flood hazard areas. Staff is not recommending increasing these standards for protection as these regulations will impact a small area of the City, generally within or near Port and park property. Furthermore, staff has combined all flood hazard related regulations into a new Flood Hazards chapter in Title 18, our Environmental Code, and has made necessary edits to two chapters of code (SMC 12.40 and SMC 15.700) to allow for a unified chapter.

III. Regulatory Requirements

A. SEPA Review

The City served as SEPA Lead Agency for this proposal and issued a Determination of Nonsignificance (DNS) on March 2, 2021 (Exhibit C). The comment period for the SEPA action will expire on March 16, 2021. No public comments have been received to date.

B. Washington State Department of Commerce Review

The City submitted a Request for Expedited Review with Notice of Intent to Adopt Amendments to Commerce on March 18, 2021. No comments from Commerce were received and our request for expedited review was granted on March 4, 2021.

C. Public Hearing Notice

Notice of this public hearing was published in the Seattle Times on March 2, 2021.

IV. Staff Recommendation

Staff believes these proposed regulations are the minimum necessary to be compliant with NFIP and, therefore, should be approved.

V. Planning Commission Consideration

Planning Commission should hold a public hearing, take testimony, and provide City Council a recommendation to approve or deny the proposed amendments, or approve with specific modifications. The Planning Commission recommendation is requested by April 6, 2021.

VI. Exhibits

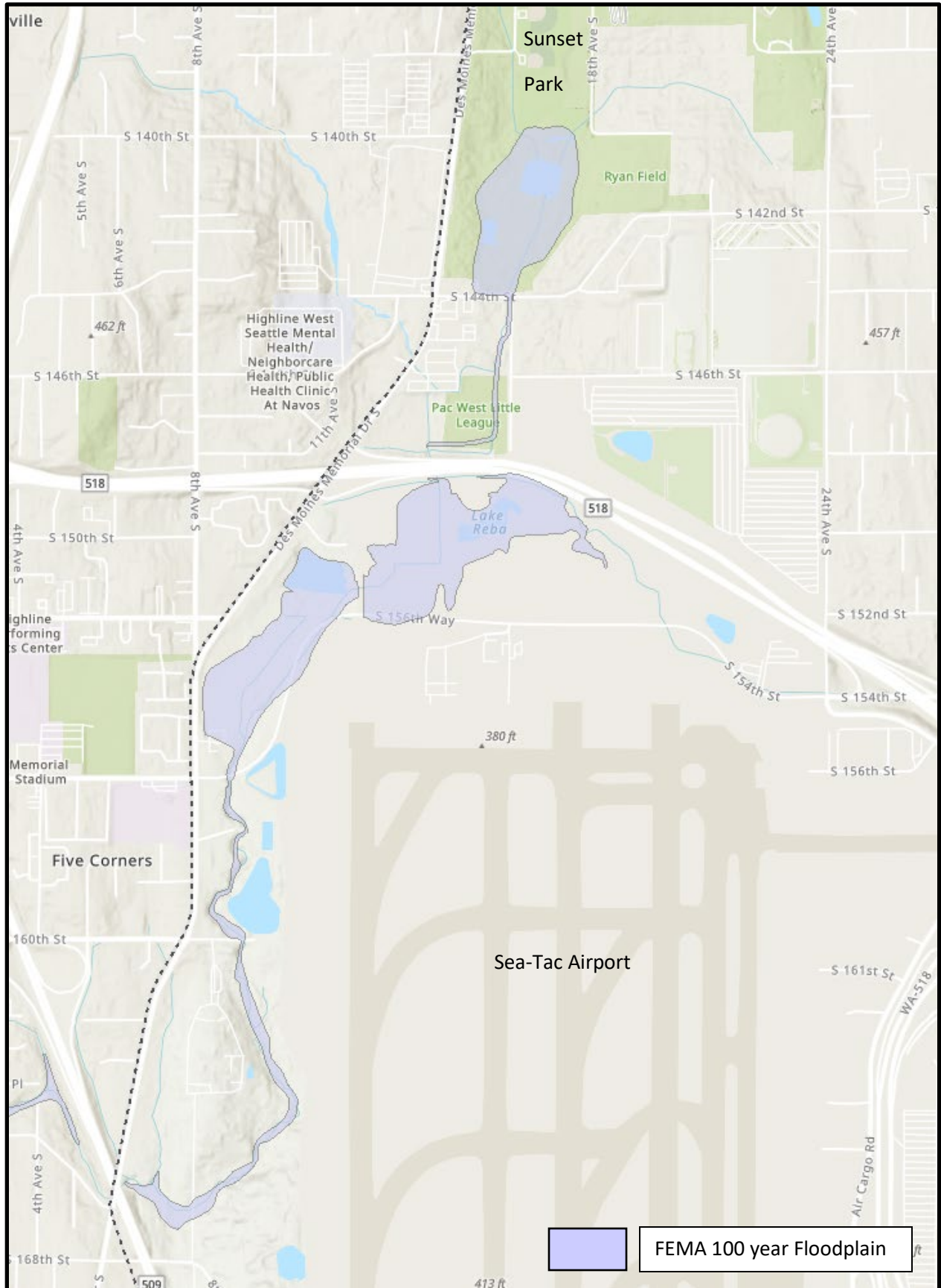
- A. Chapter 18.10 Flood Hazard Areas and other required amendments to the municipal code.
- B. Map of Miller Creek Flood Hazard areas
- C. SEPA Determination of Nonsignificance

Prepared by: Jenn Kester, Planning Manager

Prepared on: 03/10/2021

City of SeaTac FEMA 100 year Floodplain

EXHIBIT B



FEMA Flood Hazards Code Amendments

Planning Commission Public Hearing

March 16, 2021



FEMA FLOOD HAZARDS CODE OVERVIEW

PURPOSE:

- Compliance with FEMA standards
- Permanent regulations for flood hazard areas
- Hold public hearing and make recommendation to Council

WHY IS THIS ISSUE IMPORTANT?

1. Flood insurance maps updated in August 2020 identify flood hazard along Miller Creek.
2. City's regulations must comply with FEMA provisions for Flood Damage Prevention to allow property owners to participate in the National Floodplain Insurance Program.
3. Interim Regulations adopted in August 2020, extended through June 2021.



POTENTIAL COMMISSION ACTION

ACTION REQUESTED

Make recommendation to City Council on proposed code amendments. Recommendation Options:

