

LAND MANAGEMENT DIVISION



DEVELOPMENT IN THE FLOODPLAIN

PUBLIC WORKS DEPARTMENT 3050 NORTH DELTA HIGHWAY, EUGENE OR 97408
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This guide provides general information about floodplain requirements and how to proceed if your home or property is in a special flood hazard area (SFHA). This guide is for informational purposes only and is not to be considered a substitute for the language of federal or local floodplain regulations. Specific language is found in Lane Code 16.244 and 10.271.

WHY DOES LANE COUNTY REGULATE DEVELOPMENT WITHIN THE FLOODPLAIN?

Lane County is a participating member of the National Flood Insurance Program (NFIP). The NFIP is a Federal program that allows property owners within participating communities to purchase flood insurance. The program was established to provide an insurance option to address the rising costs of flood disaster relief.

In order to participate in the NFIP, Lane County must adopt and enforce certain floodplain management regulations aimed at reducing the likelihood of future flood damage to new construction within Special Flood Hazard Areas (SFHA).

WHAT ARE SPECIAL FLOOD HAZARD AREAS?

SFHA's are the areas within the floodplain that have been determined to have a 1% annual chance of flooding –commonly referred to as the base flood. These hazard areas have been depicted on a series of maps known as Flood Insurance Rate Maps (FIRMs). As a participating member of the NFIP, Lane County must review all new construction located in the SFHA and issue development permits for those proposals.

HOW CAN I DETERMINE IF MY PROPERTY IS LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA?

To find out if your property is within the SFHA, speak with the planner on duty, available Monday through Friday from 9:00am to 3:00pm, or by phone at 541/682-3577. Please have a property address or an Assessor's map and tax lot number ready when you call.

The planner can review your property file to see if any current flood hazard data and mapping has been generated for your land. You may search your property records for permits and past elevation certificates online at Land Management Division Property Records Online: <http://apps.lanecounty.org/LMDPro/>.

Generally, specific flood information for your property will exist if you have done any new construction since June 2, 1999. If no specific mapping has been completed for your property, you may request to have your parcel and the location of any structures on the property mapped onto the FIRM for a fee through a Type I Floodplain Verification application.

You may also use the Zone and Plan Map Viewer tool to determine if your property is located within the SFHA at:

<https://lcmaps.lanecounty.org/LaneCountyMaps/ZoneAndPlanMapsApp/index.html> Note: this is a non-regulatory map tool.

Additionally, you may obtain a copy the Flood Rate Insurance Map for your area from the FEMA Flood Map Service Center at <https://msc.fema.gov/portal/home> or you may call the FEMA Flood Map Service Center Map Specialist line at 1-877-336-2627.

WHAT IF I BELIEVE MY PROPERTY IS NOT WITHIN THE FLOODPLAIN?

Occasionally, the FIRM will show a property is within the SFHA, but technical evidence may show it is actually outside of the floodplain. This sometimes occurs with properties situated on hills, terraces or other high areas adjacent flood zones.

If this is the case and you want to avoid the need meet certain development standards or to purchase flood insurance, your property may qualify for a Letter of Map Amendment (LOMA). For information on this process, please see FEMA's LOMA process webpage at:

<https://www.fema.gov/letter-map-amendment-letter-map-revision-based-fill-process>

Or view FEMA's online tutorials for LOMAs at:

<https://www.fema.gov/letter-map-amendment-letter-map-revision-f-tutorial-series-choose-tutorial>

A local, private professional land surveyor may also be able to assist you with the LOMA process.

ADVISORY:

The jurisdiction of the Lane County Land Management Division extends only to development and construction within the SFHA. In no way can Lane County alleviate the requirement to purchase flood insurance.

TYPES OF FLOOD HAZARD AREAS IN LANE COUNTY AND WHAT THEY MEAN FOR DEVELOPMENT

The main types of SFHA are: "A Zones", "AE Zones", "AE, Floodway Zones", "VE Zones" and "V Zones".

A Zones are flood hazard areas where the specific elevations of 1-percent-annual-chance flood events, or Base Flood Elevations (BFE's), have not been studied and mapped. The "A" Zones are common on small to medium sized streams

throughout the county. In these areas, the general contour and topography of the drainage basin is used to estimate flood areas.

