

ARTICLE 30

(FP) Floodplain Overlay

SECTION 3.30.000 Purpose

The State of Oregon has in ORS 203.035 delegated the responsibility to local governmental units to adopt floodplain management regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, Douglas County does ordain as follows:

The flood hazard areas of Douglas County are subject to periodic inundation, resulting in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, impairment of the tax base, and adverse effects on the public health, safety and general welfare.

Flood losses are caused by:

1. The cumulative effect of obstructions in special flood hazard areas (SFHAs) causing increases in flood heights and velocities.
2. The occupancy of flood hazard areas by uses vulnerable to floods or hazardous to others which are inadequately elevated or otherwise protected from flood damages.

It is the purpose of this Article to promote the public health, safety and general welfare, and to minimize public and private losses due to flood conditions in specific areas. The provisions of this Article are designed to:

1. Protect human life and health;
2. Minimize expenditure of public money and costly flood control projects;
3. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
4. Minimize prolonged business interruptions;
5. Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in areas of special flood hazard;
6. Help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future flood blight areas;
7. Ensure that potential buyers are notified that property is in an area of special flood hazard; and

8. Ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.
9. Participate in and maintain eligibility for flood insurance and disaster relief.

SECTION 3.30.150 Methods of Reducing Flood Losses

In order to accomplish its purpose, this Article includes methods and provisions for:

1. Restricting or prohibiting uses which are dangerous to health, safety and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
2. Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
3. Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;
4. Controlling filling, grading, dredging, and other development which may increase flood damage; and
5. Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas.

SECTION 3.30.200 Definitions

Unless specifically defined below, words or phrases used in this Ordinance shall be interpreted so as to give them the meaning they have in common usage. For the purpose of this Article the following definitions shall apply:

ALTERATION OF WATERCOURSE: Any action that will change the location of the channel occupied by water within the banks of any portion of a riverine waterbody.

AREA OF SHALLOW FLOODING: A designated Zone AO, AH, AR/AO or AR/AH (or VO) on a community's Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

AREA OF SPECIAL FLOOD HAZARD: The land in the floodplain within a community subject to a 1 percent or greater chance of flooding in any given year. It is shown on the Flood Insurance Rate Map (FIRM) as Zone A, AO, AH, A1-30, AE, A99, AR (V, VO, V1-30, VE). "Special flood hazard area" is synonymous in meaning and definition with the phrase "area of special flood hazard".

BASE FLOOD: The flood having a 1% chance of being equaled or exceeded in any given year (also referred to as the "100-year flood").

BASE FLOOD ELEVATION (BFE): The elevation to which floodwater is anticipated to rise during the base flood.

BASEMENT: Any area of the building having its floor subgrade (below ground level) on all sides.

BELOW-GRADE CRAWLSPACE: [See §3.30.565 for additional standards]

An enclosed area below the BFE in which the interior grade is not more than two feet below the lowest adjacent exterior grade and the height, measured from the interior grade of the crawlspace to the top of the crawlspace foundation, does not exceed 4 feet at any point.

BUILDING: See "Structure."

BREAKAWAY WALL: A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

COASTAL HIGH HAZARD AREA: An area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. The area is designated on the FIRM as zone V1-30, VE or V.

CRITICAL FACILITY: A facility for which even a slight chance of flooding might be too great. Critical facilities include (but are not limited to) schools, nursing homes, hospitals, police, fire and emergency response installations, and installations which produce, use, or store hazardous materials or hazardous waste.

DEVELOPMENT: 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 located within the area of special flood hazard, except that mono-pole structures for utility purposes shall not be considered development for the purposes of this article.

ELEVATION CERTIFICATE: A tool of the National Flood Insurance Program (NFIP) that can be used to provide elevation information, to determine the proper insurance premium rate, and to support a request for a Letter of Map Amendment (LOMA) or Letter of Map Revision based on fill (LOMR-F).

FLOOD OR FLOODING: (a) A general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) The overflow of inland or tidal waters.
- (2) The unusual and rapid accumulation or runoff of surface waters from any source.

- (3) Mudslides (i.e., mudflows) which are proximately caused by flooding as defined in paragraph (a)(2) of this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.
- (b) The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph (a)(1) of this definition.

FLOOD ELEVATION STUDY: An examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards. Also known as a Flood Insurance Study (FIS).

FLOOD INSURANCE RATE MAP (FIRM): The official map of a community, on which the Federal Insurance Administrator has delineated both the special hazard areas and the risk premium zones applicable to the community. A FIRM that has been made available digitally is called a Digital Flood Insurance Rate Map (DFIRM).

FLOODPLAIN OR FLOOD PRONE AREA: Any land area susceptible to being inundated by water from any source. See "Flood or flooding."

FLOODPLAIN ADMINISTRATOR: The community official designated by title to administer and enforce the floodplain management regulations.

FLOOD PROOFING: Any combination of structural and nonstructural additions, changes or adjustments to structures which reduce or eliminate risk of flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents. Flood proofed structures are those that have the structural integrity and design to be impervious to floodwater below the Base Flood Elevation.

FLOODWAY: The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. Also referred to as "Regulatory Floodway."

FUNCTIONALLY DEPENDENT USE: A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, and does not include long term storage or related manufacturing facilities.

HIGHEST ADJACENT GRADE: The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

LOWEST FLOOR: Means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this Ordinance (i.e., provided there are adequate flood ventilation openings).

