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CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 3503

AN ORDINANCE relating to floodplain management; transferring authority to the Storm and Surface Water Utility; amending Ordinance No. 2645 and Bellevue City Code 23.72.060, 23.72.070, 23.72.080 and 23.72.090.

WHEREAS, it is desirable to transfer authority to the Storm and Surface Water Utility consistent with the provisions of Bellevue City Code Chapter 3.40; and

WHEREAS, this action is exempt from the State Environmental Policy Act and the City's Environmental Procedures Ordinance; now, therefore,

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Section 1 (part) of Ordinance No. 2645 and Bellevue City Code 23.72.060 are amended to read as follows:

23.72.060 Responsibilities of the Storm and Surface Water Utility.

The Storm and Surface Water Utility shall have primary responsibility for the administration and enforcement of this chapter. Responsibilities of the Storm and Surface Water Utility shall include:

- A. Permit Review. The Storm and Surface Water Utility shall review all subdivision, short subdivision, planned unit development, and planned residential unit development applications to assure compliance with the regulations of this chapter and to assure that all necessary permits have been received from those governmental agencies from which approval is required by federal or state law.
- B. Records. The Storm and Surface Water Utility shall:
 1. Maintain a record of the elevations provided by the Building Division of the Department of Design and Development and the Fire Prevention Division of the Fire Department pursuant to Section 23.72.070A2;

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2. Maintain a record of certificates required by Section 23.72.080E2 indicating the specific elevation (in relation to mean sea level) to which such structures are floodproofed;
 3. Maintain a copy of the notification required by Section 23.72.090H with a record of all variance actions, including justification for their issuance, and report such variances issued in the annual report submitted to the Federal Insurance Administration.
- C. Alteration or Relocation of Watercourses. The Storm and Surface Water Utility shall notify, in riverine situations, adjacent communities and the Department of Ecology prior to any alteration or relocation of a watercourse, and submit copies of such notification to the Federal Insurance Administrator. The Storm and Surface Water Utility shall assure that the flood-carrying capacity within the altered or relocated portion of any watercourse is maintained.

Section 2. Section 1 (part) of Ordinance No. 2645 and Bellevue City Code 23.72.070 are amended to read as follows:

23.72.070 Responsibilities of other departments.

- A. The Building Division of the Department of Design and Development and the Fire Prevention Division of the Fire Department. The Building Division of the Department of Design and Development and the Fire Prevention Division of the Fire Department shall:
1. Review all building permit and clearing and grading permit applications to assure compliance with the regulations of this chapter and to assure that all necessary permits have been received from those governmental agencies from which approval is required by federal or state law;
 2. Obtain, and transmit to the Storm and Surface Water Utility the elevation (in relation to mean sea level) of the lowest habitable floor (including basement) of all new or substantially improved structures, and whether or not such structures contain a basement.
- B. The Department of Public Works. The department of

public works shall review all plans and specifications for new or replacement water and sanitary sewage systems to assure compliance with the regulations of this chapter and to assure that all necessary permits have been received from those governmental agencies from which approval is required by federal or state law.

Section 3. Section 1 (part) of Ordinance No. 2645 and Bellevue City Code 23.72.080.E.2. are amended to read as follows:

23.72.080 Regulations.

. . . .

E. Nonresidential construction.

. . . .

2. Where floodproofing is utilized for a nonresidential structure, a registered professional engineer or architect shall certify that the floodproofing methods are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the one hundred-year flood, and a record of such certificates indicating the specific elevation (in relation to mean sea level) to which such structures are floodproofed shall be maintained by the Storm and Surface Water Utility as set forth in Section 23.72.060B2.

Section 4. Section 1 (part) of Ordinance No. 2645 and Bellevue City Code 23.72.090.C. are amended to read as follows:

23.72.090 Variances.

. . . .

C. Application to be Filed. An application for a variance from the regulations of this chapter shall be filed with the Office of Permit Coordination in accordance with the provisions of Section 20.30.115 of this code.

Section 5. Section 1 (part) of Ordinance No. 2645 and Bellevue City Code 23.72.090.H. are amended to read as follows:

23.72.090 Variances.

. . . .

H. Notice to Applicant. Upon issuance of a variance, the Storm and Surface Water Utility shall notify the applicant in writing that:

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1. The issuance of a variance to construct a structure below the one hundred-year flood level will result in increased premium rates for flood insurance up to amounts as high as twenty-five dollars for one hundred dollars of insurance coverage, and
2. Such construction below the one hundred-year flood level increases risks to life and property.

Such notification shall be maintained by the Storm and Surface Water Utility with a record of all variance actions as set forth in Section 23.72.060B3.

Section 6. This ordinance shall take effect and be in force thirty days after final passage by the City Council.

PASSED by the City Council this 28th day of June, 1985, and signed in authentication of its passage this 28th day of June, 1985.

(SEAL)



Cary E. Bozeman, Mayor

Approved as to form:

Richard L. Andrews, City Attorney


Richard Gidley, Assistant City Attorney

Attest:


Marie K. O'Connell, City Clerk

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