

**CITY OF FLORENCE
ORDINANCE NO. 2, SERIES 2020**

**AN ORDINANCE ADOPTING AMENDMENTS TO FLORENCE CITY CODE AND THE
FLORENCE REALIZATION 2020 COMPREHENSIVE PLAN AND ADOPTING THE
REVISED FEMA FLOOD INSURANCE RATE MAP AND FLOOD INSURANCE STUDY.**

RECITALS:

1. City Council via their 2019/2021 City of Florence Work Plan, Section “Miscellaneous Code & Process Amendments, Flood Insurance Map Amendments, Objective 1”, tasked amendments to the governing documents related to Flood Insurance Rate Map amendments.
2. Planning Commission on February 11, 2020 initiated legislative amendments to Florence City Code Title 10 and the Florence Realization Comprehensive Plan. Notice of the proposed amendments was sent on February 18, 2020 to the Department of Land Conservation and Development, 35 days prior to the first evidentiary hearing.
3. Planning Commission opened their public hearing March 24, 2020 and deliberated to a decision for a recommendation to the City Council, titled Resolution PC 20 02 CPA 01/PC 20 03 TA 01.
4. On April 4, 2020, notice of the City Council hearing was published in the Siuslaw News prior to their hearing of April 20, 2020.
5. City Council conducted a public hearing on April 20, 2020 and found the amendments consistent with applicable criteria in Florence City Code, Realization 2020 Florence Comprehensive Plan, Oregon Administrative Rules and Oregon Revised Statutes.

Based on these findings,

THE CITY COUNCIL OF THE CITY OF FLORENCE ORDAINS AS FOLLOWS:

1. Florence Realization 2020 Comprehensive Plan and Title 10 Chapter 2 are amended as explained in Exhibit A Findings of Fact, and shown in Exhibits B through E, and initiated through Planning Commission.
2. This ordinance shall become effective on June 5, 2020, in accordance with the FEMA’s Letter of Determination dated December 5, 2019.
3. The City Recorder is authorized to administratively correct any reference errors contained herein or in other provisions of the Florence Comprehensive Plan or City Code to the provisions added, amended, or repealed herein.

ADOPTION:

First Reading on the 20th day of April 2020.

Second Reading on the 20th day of April 2020.

This Ordinance is passed and adopted on the 20th day of April 2020.

AYES	5	Councilors Woodbury, Preisler, Greene, Lucio and Mayor Henry
NAYS	0	
ABSTAIN	0	
ABSENT	0	

Joe Henry, Mayor

Attest:

Kelli Weese, City Recorder

Ordinance 2, Series 2020 CITY OF FLORENCE---FINDINGS OF FACT

Public Hearing Date: April 20, 2020

File Numbers: PC 20 02 CPA 01/PC 20 03 TA 01
CC 20 01 CPA 01/CC 20 03 ZC 01

I. PROPOSAL DESCRIPTION

The proposal amends the Florence City Code (FCC) and elements of the Florence Realization 2020 Comprehensive Plan by revising standards related to a FEMA issued Letter of Final Determination dated December 5, 2020 signifying completion of the process of updating the Flood Insurance Study (FIS) and Flood Insurance Rate Map (FIRM) for Florence and the surrounding area. The code amendments update definitions to flood-plain management regulations that meet the standards of National Flood Insurance Program (NFIP) regulations. The Comp Plan amendments update definitions for the same purpose and update the narrative in Chapter 7 and adopt the revised FIS and FIRM. There are also minor edits to the Table of Contents to include recently adopted or acknowledged studies.

II. NOTICE AND REFERRALS

1. Notice:

Notice of the proposed City Code Amendments was sent to the Department of Land, Conservation and Development (DLCD) on February 18, 2020, not less than 35 days prior to the proposed first evidentiary hearing of March 24, 2020, as required by State law and the Florence City Code.

The notice of the Planning Commission public hearing was posted to the Siuslaw News on March 17th and published March 21st prior to the public hearing held on March 24th. The notice for the City Council public hearing was published in the Siuslaw News on April 4th prior to the April 20th City Council public hearing as required by State law and the Florence City Code

Notice was also sent to property owners potentially affected by the implementation of the changes on March 3, 2020, as required by State law and the Florence City Code.