MANUFACTURED DWELLING: A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured dwelling" does not include a "recreational vehicle" and is synonymous with "manufactured home."

MEAN SEA LEVEL: For purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which Base Flood Elevations shown on a community's Flood Insurance Rate Map are referenced.

MOBILE HOME: Mobile Home means "manufactured home".

NEW CONSTRUCTION: For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by Douglas County and includes any subsequent improvements to such structure.

RECREATIONAL VEHICLE: for floodplain management purposes, the term recreational vehicle means a vehicle:

- a. built on a single chassis;
- b. 400 square feet or less when measured at the largest horizontal projection;
- c. designed to be self-propelled or permanently towable by a light duty truck; and
- d. designed primarily not for use as a permanent dwelling but as a temporary living quarters for recreational, camping, travel, or seasonal use.

START OF CONSTRUCTION: Includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days from the date of the permit. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured dwelling on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

STRUCTURE: For floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank that is principally above ground as well as a manufactured home. The following exception may apply: an open structure that does not have more than one (1) rigid wall (i.e., an uninsurable structure).

SUBSTANTIAL DAMAGE: Damage of any origin sustained by a structure whereby the cost of restoring the structure to it's before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT: Any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement.

This term includes structures which have incurred "substantial damage" regardless of the actual repair work performed. The term does not, however, include either:

- (1) any project for improvement of a structure to correct previously identified existing violations of State or local health, sanitary or safety code specifications which are solely necessary to assure safe living conditions; or
- (2) any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

"VARIANCE": A grant of relief by Douglas County from the terms of a floodplain management regulation.

VIOLATION: The failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without elevation certificate, other certifications, or other evidence of compliance required in this Ordinance is presumed to be in violation until such time as that documentation is provided.

SECTION 3.30.210 Lands to Which This Article Applies

This Article shall apply to all special flood hazard areas within Douglas County, and overlay the regulations of the underlying zoning district.

SECTION 3.30.220 Basis for Establishing Areas of Flood Hazard

The special flood hazard areas identified by the Federal Insurance Administration in a scientific and engineering report entitled "The Flood Insurance Study for Douglas County, Oregon Unincorporated Areas - Volume 1 and 2," dated April 21, 1999, with accompanying Flood Insurance Rate Maps (FIRMs) dated February 17, 2010 and March 23, 2021, are hereby adopted by reference and declared to be a part of this Ordinance.

All of the above referenced publications, maps, orthophotos, and subsequent revisions or additions to those materials, are on file with the Douglas County Planning Department.

SECTION 3.30.230 Coordination with State of Oregon Specialty Codes

Pursuant to the requirement established in ORS 455 Douglas County administers and enforces the State of Oregon Specialty Codes. Douglas County does hereby acknowledge that the Oregon Specialty Codes contain certain provisions that apply to the design and construction of buildings and structures located in SFHAs. Therefore, this Ordinance is intended to be administered and enforced in conjunction with the Oregon Specialty Codes.

SECTION 3.30.240 Compliance

No structure shall hereafter be constructed, located, extended, converted or altered nor shall any land be developed, subdivided or partitioned without full compliance with the terms of this Article and other applicable regulations. All development within SFHAs is subject to the terms of this Ordinance and other applicable regulations.

SECTION 3.30.250 Penalties for Noncompliance

No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this Ordinance and other applicable regulations. Violations of the provisions of this Ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) will lead to enforcement actions such as: the issuance of warning notices and citations; injunction, mandamus or abatement. Nothing contained herein shall prevent Douglas County from taking such other lawful action as is necessary to prevent or remedy any violation.

SECTION 3.30.260 Abrogation and Greater Restrictions

It is not intended by this Article to repeal, abrogate or impair any existing easements, covenants or deed restrictions. However, where this Article imposes greater restrictions, the provision of this Article shall prevail.

SECTION 3.30.270 Interpretation

In their interpretation and application, the provisions of this Article shall be held to be minimum requirements and shall be liberally construed in favor of the governing body and shall not be deemed a limitation or repeal of any other powers granted by State Statutes. In cases where more than one flood district applies, the provisions of the more restrictive district shall prevail.

SECTION 3.30.280 Warning and Disclaimer of Liability

The degree of flood protection required by this Article is considered reasonable for regulatory purposes. Larger floods can occur on rare occasions. The flood height may be increased by man-made or natural causes, such as log jams and bridge openings restricted by debris. This Article does not imply that areas outside floodway and floodway fringe district boundaries or land uses permitted within such districts will be free from flooding or flood damages. This Article shall not create liability on the part of Douglas County or any officer or employee thereof for any flood damages that may result from reliance on this or any administrative decision lawfully made thereunder.

SECTION 3.30.290 Designation of the Floodplain Administrator

The Director shall administer, implement and enforce this Article by granting or denying development permit applications in accordance with its provisions. The Floodplain Administrator may delegate authority to implement these provisions.