- Approve
- Deny
- Approve with modifications

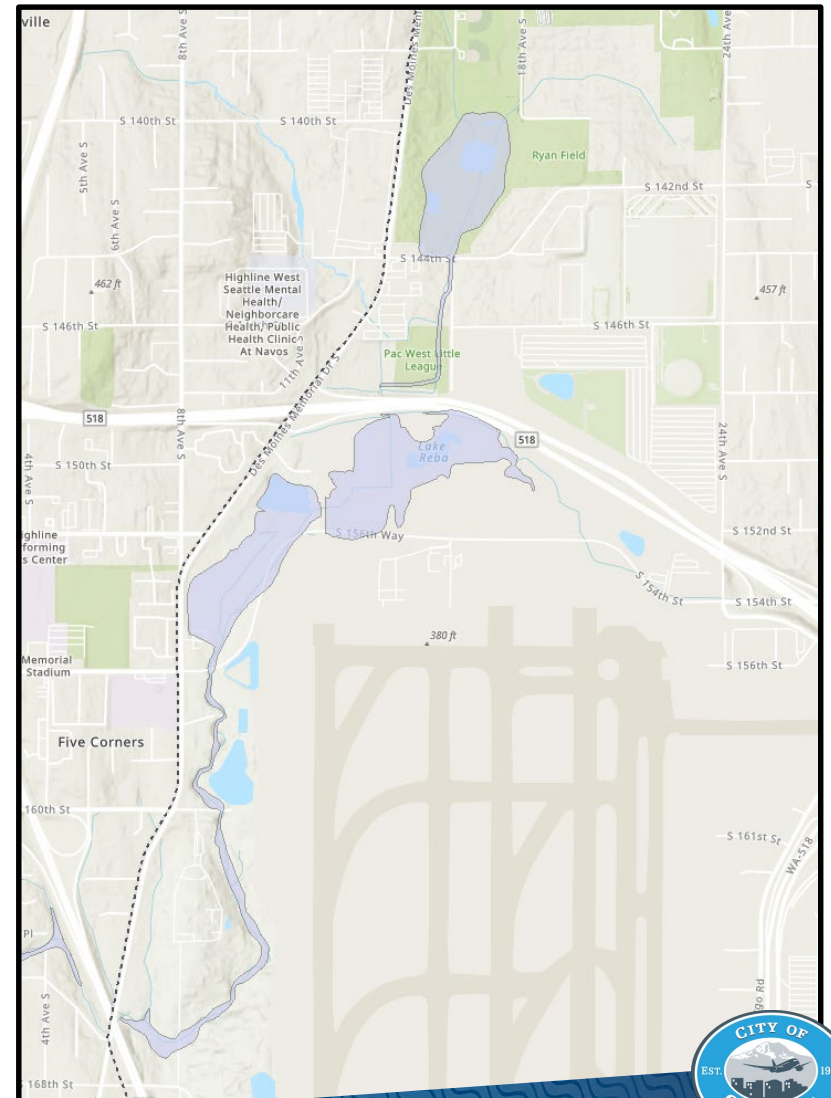
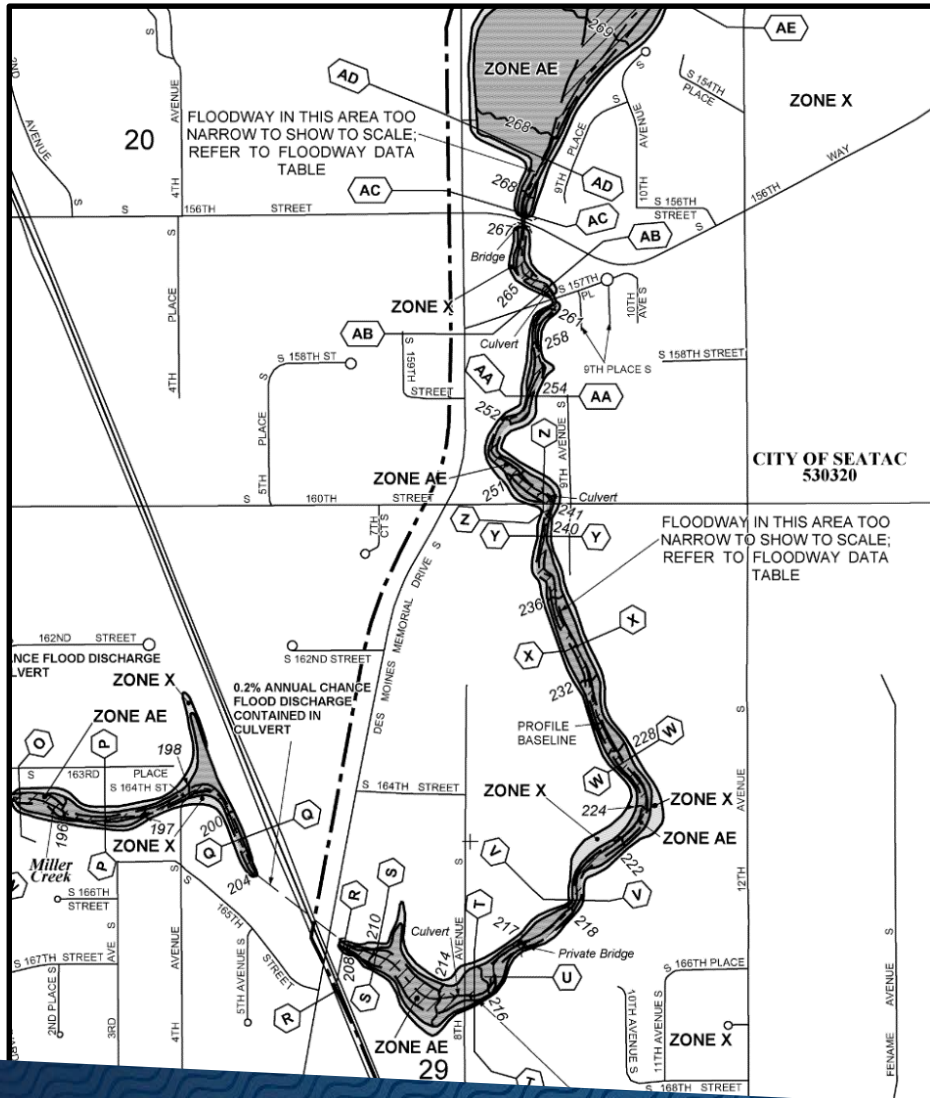
Planning Commission Recommendation by April 6, 2021

REVIEWS TO DATE

- Interim: T&PW: 8/6/2020; PED: 11/10/2020; RCM: 8/11/2020, 12/8/2020
- Planning Commission: 2/16/2021



CITY OF SEATAC FLOOD HAZARD AREAS



SUMMARY OF AMENDMENTS

OVERVIEW

- FEMA requires specific code language as the minimum flood protection standard
- Current city code for flood hazard areas is not consistent with FEMA requirements
- Staff is not recommending increased protections due to the limited areas of impact.

CODE ORGANIZATION

Current: Standards flood hazard regulations spread throughout two chapters of code (SMC 12.40 and SMC 15.700)

Proposed: All regulations are combined into a new chapter SMC 18.10 Flood Hazards in our Environmental Code.



SUMMARY OF AMENDMENTS

SPECIFIC LANGUAGE CHANGES

- Updates to flood-related definitions
- More specificity on application materials and permit processing procedures (permits, variances, nonconformities)
- New residential construction must have the lowest floor elevated above 1 feet above base flood elevation or lower enclosed floors to allow entry and exit of floodwaters
- New non-residential construction must meet the same standard for residential construction, but have an option for fully dry flood proofed.
- Special standards for manufactured home and recreational vehicles
- Removing old King County language on floodways in the critical areas ordinance



POTENTIAL COMMISSION ACTION

ACTION REQUESTED

Make recommendation to City Council on proposed code amendments. Recommendation Options:

- Approve
- Deny
- Approve with modifications

Planning Commission Recommendation by April 6, 2021

REVIEWS TO DATE

- Interim: T&PW: 8/6/2020; PED: 11/10/2020; RCM: 8/11/2020, 12/8/2020
- Planning Commission: 2/16/2021



EXHIBIT A

City of SeaTac's Draft Flood Hazard Areas Ordinance for compliance with FEMA

Approach

- Two Chapters in our current code include floodplain regulations: SMC 12.40 Flood Damage Prevention and SMC 15.700 Critical Areas.
- Create a new chapter specific to floodplains in our Environmental Code (SMC Title 18). 18.10 Flood Hazard Areas will include all the required language from the model ordinance.
- Repeal Chapter 12.40 and the relevant sections from the Critical Area code (SMC 15.700) and make necessary code references throughout the code. (Sections 15.700.210, 15.700.210, 15.700.220, 15.700.230, 15.700.240)
- Section 15.700.200 amended to reference new Chapter 18.10 Flood Hazard Areas.
- Remove definitions from 15.700 Critical Area no longer used due to the new Chapter 18.10 Flood Hazard Areas. Amend other definition in 15.700 as necessary to be consistent with model ordinance.

NEW Chapter 18.10 Flood Hazard Areas

18.10.010 Purpose

18.10.020 Authority and Application

18.10.030 Definitions

18.10.040 Basis for establishing the areas of special flood hazard

18.10.050 Development permit required.

18.10.060 Designation of the Administrator

18.10.070 Duties and responsibilities of the Administrator.

18.10.080 General standards for flood hazard reduction

18.10.090 Specific standards for flood hazard reduction.

18.10.100 AE and A1-30 Zones with Base Flood Elevations but No Floodways.

18.10.110 Floodways

18.10.120 Critical Facilities

18.10.130 Variances

18.10.140 Warning and Disclaimer of Liability

18.10.150 Severability

18.10.010 Purpose

It is the purpose of this chapter to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed:

- A. To protect human life and health;
- B. To minimize expenditure of public money and costly flood control projects;
- C. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- D. To minimize prolonged business interruptions;

- E. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in areas of special flood hazard;
- F. To help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future flood blight areas;
- G. To ensure that potential buyers are notified that property is in an area of special flood hazard; and
- H. To ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

18.10.020 Authority and Application

- A. Authority. The Legislature of the State of Washington through RCW 86.16 has delegated the responsibility to local communities to adopt floodplain management regulations designed to promote the public health, safety, and general welfare of its citizenry.
- B. Application. This Chapter shall apply to all areas of special flood hazards within boundaries of the City of SeaTac.
- C. Compliance. All development within special flood hazard areas is subject to the terms of this ordinance and other applicable regulations.
- D. Penalties for Noncompliance. No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this Chapter and other applicable regulations. Violations of the provisions of this Chapter by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions), shall be addressed in accordance with SMC 1.15.045 through 1.15.075 by way of correction agreement and/or notice of infraction. Nothing herein contained shall prevent the City from taking such other lawful action as is necessary to abate any violation.
- E. Abrogation and Greater Restrictions. This chapter is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this chapter and other regulations, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.
- E. Interpretation. In the interpretation and application of this ordinance, all provisions shall be:
 - 1. Considered as minimum requirements;
 - 2. Liberally construed in favor of the governing body; and,
 - 3. Deemed neither to limit nor repeal any other powers granted under state statutes.