III. APPLICABLE CRITERIA

1. **Florence City Code (FCC) Title 10: Zoning Regulations**
 - Chapter 1: Zoning Administration, Section 10-1-3 Amendments and Changes, Section C Legislative Changes
 - Chapter 1: Zoning Administration, Section 10-1-6-4 Type IV Procedure (Legislative)
2. **Florence Realization 2020 Comprehensive Plan**
 - Plan Adoption, Amendments, Review and Implementation
 - Chapter 1 Citizen Involvement
 - Chapter 7 Development Hazards
 - Chapter 14 Urbanization
4. **Oregon Revised Statutes (ORS)**
 - ORS: 197.610(1)-(6), 227.186
5. **Oregon Administrative Rules (OAR)**
 - OAR 660-015 (1, 2, 7, 14) & 660-018-0020

IV. FINDINGS

Florence City Code (FCC)

Title 10 Zoning Regulations, Chapter 1 Zoning Administration

FCC 10-1-3 Amendments and Changes,

- A. **Purpose: As the Comprehensive Plan for the City is periodically reviewed and revised, there will be a need for changes of the zoning district boundaries and the various regulations of this Title. Such changes or amendments shall be made in accordance with the procedures in this Section.**

Section C Legislative Changes

1. **Initiation: A legislative change in zoning district boundaries, in the text of this Title, Title 11 or in the Comprehensive Plan may be initiated by resolution of the Planning Commission or by a request of the Council to the Planning Commission that proposes changes be considered by the Commission and its recommendation returned to the Council.**

Finding: This legislative change was initiated and adopted by a resolution of the Florence Planning Commission (Resolution PC 20 01 IN 01) on February 11, 2020. The resolution noted the need to update the city zoning code and Florence Realization 2020 Comprehensive Plan to address the City Work Plan and FEMA NFIP updates to address flood risk.

2. **Notice and Public Hearing: Such notice and hearing as prescribed by state law and the Comprehensive Plan then in effect.**

Finding: Notification of the public hearings for this application was discussed earlier in the report. Noticing for this public hearing meets the criterion.

Realization 2020, Florence Comprehensive Plan

Plan Adoption, Amendments, Review and Implementation

Adoption of the Plan represents a commitment by the City to attempt the achievement of what the Plan proposes and is considered by other governmental units, the courts and the public to be a statement of policy. City ordinances covering development and land use must be consistent with the intent of the Plan. Federal, State, County and Special District land use actions must also be consistent with the Plan. (pp. 2-3)

Finding: The proposed amendments to the City comprehensive plan and development code refine the Plan and support flood damage prevention. The proposed Plan and code amendments are internally consistent. The applicable Plan policies for the proposed amendments are addressed in the policies that follow. These findings are incorporated herein.

Chapter 1: Citizen Involvement

Citizen Involvement Goal: To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

Policies

2. **A Citizen Advisory Committee, appointed by the City Council, shall serve in an advisory capacity to the Florence Planning Commission to assure the broadest input during periodic review and post acknowledgment Plan and zoning amendments.** ¹¹_{SEP}(pg. 1-1)

Finding: This policy is met. The Florence Planning Commission appointed by the Council advises on changes needed and proposed to the Florence City Code and Realization 2020 Comprehensive Plan. The Planning Commission held a meeting on the proposed amendments on January 28, 2020 and the Florence City Council also met on this topic March 3, 2020 prior to the public hearings held on March 24th and April 20th.

3. **The City Council shall ensure that a cross-section of Florence citizens is involved in the planning process, primarily through their appointments to the Planning Commission, Design Review Board, Citizen Advisory Committee and other special committees.** (pg. I-1)

Finding: This policy is met. The City Council appointed a cross-section of Florence citizens to serve on the Planning Commission, including those in the insurance, hazard protection, social services, utility provider, land use, and retirement communities.

4. **Official City meeting shall be well publicized and held at regular times. Agendas will provide the opportunity for citizen comment.** (pg. I-1)

Finding: This policy is met. The proposed code amendments are consistent with this policy because the notices of the public hearings were noticed in the newspaper prior to public hearings before regularly scheduled meetings. The City website has had a webpage with information on the proposed changes available since 2018. There have been two public open houses on the proposed changes that were publicized on the city website and in the Siuslaw News. Staff also updated the City's website to state when City meetings are scheduled. Materials for City meetings were posted on the website prior to the meetings. The agendas are also posted in City Hall.

