



## City Council

### Approval of Ordinance with FEMA Required Amendments to Building Regulations Pertaining to Flooding

**Agenda Date:** 8/23/2016  
**Agenda Item Number:** 4.E  
**File Number:** 16-0832

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**Type:** ordinance **Version:** 2 **Status:** Passed

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#### **Title**

Approval of Ordinance with FEMA Required Amendments to Building Regulations Pertaining to Flooding

#### **Recommended Action**

##### **Committee Recommendation:**

Move to approve on first reading and forward to second reading, the Land Use and Environment Committee recommendation to approve the proposed FEMA-required revisions to building regulations pertaining to flooding.

##### **City Manager Recommendation:**

Move to approve the proposed Ordinance on second reading.

#### **Report**

##### **Issue:**

Whether to approve the FEMA-required revisions to building regulations pertaining to flooding.

##### **Staff Contact:**

Todd Cunningham, Building Official, Community Planning & Development, 360.753.8486

##### **Presenter(s):**

None. Consent Item.

#### **Background and Analysis:**

There have been no changes from first to second reading.

The Federal Emergency Management Agency (FEMA) established flood hazard areas of the City of Olympia are subject to periodic inundation which can result in property damage, loss of property, creation of health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare of the city.

Downtown Olympia has a history of nuisance flooding during heavy storms, high winds and tidal

events. As a member city of the National Flood Insurance Program (NFIP), the City is required to comply with regulations for flood damage prevention, including preparing an ordinance to address revisions as determined by FEMA studies. Pursuant to the National Flood Insurance Act of 1968 and in accordance with the Flood Disaster Protection Act of 1973, FEMA performed a study and analysis of frequently flooded and flood prone areas of Thurston County, establishing newly revised elevation maps related to flood damage protection. Through this study, FEMA determined that modifications to the current Flood Insurance Rate Maps (FIRM) were needed. These new maps will become effective as of September 1, 2016, and must be adopted by the City of Olympia in order for the City to remain a member of the NFIP.

Currently, Olympia is vulnerable to flooding during relatively short-term periods in the winter months, which results in one or two-hour long flooding events. Fortunately, these events are predictable, allowing us to prepare for them. City staff closely monitors weather events reacting to flood hazards as they occur.

Pursuant to the National Flood Insurance Program and the City of Olympia's involvement in the program, Olympia must adopt these revisions to the published Flood Insurance Rate Maps prior to the effective date. The importance to our community involvement in the NFIP is in the ability of our citizens and businesses to purchase flood insurance through the NFIP; the Federal Government makes this insurance available to member communities.

A community that does not participate in the program, does not comply with the program, or withdraws from the program faces the following sanctions:

1. No resident will be able to purchase a flood insurance policy.
2. Existing flood insurance policies will not be renewed.
3. No Federal grants or loans for development may be made in identified flood hazard areas under programs administered by Federal agencies such as HUD, EPA, and Small Business Administration (SBA);
4. No Federal disaster assistance may be provided to repair insurable buildings located in identified flood hazard areas for damage caused by a flood.
5. No Federal mortgage insurance or loan guarantees may be provided in identified flood hazard areas, this includes policies written by FHA, VA, and others.
6. Federally insured or regulated lending institutions, such as banks and credit unions, must notify applicants seeking loans for insurable buildings in flood hazard areas that there is a flood hazard and that the property is not eligible for Federal disaster relief.

On July 21, 2016 the item was presented to the City of Olympia Land Use and Environment Committee for review. The Committee approved the items as presented and moved the items forward to City Council for consent.

**Community/Neighborhood Interests:**

As part of the flood damage prevention ordinance, staff has reached out to various construction

community groups such as the Olympia Master Builders, architects and citizens in order to provide an understanding of what changes are being revised related to the subject of flood damage prevention. Olympia Master Builders invited staff to their Government Affairs Committee meeting on June 30, 2016, where the City's Building Official provided a presentation to the members related to flood requirements. Planning staff continues to be actively engaged with the participants of the downtown strategy meetings where discussion of flood prevention continues to be an active discussion item with our development community.

**Options:**

1. Approve adoption of the Flood Damage Prevention Ordinance.
2. Do not approve adoption of the Flood Damage Prevention Ordinance. The Flood Damage Prevention Ordinance is a requirement of the Federal Emergency Management Agency and is to be adopted by September 2, 2016 in order for the City to remain a member of the National Flood Insurance Program (NIFP). If the City chooses not to adopt the Flood Damage Prevention Ordinance, the City may be suspended from the program.

**Financial Impact:**

The associated fiscal impact is included in department budget for 2016.

**Attachments:**

- Letter from FEMA regarding National Flood Insurance Program Ordinance Adoption Program Mandate