SECTION 3.30.300 Duties and Responsibilities of the Floodplain Administrator - Permit Review

Duties of the Floodplain Administrator, or their designee, shall include, but not be limited to reviewing all development permits to determine that:

- A. The permit requirements of this Ordinance have been satisfied;
- B. All other required local, State, and Federal permits have been obtained and approved;
- C. Review all development permits to determine if the proposed development is located in a floodway. If located in the floodway assure that the floodway provisions in §3.30.620 are met;
- D. Review all development permits to determine if the proposed development is located in an area where Base Flood Elevation (BFE) data is available either through the Flood Insurance Study (FIS) or from another authoritative source. If BFE data is not available then ensure compliance with the provisions of §3.30.470;
- E. Provide to Building Official(s) the BFE (plus 1 foot of freeboard for habitable structures) applicable to any building requiring a development permit;
- F. Review all development permit applications to determine if the proposed development qualifies as a substantial improvement as defined in §3.30.200;
- G. Review all development permits to determine if the proposed development activity is a watercourse alteration. If a watercourse alteration is proposed, ensure compliance with the provisions in §3.30.410; and
- H. Review all development permits to determine if the proposed development activity includes the placement of fill or excavation.

SECTION 3.30.310 Information to be Obtained and Maintained

The following information shall be obtained and maintained and shall be made available for public inspection as needed:

- A. Obtain, record, and maintain the actual elevation (in relation to mean sea level) of the lowest floor (including basements) and all attendant utilities of all new or substantially improved structures where BFE data is provided through the Flood Insurance Study (FIS), Flood Insurance Rate Map (FIRM), or obtained in accordance with §3.30.470;
- B. Obtain and record the elevation (in relation to mean sea level) of the natural grade of the building site for a structure prior to the start of construction and the placement of any fill and ensure that the requirements of §3.30.620, §3.30.580(F) and §3.30.300(B) are adhered to;
- C. Upon placement of the lowest floor of a structure (including basement) but prior to further vertical construction, obtain documentation, prepared and sealed by a professional licensed surveyor or engineer, certifying the elevation (in relation to mean sea level) of the lowest floor (including basement);
- D. Where base flood elevation data are utilized, obtain As-built certification of the elevation (in relation to mean sea level) of the lowest floor (including basement) prepared and sealed by a professional licensed surveyor or engineer, prior to the final inspection;
- E. Maintain all Elevation Certificates (EC) submitted to Douglas County;
- F. Obtain, record, and maintain the elevation (in relation to mean sea level) to which the structure and all attendant utilities were floodproofed for all new or substantially improved floodproofed structures where allowed under this Ordinance and where BFE data is provided through the FIS, FIRM, or obtained in accordance with §3.30.470;
- G. Maintain all floodproofing certificates required under this Ordinance;
- H. Record and maintain all variance actions, including justification for their issuance;
- I. Obtain and maintain all hydrologic and hydraulic analyses performed as required under §3.30.620;
- J. Record and maintain all Substantial Improvement and Substantial Damage calculations and determinations as required under §3.30.350; and
- K. Maintain for public inspection all records pertaining to the provisions of this Ordinance.

SECTION 3.30.320 Community Boundary Alterations

The Floodplain Administrator shall notify the Federal Insurance Administrator in writing whenever the boundaries of the community have been modified by annexation or the community has otherwise assumed authority or no longer has authority to adopt and enforce floodplain management regulations for a particular area, to ensure that all Flood Insurance Rate Maps (FIRM) accurately represent the community's boundaries. Include within such

notification a copy of a map of the community suitable for reproduction, clearly delineating the new corporate limits or new area for which the community has assumed or relinquished floodplain management regulatory authority.

SECTION 3.30.330 Watercourse Alterations

Notify adjacent communities, the Department of Land Conservation and Development, and other appropriate State and Federal agencies, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration. This notification shall be provided by the applicant to the Federal Insurance Administration as a Letter of Map Revision (LOMR) along with either:

- A. A proposed maintenance plan to assure the flood carrying capacity within the altered or relocated portion of the watercourse is maintained; or
- B. Certification by a registered professional engineer that the project has been designed to retain its flood carrying capacity without periodic maintenance.

The applicant shall be required to submit a Conditional Letter of Map Revision (CLOMR) when required under §3.30.340. Ensure compliance with all applicable requirements in §3.30.340 and §3.30.410.

SECTION 3.30.340 Requirement to Submit New Technical Data

A community's base flood elevations may increase or decrease resulting from physical changes affecting flooding conditions. As soon as practicable, but not later than six months after the date such information becomes available, a community shall notify the Federal Insurance Administrator of the changes by submitting technical or scientific data in accordance with Section 44 of the Code of Federal Regulations (CFR), Sub-Section 65.3. The community may require the applicant to submit such data and review fees required for compliance with this section through the applicable FEMA Letter of Map Change (LOMC) process.

The Floodplain Administrator shall require a CLOMR prior to the issuance of a floodplain development permit for:

- A. Proposed floodway encroachments that increase the BFE; and
- B. Proposed development which increases the BFE by more than one (1) foot in areas where FEMA has provided BFEs but no floodway.

An applicant shall notify FEMA within six (6) months of project completion when an applicant has obtained a CLOMR from FEMA. This notification to FEMA shall be provided as a Letter of Map Revision (LOMR).

SECTION 3.30.350 Substantial Improvement and Substantial Damage Assessments

Conduct Substantial Improvement (SI) (as defined in §3.30.200) reviews for all structural development proposal applications and maintain a record of SI calculations within permit files in accordance with §3.30.310.