5. **Records of all meetings where official action is taken shall be kept at City Hall and made available on request to the public.** (pg. I-1)

Finding: The proposal for these actions is consistent with this policy because minutes and related materials of all meetings are kept at City Hall, posted on the City's website, and made available on request to the public.

6. **Planning documents and background data shall be available to interested citizens.** (pg. I-1)

Finding: The proposal for these actions is consistent with this policy because the Resolution, Ordinance, Findings of Fact, staff report and proposed amendments were available prior to the public hearings. The documents for Planning Commission's hearing were available to view at the Planning Department or online on the City's website. The documents for the City Council hearing were available to view online on the City's website or in-person by appointment due the Covid-19 Virus social distancing requirements and stay home order set by Governor Kate Brown's Executive Order.

Chapter 7: Development Hazards and Constraints

Development Hazards and Constraints Goal: To protect life and property from natural disasters and hazards.

Policies

- 1. The City shall restrict or prohibit development in known areas of natural hazard or disaster in order to minimize risk to citizens, reduce the hazard of loss of life and economic investments, the costs of expensive protection works, and public and private expenditures for disaster relief.**
[L]
[SEP] (pg. VII-1)

Finding: The proposal for these actions is consistent with this policy because the proposed code standards supported by the adoption of new Flood Insurance Rate Map and Flood Insurance Study and in combination with existing flood damage prevention code in Title 4 Chapter 4 and Title 10 Chapter 7 restrict or prohibit development in the Special Flood Hazard Areas (SFHA) reducing the hazard of loss as set in policy.

- 2. Prior to development taking place in known areas of potential natural hazard, applicants shall provide a Site Investigation Report which clearly determines the degree of hazard present and receive City approval for the measures to be taken to reduce the hazard.** (pg. VII-1)

Finding: The proposal is consistent with this policy because applications for development proposed in areas of known or suspected hazards require, in accordance with Title 10 Chapter 7, completion of a Phase 1 Site Investigation Report and in some cases a Phase 2 Site Investigation Report. Both reports through the code standards require analysis of the presence of hazards and remedy through engineering, building codes or construction to National Flood Insurance Program (NFIP) standards to reduce or eliminate the hazard.

- 3. All new development shall conform to City Code, the adopted Building Code and Flood Insurance Program requirements in flood-prone areas.**

Finding: The proposal for these actions is consistent with this policy because the code presently exists requiring conformance with the measures as stated and the proposed updates and FIS/FIRM adoptions provide the basis for identifying properties subject to the standards.

4. **For those areas that have excessive slopes or conditions which constitute a geological hazard, proposed developments shall be keyed to the degree of hazard and to the limitation on the use imposed by such hazard. Accepted engineering practices shall determine the extent of development allowed. The City may require a professional engineer's report to fulfill this requirement.**

Finding: The proposal for these actions is consistent with this policy because the current code standards in Title 10 Chapter 7 require engineering of the development in the case of a property in an area of geologic hazard.

5. **The City shall participate in a Western Lane emergency preparedness plan and its implementation.**

Finding: The proposal for these actions is consistent with this policy because the City has adopted the Western Lane emergency preparedness plan and has been involved in its update in 2016 and again presently in 2020. The FIS and FIRM updates shall be incorporated in the 2020 proposed plan changes at a later date.

Chapter 14: Urbanization

Urbanization Goal

To provide for an orderly and efficient transition from County/rural land uses to City/urban land uses.

Annexation Policies

3. **Conversion of lands within the UGB outside City limits shall be based on consideration of:**
 - a. **orderly, economic provision for public facilities and services;**
 - b. **conformance with the acknowledged City of Florence Comprehensive Plan;**
 - c. **consistency with state law. (pg. XIX-1)**

Finding: The proposal for these actions is consistent with this policy because the future annexations of property in the UGB will include adoption of applicable FIRM panels not included in this proposal. Those annexations will consider conformance of the Comprehensive Plan and apply consistency with state law as it applies to the NFIP and flood prevention in general.

Oregon Revised Statutes (ORS)

The procedures for legislative decisions and public hearings are set out in the Florence City Code, which has been acknowledged by DLCD and these local regulations effectively implement state law. The sections of State statute that relate to the proposed amendments to the City code are listed below with findings to address consistency with these State laws.

ORS 197.610: Submission of proposed comprehensive plan or land use regulation changes to Department of Land Conservation and Development; rules.