18.10.030 Definitions

Unless specifically defined below, words or phrases used in this chapter shall be interpreted so as to give them the meaning they have in common usage and to give this chapter its most reasonable application.

Alteration of watercourse:

Any action that will change the location of the channel occupied by water within the banks of any portion of a riverine waterbody.

Area of special flood hazard:

The land in the flood plain within a community subject to a one percent or greater chance of flooding in any given year. It is shown on the Flood Insurance Rate Map (FIRM) as zone A, AO, AH, A1-30, AE, A99, AR (V, VO, V1-30, VE). “Special flood hazard area” is synonymous in meaning with the phrase “area of special flood hazard”.

ASCE 24:

The most recently published version of ASCE 24, Flood Resistant Design and Construction, published by the American Society of Civil Engineers.

Base Flood:

The flood having a one percent chance of being equaled or exceeded in any given year. Also referred to as the “100-year flood.” Designation on maps always includes the letters A or V.

Base Flood Elevation (BFE):

The elevation to which floodwater is anticipated to rise during the base flood.

Basement:

Any area of the building having its floor sub-grade (below ground level) on all sides.

Critical Facility:

A facility for which even a slight chance of flooding might be too great. Critical facilities include (but are not limited to) schools, nursing homes, hospitals, police, fire and emergency response installations, and installations which produce, use, or store hazardous materials or hazardous waste.

Development:

Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials located within the area of special flood hazard.

Flood or flooding:

- A. A general and temporary condition of partial or complete inundation of normally dry land areas from:
 - 1. The overflow of inland or tidal waters; and/or
 - 2. The unusual and rapid accumulation of runoff of surface waters from any source.
 - 3. Mudslides (i.e., mudflows) which are proximately caused by flooding as defined in paragraph (A)(2) of this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.
- B. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph (A)(1) of this

definition.

Flood Elevation Study:

An examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards. Also known as a Flood Insurance Study (FIS).

Flood Insurance Rate Map (FIRM):

The official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community. A FIRM that has been made available digitally is called a Digital Flood Insurance Rate Map (DFIRM).

Floodplain or flood-prone area:

Any land area susceptible to being inundated by water from any source. See "Flood or flooding."

Floodplain administrator:

The City of SeaTac official designated to administer and enforce the floodplain management regulations.

Flood proofing:

Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate risk of flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents. Flood proofed structures are those that have the structural integrity and design to be impervious to floodwater below the Base Flood Elevation.

Floodway or Regulatory Floodway:

The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

Functionally dependent use:

A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, and does not include long-term storage or related manufacturing facilities.

Highest adjacent grade:

The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Historic structure:

Any structure that is:

- A. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as

- meeting the requirements for individual listing on the National Register;
- B. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
 - D. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or
 - E. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - 1. By an approved state program as determined by the Secretary of the Interior, or
 - 2. Directly by the Secretary of the Interior in states without approved programs.

Lowest floor:

The lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of Section 18.10.090A of this code.

Manufactured home:

A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For flood plain management purposes the term "manufactured home" also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days. For insurance purposes the term "manufactured home" does not include park trailers, travel trailers, and other similar vehicles.

Mean Sea Level:

For purposes of the National Flood Insurance Program, the vertical datum to which Base Flood Elevations shown on a community's Flood Insurance Rate Map are referenced.

New construction:

For the purposes of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial Flood Insurance Rate Map or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

Reasonably Safe from Flooding:

Development that is designed and built to be safe from flooding based on consideration of current flood elevation studies, historical data, high water marks and other reliable data known to the community. In unnumbered A zones where flood elevation information is not available and cannot be obtained by practicable means, reasonably safe from flooding means that the lowest floor is at least two feet above the Highest Adjacent Grade.

Recreational Vehicle:

A vehicle that is:

- A. Built on a single chassis; and
- B. 400 square feet or less when measured at the largest horizontal projection; and
- C. Designed to be self-propelled or permanently towable by a light duty truck; and
- D. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Start of construction:

Includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundation or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Structure:

A walled and roofed building including a gas or liquid storage tank that is principally above ground, as well as a manufactured home.

Substantial damage:

Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial improvement:

Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include either:

- A. Any project for improvement of a structure to correct previously identified existing violations of state or local health, sanitary, or safety code specifications that have been identified by the local code enforcement official and that are the minimum necessary to assure safe living conditions; or
- B. Any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure."

Variance:

A grant of relief by a community from the terms of a floodplain management regulation.

18.10.040 Basis for establishing the areas of special flood hazard. (SMC12.40.040)

The special flood hazard areas identified by the Federal Insurance Administrator in a scientific and engineering report entitled “The Flood Insurance Study (FIS) for King County, Washington and Incorporated Areas” dated August 19, 2020, and any revisions thereto, with accompanying Flood Insurance Rate Maps (FIRM’s), and any revisions thereto, are hereby adopted by reference. The FIS and the FIRM are on file at SeaTac City Hall with the City of SeaTac Department of Public Works. The best available information for flood hazard area identification as outlined in Section 18.10.070(B) shall be the basis for regulation until a new FIRM is issued that incorporates data utilized under Section 18.10.070(B).

18.10.050 Development permit required.

- A. A development permit shall be obtained before construction or development begins within any area of special flood hazard established in Section 18.10.040 of this Chapter. The permit shall be for all structures, including manufactured homes, as , and for all development, including fill and other activities as defined in Section 18.10.020 of this Chapter.
- B. Application for a development permit shall be made on forms furnished by the Floodplain Administrator and may include, but not be limited to, plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities, and the location of the foregoing. Specifically, the following information is required:
 - 1. Elevation in relation to mean sea level, of the lowest floor (including basement) of all structures recorded on a current elevation certificate with Section B completed by the Floodplain Administrator.
 - 2. Elevation in relation to mean sea level to which any structure has been flood proofed;
 - 3. Where a structure is to be flood proofed, certification by a registered professional engineer or architect that the flood proofing methods for any nonresidential structure meet flood proofing criteria in SMC 18.10.090(B);
 - 4. Description of the extent to which a watercourse will be altered or relocated as a result of proposed development;
 - 5. Where development is proposed in a floodway, an engineering analysis indicating no rise of the Base Flood Elevation; and
 - 6. Any other such information that may be reasonably required by the Floodplain Administrator in order to review the application.

18.10.060 Designation of the Administrator.

The City Manager or designee is appointed as Administrator and shall implement the provisions of this chapter by granting or denying development permit applications in accordance with the Code and relevant statutes.

18.10.070 Duties and responsibilities of the Administrator.

Duties of the Administrator shall include, but not be limited to:

- A. Permit Review.
 - 1. Review all development permits to determine that the permit requirements of this chapter have been satisfied.
 - 2. Review all development permits to determine that all necessary permits have been obtained from those federal, State, or local government agencies from which prior approval is required.
 - 3. Review all development permits to determine if the proposed development is located in the floodway. If located in the floodway, assure that the encroachment provisions of Section 18.10.110(A) are met.
 - 4. Determine that the site is reasonably safe from flooding;
 - 5. Notify FEMA when annexations occur in the Special Flood Hazard Area.
- B. Use of Other Base Flood Data. When base flood elevation data has not been provided in accordance with Section 18.10.040 of this Chapter, obtain, review, and reasonably utilize any base flood elevation and floodway data available from a federal, State or other source, in order to administer Sections 18.10.090 and 18.10.110 of this Chapter.
- C. Information to be Obtained and Maintained.
 - 1. Where base flood elevation data is provided through the Flood Elevation Study or as required in subsection B of this section, obtain and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement.
 - 2. For all new or substantially improved flood proof nonresidential structures where base flood elevation data is provided through the FIS, FIRM, or as required in SMC 18.10.070(B):
 - a. Obtain and maintain a record of the elevation (in relation to mean sea level) to which the structure was flood proofed; and
 - b. Maintain the flood proofing certifications in SMC 18.10.050(B)(3).
 - 3. Certification required by SMC 18.10.110(A).
 - 4. Records of all variance actions, including justification for their issuance.
 - 5. Improvement and damage calculations.
 - 6. Maintain for public inspection all records pertaining to the provisions of this chapter.
- D. Alteration of Watercourses.
 - 1. Notify adjacent communities and the appropriate department of the State of Washington prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.
 - 2. Require that maintenance be provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is not diminished.
- E. Interpretation of FIRM Boundaries. Make interpretations where needed, as to exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation. Such appeals shall be granted consistent with the standards of

Section 60.6 of the rules and regulations of the National Flood Insurance Program (44 CFR 59-76).