Conduct Substantial Damage (SD) (as defined in §3.30.200) assessments when structures are damaged due to a natural hazard event or other causes. Make SD determinations whenever structures within the special flood hazard area (as established in §3.30.220) are damaged to the extent that the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

SECTION 3.30.360 Application for Development Permits

A development permit shall be obtained before construction or development begins within any area horizontally within the special flood hazard area established in §3.30.220. The development permit shall be required for all structures, including manufactured dwellings, and for all other development, as defined in §3.30.200, including fill and other development activities.

1. Application for a development permit may be made on forms furnished by the Floodplain Administrator and may include, but not be limited to, plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities, and the location of the foregoing. Applications required by the Director shall include the following information and shall be accompanied by the current FEMA Elevation Certificate (EC) together with the County's "Floodplain Building Site Diagram":
 - A. In riverine flood zones, the proposed elevation (in relation to mean sea level) of the lowest floor (including basement) and all attendant utilities of all new and substantially improved structures, in accordance with the requirements of §3.30.310;
 - B. In coastal flood zones (V zones and coastal A zones), the proposed elevation in relation to mean sea level of the bottom of the lowest structural member of the lowest floor (excluding pilings and columns) of all structures, and whether such structures contain a basement, which shall be accompanied by a V zone Design Certificate;
 - C. Proposed elevation in relation to mean sea level to which any non-residential structure will be floodproofed;
 - D. Certification by a registered professional engineer or architect licensed in the State of Oregon that the floodproofing methods proposed for any non-residential structure meet the floodproofing criteria for non-residential structures in §3.30.530, which shall be accompanied by a FEMA Floodproofing Certificate;
 - E. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development;
 - F. BFE data for subdivision proposals or other development when required per §3.30.300 and §3.30.460;

- G. Substantial improvement calculation for any improvement, addition, reconstruction, renovation or rehabilitation of an existing structure;
- H. The amount and location of any fill or excavation activities proposed;
- I. Plot plan drawn to scale showing the nature, location and dimensions and elevation referenced to mean sea level, or NAVD 88, whichever is applicable, of the area in question including existing and proposed structures, fill, storage of materials, and drainage facilities. Applicant(s) shall submit certification by an Oregon registered professional engineer or land surveyor of the site's ground elevation and whether or not the development is located in a flood hazard district. If so, the certification shall include which flood hazard district applies, the location of the floodway at the site, and the 100 year flood elevation at the site. A reference mark shall be set at the elevation of the 100 year flood at the site. The location, description, and elevation of the reference mark shall be included in the certification; and
- J. Any other information required by the Director.

SECTION 3.30.370 Variance Procedure

The issuance of a variance under this Article is for floodplain management purposes only. Flood insurance premium rates are determined by Federal statute according to actuarial risk and will not be modified by the granting of a variance. Requests for variances to any standard, procedure or requirement of this Article can be filed pursuant to §2.060.1 of this Ordinance.

In passing upon such applications, the Approving Authority shall consider all technical evaluations, all relevant factors, standards specified in other sections of this Ordinance, and:

1. The danger that materials may be swept onto other lands to the injury of others;
2. The danger to life and property due to flooding, debris, or erosion damage;
3. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
4. The importance of the services provided by the proposed facility to the community;
5. The necessity to the facility of a waterfront location, where applicable;
6. The availability of alternative locations, for the proposed use which are not subject to flooding or erosion damage;
7. The compatibility of the proposed use with existing and anticipated development;
8. The relationship of the proposed use to the Comprehensive Plan and floodplain management program for that area;

9. The safety of access to the property in times of flood for ordinary and emergency vehicles;
10. The expected heights, velocity, duration, rate of rise, and sediment and debris transported by the floodwaters and the effects of wave action, if applicable, expected at the site; and
11. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.

Generally, variances may be issued for new construction, development and substantial improvements to be erected on land of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the above items 1-11 have been fully considered. As the parcel size increases beyond one-half acre, the technical justification required for issuing the variance increases.

Upon consideration of the above factors and purposes of this Article, the Approving Authority may attach such conditions to the granting of variances as he/she deems necessary to further the purposes of this Article.

The Director shall maintain the records of all appeal actions and report any variances to the Federal Insurance Administration upon request.

SECTION 3.30.380 Conditions for Variances

1. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
2. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
3. Variances shall only be issued upon:
 - a. A showing of good and sufficient cause;
 - b. A determination that failure to grant the variance would result in exceptional hardship to the applicant; and
 - c. A determination that the granting of the variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public or conflict with existing local laws or ordinances.
4. Any applicant to whom a variance is granted shall be given written notice of the approval and any conditions of the variance. Any applicant to whom a variance is granted shall be given written notice that the issuance of a variance to construct a structure below the BFE will result in increased premium rates for flood insurance and that such construction below the BFE increases risks to life and property. Such notification and a record of all variance actions, including justification for their issuance, shall be maintained in accordance with §3.30.310.

SECTION 3.30.400 Provisions for Flood Hazard Reduction

In all special flood hazard areas, the following standards shall be adhered to:

SECTION 3.30.410 Alteration of Watercourses

Require that the flood carrying capacity within the altered or relocated portion of said watercourse is maintained. Require that maintenance is provided within the altered or relocated portion of said watercourse to ensure that the flood carrying capacity is not diminished. Require compliance with §3.30.330 and §3.30.340.

SECTION 3.30.420 Anchoring

1. All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
2. All manufactured dwellings shall be anchored per §3.30.540.

SECTION 3.30.430 Construction Materials and Methods

1. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
2. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.