(1) Before a local government adopts a change, including additions and deletions, to an acknowledged comprehensive plan or a land use regulation, the local government shall submit the proposed change to the Director of the Department of Land Conservation and Development. The Land Conservation and Development Commission shall specify, by rule, the deadline for submitting proposed changes, but in all cases the proposed change must be submitted at least 20 days before the local government holds the first evidentiary hearing on adoption of the proposed change. The commission may not require a local government to submit the proposed change more than 35 days before the first evidentiary hearing.

(2) If a local government determines that emergency circumstances beyond the control of the local government require expedited review, the local government shall submit the proposed changes as soon as practicable, but may submit the proposed changes after the applicable deadline.

(3) Submission of the proposed change must include all of the following materials:

(a) The text of the proposed change to the comprehensive plan or land use regulation implementing the plan;

(b) If a comprehensive plan map or zoning map is created or altered by the proposed change, a copy of the map that is created or altered;

(c) A brief narrative summary of the proposed change and any supplemental information that the local government believes may be useful to inform the director or members of the public of the effect of the proposed change;

(d) The date set for the first evidentiary hearing;

(e) The form of notice or a draft of the notice to be provided under ORS 197.763, if applicable; and

(f) Any staff report on the proposed change or information describing when the staff report will be available, and how a copy of the staff report can be obtained.

(4) The director shall cause notice of the proposed change to the acknowledged comprehensive plan or the land use regulation to be provided to:

(a) Persons that have requested notice of changes to the acknowledged comprehensive plan of the particular local government, using electronic mail, electronic bulletin board, electronic mailing list server or similar electronic method; and

(b) Persons that are generally interested in changes to acknowledged comprehensive plans, by posting notices periodically on a public website using the Internet or a similar electronic method.

(5) When a local government determines that the land use statutes, statewide land use planning goals and administrative rules of the commission that implement either the statutes or the goals do not apply to a proposed change to the acknowledged comprehensive plan and the land use regulations, submission of the proposed change under this section is not required.

(6) If, after submitting the materials described in subsection (3) of this section, the proposed change is altered to such an extent that the materials submitted no longer reasonably describe the proposed change, the local government must notify the Department of Land Conservation and Development of the alterations to the proposed change and provide a summary of the alterations along with any alterations to the proposed text or map to the director at least 10 days before the final evidentiary hearing on the proposal. The director shall cause notice of the alterations to be given in the manner described in subsection (4) of this section. Circumstances requiring resubmission of a proposed change may include, but are not limited to, a change in the principal uses allowed under the proposed change or a significant change in the location at which the principal uses would be allowed, limited or prohibited.

Finding: The proposal is consistent with this statute because notice to DLCD was sent on February 18, 2020 at least 35 days prior to the March 24, 2020 (first) public hearing and the notice contained the information required in this statute. The notice of proposed change was circulated widely within the city consistent with subsection (4), as detailed in response to Comprehensive Plan Goal 1.

ORS 227.186: Notice to property owners of hearing on certain zone change

(4) At least 20 days but not more than 40 days before the date of the first hearing on an ordinance that proposes to rezone property, a city shall cause a written individual notice of a land use change to be mailed to the owner of each lot or parcel of property that the ordinance proposes to rezone.

(5) An additional individual notice of land use change required by subsection (3) or (4) of this section shall be approved by the city and shall describe in detail how the proposed ordinance would affect the use of the property. The notice shall: [...*details of required notice format*...]

(9) For purposes of this section, property is rezoned when the city:
(a) Changes the base zoning classification of the property; or
(b) Adopts or amends an ordinance in a manner that limits or prohibits land uses previously allowed in the affected zone.

Finding: The proposal is consistent with this statute because notice was mailed to property owners advising of a proposed zone change meeting the definition of (9)(b); the proposed adoption of updated FIRM and FIS potentially limits land uses compared to previous standards that did not include their property on the FIRM panel for

their property. The notice contained all elements required by subsection (5) and was mailed on March 3, 2020, in advance of the March 24, 2020 first hearing.

Oregon Administrative Rules (OAR)

The procedures for legislative decisions and public hearings are set out in the Florence City Code, which has been acknowledged by DLCD and these local regulations effectively implement state law. The sections of State rules that relate to the proposed amendments to the City code are listed below with findings to address consistency with these State laws.

OAR 660-015-0000: Statewide Planning Goals and Guidelines #1 through #14.