18.10.080 General standards for flood hazard reduction.

In all areas of special flood hazards, the following standards are required:

- A. Anchoring.
 - 1. All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads including the effects of buoyancy.
 - 2. All manufactured homes must likewise be anchored to prevent flotation, collapse or lateral movement, and shall be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to ground anchors (Reference FEMA’s “Manufactured Home Installation in Flood Hazard Areas” guidebook for additional techniques).
- B. Construction Materials and Methods.
 - 1. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
 - 2. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.
 - 3. Electrical, heating, ventilation, plumbing, and air-conditioning equipment and other service facilities shall be designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
- C. Utilities.
 - 1. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
 - 2. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters;
 - 3. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding; and
 - 4. Water wells shall be located on high ground that is not in the floodway.
- D. Subdivision Proposals and Development.
 - 1. All subdivision proposals shall be consistent with the need to minimize flood damage;
 - 2. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;
 - 3. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage; and
 - 4. Where subdivision proposals and other proposed developments contain greater than 50 lots or 5 acres (whichever is the lesser) base flood elevation data shall be included as part of the application.
- E. Review of Building Permits. Where elevation data is not available either through the Flood Elevation Study or from another authoritative source (as per Section

18.10.070(B)), applications for building permits shall be reviewed to assure that proposed construction will be reasonably safe from flooding. The test of reasonableness is based on, not limited to local historical data, high water marks, and available photographs of past flooding in the area. Failure to elevate at least two feet above grade in these zones may result in higher insurance rates.

F. Certification by a Land Surveyor

1. For all new structures or substantial improvements in a flood hazard area, the applicant shall provide certification by a land surveyor licensed by the State of Washington of:
 - a. The actual, as-built elevation of the lowest floor, including basement; and
 - b. The actual, as-built elevation to which the structure is flood-proofed, if applicable.
2. The surveyor shall indicate if the structure has a basement.
3. The City shall maintain the certifications required by this section for public inspection.

18.10.090 Specific standards for flood hazard reduction.

In all areas of special flood hazards where base flood elevation data has been provided as set forth in Sections 18.10.040 or 18.10.070(B) the following provisions are required:

A. Residential Construction.

1. In AE and A1-30 zones or other A zoned areas where the BFE has been determined or can be reasonably obtained, new construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated one foot or more above the BFE. Mechanical equipment and utilities shall be waterproof or elevated least one foot above the BFE.
2. New construction and substantial improvement of any residential structure in an AO zone shall meet the requirements of Appendix A.
3. New construction and substantial improvement of any residential structure in an Unnumbered A zone for which a BFE is not available and cannot be reasonably obtained shall be reasonably safe from flooding, but in all cases the lowest floor shall be at least two feet above the Highest Adjacent Grade.
4. Fully enclosed areas below the lowest floor that are subject to flooding are prohibited, or shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs must meet or exceed the following minimum criteria:
 - a. Have a minimum of two openings with a total net area of not less than one square inch for every square foot of enclosed area subject to flooding.
 - b. The bottom of all openings shall be no higher than one foot above grade.
 - c. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwater.
 - d. A garage attached to a residential structure, constructed with the garage floor slab below the BFE, must be designed to allow for the automatic entry and exit of floodwaters.

Alternatively, a registered engineer or architect may design and certify engineered openings.

- B. Nonresidential Construction. New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall meet the requirements of subsection 1 or 2, below.
1. New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall meet all of the following requirements:
 - a. In AE and A1-30 zones or other A zoned areas where the BFE has been determined or can be reasonably obtained:
New construction and substantial improvement of any commercial, industrial, or other nonresidential structure shall have the lowest floor, including basement, elevated one foot or more above the BFE, or elevated as required by ASCE 24, whichever is greater. Mechanical equipment and utilities shall be waterproofed or elevated least one foot above the BFE, or as required by ASCE 24, whichever is greater.
 - b. If construction is located in an AO zone, the structure shall meet the requirements in Appendix A.
 - c. If construction is located in an Unnumbered A zone for which a BFE is not available and cannot be reasonably obtained, the structure shall be reasonably safe from flooding, but in all cases the lowest floor shall be at least two feet above the Highest Adjacent Grade.
 - d. Fully enclosed areas below the lowest floor that are subject to flooding are prohibited unless the structure is designed to automatically equalize hydrostatic flood forces on exterior walls in order to allow for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria:
 - i. Have a minimum of two openings with a total net area of not less than one square inch for every square foot of enclosed area subject to flooding.
 - ii. The bottom of all openings shall be no higher than one foot above grade.
 - iii. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwater.
 - iv. A garage attached to a residential structure, constructed with the garage floor slab below the BFE, must be designed to allow for the automatic entry and exit of floodwaters.
Alternatively, a registered engineer or architect may design and certify engineered openings.
 2. If the requirements of subsection 1 are not met, then new construction and substantial improvement of any commercial, industrial or other nonresidential structure shall meet all of the following requirements:
 - a. Be dry flood proofed so that below one foot or more above the base flood level the structure is watertight with walls substantially impermeable to the passage of water or dry flood proofed to the elevation required by ASCE 24, whichever is greater;

- b. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;
 - c. Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this subsection based on their development and/or review of the structural design, specifications and plans. Such certifications shall be provided to the official as set forth in SMC 18.10.070(C)(2);
 - d. Nonresidential structures that are elevated, not flood proofed, must meet the same standards for space below the lowest floor as described in SMC 18.10.090(A)(2);
3. Applicants flood proofing nonresidential buildings shall be notified that flood insurance premiums will be based on rates that are one foot below the flood proofed level (e.g. a building constructed to the base flood level will be rated as one foot below that level).
- C. Manufactured Homes. All manufactured homes to be placed or substantially improved within appropriate zones of the City shall be elevated on a permanent foundation such that the lowest floor of the manufactured homes is at or above the base flood elevation and be securely anchored to an adequately anchored foundation system in accordance with the provisions of Section 12.40.080A(2) of this Chapter.
- D. Recreational Vehicles. Recreational vehicles placed on sites are required to either:
1. Be on the site for fewer than 180 days, or
 2. Be fully licensed and ready for highway use, on wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and have no permanently attached additions; or
 3. Meet the requirements of SMC 18.10.090(C).
- E. Enclosed Area Below the Lowest Floor. If buildings or manufactured homes are constructed or substantially improved with fully enclosed areas below the lowest floor, the areas shall be used solely for parking of vehicles, building access, or storage.
- F. Appurtenant Structures (Detached Garages & Small Storage Structures)
For A Zones (A, AE, A1-30, AH, AO):
1. Appurtenant structures used solely for parking of vehicles or limited storage may be constructed such that the floor is below the BFE, provided the structure is designed and constructed in accordance with the following requirements:
 - a. Use of the appurtenant structure must be limited to parking of vehicles or limited storage;
 - b. The portions of the appurtenant structure located below the BFE must be built using flood resistant materials;
 - c. The appurtenant structure must be adequately anchored to prevent flotation, collapse, and lateral movement;
 - d. Any machinery or equipment servicing the appurtenant structure must be elevated or floodproofed to or above the BFE;
 - e. The appurtenant structure must comply with floodway encroachment provisions in SMC18.10.110(A);
 - f. The appurtenant structure must be designed to allow for the automatic entry and exit of flood waters in accordance with SMC18.10.090(A)(4).

- g. The structure shall have low damage potential,
 - h. If the structure is converted to another use, it must be brought into full compliance with the standards governing such use, and
 - i. The structure shall not be used for human habitation.
- 2. Detached garages, storage structures, and other appurtenant structures not meeting the above standards must be constructed in accordance with all applicable standards in SMC 18.10.090(A).
 - 3. Upon completion of the structure, certification that the requirements of this section have been satisfied shall be provided to the Floodplain Administrator for verification.

