



CITY OF BEAVERTON

CITY ORDINANCES

ORDINANCE 3400

AN ORDINANCE AMENDING BC 9.05.005 TO BC 9.05.170, THE SITE DEVELOPMENT CODE, BY ADOPTING THE NEW FLOODPLAIN REGULATIONS REQUIRED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA); AND DECLARING AN EMERGENCY.

NUMBER OF PAGES

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CODE

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WHEREAS, BC 9.05.005 to BC 9.05.170 is the "Site Development Code" of Beaverton; and

WHEREAS, the Federal Emergency Management Agency (FEMA) has adopted federal regulations for the administration of the National Flood Insurance Program; and

WHEREAS, there is a need in the City for flood insurance and it is necessary for the City's Code to contain certain provisions approved by FEMA in order for its residents to participate in the National Flood Insurance Program and the City desires to participate in said Program; and

WHEREAS, an emergency exists because the City Code amendments required by FEMA must be adopted and in place no later than September 28, 1984; now, therefore,

THE CITY OF BEAVERTON DOES ORDAIN AS FOLLOWS:

Section 1. BC 9.05.015, Definitions, is hereby amended to add the following definition at the beginning of the section:

"9.05.015 Definitions.

"*****

"Area of shallow flooding - A designated AO or AH zone on the Flood Insurance Rate Map (FIRM). The base flood depths range from one to three feet; a clearly

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defined channel does not exist; the path of flooding is unpredictable and indeterminate; and, velocity flow may be evident.

"*****"

Section 2. BC 9.05.035, Permit Application, is hereby amended to read as follows:

"9.05.035 Permit Application.

"*****"

"C. Additional information for property wholly or partly within the floodplain district.

"1. The applicant shall provide base flood elevation data for subdivision proposals and other proposed development which contain at least 50 lots or five acres (whichever is less).

"2. The city engineer may request:

"a. a detailed hydraulics data report prepared by a registered engineer with a background in the area of hydraulics. This report shall include, but is not limited to, water profiles and discharge rates for the channel and the hydrology for the tributary areas; and/or

"b. an environmental assessment report, prepared by a qualified individual, satisfactory to the city engineer. This report shall include, but is not limited to, the impact on soil erosion, damage to significant vegetation and displacement of wildlife, on both the subject property and adjoining properties. It shall identify the factors on which the report is based, and the reasons for conclusions drawn."

Section 3. BC 9.05.060, Permit Issuance or Denial - Floodplain District, is hereby amended to read as follows:

"9.05.060 Permit Issuance or Denial - Floodplain District.

"A. Grounds for denial.

"1. In addition to the grounds for denial contained in BC 9.05.055, the city engineer shall also deny a permit for development in the floodplain district if the city engineer finds that any of the following circumstances exist:

"*****

"f. proposed construction will not be reasonably safe from flooding. The test of reasonableness is a local judgment and includes use of historical data, high water marks, photographs of past flooding, etc., where available.

"g. all necessary permits have not been obtained from those federal, state or local governmental agencies from which prior approval is required.

"B. Development Standards.

"*****

"2. For non-residential structures unless the lowest flood elevation, including a basement, is at or above the base flood elevation, a newly constructed or substantially improved structure shall be designed so that the structure is impermeable to the passage of water and otherwise floodproofed to at least the base flood elevation. The structural components shall have the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.

"3. For residential structures new construction and substantial improvement of the structure shall have the lowest floor, including basement, elevated to or above base flood elevation.

"4. In shallow flooding areas for residential structures new construction and substantial improvements within floodplain zones shall have the lowest floor,

including basement, elevated above the highest adjacent grade of the building site, to or above the depth number specified on the FIRM. Where appropriate, such structures shall be elevated above the crown of the nearest road, to or above the depth number specified on the FIRM. Where hazardous velocities are noted on the FIRM, consideration shall be given to mitigating the effects of these velocities through proper construction techniques and methods.

"5. In shallow flooding areas for nonresidential structures new construction and substantial improvements of nonresidential structures within floodplain zones shall either:

"a. have the lowest floor, including basement, elevated above the highest adjacent grade of the building site, to or above the depth number specified on the FIRM. Where appropriate, such structures shall be elevated above the crown of the nearest road, to or above the depth number specified on the FIRM; or

"b. together with attendant utility and sanitary facilities, be completely floodproofed to or above that level so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. If this method is used, compliance shall be certified by a registered professional engineer or architect.

"6. Where hazardous velocities were noted on the FIRM, consideration shall be given to mitigating the effects of these velocities through proper construction techniques and methods.

"7. When floodproofing is used for a structure, a registered engineer shall certify that the floodproofing method is adequate to withstand the flood depths, pressures, velocities impact and uplift forces

and other factors associated with the base flood.

"8. A public utility or facility associated with new development within the district shall be designed, located and constructed to minimize or eliminate flood damage.