SECTION 3.30.440 Utilities and Equipment

Water Supply, Sanitary Sewer and On-Site Waste Disposal Systems

1. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.
2. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters.
3. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding consistent with the Oregon Department of Environmental Quality.

Electrical, Mechanical, Plumbing and Other Equipment

Electrical, heating, ventilating, air-conditioning, plumbing, duct systems, and other equipment and service facilities shall be elevated at or above the BFE or shall be designed and installed to prevent water from entering or accumulating within the components and to resist hydrostatic and hydrodynamic loads and stresses, including the effects of buoyancy, during conditions of flooding. In addition, electrical, heating, ventilating, air-conditioning, plumbing, duct systems, and other equipment and service facilities shall:

- A. If replaced as part of a substantial improvement shall meet all the requirements of this section.
- B. Not be mounted on or penetrate through breakaway walls.

SECTION 3.30.450 Tanks

- A. Underground tanks shall be anchored to prevent flotation, collapse and lateral movement under conditions of the base flood.
- B. Above-ground tanks shall be installed at or above the base flood level or shall be anchored to prevent flotation, collapse, and lateral movement under conditions of the base flood.
- C. In coastal flood zones (V Zones or coastal A Zones) when elevated on platforms, the platforms shall be cantilevered from or knee braced to the building or shall be supported on foundations that conform to the requirements of the State of Oregon Specialty Code.

SECTION 3.30.460 Subdivision and Other Development Proposals

All land division proposals and other proposed new developments (including proposals for manufactured dwelling parks) greater than 50 lots or 5 acres, whichever is the lesser, shall include within such proposals Base Flood Elevation data and shall:

1. Be consistent with the need to minimize flood damage.
2. Have public utilities and facilities such as sanitary and storm sewers, gas, electrical, and water systems located and constructed and maintained to minimize flood damage.
3. Have adequate drainage to reduce exposure to flood damage, including returning water.
4. All partitions and subdivisions for nonresidential uses shall have the explanation "Not for residential use" printed on the face of the final survey map or plat.
5. No portion of any street or road surface in any subdivision shall be at an elevation less than one foot below the base flood height. The road surface is that portion of a street or way available for vehicular traffic or where curbs are laid, the portion between curbs.
6. 100 year flood elevation data shall be provided and shown on final partition and subdivision plats. The boundaries of the 100 year floodplain and floodway must be shown on final partition and subdivision plats. Where no BFE exists, base flood data must be provided by the applicant. Such base flood data shall be generated by a Registered Oregon Engineer.

7. A permanent monument shall be established and maintained on land partitioned or subdivided, showing the elevation in feet above mean sea level. The location of such monument shall be shown on the final partition map or subdivision plat. (See §4.200 for exception.)

SECTION 3.30.470 Use of Other Base Flood Data

When base flood elevation data has not been provided in accordance with §3.30.220 the local Floodplain Administrator shall obtain, review and reasonably utilize any base flood elevation data available from a Federal, State or other source, in order to administer this Article. All new land division proposals and other proposed new developments (including proposals for manufactured dwelling parks) must meet the requirements of §3.30.460.

BFEs shall be determined for development proposals that are 5 acres or more in size or are 50 lots or more, whichever is lesser in any A zone that does not have an established BFE. Development proposals located within a riverine unnumbered A Zone shall be reasonably safe from flooding; the test of reasonableness may include, but shall not be limited to, use of: historical data, high water marks, FEMA provided Base Level Engineering data, photographs of past flooding, etc. Under this provision, the elevation of residential structures and non-residential structures that are not dry floodproofed shall be a minimum of 2 feet above highest adjacent grade. Failure to elevate at least two feet above grade in these zones may result in higher insurance rates.

SECTION 3.30.480 Structures Located in Multiple or Partial Flood Zones

In coordination with the State of Oregon Specialty Codes:

- A. When a structure is located in multiple flood zones on the community's FIRMs the provisions for the more restrictive flood zone shall apply.
- B. When a structure is partially located in a special flood hazard area, the entire structure shall meet the requirements for new construction and substantial improvements.

SPECIFIC STANDARDS FOR RIVERINE (INCLUDING ALL NON-COASTAL FLOOD ZONES)

These specific standards shall apply to all new construction and substantial improvements in addition to the General Standards contained in §3.30.410 to §3.30.480.

SECTION 3.30.490 Flood Openings

All new construction and substantial improvements with fully enclosed areas below the lowest floor (excluding basements) are subject to the following requirements. Enclosed areas below the BFE, including crawl spaces, shall:

- A. Be designed to automatically equalize hydrostatic flood forces on walls by allowing for the entry and exit of floodwaters;
- B. Be used solely for parking, storage, or building access;

- C. Be certified by a registered professional engineer or architect or meet or exceed all of the following minimum criteria:
1. A minimum of two openings;
 2. The total net area of non-engineered openings shall be not less than one (1) square inch for each square foot of enclosed area, where the enclosed area is measured on the exterior of the enclosure walls;
 3. The bottom of all openings shall be no higher than one foot above grade;
 4. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they shall allow the automatic flow of floodwater into and out of the enclosed areas and shall be accounted for in the determination of the net open area;
 5. All additional higher standards for flood openings in the State of Oregon Residential Specialty Codes Section R322.2.2 shall be complied with when applicable.