18.10.100 AE and A1-30 Zones with Base Flood Elevations but No Floodways.

In areas with BFE's (when a regulatory floodway has not been designated), no new construction, substantial improvements, or other development (including fill) shall be permitted within zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

18.10.110 Floodways.

Located within areas of special flood hazard established in Section 18.10.040 of this code are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles, and erosion potential, the following provisions apply:

- A. No Rise Standard. Prohibit encroachments, including fill, new construction, substantial improvements, and other development unless certification by a registered professional engineer is provided demonstrating through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.
- B. Residential Construction in Floodway. Construction or reconstruction of residential structures is prohibited within designated floodways, except for (1) repairs, reconstruction, or improvements to a structure which do not increase the ground floor areas; and (2) repairs, reconstruction or improvements to a structure, the cost of which does not exceed 50 percent of the market value of the structure either, (a) before the repair, reconstruction, or repair is started, or (b) if the structure has been damaged, and is being restored, before the damage occurred. Work done on structures to comply with existing health, sanitary, or safety codes or to structures identified as historic places shall not be included in the 50 percent.
- C. Substantially Damaged Residences in Floodway
 - 1. For all substantially damaged residential structures, other than farmhouses, located in a designated floodway, the Floodplain Administrator may make a written request that the Department of Ecology assess the risk of harm to life and property posed by the specific conditions of the floodway. Based on analysis of depth, velocity, flood-related erosion, channel migration, debris load potential, and flood warning capability, the Department of Ecology may exercise best professional judgment in recommending to the local permitting authority repair,

replacement, or relocation of a substantially damaged structure consistent with WAC 173-158-076. The property owner shall be responsible for submitting to the local government and the Department of Ecology any information necessary to complete the assessment. Without a favorable recommendation from the department for the repair or replacement of a substantially damaged residential structure located in the regulatory floodway, no repair or replacement is allowed per WAC 173-158-070(1).

2. All requirements of the NFIP and relevant state requirements under 86.16 RCW, and all applicable local regulations must be satisfied before any repair, replacement, or reconstruction commences. In addition, the following conditions must be met:
 - a. There is no potential safe building location for the replacement residential structure on the same property outside the regulatory floodway.
 - b. A replacement residential structure is a residential structure built as a substitute for a legally existing residential structure of equivalent use and size.
 - c. Repairs, reconstruction, or replacement of a residential structure shall not increase the total square footage of floodway encroachment.
 - d. The elevation of the lowest floor of the substantially damaged or replacement residential structure is a minimum of one foot higher than the BFE.
 - e. New and replacement water supply systems are designed to eliminate or minimize infiltration of floodwater into the system.
 - f. New and replacement sanitary sewerage systems are designed and located to eliminate or minimize infiltration of floodwater into the system and discharge from the system into the floodwaters.
 - g. All other utilities and connections to public utilities are designed, constructed, and located to eliminate or minimize flood damage.
- D. All Other Building Standards Apply in the Floodway. If subsection A of this section is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Sections 18.10.080, 18.10.090, and 18.10.110 of this Chapter.

18.10.120 Critical Facilities

Construction of new critical facilities shall be, to the extent possible, located outside the limits of the SFHA (100-year floodplain). Construction of new critical facilities shall be permissible within the SFHA if no feasible alternative site is available. Critical facilities constructed within the SFHA shall have the lowest floor elevated three feet above BFE or to the height of the 500-year flood, whichever is higher. Access to and from the critical facility should also be protected to the height utilized above. Floodproofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters. Access routes elevated to or above the level of the BFE shall be provided to all critical facilities to the extent possible.

18.10.130 Variances

- A. The variance criteria set forth in this section is based on the general principle of zoning law that variances pertain to a piece of property and are not personal in nature. A

variance may be granted for a parcel of property with physical characteristics so unusual that complying with the requirements of this Chapter would create an exceptional hardship to the applicant or the surrounding property owners. The characteristics must be unique to the property and not be shared by adjacent parcels. The unique characteristic must pertain to the land itself, not to the structure, its inhabitants, or the property owners.

- B. It is the duty of the City of SeaTac to help protect its citizens from flooding. This need is so compelling and the implications of the cost of insuring a structure built below the Base Flood Elevation are so serious that variances from the flood elevation or from other requirements in the flood ordinance are quite rare. The long-term goal of preventing and reducing flood loss and damage can only be met if variances are strictly limited.

Therefore, the variance guidelines provided in this ordinance are more detailed and contain multiple provisions that must be met before a variance can be properly granted. The criteria are designed to screen out those situations in which alternatives other than a variance are more appropriate.

- C. Requirements for Variances.

1. Variances shall only be issued:

- a. Upon a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances;
- b. For the repair, rehabilitation, or restoration of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure;
- c. Upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief;
- d. Upon a showing of good and sufficient cause;
- e. Upon a determination that failure to grant the variance would result in exceptional hardship to the applicant;
- f. Upon a showing that the use cannot perform its intended purpose unless it is located or carried out in close proximity to water. This includes only facilities defined in Section 18.10.030 of this Chapter in the definition of "Functionally Dependent Use."

2. Variances shall not be issued within any floodway if any increase in flood levels during the base flood discharge would result.

3. Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the BFE, provided the procedures of SMC 18.10.040 and 18.10.090 have been fully considered. As the lot size increases beyond one-half acre, the technical justification required for issuing the variance increases.

- D. Variance Criteria.

1. In considering variance applications, the City shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this ordinance, and:

- a. The danger that materials may be swept onto other lands to the injury of others;
 - b. The danger to life and property due to flooding or erosion damage;
 - c. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 - d. The importance of the services provided by the proposed facility to the community;
 - e. The necessity to the facility of a waterfront location, where applicable;
 - f. The availability of alternative locations for the proposed use, which are not subject to flooding or erosion damage;
 - g. The compatibility of the proposed use with existing and anticipated development;
 - h. The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
 - i. The safety of access to the property in time of flood for ordinary and emergency vehicles;
 - j. The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters expected at the site; and,
 - k. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities, such as sewer, gas, electrical, water system, and streets and bridges.
- E. Additional Requirements for the Issuance of a Variance.
1. Any applicant to whom a variance is granted shall be given written notice over the signature of a community official that:
 - a. The issuance of a variance to construct a structure below the BFE will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage, and
 - b. Such construction below the BFE increases risks to life and property.
 2. The Floodplain Administrator shall maintain a record of all variance actions, including justification for their issuance.
 3. The Floodplain Administrator shall condition the variance as needed to ensure that the requirements and criteria of this chapter are met.
 4. Variances as interpreted in the NFIP are based on the general zoning law principle that they pertain to a physical piece of property; they are not personal in nature and do not pertain to the structure, its inhabitants, economic or financial circumstances. They primarily address small lots in densely populated residential neighborhoods. As such, variances from flood elevations should be quite rare.

18.10.140 Warning and Disclaimer of Liability

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by manmade or natural causes. This ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This chapter shall not create liability on the part of the City of SeaTac, any officer or employee thereof, or the Federal

Insurance Administration, for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made hereunder.

18.10.150 Severability

This ordinance and the various parts thereof are hereby declared to be severable. Should any Section of this ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any portion thereof other than the Section so declared to be unconstitutional or invalid.

Changes in other Parts of SMC

1. Repeal Chapter 12.40 Flood Damage Prevention of the SeaTac Municipal Code

2. Amend Section SMC 15.700.200 to read:

15.700.200 Flood Hazard Areas – Components

~~A. A flood hazard area consists of the following components:~~

- ~~1. Floodplain;~~
- ~~2. Flood fringe;~~
- ~~3. Zero rise floodway; and~~
- ~~4. Federal Emergency Management Agency (FEMA) floodway.~~

~~B. The City shall determine the flood hazard area after obtaining, reviewing and utilizing base flood elevations and available floodway data for a flood having a one percent (1%) chance of being equaled or exceeded in any given year, often referred to as the “one hundred (100) year flood.” The base flood is determined for existing conditions unless a basin plan including projected flows under future developed conditions has been completed, approved and adopted by the City, in which case these future flow projections shall be used. In areas where the flood insurance study for the City includes detailed base flood calculations, those calculations may be used until projection of future flows are completed and approved by the City in concurrence with FEMA.~~

If an area of special flood hazard is located on or adjacent to a development site, all activities on the site shall be in compliance with the following requirements and restrictions:

A. The provisions of chapter 18.10 SMC.

B. Prior to approval of any development proposal within an area of special flood hazard, special environmental studies must demonstrate that the proposed development and related construction activities will not result in an increase in the frequency, severity, or magnitude of flooding on the development site or on properties within the same hydrologic system.

