

## **City of Gearhart, Oregon Floodplain Development Ordinance Revision**

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The City of Gearhart is included in a revision process of Flood Insurance Rate Maps for coastal Clatsop County. This is part of a national effort to improve flood map data in coastal areas, and every other Oregon coastal county will also see their flood maps improved within the next two years. The Clatsop County maps will become effective on **June 20, 2018**. This is the culmination of a multi-year process of map study and public outreach, including a public open house and appeal period.

When new maps become effective, all communities included in the revision area must formally adopt the new maps in their Floodplain Development Ordinance, to give them legal standing for local regulation. This is done by simply updating the existing map reference date with the new date of the revised Flood Insurance Study.

At that time, local ordinances must also be reviewed to check their consistency with Title 44 of the Code of Federal Regulations and any existing higher standards in place in the State of Oregon. This review only occurs when new maps are adopted or when a community has an NFIP program audit, so it is common for these reviews to happen every ten years or more. Changes to State and Federal code that have happened since the last review are then incorporated into the revised ordinance.

Communities must have compliant ordinances *in effect* the same day the new maps become effective. FEMA will suspend communities from the National Flood Insurance Program immediately if amended ordinances have not been adopted or are not yet in effect. While a community is suspended from the NFIP, no new NFIP policies may be purchased in the community and existing policy holders will not be able to renew their flood insurance. The City will lose access to disaster relief and hazard mitigation grants and no Federal mortgages will be allowed in mapped flood hazard areas. Currently, there are 190 National Flood Insurance Program policies in Gearhart, providing over \$55 million in insurance coverage.

The State of Oregon provides a model floodplain development ordinance which can be used to apply new or modified ordinance language required by this process. The model code is considered to meet all State and Federal minimum standards.

### **Required changes to the City of Gearhart's existing Floodplain Development Ordinance (State Review)**

#### Definitions to be added/modified (Section 5.020):

Basement – This definition must be added. Basements are not allowed in regulatory flood zones, so they must be defined in this ordinance.

Development – ‘...storage of equipment and materials’ must be added to the definition of development to ensure that large-scale storage facilities can be required to get floodplain development permits.

Elevated Building – This definition must be added. Elevating structures above the Base Flood Elevation is a key concept of NFIP regulation, and this definition provides clarity as to how that can be achieved.

Variances (Section 5.040(7)):

The National Flood Insurance Program has specific variance limitations that are required to be adopted as part of program participation. Variance language that exists in general code will not typically have those floodplain management specific provisions, so the City should adopt the model code language for variances to the regulations in this ordinance.

Standards for Manufactured Homes (Section 5.050(2)(C)):

Changes to Oregon Building Codes now require Manufactured Homes to be elevated so that the bottom of the chassis is one foot above the Base Flood Elevation. This typically results in the lowest floor being elevated roughly 18 inches above that height, above the current ordinance standard of one foot. Additionally, Building Code requires that electrical crossover connections be elevated one foot above the Base Flood Elevation, which is a newer standard.

Standards for Manufactured Homes in Coastal High Hazard Areas (Section 5.050(3)):

This should include a clarification that all rules in this section also apply to Manufactured Homes, because they were considered separately in regulations for Riverine Hazard Areas.