

CITY OF SEATTLE

ORDINANCE 127179

COUNCIL BILL 120927

AN ORDINANCE relating to floodplains; eighth extension of interim regulations established by Ordinance 126113, and as amended by Ordinance 126536, for an additional six months, to allow individuals to rely on updated National Flood Insurance Rate Maps to obtain flood insurance through the Federal Emergency Management Agency’s Flood Insurance Program.

WHEREAS, through Ordinance 126113 in July 2020,¹ the City adopted interim floodplain development regulations to regulate development in special flood hazard areas in accordance with standards established by the National Flood Insurance Program and the Washington State Department of Ecology and areas identified as flood-prone in subsection 25.09.012.B of the Seattle Municipal Code, with an effective date of August 24, 2020, and an expiration date of February 24, 2021; and

WHEREAS, through Ordinance 126271 in January 2021,² the City renewed the interim floodplain development regulations for 12 months with an effective date of February 22, 2021, and an expiration date of February 22, 2022, to continue to meet the National Flood Insurance Program and the Washington State Department of Ecology requirements to remain in compliance; and

WHEREAS, through Ordinance 126536 in February 2022,³ the City amended Section 25.06.110 of the Seattle Municipal Code and extended the interim floodplain development regulations for six months with an effective date of February 18, 2022, and an expiration

¹ <http://clerk.seattle.gov/search/ordinances/126113>.

² <http://clerk.seattle.gov/search/ordinances/126271>.

³ <http://clerk.seattle.gov/search/ordinances/126536>.

1 date of August 18, 2022, to continue to meet the National Flood Insurance Program and
2 the Washington State Department of Ecology requirements to remain in compliance; and

3 WHEREAS, through Ordinance 126651 in August 2022,⁴ the City again renewed the interim
4 floodplain development regulations as amended by Ordinance 126536 for six months
5 with an effective date of August 17, 2022, and an expiration date of February 17, 2023, to
6 continue to meet the National Flood Insurance Program and the Washington State
7 Department of Ecology requirements to remain in compliance; and

8 WHEREAS, through Ordinance 126763 in February 2023,⁵ the City again renewed the interim
9 floodplain development regulations as amended by Ordinance 126536 for six months
10 with an effective date of February 15, 2023, and an expiration date of August 15, 2023, to
11 continue to meet the National Flood Insurance Program and the Washington State
12 Department of Ecology requirements to remain in compliance; and

13 WHEREAS, through Ordinance 126885 in August 2023,⁶ the City again renewed the interim
14 floodplain development regulations as amended by Ordinance 126536 for six months
15 with an effective date of August 15, 2023, and an expiration date of February 15, 2024, to
16 continue to meet the National Flood Insurance Program and the Washington State
17 Department of Ecology requirements to remain in compliance; and

18 WHEREAS, through Ordinance 126994 in February 2024,⁷ the City again renewed the interim
19 floodplain development regulations as amended by Ordinance 126536 for six months
20 with an effective date of February 13, 2024, and an expiration date of August 13, 2024, to

⁴ <http://clerk.seattle.gov/search/ordinances/126651>.

⁵ <http://clerk.seattle.gov/search/ordinances/126763>.

⁶ <http://clerk.seattle.gov/search/ordinances/126885>.

⁷ <http://clerk.seattle.gov/search/ordinances/126994>.

1 continue to meet the National Flood Insurance Program and the Washington State
2 Department of Ecology requirements to remain in compliance; and

3 WHEREAS, through Ordinance 127064 in August 2024,⁸ the City again renewed the interim
4 floodplain development regulations as amended by Ordinance 126536 for six months
5 with an effective date of August 7, 2024, and an expiration date of February 7, 2025, to
6 continue to meet the National Flood Insurance Program and the Washington State
7 Department of Ecology requirements to remain in compliance; and

8 WHEREAS, in July 2021, the City published its State Environmental Policy Act (SEPA)
9 decision on the proposed permanent regulations that included amendments to the interim
10 code and additional amendments; and