Implications for Development: Because exact flood levels are not known within these areas, the lowest finished floor of new construction or substantial improvements generally need to be elevated at least three feet above the highest adjacent grade.

AE Zones occur on all the major rivers in the county. In these zones studies have been done to calculate the specific elevations (BFE's) that flooding will occur. These elevations are depicted as feet above mean sea level on the FIRM.

Implications for Development: New construction and substantial improvements within AE zones generally need to be constructed with the lowest finished floor of the structure at least two feet above the BFE.

AE, Floodway Zones are the main conveyance channels of rivers. This means they're the portion of the floodplain that carry floodwaters. Special regulations have been adopted to ensure that floodways are kept open and not obstructed to prevent flood flows from backing up or being diverted onto adjacent properties. Floodway areas are dangerous due to the velocity of flood waters, likelihood of projectiles being carried by flood waters and erosion potential.

Implications for Development: Construction in floodway areas is highly regulated due to the hazard associated with the area. Therefore, no new development is allowed in the floodway. Please see Lane Code or the Planner on Duty for specific exceptions.

V and VE Zones are areas along coasts subject to inundation by the 1-percent-annual-chance flood event with additional hazards associated with storm-induced waves.

Implications for Development: Structures in coastal flood hazard zones must be elevated the same as structures in non-coastal flood hazard zones (AE and A Zones). However, structures are subject to additional design requirements due to more severe flood hazard. For instance, structures must be elevated on columns or pilings, enclosed areas below the base flood elevation must be constructed with breakaway walls and the use of fill is prohibited.

OPTIONS FOR BUILDING WITHIN THE SPECIAL FLOOD HAZARD AREA

If you wish to build or place a new structure, remodel or improve existing structures, dig pools, place liquid or gas fuel tanks, build fencing or perform any fill & removal activity in the SFHA, you will need a Floodplain Development Permit. Floodplain development permits are issued to ensure that the specific construction methods of the Lane Code Floodplain Combining Zone have been satisfied. **If you are proposing a new dwelling on a lot where there are areas outside of the floodplain, then the dwelling must be located in the area that avoids flood hazard if possible.** Please see the

Floodplain Development Permit, Lane Code, or the Planner on Duty to discuss allowable exceptions to this standard.

Depending on the type of project and SFHA, the development standards typically require elevation of a structure. Options for elevation include elevating your structure on a stem wall, columns, or pilings. In limited cases, constructing a non-residential building at grade with dry flood proofing is permitted. Elevating structures on a foundation is the recommended construction method, versus placing fill material to elevate the building site. If fill is proposed, then a Floodplain Fill/Removal Permit application is required.

IMPROVEMENTS TO EXISTING STRUCTURES IN THE SFHA

If you are improving a structure in the SFHA, the proposed work must be reviewed through a Floodplain Verification permit application (minor) to determine if the improvement constitutes a substantial or non-substantial improvement/damage. Remodels, additions, reconstruction, rehabilitations, damage repair and foundation extensions, replacements or repairs are considered improvements. If the improvement is substantial, meaning the cost of the improvement and improvements made within the past 5 years equals or exceeds 50% of the market value of the existing structure, then the proposal may require a Floodplain Development Permit.

See the LMD handout **Substantial Improvement – Substantial Damage Guide**.

WET FLOOD PROOFING

While most development in the SFHA must be elevated or dry flood proofed, certain low value structures can qualify for wet flood proofing, which allows the structure to be built at grade with flood vents. Agricultural buildings (as defined in the floodplain code) can be wet flood proofed with a Type II Variance application. Certain small, accessory structures can also be wet flood proofed with a Floodplain Development Permit if they meet specific size and use criteria. Please talk to the Planner on Duty to determine if your building qualifies for this option.

BUILDING PERMIT EXEMPT AGRICULTURAL BUILDINGS

Building permit-exempt agricultural structures are not allowed within a SFHA. If you would like to build a barn for agricultural use within the SFHA, all floodplain development standards, including elevation, dry flood proofing or wet flood proofing, must be met and verified through a building permit.