SECTION 3.30.500 Garages

- A. Attached garages may be constructed with the garage floor slab below the BFE in riverine flood zones, if the following requirements are met:
1. If located within a floodway the proposed garage must comply with the requirements of §3.30.620;
 2. The floors are at or above grade on not less than one side;
 3. The garage is used solely for parking, building access, and/or storage;
 4. The garage is constructed with flood openings in compliance with §3.30.490 to equalize hydrostatic flood forces on exterior walls by allowing for the automatic entry and exit of floodwater;
 5. The portions of the garage constructed below the BFE are constructed with materials resistant to flood damage;
 6. The garage is constructed in compliance with the standards in §3.30.410 to 480; and
 7. The garage is constructed with electrical and other service facilities located and installed so as to prevent water from entering or accumulating within the components during conditions of the base flood.
 8. Detached garages must be constructed in compliance with the standards for accessory structures in §3.30.560 or non-residential structures in §3.30.530 depending on the square footage of the garage.

FOR RIVERINE (NON-COASTAL) SPECIAL FLOOD HAZARD AREAS WITH BASE FLOOD ELEVATIONS

In addition to the general standards listed in §3.30.410 and §3.30.480 the following specific standards shall apply in Riverine (non-coastal) Special Flood Hazard Areas with BFEs: Zones A1-A30, AH and AE.

SECTION 3.30.510 Before Regulatory Floodway

In areas where a regulatory floodway has not been designated, no new construction, substantial improvements or other development (including fill) shall be permitted within Zones A1-30 and AE on the community's FIRM, unless an Oregon registered professional engineer certifies to the Director and other agencies which require a permit for the proposed development that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot.

SECTION 3.30.520 Residential Construction

1. New construction and substantial improvement of any residential structure shall have the lowest floor height, including basement, elevated to a minimum of one foot (1') above the BFE.
2. Enclosed areas below the lowest floor shall comply with the flood opening requirements in §3.30.490.

SECTION 3.30.530 Nonresidential Construction

- A. New construction and substantial improvement, including utility and sanitary facilities, of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated to a level at or above the BFE; or shall:
 1. Be floodproofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water;
 2. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy, and;
 3. Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this section based on their development and/or review of the structural design, specifications and plans.

Such certifications shall be provided to the Floodplain Administrator as set forth in §3.30.310.
- B. Non-residential structures that are elevated, not floodproofed, must meet the same standards for enclosed space below the lowest floor as provided in §3.30.490.

- C. Applicants floodproofing non-residential buildings shall be notified that flood insurance premiums will be based on rates that are one foot below the floodproofed level (e.g., a building floodproofed to the base flood level will be rated as one (1) foot below).

3.30.540 Manufactured Dwelling/Mobile Home Standards

- A. New or substantially improved manufactured dwellings supported on solid foundation walls shall be constructed with flood openings that comply with §3.30.490.
- B. The lowest floor of the manufactured dwelling shall be one (1) foot above BFE;
- C. New or substantially improved manufactured dwellings shall be anchored to prevent flotation, collapse and lateral movement during the base flood.

Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to ground anchors (Reference FEMA's "Manufactured Home Installation in Flood Hazard Areas" guidebook for additional techniques); and

- D. Electrical crossover connections shall be a minimum of twelve (12) inches above BFE.

SECTION 3.30.545 Recreational Vehicles

Recreational Vehicles placed on sites are required to:

- A. Be on the site for fewer than 90 consecutive days, or
- B. Be fully licensed and ready for highway use. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions, or
- C. Meet the requirements of §3.30.540, including the elevation and anchoring requirements for manufactured dwellings.

SECTION 3.30.550 Appurtenant/Accessory Structures (Permitted use)

Relief from elevation or floodproofing requirements for residential and non-residential structures in Riverine (Non-Coastal) flood zones may be granted for appurtenant structures that meet the following requirements:

- A. Appurtenant structures located partially or entirely within the floodway must comply with requirements for development within a floodway found in §3.30.620.
- B. Appurtenant structures must only be used for parking, access, and/or storage and shall not be used for human habitation;

- C. In compliance with State of Oregon Specialty Codes, appurtenant structures on properties that are zoned residential are limited to one-story structures not to exceed 200 square feet, or not to exceed 400 square feet if the property is greater than two (2) acres in area and the proposed appurtenant structure will be located a minimum of 20 feet from all property lines. Appurtenant structures on properties that are zoned as non-residential are limited in size to 120 square feet.
- D. The portions of the appurtenant structure located below the Base Flood Elevation must be built using flood resistant materials;
- E. The appurtenant structure must be adequately anchored to prevent flotation, collapse, and lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, during conditions of the base flood.
- F. The appurtenant structure must be designed and constructed to equalize hydrostatic flood forces on exterior walls and comply with the requirements for flood openings in §3.30.490;
- G. Appurtenant structures shall be located and constructed to have low damage potential;
- H. Appurtenant structures shall not be used to store toxic material, oil, or gasoline, or any priority persistent pollutant identified by the Oregon Department of Environmental Quality unless confined in a tank installed in compliance with §3.30.450.
- I. Appurtenant structures shall be constructed with electrical, mechanical, and other service facilities located and installed so as to prevent water from entering or accumulating within the components during conditions of the base flood.