11 WHEREAS, in July 2021, the City's SEPA decision was appealed by the Port of Seattle, which
12 has delayed the adoption of the proposed permanent regulations because the Port and
13 City staff have been working on amendments to the proposed permanent regulations,
14 Director's Rules, Tips, and a variance guidance document to address the Port's concerns;
15 and

16 WHEREAS, in February 2022, the City withdrew its SEPA decision to address the issues raised
17 by the Port of Seattle's appeal and will reissue SEPA on the amended proposed
18 permanent Floodplain Development Regulations; and

19 WHEREAS, in August 2024, the City published its State Environmental Policy Act (SEPA)
20 decision on the proposed permanent regulations that included amendments to the interim
21 code and additional amendments; and

⁸ <http://clerk.seattle.gov/search/ordinances/127064>.

1 WHEREAS, the August 2024 SEPA decision was not appealed but it did bring about new
2 interest in the proposal and has led to additional outreach and discussion;

3 NOW, THEREFORE,

4 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

5 Section 1. The City Council makes the following legislative findings of fact and declares
6 as follows:

7 A. The Council incorporates by reference the findings of fact contained in Ordinance
8 126113.

9 B. In July 2020, the City Council passed, and the Mayor signed Ordinance 126113,
10 establishing interim floodplain development regulations to maintain the City’s standing in the
11 Federal Emergency Management Agency’s National Flood Insurance Program, enabling
12 residents to continue to be eligible for flood insurance while preventing development
13 incompatible with City goals related to development in the floodplains.

14 C. Since that time, the City has proposed permanent floodplain development regulations
15 that included the amendments proposed in the interim regulations and additional code
16 amendments and published a new State Environmental Policy Act (SEPA) decision on this
17 proposal; however, due to factors detailed below, the work necessary to complete the permanent
18 regulations will not be completed before the expiration of the interim regulations on February 7,
19 2025.

20 D. The City’s initial SEPA decision, published in July 2021, was appealed to the Hearing
21 Examiner by the Port of Seattle (“Port”) and Port and City staff subsequently worked to resolve
22 the issues raised by the Port with code amendments, Director’s Rules, Tips, and a variance
23 guidance document.

1 E. The City withdrew its SEPA decision in February 2022 in order to reissue an updated
2 SEPA analysis on the amended proposed permanent Floodplain Development Regulations that
3 address some or all issues raised by the Port of Seattle.

4 F. The City issued a new SEPA decision in August 2024 and this decision was not
5 appealed. However, the Port of Seattle continues to request additional amendments, and
6 additional constituents have requested additional engagement with the City and FEMA.

7 G. Revised Code of Washington (RCW) 36.70A.390 authorizes the City to renew interim
8 regulations by ordinance for a six-month period.

9 Section 2. Pursuant to RCW 36.70A.390, the interim regulations first set forth in
10 Ordinance 126113, and as amended by Ordinance 126536, shall be renewed for a period of six
11 months from the date this ordinance becomes effective, and shall automatically expire after the
12 six-month period unless the same is extended as provided by statute, or unless terminated sooner
13 by the City Council.

1 Section 3. This ordinance, which is not subject to referendum, shall take effect:
2 immediately after its approval by the Mayor; immediately after its unsigned return by the Mayor;
3 if the Mayor disapproves it and the Council upon reconsideration passes it again, immediately
4 after that passage; or, if not returned by the Mayor within ten days after presentation, 15 days
5 after its passage by the City Council.

6 Passed by the City Council the 4th day of February, 2025,
7 and signed by me in open session in authentication of its passage this 4th day of
8 February, 2025.

9 

10 President _____ of the City Council

Approved / returned unsigned / vetoed this 4th day of February, 2025.

11 

12 Bruce A. Harrell, Mayor

13 Filed by me this 4th day of February, 2025.

14 

15 Scheereen Dedman, City Clerk

16 (Seal)