

ORDINANCE No. 189338

*Amend Flood Hazard Areas Code to further comply with Metro Urban Growth Functional Plan Title 3 (Ordinance; amend Code Section 24.50.060)

The City of Portland Ordains:

Section 1. The Council finds:

1. The Bureau of Development Services (BDS) promotes safety, livability, and economic vitality through efficient and collaborative application of building and development codes.
2. BDS administers Portland City Code (PCC) Title 24, Building Regulations, including Chapter 24.50, Flood Hazard Areas.
3. In 1999, City Council adopted amendments to Chapter 24.50, Flood Hazard Area as part of a package of amendments to Titles 17 and 24 and the addition of Title 10 (Ord. 173979 Consolidate existing erosion control regulations into one regulation, enact erosion control regulations and revise flood management regulations).
4. Ord. 173979, in part, addressed requirements of then recently revised Metro Functional Plan Title 3 regarding flood management regulations. Compliance included meeting the requirement that the City adopt floodplain maps and corresponding regulations for "Flood Management Areas", defined as "all lands contained within the 100-year floodplain, flood area and floodway as shown on the Federal Emergency Management Agency (FEMA) Flood Insurance Maps and all lands that were inundated in the February 1996 flood.as shown on the Metro Flood Management Area map.
5. There is clear legislative history that the amendments to Chapter 24.50, Flood Hazard Areas, adopted in Or. 173979, were intended to apply to both the FEMA 100-year floodplain and the 1996 flood inundation area, to comply with Metro Functional Plan Title 3.
6. In order to fully comply with Metro Functional Plan Title 3, Sub-subsection 24.50.060.F should be amended from applying to "Special flood hazard areas" to "Flood hazard areas" to more clearly apply to both the FEMA 100-year floodplain and the 1996 flood inundation areas, as originally intended.

NOW, THEREFORE, the Council directs:

- a. Portland City Code Subsection 24.50.060.F is amended as follows:

F. ~~Special f~~Flood hazard areas.

Remainder of subsection is unchanged.

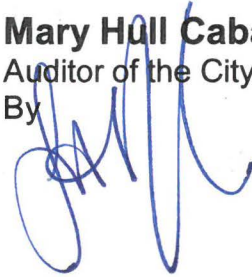
189338

Section 2. The Council declares that an emergency exists because the change corrects an oversight of a previous ordinance and removes ambiguity regarding the applicability of the subject regulations. Therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council: JAN 09 2019

Mayor Ted Wheeler
Prepared by: Emily Sandy
Date Prepared: December 14, 2018

Mary Hull Caballero
Auditor of the City of Portland
By

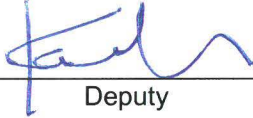


Deputy

Agenda No. **189338**
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Title

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<p>INTRODUCED BY Commissioner/Auditor: Mayor Wheeler</p>	<p>CLERK USE: DATE FILED <u>DEC 31 2018</u></p>
<p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance & Administration - Wheeler <i>NTP</i></p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - <i>Hardesty</i> Saltzman</p> <p>Position 4/Safety - Eudaly</p>	<p>Mary Hull Caballero Auditor of the City of Portland</p> <p>By:  Deputy</p>
<p>BUREAU APPROVAL</p> <p>Bureau of Development Services Bureau Head: <i>Rebecca Esau</i> Rebecca Esau, Director</p>	<p>ACTION TAKEN:</p>
<p>Prepared by: Colleen Poole Date Prepared: December 20, 2018</p>	
<p>Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p>	
<p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	
<p>City Auditor Office Approval: required for Code Ordinances <i>Tom</i></p>	
<p>City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter <i>JA</i></p>	
<p>Council Meeting Date January 9, 2019</p>	

AGENDA
<p>TIME CERTAIN <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>
<p>CONSENT <input checked="" type="checkbox"/></p>
<p>REGULAR <input type="checkbox"/></p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	1. Fritz	
2. Fish	2. Fish	
3. <i>Hardesty</i> Saltzman	3. <i>Hardesty</i> Saltzman	
4. Eudaly	4. Eudaly	
Wheeler	Wheeler	