SECTION 3.30.560 Agriculture or Accessory Structures (Variance Review process)

Additional relief from elevation requirements in Riverine (Non-coastal) flood zones may be granted for certain structures not for human occupancy, including detached accessory structures, garages and storage sheds not exceeding 800 square feet, structures functionally dependent on close proximity to water and agricultural structures for farm use (to be floodproofed in lieu of elevation). Said structures may be eligible for review under this section for a ministerial FEMA “variance” under §2.060.2.f. (development review subject to overlay), to authorize a deviation from elevated construction standards.

- A. The FEMA “variance” will be a part of development review.
- B. The review will provide applicant with information regarding potential impact on insurance rates.
- C. Any authorized structure shall be floodproofed in accordance with §3.30.490 and with applicable FEMA Technical Bulletins.

- D. This FEMA “variance” to deviate from elevated construction standards will address applicable FEMA standards and will not apply to any other land use standards.
- E. If a construction request is inconsistent with FEMA floodproofing standards, a land use Variance, pursuant to LUDO §3.40.100, will be required.

Under this section, an open structure that does not have more than one (1), rigid wall is exempt from elevation or floodproofing. Permitting of an exempt (uninsurable) structure will include requirements for: i) construction with flood resistant materials and anchoring; ii) the recording of a nonenclosure covenant that precludes additional walls on the exempt structure; and iii) a “no-rise” certification if the building site for the structure is in the floodway.

SECTION 3.30.565 Below-Grade Crawl Spaces

- A. The building must be designed and adequately anchored to resist flotation, collapse, and lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy. Hydrostatic loads and the effects of buoyancy can usually be addressed through the required flood openings stated in §3.30.490. Because of hydrodynamic loads, crawlspace construction is not allowed in areas with flood velocities greater than five (5) feet per second unless the design is reviewed by a qualified design professional, such as a registered architect or professional engineer. Other types of foundations are recommended for these areas.
- B. The crawlspace is an enclosed area below the Base Flood Elevation (BFE) and, as such, must have openings that equalize hydrostatic pressures by allowing the automatic entry and exit of floodwaters. The bottom of each flood vent opening can be no more than one (1) foot above the lowest adjacent exterior grade.
- C. Portions of the building below the BFE must be constructed with materials resistant to flood damage. This includes not only the foundation walls of the crawlspace used to elevate the building, but also any joists, insulation, or other materials that extend below the BFE. The recommended construction practice is to elevate the bottom of joists and all insulation above BFE.
- D. Any building utility systems within the crawlspace must be elevated above BFE or designed so that floodwaters cannot enter or accumulate within the system components during flood conditions. Ductwork, in particular, must either be placed above the BFE or sealed from floodwaters.
- E. The interior grade of a crawlspace below the BFE must not be more than two (2) feet below the lowest adjacent exterior grade.
- F. The height of the below-grade crawlspace, measured from the interior grade of the crawlspace to the top of the crawlspace foundation wall must not exceed four (4) feet at any point. The height limitation is the maximum allowable unsupported wall height according to the engineering analyses and building code requirements for flood hazard areas.

- G. There must be an adequate drainage system that removes floodwaters from the interior area of the crawlspace. The enclosed area should be drained within a reasonable time after a flood event. The type of drainage system will vary because of the site gradient and other drainage characteristics, such as soil types. Possible options include natural drainage through porous, well-drained soils and drainage systems such as perforated pipes, drainage tiles or gravel or crushed stone drainage by gravity or mechanical means.

STANDARDS FOR SHALLOW FLOODING AREAS

Shallow flooding areas appear on FIRMs as AO zones with depth designations or as AH zones with BFEs. For AO zones the base flood depths range from one (1) to three (3) feet above ground where a clearly defined channel does not exist, or where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is usually characterized as sheet flow. For both AO and AH zones, adequate drainage paths are required around structures on slopes to guide floodwaters around and away from proposed structures.

SECTION 3.30.570 Standards for AH Zones

Development within AH Zones must comply with the standards in §3.30.410 to §3.30.565, and as stated above.

SECTION 3.30.575 Standards for AO Zones

In AO Zones, the following provisions apply in addition to the requirements in §3.30.410 to §3.30.480 and as stated above:

- A. New construction and substantial improvement of residential structures and manufactured dwellings within AO zones shall have the lowest floor, including basement, elevated above the highest grade adjacent to the building, at minimum one (1) foot above BFE (at least two (2) feet if no depth number is specified). For manufactured dwellings the lowest floor is considered to be the bottom of the longitudinal chassis frame beam.
- B. New construction and substantial improvements of non-residential structures within AO zones shall either:
1. Have the lowest floor (including basement) elevated above the highest adjacent grade of the building site, at minimum one (1) foot above BFE (at least two (2) feet if no depth number is specified); or
 2. Together with attendant utility and sanitary facilities, be completely floodproofed to or above the depth number specified on the FIRM or a minimum of two (2) feet above the highest adjacent grade if no depth number is specified, 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 the effects of buoyancy. If this method is used, compliance shall be certified by a registered professional engineer or architect as stated in §3.30.530(A)(3).

- C. Recreational vehicles placed on sites within AO Zones on the community's FIRM shall either:
1. Be on the site for fewer than 90 consecutive days, or
 2. Be fully licensed and ready for highway use, on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions; or
 3. Meet the elevation requirements of §3.30.575(A), and the anchoring and other requirements for manufactured dwellings of §3.30.540.
- D. In AO zones, new and substantially improved accessory structures must comply with the standards in §3.30.550.
- E. In AO zones, enclosed areas beneath elevated structures shall comply with the requirements in §3.30.490.