"9. A new or replacement water supply system shall be designed, located and constructed to eliminate infiltration of floodwaters into the system and avoid damage that flooding could cause to system operation.

"10. A new or replacement sanitary sewage system shall be designed, located and constructed to minimize or eliminate infiltration of flood waters into the system and discharges from the system into the flood waters, and to avoid damage to system facilities.

"11. Any fill proposed shall be shown to have a substantially beneficial purpose that is consistent with the intent and purpose of this ordinance and may be placed in an amount no greater than is necessary to achieve that purpose. The placement of fill shall be designed and located in a manner calculated to protect against erosion.

"12. Mobile Homes.

"a. All mobile homes shall be anchored to resist flotation, collapse, or lateral movement by providing over-the-top and frame ties to ground anchors. Specific requirements shall be that:

"1) over-the-top ties be provided at each of the four corners of the mobile home, with two additional ties per side at intermediate locations, with mobile homes less than 50 feet long requiring one additional tie per side;

"2) frame ties be provided at each corner of the home with five additional ties per side at intermediate points, with mobile homes less than 50 feet long requiring four additional ties per side;

"3) all components of the anchoring

system be capable of carrying a force of 4,800 pounds;
and

"4) any additions to the mobile home be similarly anchored.

"b. for new mobile home parks and mobile home subdivisions; for expansions to existing mobile home parks and mobile home subdivisions; for existing mobile home parks and mobile home subdivisions where the repair, reconstruction or improvement of the street, utilities and pads equals or exceeds 50 percent of value of the streets, utilities and pads before the repair, reconstruction or improvement has commenced; and for mobile homes not placed in a mobile home park or mobile home subdivision, it is required that:

"1) stands or lots are elevated on compacted fill or on pilings so that the lowest floor of the mobile home will be at or above the base flood level;

"2) adequate surface drainage and access for a hauler are provided; and

"3) in the instance of elevation on pilings, that

"a) lots are large enough to permit steps,

"b) piling foundations are placed in stable soil no more than ten feet apart, and

"c) reinforcement is provided for pilings more than six feet above the ground level."

Section 4. BC 9.05.085, Effective Date of Permit, is hereby amended to read as follows:

"9.05.085 Effective Date of Permit.

"*****

"C. Permits in the Floodplain District. Permits in the floodplain district shall not become effective until:

"1. for a permit subject to Board approval

under BC 9.05.045, the provisions of BC 9.05.083 have been met; and

"2. notice of a proposed alteration or relocation of a watercourse has been given to all adjacent communities and the Oregon Water Resources Department with copies of such notice given to FEMA; and

"3. the city engineer has delivered written notice of the decision to grant the permit by certified mail or personal delivery to those persons on a list provided by the permit applicant, certified to be accurate, of the names and addressess of all property owners within an area enclosed by lines parallel to and 300 feet from the boundary of the property on which the work is to be performed. The city engineer shall also cause notice to be published in a newspaper of general circulation in the City. The permit applicant shall bear the administrative expense of preparation of the notices, mailing and publications. The city engineer may require an advance deposit for costs before issuance of notice. Any unused deposit shall be returned to the permit applicant; and

"4. the time to petition for review as set out in BC 9.05.090 has elapsed; and

"5. any review proceeding initiated under BC 9.05.090 has been completed.

"*****"

Section 5. BC 9.05.155, Certificate of Completion and Elevation Certificate, is hereby amended to read:

"9.05.155 Certificate of Completion and Elevation Certificate.

"*****"

"C. Upon completion of construction in the floodplain, the permittee or a civil engineer in charge

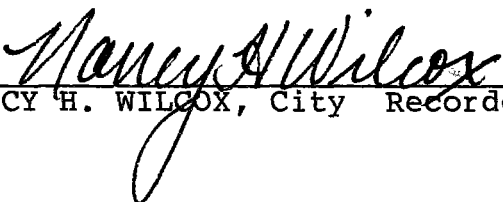
of the project on the permittee's behalf shall submit to the City Engineer a completed Elevation Certificate (FEMA 81-31, April 82, 593-117, as amended from time to time). The City shall maintain for public inspection such records as required under federal law. (44 CFR 60.3(b)(5)).

"*****"

Section 6. Emergency Clause. Because it is necessary that these amendments to the Code be adopted and effective no later than September 28, 1984, an emergency is hereby declared to exist and this ordinance shall take effect immediately upon adoption by the Council and approval by the Mayor.

First reading this ^{27th} day of August, 1984. ~~Sept.~~
Passed by the Council this ^{10th} day of ~~August~~, 1984.
Approved by the Mayor this ^{10th} day of ~~August~~, 1984. ~~Sept.~~

ATTEST:


NANCY H. WILCOX, City Recorder

APPROVED:


JACK R. NELSON, Mayor