3. Repeal Sections SMC 15.700.210, 15.700.220, 15.700.230, 15.700.240 in Chapter 15.700 SMC, Critical Areas

4. Remove Flood related definitions from 15.700 Critical Areas no longer used in that chapter and amend those that must be retained to match model ordinance language as follows:

- A. Amend Base Flood definition as follows:
The flood having a one percent chance of being equaled or exceeded in any given year. Also referred to as the “100-year flood.” Designation on maps always includes the letters A or V.~~A flood having a one percent (1%) chance of being equaled or exceeded in any given year, often referred to as the “one hundred (100) year flood.”~~
- B. Repeal Base Flood Elevation definition.
- C. Repeal Flood Fringe definition
- D. Repeal Flood Insurance Rate Map (FIRM) definition
- E. Repeal Flood Insurance Study for King County definition
- F. Amend Floodplain definition as follows:
Any land area susceptible to being inundated by water from any source. ~~The total area subject to inundation by the base flood.~~
- G. Repeal Floodproofing definition
- H. Repeal Flood Protection Elevation definition
- I. Repeal Floodway, Zero-Rise definition

**5. Amend Section 15.700.050 Partial Exemptions as follows:
15.700.050 Partial Exemptions**

The following are exempt from the provisions of this and any administrative rules promulgated thereunder, except for the notice on title provisions, SMC 15.700.160, Notice on Title, ~~and the flood hazard area provisions, SMC 15.700.200, Flood Hazard Areas—Components, through 15.700.240, Flood Hazard Areas—Certification by an Engineer or Surveyor:~~

* * *

6. Amend Subsection 15.700.300(C) as follows:

* * *

- C. If the altered wetland is located on more than one (1) property, no more than twenty-five percent (25%) of the entire wetland may be filled. The remainder of the wetland shall be enhanced as approved by the City provided it can be shown by a qualified professional, approved by the City that:
 - 1. The enhancement of the remaining wetland shall provide the same or better hydrologic or biologic functions as the class of wetland identified in the wetland study for the site;
 - 2. If the altered wetland is located on more than one property, the entire altered wetland shall be identified; and

3. Any altered wetlands located in a flood hazard area shall conform with SMC 15.700.140, Vegetation Management Plan, through 15.700.200, Flood Hazard Areas ~~15.700.240, Flood Hazard Areas—Certification by an Engineer or Surveyor~~; and

* * *

7. Amend Subsection 15.700.340(J) as follows:

* * *

- J. A stream channel may be stabilized if:
 1. Movement of the stream channel threatens existing residential or commercial structures, public facilities or improvements, unique natural resources or the only existing access to property; and
 2. The stabilization is done in compliance with the requirements of SMC 15.700.140, Vegetation Management Plan, through 15.700.200 Flood Hazard Areas ~~15.700.240, Flood Hazard Areas—Certification by an Engineer or Surveyor~~, and administrative rules promulgated pursuant to this chapter;

* * *

APPENDIX A
STANDARDS FOR SHALLOW FLOODING
AREAS (AO ZONES)
44 CFR 60.3(c)7, 8 and 11

Shallow flooding areas appear on FIRMs as AO zones with depth designations. The base flood depths in these zones range from one to three feet (1' to 3') above ground where a clearly defined channel does not exist, or where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is usually characterized as sheet flow. In addition to other provisions in this code, the following additional provisions also apply in AO zones:

1. New construction and substantial improvements of residential structures and manufactured homes within AO zones shall have the lowest floor (including basement and mechanical equipment) elevated above the highest adjacent grade to the structure, one foot (1') or more above* the depth number specified in feet on the community's FIRM (at least two feet (2') above the highest adjacent grade to the structure if no depth number is specified).
2. New construction and substantial improvements of nonresidential structures within AO zones shall either:
 - a. Have the lowest floor (including basement) elevated above the highest adjacent grade of the building site, one foot or more above* the depth number specified on the FIRM (at least two feet if no depth number is specified); or
 - b. Together with attendant utility and sanitary facilities, be completely flood proofed to or above that level so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. If this method is used, compliance shall be certified by a registered professional engineer, or architect as in section 5.2-2(3).
3. Require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures.
4. Recreational vehicles placed on sites within AO zones on the community's FIRM either:
 - a) Be on the site for fewer than 180 consecutive days, or
 - b) Be fully licensed and ready for highway use, on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions; or
 - c) Meet the requirements of subsections (1) and (3) above and the anchoring requirements for manufactured homes (Section 5.1-1(2)).



CITY OF SEATAC

SEPA NOTICE



DETERMINATION OF NONSIGNIFICANCE FILE SEP20-0010; CAM20-0002

DESCRIPTION OF PROPOSAL: Flood Hazard Regulations update. This non-project proposal includes proposed amendments to the SeaTac Municipal Code related to flood hazard regulations to comply with FEMA provisions for Flood Damage Prevention and using the State Model Ordinance; adding Chapter 18.10 Flood Hazard Areas; repealing Chapter 12.40 Flood Damage Prevention; and, amending 15.700 Critical Areas.

PROPONENT: City of SeaTac, Community and Economic Development
LOCATION: Entire City
LEAD AGENCY: City of SeaTac

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment, and an environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed Environmental Checklist and other information on file with the lead agency.

COMMENT PERIOD:

This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for **14 days** from the date of issuance. Comments must be submitted by **5:00 P.M. on March 16, 2021**. Detailed information is available to the public upon request. CONTACT: Jennifer Kester at 206-973-4842/jkester@seatacwa.gov.

APPEAL PERIOD:

Any person wishing to appeal this determination may file such an appeal to the SeaTac City Clerk within **ten (10) days** from the end of the comment period. All appeals of the above determination must be filed by **5:00 P.M. March 26, 2020**. **THERE IS A FEE TO APPEAL THIS DETERMINATION (SEE CITY OF SEATAC FEE SCHEDULE).**

RESPONSIBLE OFFICIAL: Jennifer Kester, Planning Manager,
 Community and Economic Development
 4800 S. 188th Street
 SeaTac, Washington 98188
 (206) 973-4750



 Jennifer Kester, Planning Manager
 Department of Community & Economic Development

03/02/2021

 Date

DATE ISSUED/PUBLISHED IN THE SEATTLE TIMES:

MARCH 2, 2021



MEMORANDUM COMMUNITY & ECONOMIC DEVELOPMENT

Date: March 9, 2021
To: Planning Commission
From: Kate Kaehny, Senior Planner
Subject: Overview of Housing Action Plan Work Session

The Planning Commission's 3/16 work session on the Housing Action Plan Project is primarily informational.

Recap of Housing Action Plan Project Goals

The main goal of this project is to create a plan that identifies and prioritizes strategies to:

- 1) Increase the city's housing supply, and
- 2) Promote housing options for current and future residents at all income levels.

After the plan's adoption, it will guide City actions and be implemented through changes or additions to existing City processes and procedures (such as the zoning code or department work programs).

Purpose of 3/16 Planning Commission Work Session: Begin Discussion on Potential Housing Strategies

The upcoming work session is intended to kick-off the Planning Commission's discussions on potential housing strategies to include in the Housing Action Plan. Key objectives for the meeting include:

- **Review of the guiding framework established to date for Housing Action Plan strategies.** The framework was confirmed by the PED Committee at their February meeting, and includes Council priorities and grant-related project goals.
- **Review of strategies and tools the City can use to influence the development of housing.** Staff will provide an overview of tools identified within the Puget Sound Regional Council's (PSRC) [Housing Innovations Program Toolkit](#). The Housing Innovations Program (HIP) is one of multiple toolkits housed on PSRC's website that provide information on housing and development incentives.
- **Discussion on SeaTac's current housing tools and actions the City has taken to promote the development of housing in the last few years.**

Packet Materials

- This Memo
- Copy of presentation slides
- PSRC Housing Innovation Toolkit Matrix (with tools SeaTac currently utilizes identified)

Lastly, Please Take a Look at the Housing Action Plan Online Open House/Questionnaire & Share the Link with Other SeaTac Residents: www.seatacwa.gov/hap

Before Tuesday's meeting, we suggest that you review and/or participate in the online open house/questionnaire that went live last week on the project website. It is one of the project's main community engagement tools and we would appreciate if you could forward the link to your community contacts.



Serving Communities ▾ Building Infrastructure

Growth Management Planning for Housing - Washington State Department of Commerce

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HB 1923 Building Urban Residential Capacity Grants

SeaTac Housing Action Plan “HAP” Project: Potential Housing Strategies: Work Session #1

Planning Commission
March 16, 2021



PRESENTATION OVERVIEW

PURPOSE OF PRESENTATION

To kick-off discussions on potential housing strategies to consider for the Housing Action Plan.

