



MEMO

DATE: December 2, 2021
TO: City of Portland Design Commission
FROM: Jeff Caudill, Environmental Planner/Project Manager
Sallie Edmunds, Central City, River and Environmental Planning Manager
SUBJECT: Floodplain Resilience Plan Discussion Draft

Introduction

The Bureau of Planning and Sustainability is leading the development of the Floodplain Resilience Plan. The plan aims to reduce the impacts of future flooding and prevent the degradation of floodplain habitat for endangered and threatened fish species. The plan's proposals respond to the recommendations of a 2016 Federal Emergency Management Agency (FEMA) National Flood Insurance Program Biological Opinion (FEMA BiOp) that was issued by the National Marine Fisheries Service and the October 2021 Draft Implementation Plan FEMA prepared in response to it.

This memo highlights changes proposed in the Discussion Draft (released November 10, 2021) that may be relevant for the Design Commission. The Discussion Draft is available on the project website: <https://www.portland.gov/bps/enviro-planning/floodplain-project/documents>

Background

FEMA National Flood Insurance Program

FEMA's National Flood Insurance Program is a federal government-backed program that provides flood insurance policies to the owners of properties in floodplains. Property owners may only become eligible for loans if their governing jurisdiction voluntarily enrolls in the program and adopts a set of policies



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and programs that meet or exceed minimum standards. If jurisdictions adopt regulations that exceed minimum requirements, they may earn points in FEMA’s Community Rating System program, which allows residents to become eligible for discounts on their policies. As a result of floodplain protection measures implemented by the City of Portland, Portlanders currently receive a 25 percent discount on their insurance rates.

National Flood Insurance Program Biological Opinion

In 2016, the National Marine Fisheries Service issued a Biological Opinion stating that FEMA’s implementation of the National Flood Insurance Program in Oregon negatively impacts protected salmon and steelhead by encouraging floodplain development that reduces habitat. FEMA worked with Oregon jurisdictions to develop a proposed Implementation Plan that responds to the BiOp, Oregon Land Use law and local conditions. FEMA’s Implementation Plan is now being reviewed for consistency with the National Environmental Policy Act, or NEPA, prior to its finalization.

City Plans and Policies

In addition to federal requirements, a variety of established City plans and policies serve as the foundation for the Floodplain Resilience Plan proposals. Most importantly, the *2035 Comprehensive Plan* (2016) and *Climate Action Plan* (2015) establish goals, objectives and policies to reduce future flood risk through better management of floodplain development and emphasize flood preparedness for existing development.

City’s Floodplain Management Work Plan

The Floodplain Resilience Plan is part of a City of Portland (City) multi-phase work plan, established in 2019, to update regulations that apply to Portland’s floodplains. Phase 1 was completed in December of 2020 with the passage of the River Plan / South Reach, which applied floodplain management regulations in the southern portion of the Willamette River, including the City of Portland and areas of unincorporated Multnomah County where the City has jurisdiction.

The Floodplain Resilience Plan is Phase 2 of the implementation of the City’s work plan and contains the draft recommendations for additional updates to citywide floodplain regulations. Future phases will apply regulations to Johnson Creek and industrial areas.

Summary of Discussion Draft Proposals

Proposals most relevant to the Design Commission’s work:

South Waterfront Greenway Overlay Zone (part of the Central City Plan District, 33.510)

- Allow South Waterfront Greenway Review to be completed via a Type II procedure, unless Type III is required as a part of Design Review.



- Add subsection within the Zoning Code (33.510.253.F) to identify requirements that apply in the Greenway overlay zone, rather than only to the Greenway setback area.
 - Move exterior lighting requirements to this subsection and update the lighting requirements to be consistent with those applied in the River overlay zone (already applied in the Central and South reaches).
 - Add tree and vegetation replacement standard that is consistent with River overlay requirements.
- Prohibit buildings proposed in Greenway setback Subarea 3 to be placed in the floodplain.

River Environmental Overlay in the Central City

- Apply the River Environmental (e) overlay zone to undeveloped and developed Willamette River Central Reach floodplains not currently in the River Environmental overlay zone.
- Establish a Central City riparian buffer area (floodplains within 170 feet of ordinary high water mark), where additional mitigation for floodplain development is required.

Building Code Requirements (Title 24)

- Increased excavation requirements for fill (soil) or structures placed in the high hazard area and undeveloped floodplain.
 - High hazard area: 2:1 (excavation:fill); Undeveloped floodplain: 1.5:1

Other proposals:

- Expand Environmental Conservation overlay zone onto all Fanno Creek and Tryon Creek floodplains, as well as Columbia Corridor floodplains not on industrially-zoned properties.
- Update the Environmental overlay zones chapter (33.430) to better manage tree and vegetation removal and maintenance and ensure no net-loss in floodplain functions.
- Support Bureau of Environmental Services efforts to identify and restore key floodplain sites and evaluate options for expanding mitigation banks as an alternative to onsite mitigation.

Schedule

November 10, 2021	Public Discussion Draft released
November 2021 - January 2022	Public Engagement and Comment
Spring 2022	Planning and Sustainability Commission public hearing, work sessions, recommendation
Summer 2022	City Council Public hearing/decision

