DCLU

Director's Rule 8-89

Applicant	Page 1 of 3	Supersedes N/A
CITY OF SEATTLE DEPARTMENT OF CONSTRUCTION AND LAND USE	Publication March 31, 1989	Effective May 1, 1989
	Code and Section Reference SMC 25.06.030	
Subject Development activity requiring a permit or license under the Floodplain Development Ordinance: Exemptions	Type of Rule Code Interpretation	
	Ordinance Authority SMC 3.06.040	
Index Floodplains -- Procedural Requirements	Approved Laura T. Gillet for DJM	Date 4-21-89

BACKGROUND

In March of 1989, Seattle adopted its Floodplain Development Ordinance, SMC Chapter 25.06. The ordinance brought the City into compliance with state and federal regulations requiring local jurisdictions to adopt standards and regulations for construction and development activity in designated floodplain areas. The purpose of the state and federal requirements and the purpose of the Floodplain Development Ordinance are to minimize the extent and severity of personal and property damage resulting from a 100-year flood.

The Floodplain Development Ordinance requires prior approval of any development that occurs in a designated floodplain. Section 25.06.030 of the ordinance defines development as follows:

> ". . .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."

RULE

For purposes of the prior approval and permit or license requirements of the ordinance, the following activities are not considered to be "development" and thus will not be required to comply with sections 25.06.060 (Floodplain Development Approval Required) and 25.06.070 (Application for Floodplain Development Approval or License) of the ordinance:

1. Work which requires an electrical permit under section 301 of the Seattle amendments to the National Electrical Code and which meets the following criteria:

   a. The work involves installation, alteration or modification of electrical fixtures or equipment above the base flood elevation, or

   b. All installation, alteration, or modification occurs wholly inside an existing building or structure; and

   c. The installation, alteration or modification involves no new or modified penetrations of the structure from the exterior to the interior below the base flood elevation, and

   d. No portion of the work occurs within a designated floodway.

2. Work which requires a mechanical permit under section 301 of the Seattle amendments to the Uniform Mechanical Code and which meets the following criteria:

   a. The work involves merely the replacement of existing mechanical equipment, or

   b. The work involves only installation, alteration or replacement of mechanical equipment above the base flood elevation; and

   c. The work involves no new or modified penetrations of the structure from the exterior to the interior below the base flood elevation, and

   d. No portion of the work occurs within a designated floodway.

3. Landscaping work which meets all of the following criteria:

   a. The work requires or involves no grading for which a grading permit is required;

   b. No portion of the work occurs within a designated floodway;

   c. No new dirt or fill is added to the area within the designated floodplain;

   d. No dirt or fill is removed from the designated floodplain; and

e. The work involves movement of less than five (5) cubic yard of dirt or fill within the designated floodplain.

REASON

The Department of Construction and Land Use has determined that the categories of development set out in this rule do not increase the severity or the extent of damage to lives and property resulting from a 100-year flood. The described activities are limited in scope and limited in impact. Floodplain development approvals of the type contemplated by the ordinance would not add any meaningful review to the permit or approval process; it would be a mere formality. Accordingly, the described activities are not considered to be "development" for purposes of application and permit or license requirements of the Floodplain Development Ordinance.

MS:fprule