

Effective: April 18, 2013

ORDINANCE NO. 2603

AN ORDINANCE OF THE CITY OF LAKE OSWEGO AMENDING LOC SECTION 50.05.011 (FLOOD MANAGEMENT AREA) BY AMENDING THE FLOOD MANAGEMENT AREA MAP FOR PORTIONS OF OSWEGO CREEK AND ALL OF OSWEGO LAKE (FIGURES 50.05.011-A, B, C, AND D), AND ADOPTING FINDINGS (LU 12-0047).

WHEREAS, a notice of public hearing for consideration of this Ordinance was duly given in the manner required by law; and,

WHEREAS, public hearings were held before the Planning Commission on December 10, 2012 and the Lake Oswego City Council on March 5, 2013; and,

WHEREAS, the City of Lake Oswego is a participating community in the National Flood Insurance Program (NFIP); and,

WHEREAS, LOC 50.05.011.4 specifies that, where amendments to the Flood Management Area Map are due to changes to the Special Flood Hazard Areas depicted on Flood Insurance Rate maps of the National Flood Insurance Program, the City amendment would be dependent on successful compliance with the map revision process of the National Flood Insurance Program (40 CFR 65); and,

WHEREAS, Federal Emergency Management Agency (FEMA) approved a Letter of Map Revision (LOMR) for a portion of Oswego Creek and all of Oswego Lake, FEMA published their decision, and the 90 day appeal period ended August 24, 2012 after which the LOMR became effective and the map revision process of the National Flood Insurance Program (40 CFR 65) was successfully completed; and,

WHEREAS, these amendments are consistent with LOC Article 50.05.011 (Flood Management Area), and Chapter 7, (Flood Hazards) of the City of Lake Oswego Comprehensive Plan; and,

WHEREAS, the purpose of the following amendments is to comply with the Federal Emergency Management Agency regulations relating to flood insurance;

The City of Lake Oswego ordains as follows:

Section 1. Adoption of Findings and Conclusions: The City Council hereby adopts the findings of facts and conclusions attached as Attachment A.

Section 2. Section 50.05.011 of the Lake Oswego Code is hereby amended by replacing Figures 50.05.011-A, B, C, and D with Figures 50.05.011-A, B, C and D, respectively, in Attachment B.

Section 3. Effective Date of this Ordinance: Pursuant to Lake Oswego City Charter, Section 34, this ordinance shall be effective on the 30th day following its enactment.

Read by title only and enacted at the regular meeting of the City Council of the City of Lake Oswego held on the 19th day of March, 2013.

AYES: Mayor Studebaker, Bowerman, Gudman, Gustafson, Jordan, Kehoe, O'Neill

NOES: None

ABSTAIN: None

EXCUSED: None



Kent Studebaker, Mayor

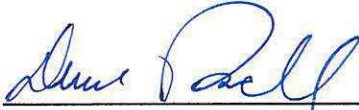
Dated: March 20, 2013

ATTEST:



Catherine Schneider, City Recorder

APPROVED AS TO FORM:



David Powell, City Attorney

BEFORE THE CITY COUNCIL

OF THE CITY OF LAKE OSWEGO

1
2
3 A REQUEST FOR AMENDMENTS TO) LU 12-0047
4 COMMUNITY DEVELOPMENT CODE ARTICLE) (CITY OF LAKE OSWEGO)
5 50.05.011 (FLOOD MANAGEMENT AREA))
6 [ORDINANCE No. 2603]) FINDINGS & CONCLUSIONS
7)

8 **NATURE OF PROCEEDING**

9 This matter came before the City Council pursuant to a recommendation by the Lake
10 Oswego Planning Commission to amend the text of Lake Oswego Community Development
11 Code Article 50.05.011 to revise the Flood Management Area Map.
12

13 **HEARINGS**

14 The Planning Commission held a public hearing and considered this application at its
15 December 10, 2012 meeting, and adopted findings and a recommendation on January 14, 2013.
16 The City Council held a public hearing on this matter on March 5, 2013.
17