OAR 660-015-0000(1):

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

Finding: This goal is implemented by the Florence Realization Comprehensive Plan 2020. The proposal is consistent with this rule as detailed in the findings for those sections.

OAR 660-015-0000(02):

To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

Finding: This goal is implemented by OAR 660-018 reviewed below, ORS 197.610 and City Code. The proposal is consistent with this rule as detailed in the findings for those sections.

OAR 660-015-0000(07):

To protect people and property from natural hazards.

A. NATURAL HAZARD PLANNING

1. Local governments shall adopt comprehensive plans (inventories, policies and implementing measures) to reduce risk to people and property from natural hazards.

2. Natural hazards for purposes of this goal are: floods (coastal and riverine), landslides,¹ earthquakes and related hazards, tsunamis, coastal erosion, and wildfires. Local governments may identify and plan for other natural hazards.

Finding: This goal is implemented by the adoption of revised FIS and FIRM and updated definitions into the Florence Realization Comprehensive Plan for which there are already policies in place and also into the Florence City Code Title 10 Chapter 2 to comply with the NFIP model code.

B. RESPONSE TO NEW HAZARD INFORMATION

- 1. New hazard inventory information provided by federal and state agencies shall be reviewed by the Department in consultation with affected state and local government representatives.**
- 2. After such consultation, the Department shall notify local governments if the new hazard information requires a local response.**
- 3. Local governments shall respond to new inventory information on natural hazards within 36 months after being notified by the Department of Land Conservation and Development, unless extended by the Department.**

Finding: This goal is implemented by the adoption of a revised FIS and FIRM issued by FEMA on December 5, 2019 after extensive coordination with the Department of Land Conservation and Development, Oregon Department of Geology and Mineral Industries, Lane County, and the City of Florence. FEMA letter of determination dated December 5, 2019 states the City has until June 5, 2020 to adopt the revised maps, study and implementing NFIP standards. Standards meeting the NFIP requirements were completed in December 2019. This proposal completes this requirement.

C. IMPLEMENTATION

Upon receiving notice from the Department, a local government shall:

- 1. Evaluate the risk to people and property based on the new inventory information and an assessment of: a. the frequency, severity and location of the hazard; b. the effects of the hazard on existing and future development; c. the potential for development in the hazard area to increase the frequency and severity of the hazard; and d. the types and intensities of land uses to be allowed in the hazard area.**
- 2. Allow an opportunity for citizen review and comment on the new inventory information and the results of the evaluation and incorporate such information into the comprehensive plan, as necessary.**
- 3. Adopt or amend, as necessary, based on the evaluation of risk, plan policies and implementing measures consistent with the following principles: a. avoiding development in hazard areas where the risk to people and property cannot be mitigated; and b. prohibiting the siting of essential facilities, major structures, hazardous facilities and special occupancy structures, as defined in the state building code (ORS 455.447(1) (a)(b)(c) and (e)), in identified hazard areas, where the risk to public safety cannot be mitigated, unless an essential facility is needed within a hazard area in order to provide essential emergency response services in a timely manner.²**

4. Local governments will be deemed to comply with Goal 7 for coastal and riverine flood hazards by adopting and implementing local floodplain regulations that meet the minimum National Flood Insurance Program (NFIP) requirements.

Finding: This goal is implemented by the adoption of revised FIS and FIRM and updated definitions into the Florence Realization Comprehensive Plan for which there are already policies in place and also into the Florence City Code Title 10 Chapter 2 to comply with the NFIP model code. The NFIP map update process included ample opportunity for citizen review through a public open house on the proposed amendments in 2018, an appeal process in 2019 and this hearings process. Floodplain regulations were updated in 2019 to meet the newly published NFIP model code requirements. The adoption of the updated FIRM and FIS will conclude the Goal 7 implementing requirements.

D. COORDINATION

1. In accordance with ORS 197.180 and Goal 2, state agencies shall coordinate their natural hazard plans and programs with local governments and provide local governments with hazard inventory information and technical assistance including development of model ordinances and risk evaluation methodologies.

Finding: This goal is implemented by the adoption of a revised FIS and FIRM issued by FEMA on December 5, 2019 after extensive coordination starting in 2012 with the Department of Land Conservation and Development, Oregon Department of Geology and Mineral Industries, Lane County, and the City of Florence concluding with the FEMA letter of determination issued to the City dated December 5, 2019. In June of 2019 DLCD provided the City with a review of its existing Code (Title 4 Chapter 4) and its deficiencies in complying with then proposed FEMA model code and recommended language to update it.