SPECIFIC STANDARDS FOR COASTAL HIGH HAZARD FLOOD ZONES

Located within special flood hazard areas established in §3.30.200 are Coastal High Hazard Areas, designated as Zones V1-V30, VE, V, or coastal A zones as identified on the FIRMs as the area between the Limit of Moderate Wave Action (LiMWA) and the Zone V boundary. These areas have special flood hazards associated with high velocity waters from surges and, therefore, in addition to meeting all provisions of this Ordinance and the State of Oregon Specialty Codes, the following provisions shall apply in addition to the general standards provisions in §3.30.410 to §3.30.480.

SECTION 3.30.580 Development Standards for Coastal High Hazard Zones

- A. All new construction and substantial improvements in Zones V1-V30 and VE, V, and coastal A zones (where base flood elevation data is available) shall be elevated on pilings and columns such that:
1. The bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings or columns) is elevated a minimum of one foot above the base flood level; and
 2. The pile or column foundation and structure attached thereto is anchored to resist flotation, collapse and lateral movement due to the effects of wind and water loads acting simultaneously on all building components. Water loading values used shall be those associated with the base flood. Wind loading values used shall be those specified by the State of Oregon Specialty Codes;
- B. A registered professional engineer or architect shall develop or review the structural design, specifications and plans for the construction, and shall certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the provisions of this section (V Zone Design Certificate required).

- C. Obtain the elevation (in relation to mean sea level), utilizing the current FEMA EC together with the County's "Floodplain Building Site Diagram", of the bottom of the lowest horizontal structural member of the lowest floor (excluding pilings and columns) of all new and substantially improved structures and whether or not such structures contain a basement. The Floodplain Administrator shall maintain a record of all such information in accordance with §3.30.310.
- D. Provide that all new construction and substantial improvements have the space below the lowest floor either free of obstruction or constructed with non-supporting breakaway walls, open wood lattice-work, or insect screening intended to collapse under wind and water loads without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system.

For the purpose of this section, a breakaway wall shall have a design safe loading resistance of not less than 10 and no more than 20 pounds per square foot. Use of breakaway walls which exceed a design safe loading resistance of 20 pounds per square foot (either by design or when so required by local or State codes) may be permitted only if a registered professional engineer or architect certifies that the designs proposed meet the following conditions:

1. Breakaway wall collapse shall result from water load less than that which would occur during the base flood; and
 2. If breakaway walls are utilized, such enclosed space shall be useable solely for parking of vehicles, building access, or storage. Such space shall not be used for human habitation.
 3. Walls intended to break away under flood loads shall have flood openings that meet or exceed the criteria for flood openings in §3.30.490.
- E. The elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all building components (structural and nonstructural). Maximum water loading values to be used in this determination shall be those associated with the base flood. Maximum wind loading values used shall be those specified by the State of Oregon Specialty Codes.
 - F. Prohibit the use of fill for structural support of buildings.
 - G. All new construction shall be located landward of the reach of mean high tide.
 - H. Prohibit man-made alteration of sand dunes which would increase potential flood damage.
 - I. All structures, including but not limited to residential structures, non-residential structures, accessory structures, and attached garages shall comply with all the requirements of this section. Floodproofing of non-residential structures is prohibited.

SECTION 3.30.590 Manufactured Dwelling Standards for Coastal High Hazard Zones

All manufactured dwellings to be placed or substantially improved within Coastal High Hazard Areas (Zones V, V1-30, VE, or Coastal A) shall meet the following requirements:

- A. Comply with all of the standards within §3.30.580;
- B. The bottom of the longitudinal chassis frame beam shall be elevated to a minimum of one foot above the BFE; and
- C. Electrical crossover connections shall be a minimum of 12 inches above the BFE.

SECTION 3.30.600 Recreational Vehicle Standards for Coastal High Hazard Zones

Recreational Vehicles within Coastal High Hazard Areas (Zones V, V1-30, VE, or Coastal A) shall either:

- A. Be on the site for fewer than 90 consecutive days, and
- B. Be fully licensed and ready for highway use, on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions; or
- C. Meet the permit requirements of §3.30.360 and the requirements for manufactured dwellings in §3.30.590.

SECTION 3.30.610 Tank Standards for Coastal High Hazard Zones

Tanks shall meet the requirements of §3.30.450.

SECTION 3.30.620 Floodways

Located within the special flood hazard areas established in §3.30.220 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of the floodwaters which carry debris, potential projectiles and erosion potential, the following provisions apply:

- A. Encroachments, including, but not limited to, fill, new construction, substantial improvements, and other development are not permitted unless an Oregon registered professional civil engineer certifies:
 - 1. That such encroachments (and cumulative like encroachments), as demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice, shall not result in any increase in flood levels during the occurrence of a base flood; or
 - 2. A community may permit encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations, provided that a Conditional Letter of Map Revision (CLOMR) is applied for and is

approved by the Federal Insurance Administrator, and the requirements for such revision as established under Volume 44 of the Code of Federal Regulations, Section 65.12, are fulfilled.

- B. If the requirements of §3.30.620(A) are satisfied, all new construction, substantial improvements and other development shall comply with all other applicable flood hazard reduction provisions of §3.30.410 to §3.30.610.
- C. Subdivision and partitioning of land for residential purposes is prohibited if land is located entirely within the Floodway.