18 **CRITERIA AND STANDARDS**

19 Oregon Statewide Planning Goals

20 Goal 7: Natural Hazards

21 Metro Urban Growth Management Functional Plan

Title 3: Water Quality, Flood Management and Fish and Wildlife Conservation

22 City of Lake Oswego Comprehensive Plan

23 Goal 1: Citizen Involvement - Policies 1, 2, & 5

Goal 7: Natural Disasters and Hazards (Section 1 Flood Hazards) - Policies 1, 3, & 11

24 City of Lake Oswego Community Development Code

25 LOC 50.05.011.4.a Map Administration/Revision of FIRM

26 LOC 50.07.003.16.a Legislative Decision Defined

- 1 LOC 50.07.003.16.b Criteria for Legislative Decision
- 2 LOC 50.07.003.16.c Required Notice to DLC
- 3 LOC 50.07.003.16.d Planning Commission Recommendation Required
- 4 LOC 50.07.003.16.e City Council Review and Decision

5 **FINDINGS AND REASONS**

6 As support for its decision, the City Council incorporates the November 30, 2012 staff
7 report for LU 12-0047 (with all exhibits), the February 25, 2013 staff Council Report, and the
8 Findings and Conclusions of the Planning Commission in this matter, together with the
9 following supplemental findings.

10 The proposal is to amend the City's Flood Management Area maps to be consistent with
11 recent revisions to the Federal Flood Insurance Rate Map (FIRM). As a result of improvements
12 made in 2011, the spillway on the Oswego Lake dam is capable of a more rapid discharge of
13 flood waters. Consequently, a subsequent study conducted by the Federal Emergency
14 Management Agency (FEMA) resulted in federal map revisions to reflect a four-foot reduction
15 in the Base Flood Elevation for properties on Oswego Lake, Blue Heron Canal, Lakewood Bay
16 and West Bay. Lowering the mapped Base Flood Elevation reduces the number of properties
17 that will be required to maintain flood insurance as a condition of federally backed home loans.
18 It will also reduce the area subject to floodplain regulations, such as the requirement that floor
19 levels of new residential construction be one foot higher than the base flood elevation.





22 As detailed in the incorporated materials, the City Council finds that the proposal as
23 recommended by the Planning Commission complies with the criteria of LOC 50.05.011.4.a. in
24 that the City Flood Management Area map amendments are in response to changes by a Letter
25 of Map Revision from FEMA dated April 9, 2012, the map revision process of the National Flood
26

1 Insurance Program has been followed (40 CFR 65), and FEMA has amended the Federal
2 Insurance Rate Map by the Letter of Map Revision process.

3 **CONCLUSION**

4 The City Council concludes that the proposal as recommended by the Planning
5 Commission meets all applicable criteria, including relevant provisions of the Oregon Statewide
6 Planning Goals, the Metro Urban Growth Management Functional Plan, the Lake Oswego
7 Comprehensive Plan, and the Lake Oswego Community Development Code, as detailed in the
8 incorporated materials, and further concludes that LU 12-0047 should be approved.
9