GUIDELINES

B. IMPLEMENTATION

2. Local governments should consider programs to manage stormwater runoff as a means to help address flood and landslide hazards.

4. When reviewing development requests in high hazard areas, local governments should require site-specific reports, appropriate for the level and type of hazard (e.g., hydrologic reports, geotechnical reports or other scientific or engineering reports) prepared by a licensed professional. Such reports should evaluate the risk to the site as well as the risk the proposed development may pose to other properties.

5. Local governments should consider measures that exceed the National Flood Insurance Program (NFIP) such as: a. limiting placement of fill in floodplains; b. prohibiting the storage of hazardous materials in floodplains or providing for safe storage of such materials; and c. elevating structures to a

level higher than that required by the NFIP and the state building code. Flood insurance policy holders may be eligible for reduced insurance rates through the NFIP's Community Rating System Program when local governments adopt these and other flood protection measures.

Finding: This goal is implemented by the Florence Realization Comprehensive Plan 2020, Florence City Code (FCC) Title 9 Chapter 5 Stormwater Management, FCC Title 10 Chapter 7 and FCC Title 4 Chapter 4. The code sections require stormwater management plans, Site Investigation Reports with associated engineering, and floodplain permits with elevation certificates. Title 4 Chapter 4 includes a provision for 1' of freeboard above the Base Flood Elevation.

OAR 660-015-0000(14): GOAL 14: Urbanization

To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

GUIDELINES

A. PLANNING

3. Plans providing for the transition from rural to urban land use should take into consideration as to a major determinant the carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources.

Finding: The proposal for these actions is consistent with this policy because future annexations of property in the UGB will include adoption of applicable FIRM panels not included in this proposal. Those annexations will consider conformance of the Comprehensive Plan and apply consistency with state law as it applies to the NFIP and flood prevention to reducing impacts to water resources and the land resources (SFHA) needed and protected to manage flooding events.

OAR 660-018-0020: Notice of a Proposed Change to a Comprehensive Plan or Land Use Regulation

(1) Before a local government adopts a change to an acknowledged comprehensive plan or a land use regulation, unless circumstances described in OAR 660-018-0022 apply, the local government shall submit the proposed change to the department, including the information described in section (2) of this rule. The local government must submit the proposed change to the director at the department's Salem office at least 35 days before holding the first evidentiary hearing on adoption of the proposed change.

Finding: The proposal is consistent with this rule as detailed in the findings for ORS 197.610.

V. CONCLUSION

The proposed amendments to the Florence Realization 2020 Comprehensive Plan and Florence City Code Title 10 are consistent with the applicable criteria in the Florence Realization 2020 Comprehensive Plan, Florence City Code, Oregon Revised Statutes and Oregon Administrative Rules.

Exhibit B
Ordinance 2, Series 2020

Amendments to
Florence Realization 2020 Comprehensive Plan

Amend Table of Contents as follows. Only the amended portions are shown below.

Table of Contents

Part II: Comprehensive Plan Appendices

(Located in binder in Community Development Department, Florence City Hall)

Introduction

Chapters:

7. **Areas Subject to Natural Disasters and Hazards**
 - a. National Flood Insurance Program - Flood Insurance Rate Maps, June ~~5, 2020~~^{5, 1999} (under separate cover) and Flood Insurance Study, June 5, 2020
 - b. City of Florence Hazards Map
 - c. Natural Resources Conservation Service Soils Map, 2009
 - d. Relative Earthquake Hazard Maps for selected coastal communities, DOGAMI, 1999 (Large maps available at City Hall, Community Development Department.)
 - e. Tsunami Inundation Zone Maps – Florence, 2013
 - f. ~~Siuslaw Valley Fire/Rescue Disaster Plan~~ Western Lane Emergency Operations Group, Emergency Operations Plan, 2016 (under separate cover)

Amend Introduction: Definitions section as follows. Only the amended portions are

Definitions

AREA OF SPECIAL FLOOD HAZARD. The land in the floodplain subject to a one percent (1%) 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, or VE. “Special flood hazard area” is synonymous in meaning with the phrase “area of special flood hazard”.

