

# **CITY OF DUNES CITY RESOLUTION SERIES 2019, NO. 13**

## **A Resolution establishing Standard Operating Procedures for Processing Floodplain Development Permits.**

**WHEREAS**, on May 14, 2019, the City Administrator met with representatives of the National Flood Insurance Program to determine where the City's floodplain management program had shortfalls and how those shortfalls could be corrected; and

**WHEREAS**, by letter dated June 25, 2019, Dunes City was provided with a list of items that the City must complete in order to remain in compliance with regulations associated with the National Flood Insurance Program; and

**WHEREAS**, one of the items listed on the list of requirements to be completed by the City was the establishment and adoption of Standard Operating Procedures for Processing Floodplain Development Permits; and

**WHEREAS**, it is in the best interests of the residents of Dunes City to ensure the continuance of the National Flood Insurance Program for the benefit of property owners in the City limits; and

**WHEREAS**, the City desires to remain in compliance with the requirements of the National Flood Insurance Program;

### **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DUNES CITY THAT:**

1. The Dunes City Standard Operating Procedures for Processing Floodplain Development Permits, attached hereto as Exhibit A and incorporated by reference herein, be, and hereby is, adopted.
2. This Resolution takes effect immediately upon adoption.

### **ADOPTION:**

This Resolution is passed and adopted on the 9<sup>th</sup> day of October, 2019.



Sheldon Meyer, Council President

Attest:



Jamie Mills, City Recorder/Administrator

## **EXHIBIT A**

### **DUNES CITY**

#### **STANDARD OPERATING PROCEDURES FOR PROCESSING**

##### **FLOODPLAIN DEVELOPMENT PERMITS**

1. Review all building, grading, and other development projects to determine if the proposed development activity is within the regulatory floodplain. Pull and review the property file to see if a prior Letter of Map Amendment (LOMA) or Letter of Map Revision-Fill (LOMR-F) has been approved by FEMA for the structure or parcel. If the property is or could be located in a regulatory floodplain and there is no LOMA or LOMR-F in place, then:
2. Require the completion and filing of a Floodplain Development Permit Overview form. Enter the information regarding the project, including property owner and applicant's name, contact information (such as telephone numbers and email address), the address and map and tax lot number of the property proposed for development, as well as the date of execution of the Permit Overview form in the Floodplain Development spreadsheet.
3. After receipt of the completed and signed Permit Overview, input the information regarding its receipt into the Floodplain Development spreadsheet and schedule and hold a pre-application conference to review the floodplain development form, regulatory floodplain mapping information for the property in question, and the community floodplain regulations that pertain to the development proposal with the applicant. Enter the date the conference was held, along with any comments associated with the discussions that took place.
4. If the proposed project appears to encroach into the wetland or riparian area as indicated on the current Dunes City Local Wetland & Riparian Inventory Map, the City must file a Wetland Land Use Notification (WLUN) with the Department of State Lands (DSL). The City will receive a responsive assessment from DSL which will indicate whether DSL requires a wetland delineation to be done or if a DSL permit must be obtained. If either action is required of the Applicant, such actions must be completed prior to issuance of a permit from the City. As such approvals are obtained by the applicant and copies provided to the City, the City will enter the information into the spreadsheet.
5. If the proposed project appears to allow stormwater runoff to enter a water source directly or proposes to grade an area one (1) acre or larger, the applicant must obtain a permit from the Department of Environmental Quality (DEQ) to allow the stormwater runoff to drain directly into a water source or to disturb an area one (1) acre or greater in size. Until such time as the appropriate permit is issued by DEQ and a copy of such permit delivered to the City, the City will not issue any of its own permits.
6. If the project encroaches into the City's established shoreland zone, and is not associated with an allowable access to water from the property as set out in Dunes City Code, the applicant must cause an application for a variance to be filed, considered, and approved by the Dunes City Planning Commission and City Council prior to issuance of any of its permits. Enter all

information regarding Dunes City approvals into the spreadsheet, including dates for issuance of notice, publications of notice, public hearings, and expiration of appeal times.

7. Once all other necessary approvals have been presented to the City, require a Floodplain Development Permit for all development within the regulatory floodplain. Verify that the Floodplain Development Permit application has been signed and completed, and that all the required supporting information has been obtained (i.e., pre-development Elevation Certificate). Coordinate with the City Administrator and the Planning Secretary to complete the internal review process. Ensure all other required local, state, or federal permits have been approved and obtained. Record all information in the Floodplain Development spreadsheet and file all forms in the associated property file(s).

8. Complete the floodplain development permit review process and deny or approve the permit. Enter the outcome of the decision and the date the decision is made into the spreadsheet.

9. If a floodplain development permit is approved:

a. Send building plans to contracted Building Inspector for review and approval. Be sure to send a letter of instruction with the plans that puts the Building Inspector on written notice that the project is located in an identified floodplain and will require a pre-development elevation certificate, a foundation level elevation certificate prior to wall construction, and a post development elevation certificate and a specific statement declaring that vent sizing is correct. Also include a notice informing the Building Inspector that all materials and construction are to be done in accordance with Oregon Specialty Codes and FEMA requirements, and that the Building Inspector is required to notify the Floodplain Administrator of any changes or deviations from the originally approved plans.

b. Issue the appropriate construction permits and send a copy of the Floodplain Development Permit form and a copy of the pre-development Elevation Certificate to the Building Inspector. Coordinate with the Building Inspector and the applicant during the construction and inspection process. Ensure field inspections are conducted. Ensure entry of all inspection dates and outcomes into the spreadsheet;

c. Ensure the Building Inspector notifies the Floodplain Administrator regarding any changes from the proposed development activities detailed in the permit application form;

d. Obtain and review the second Elevation Certificate from the developer when the foundation is in place, but before the walls are on to ensure the foundation location and elevation, and the flood vent sizing and elevations are correct. Enter all data into the spreadsheet;

d. Obtain and review the As-Built Elevation Certificate from the developer prior to the Building Inspector completing the final inspection process and issuance of the Certificate of Occupancy. Ensure the file is complete and ensure copies of all Elevation Certificates are both in the project file, the Elevation Certificate file, and the property file and that all information contained in the Floodplain Development spreadsheet is complete.