- Review guiding framework established to date (for housing strategies to implement).
- Review current and potential housing strategies and tools.
- Understand recent actions the City has taken to promote housing development in SeaTac.

WHY IS THIS ISSUE IMPORTANT?

1. In July 2020, City Council finalized approval of a \$100,000 Department of Commerce grant to fund a Housing Action Plan (HAP).
2. Regular briefings are needed to ensure City Council and the Planning Commission stay apprised of and provide input on project activities.



NO COMMISSION ACTION REQUESTED

NO COMMISSION ACTION REQUESTED

- Project briefing is informational.

REVIEWS TO DATE

- Planning Commission: 11/17/2020, 1/19/2021
- Planning & Economic Development (PED) Committee: 9/24/2020, 11/18/2020, 1/19/2021, 2/25/2021



RECAP PROJECT SCOPE/MAJOR MILESTONES

Opportunities for Input:
PED & Planning Commission will have monthly project briefings

Summer/
Fall 2020

**Project
Initiation &
Early Learning**

Winter
2021

**Draft Housing
Inventory &
Assessment
Report**

Winter/Spring
2021

**Strategy
Development
& Public
Participation**

- Resident Housing Forum
- Housing Producers Forum
- Other activities

Spring
2021

**Draft
Housing
Action Plan
& Public
Participation**

Summer
2021

**Complete
Final
Housing
Action
Plan**

- Mid-June



HOUSING STRATEGIES GUIDING FRAMEWORK

PURPOSE OF GUIDING FRAMEWORK

The guiding framework is intended to ensure that potential housing strategies align with and implement:

- **Project Goals:** To increase the amount and types of housing available at all income levels.
- **City Policies & Council Priorities:** From Comprehensive Plan and recent Council guidance.
- **Gaps Identified in [Draft Housing Inventory & Assessment Report](#):** Including gaps in the availability of housing at the lowest and highest income levels, and the lack of variety within the City's current housing stock (i.e. lack of diverse housing types and owner/renter options) to meet current and future demand.



HOUSING STRATEGIES GUIDING FRAMEWORK

- 1) Strengthen neighborhoods by tying housing production to improved infrastructure, resources, amenities, and people-oriented design.**
- 2) Make it easier to develop homes in the light rail station areas as part of the City's urban village strategy.**
- 3) Increase opportunities for "missing middle" options like duplexes, triplexes, and townhouses.**
- 4) Strive for a balance of housing options through strategies that:**
 - Relieve pressure on the higher end of the rental market.
 - Address the shortage of homes for people at lower income categories.
 - Serve young people and families.
 - Increase ownership opportunities.
 - Preserve existing owner-occupied and rental housing.
 - Support safe, healthy, high quality housing.
- 5) Help residents and businesses stay in SeaTac, and prevent disruption to communities.**



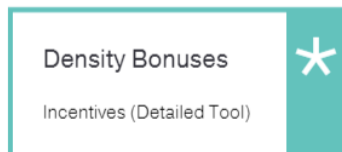
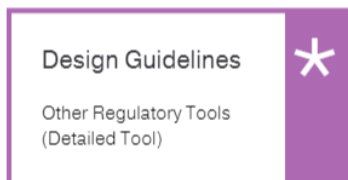
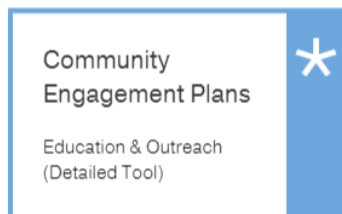
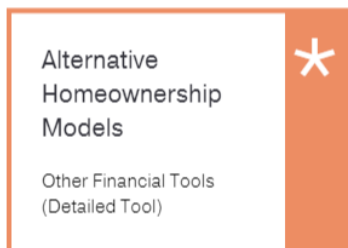
WHAT TOOLS CAN CITY USE TO INFLUENCE DEVELOPMENT OF HOUSING?

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PUGET SOUND REGIONAL COUNCIL (PSRC) HOUSING INNOVATIONS PROGRAM

“HIP Housing Toolkit”

- PSRC created the [Housing Innovations Program \(HIP\)](#) to promote housing options and affordability in local communities.
- **HIP Toolkit Categories:** Development types, regulatory tools, incentives, financial, project-level tools, renter/homeowner assistance, partnerships, education & outreach.



SeaTac utilizes 26 of 49 tools featured in the PSRC HIP Tools Matrix*

(*Note: Matrix included in PED packet)



WHAT TOOLS CAN CITY USE TO INFLUENCE DEVELOPMENT OF HOUSING?

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SEATAC-SPECIFIC HOUSING TOOLS

- **Policies** (comprehensive plan, sub area/station area plans)
- **Codes** (zoning code, other development regulations)
- **Incentives** (multi-family tax exemptions, Opportunity Zone federal designation, zoning incentives/reductions)
- **Capital Projects** (building sidewalks, improving parks, ensuring utility availability)
- **Programs** (minor home repair program, others)

SeaTac's Housing Action Plan Project is focused mainly on identifying tools and strategies that implement current policies: codes, incentives, projects & programs



RECENT CITY ACTIONS TO PROMOTE HOUSING

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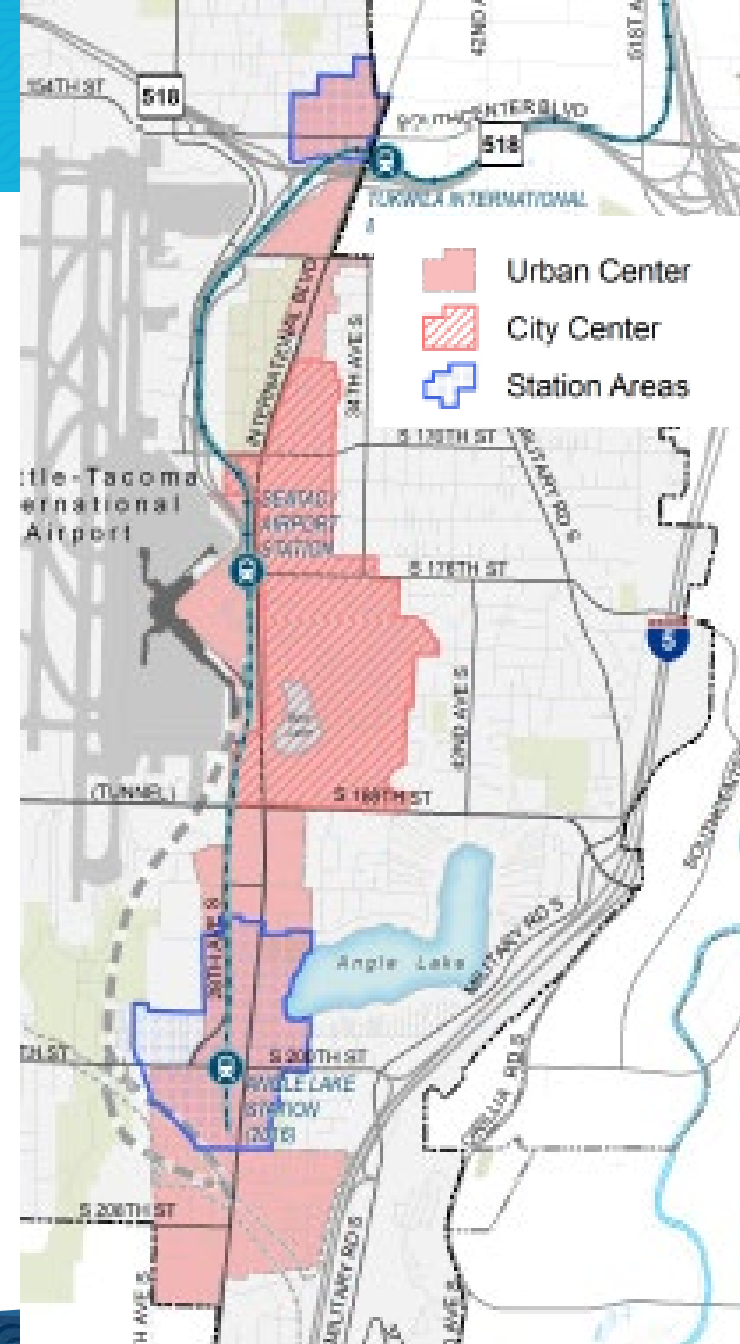
Incentives

Extended Multi-Family Property Tax Exemption (MFTE) to Entire Urban Center

SeaTac's MFTE program allows property tax exemptions for qualified new multi-family housing (projects with 20+ units) within the Urban Center.