~~**FLOODWAY.** The normal stream channel and that adjoining area of the natural floodplain needed to convey the waters of a regional flood while causing less than one foot in-~~

crease in upstream flood elevations. 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."

Amend Chapter 7 as follows. Only the amended portions are shown below.

Chapter 7 Development Hazards and Constraints

Policies

3. All new development shall conform to City Code, the adopted Building Code and National Flood Insurance Program requirements in ~~flood-prone areas~~ Areas of Special Flood Hazard.

Flooding

On ~~in~~ June 5, 1999~~2020~~, the revised Federal Emergency Management Agency (FEMA) ~~flood Insurance Rate Map area maps~~ became effective. The 1999 revision included together with a requirement for elevation certificates for structures in the flood-plain. The FEMA 1999 maps revision included an expanded North Fork floodplain impacting residences and businesses on Lower Munsel Lake Creek Road. According to local knowledge of historic flooding trends over the past 50 or more years, the 1999 FEMA maps included areas which have never flooded. Beginning in 2000 and continuing through 2005 ~~the~~ The City is ~~working~~ with FEMA and property owners to apply for an area-wide map correction. Several landowners had ~~ve~~ already applied for and received individual map amendments for their properties. The revised June 2020 FIRM found the lots or structures for which the corrections were issued to be outside the Special Flood Hazard Area.

~~Several landowners have already applied for and received individual map amendments for their properties. The Maps and Study, June 5, 2020~~1999~~, are recognized as the official floodplain maps and study and are included by reference in Appendix 7 of this Plan, ~~subject to any revision agreed to in resolution of the North Fork area of dispute~~. The City's Floodplain Ordinance was updated to meet federal requirements in ~~1999~~2019. The amendments were approved by the ~~State Flood Management Office Oregon Department of Land Conservation and Development~~.~~

A Floodplain Development Permit, eElevation certificates and substantial improvement/damage assessments are required as part of applications for a building permit. Groundwater flooding is addressed under stormwater which is covered in Chapter 11, Utilities and Facilities Management.

EXHIBIT C
Ordinance 2, Series 2020

Title 10 Chapter 2 -- Only those sections proposed for amendment listed.

TITLE 10
CHAPTER 2

GENERAL ZONING PROVISIONS

10-2-13: DEFINITIONS: For the purpose of this Title, certain words, terms and phrases are defined below. Words used in the present tense include the future; the singular number includes the plural; and the word "shall" is mandatory and not directory. Whenever the term "this Title" is used herewith it shall be deemed to include all amendments thereto as may hereafter from time to time be adopted. Definition contained in the Florence Comprehensive Plan shall also be used to define terms used in this Title of the Florence City Code, and, where conflicts exist, the terms used in this Code shall apply to the respective Code requirements. Terms not defined in this Code shall have their ordinary accepted meanings within the context in which they are used. Webster's Third New International Dictionary of the English Language, Unabridged, shall be considered a standard reference.

FLOODWAY

~~The normal stream channel and that adjoining areas of the natural floodplain needed to convey the waters of a regional flood while causing less than one foot increase in upstream flood elevations. 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."~~

Amended by Ordinance No. 15, Series 1988
Amended by Ordinance No. 2, Series 2000
Amended by Ordinance No. 12, Series 2002
Sections 10-2-14 and 10-2-15 removed by Ordinance No. 9, Series 2009
Section 10-2-8 deleted and all subsequent sections renumbered by Ord. No. 4, Series 2011 (Exhibit 4E) effective 4-22-11
Section 10-2-9 amended by Ordinance No. 21, Series 2011 (exhibit D) – effective 1-5-12
Section 10-2-12 amended by Ordinance No. 5, Series 2012 (exhibit C) – effective 1-16-13
Section 10-2-6 Amended by Ord. No. 3, Series 2013 – See Exhibit B (effective 7-31-13)
Sections 10-2-13 and 10-2-14 amended by Ord. No. 11, Series 2016 (effective 11-16-16)
Section 10-2-13 amended by Ord. No. 4, Series 2018 (effective 6-21-18)
Section 10-2-13 amended by Ord. No. 13, Series 2018 (effective 11-21-18)
Section 10-2-4, 10-2-9, 10-2-13 amended by Ord. 7, Series 2019 (effective 12-18-19)
Section 10-2-13 amended by Ord. 2, Series 2020 (effective 6-5-20)