Figure 50.05.011-A: Flood Management Area Map A

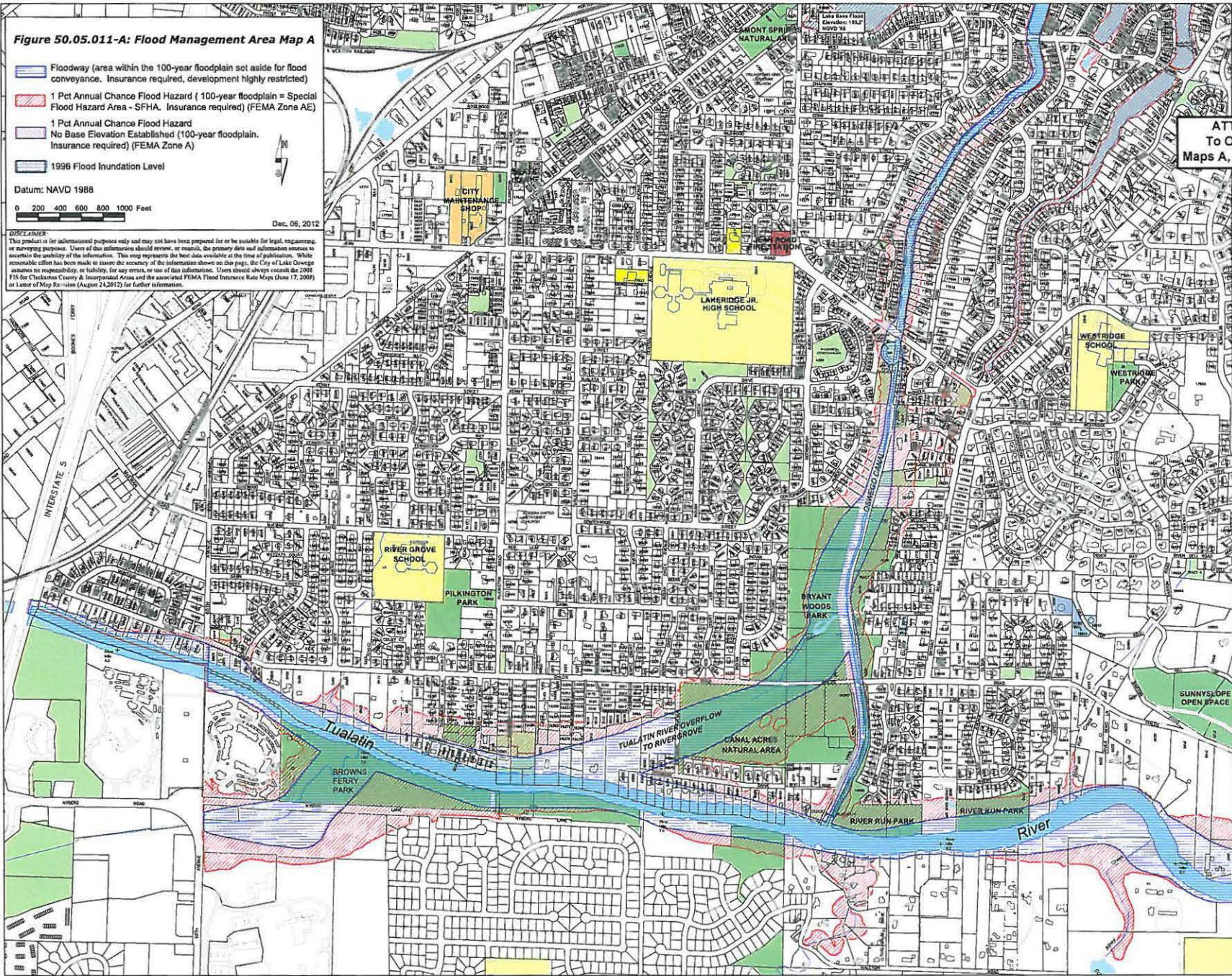
-  Floodway (area within the 100-year floodplain set aside for flood conveyance. Insurance required, development highly restricted)
-  1 Pct Annual Chance Flood Hazard (100-year floodplain - Special Flood Hazard Area - SFHA. Insurance required) (FEMA Zone AE)
-  1 Pct Annual Chance Flood Hazard No Base Elevation Established (100-year floodplain. Insurance required) (FEMA Zone A)
-  1996 Flood Inundation Level

Datum: NAVD 1988



Dec. 06, 2012






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ATTACHMENT B
 To Ordinance 2603
 Maps A, B, C, D (4 PAGES)

Replacement Map A
 dated 12/6/12
 of Attachment B
 Ordinance 2603

Figure 50.05.011-A: Flood Management Area Map B

-  Floodway (area within the 100-year floodplain set aside for flood conveyance. Insurance required, development highly restricted)
-  1 Pct Annual Chance Flood Hazard (100-year floodplain = Special Flood Hazard Area - SFHA. Insurance required) (FEMA Zone AE)
-  1 Pct Annual Chance Flood Hazard
-  No Base Elevation Established (100-year floodplain. Insurance required) (FEMA Zone A)
-  1996 Flood Inundation Level