- 8-year exemption for market rate housing
- 12-year exemption for:
 - 20% of units affordable to low-moderate income households (or, moderate income households if owner-occupied)

Previously, MFTE only available within the S 154th St Station Area



RECENT CITY ACTIONS TO PROMOTE HOUSING


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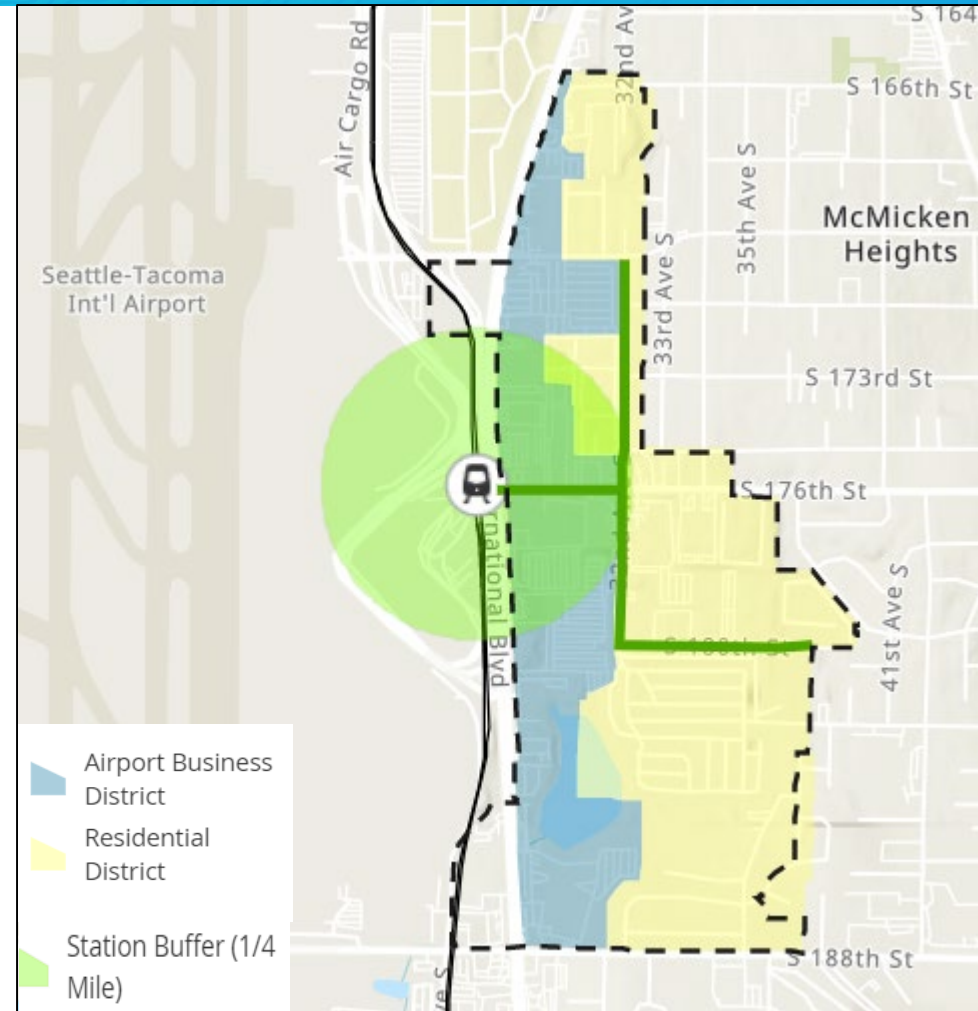
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CAPITAL PROJECTS

Airport Station Area Pedestrian Improvement Project (Underway)

- Supports updated vision in *City Center Plan Update Project Phase 1 Vision Report*.
- Project goals include providing pedestrian infrastructure that supports high intensity commercial and residential uses identified in Vision Report.

 Airport Station Pedestrian Improvements



CODE AMENDMENTS

Mixed Use Residential & Multi-Family Code Amendments

Since 2018, City Council has adopted multiple code amendments to help reduce barriers to developing multi-family projects. This includes:

- **Mixed Use/Ground Floor Commercial Code Amendments:** Council adopted two amendments that reduced or eliminated commercial requirements to help incentivize residential development within the station areas and city center, and throughout the city.
- **Multi-Family Code Update:** This update reduced building design, landscaping, recreation space and other requirements, and created a new recreation space bonus program.

Currently Underway

- **Proposed City Center Parking Reductions:** This proposal would allow the 35% parking reduction that is currently available to multi-family projects within the S 154th and Angle Lake station areas to also apply to areas within the City Center boundary.



COMMUNITY & STAKEHOLDER ENGAGEMENT ACTIVITIES

March:

- **Project website & on-line/open house questionnaire**
- **Resident Housing Forum** (10-14 residents appointed by mayor, representative of SeaTac's demographics)
- **Housing Producers Forum** (for-profit & non-profit housing producers per grant requirement)

March/April:

- **Small focus groups or individual interviews** (with social service/community groups, neighborhood associations, religious organizations (to meet grant requirements))

April:

- **Draft Housing Action Plan Forum** (community-wide virtual open house to review draft plan)

PLANNING COMMISSION WORK SESSIONS & PROJECT COMPLETION

March:

- **PC Work Session #1: Review potential housing strategies**

April:

- **PC Work Session #2: *TENTATIVE*: Special meeting with PED Committee**
 - Review and confirm potential strategies for Draft Housing Action Plan

May:

- **Draft Housing Action Plan available for public review**
- **Planning Commission holds public hearing & provides recommendation**

June:

- **“Final” Draft Housing Action Plan submitted to Department of Commerce**

July:

- **PED review and recommendation on “Final” Draft Housing Action Plan**

August-September

- **City Council review and action**

NO COMMISSION ACTION REQUESTED

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NO COMMISSION ACTION REQUESTED

- Project briefing is informational.

REVIEWS TO DATE

- Planning Commission: 11/17/2020, 1/19/2021
- Planning & Economic Development (PED) Committee: 9/24/2020, 11/18/2020, 1/19/2021, 2/25/2021



PSRC Housing Innovation Program (HIP) Toolkit Matrix & Tools Currently Available in SeaTac

Purpose: This matrix assesses the number of housing tools that are currently available in SeaTac in comparison to those recommended within the Puget Sound Regional Council’s Housing Innovation Program (HIP) Tool Kit Matrix. [PSRC’s Housing Innovation Program](#) was created to promote housing options and affordability in local communities.

- This evaluation shows that SeaTac utilizes 26 of the 49 tools on PSRC’s HIP Housing Tools Matrix.

HIP Housing Tools: black text Housing Tools Currently Available in SeaTac: Yellow highlighted text	SeaTac Staff Comments on Tools
Development Types	
Accessory dwelling units (ADU)	
Cluster development*	Possible, but only through Planned Unit Development (PUD) or Development Agreement
Cottage housing*	
Infill development	
Master planned communities	
Mixed use development	
Mobile/manufactured homes	
Multifamily development	
Planned unit development (PUD)	
Preservation & rehabilitation	
Small lot single family development	
Townhomes	
Zero lot line development	
Other Regulatory Tools	
Design guidelines	
Flexible single family development regulations	
Form based zoning*	*Integrated within some parts of the code.
Inclusionary zoning	
Lot size averaging	
Minimum densities	
No maximum densities	
Performance zoning	*Integrated within some parts of the code.
Regulatory streamlining	
SEPA categorical exemptions	
Short plats	
Transit oriented development (TOD) overlays	
Transfer of development rights (TDR) for aff hsg	
Upzones & rezones	
Incentives	
Density bonuses	
Fee waivers or reductions	
Incentive zoning	
Multifamily tax exemption (MFTE)	
Parking reductions	
Permitting priority	
Planned action EIS	
Other Financial Tools	
Commercial linkage fees	
Credit enhancement	
Local housing fund	
Public land for affordable housing	
Project-Level Tools	
Affordability covenants*	*Only one section of the zoning code requires this, the high density single family overlay zone.
Development agreements	
Renter/Homeowner Assistance	
Displacement resources	
Direct Household Assistance	
Foreclosure resources	
Partnerships	
Nonprofit partnerships	
Interjurisdictional cooperation	
Education & Outreach	
Community outreach plans	
Educating permitting officials	
NIMBY, strategies to address	
Strategic marketing	