Datum: NAVD 1988

0 200 400 600 800 1000 Feet

Nov. 20, 2012

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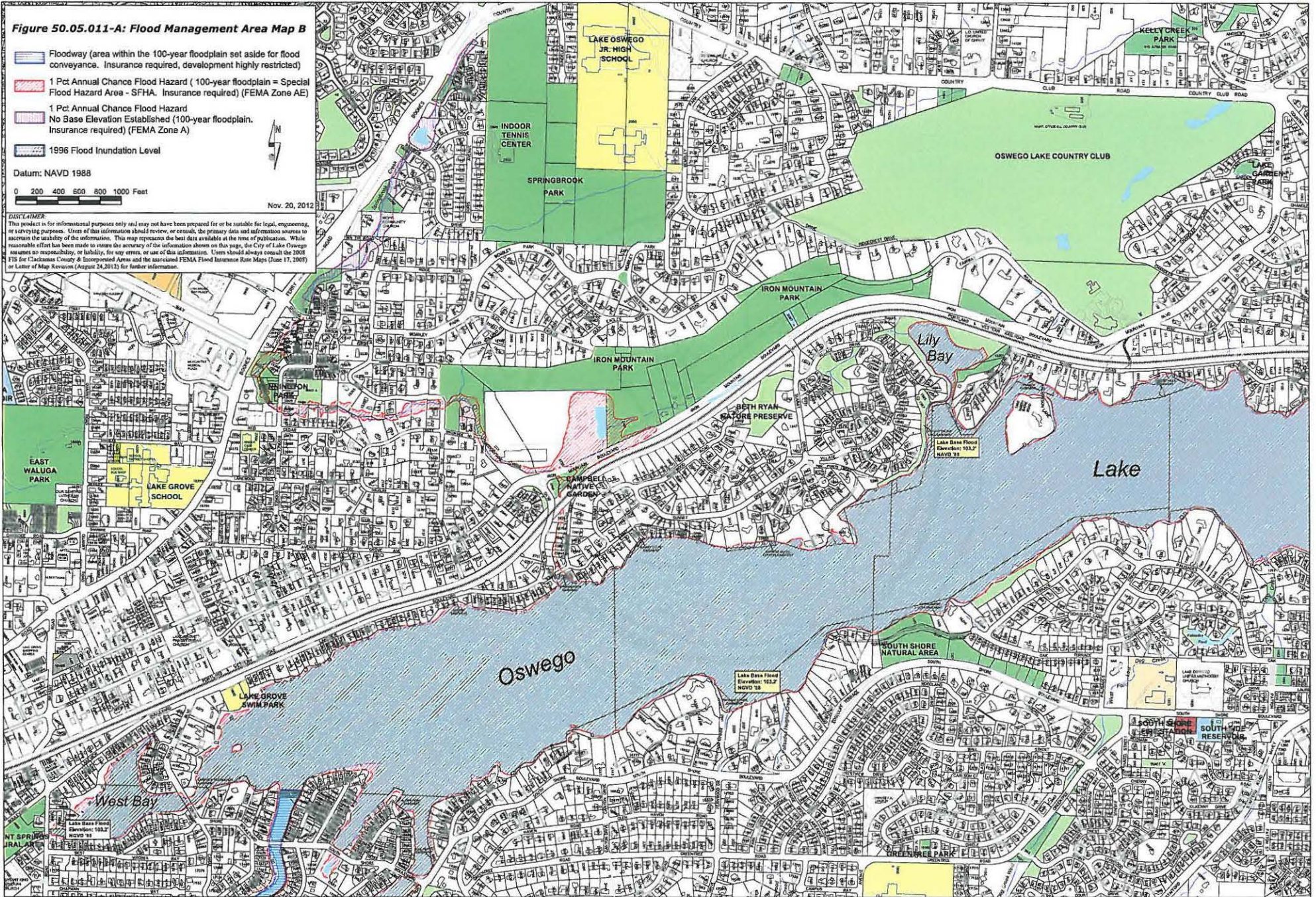






Figure 50.05.011-A: Flood Management Area Map C

-  Floodway (area within the 100-year floodplain set aside for flood conveyance. Insurance required, development highly restricted)
-  1 Pct Annual Chance Flood Hazard (100-year floodplain = Special Flood Hazard Area - SFHA. Insurance required) (FEMA Zone AE)
-  1 Pct Annual Chance Flood Hazard No Base Elevation Established (100-year floodplain, Insurance required) (FEMA Zone A)
-  1996 Flood Inundation Level

Datum: NAVD 1988

0 200 400 800 1000 Feet

Nov. 20, 2012

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