

## LAND MANAGEMENT DIVISION



# DEVELOPMENT in the SPECIAL FLOOD HAZARD AREA

**PUBLIC WORKS DEPARTMENT 3050 NORTH DELTA HIGHWAY, EUGENE OR 97408**  
**PLANNING: 541-682-3577 BUILDING: 541-682-4651 SANITATION: 541-682-3754**

*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.*

### 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 at a reasonable cost. The program was established to provide an insurance alternative to the rising costs of flood disaster relief.

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

### WHAT ARE SPECIAL FLOOD HAZARD AREAS?

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 or the 100-year flood. These hazard areas have been depicted on a series of maps known as FIRMs or Flood Insurance Rate Maps. As a participating member of the NFIP, Lane County must review all new construction plans and determine if proposed development falls within a SFHA, as shown in the appropriate FIRM.

### 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 a planner. They are available Monday through Friday from 9:00am to 4:00pm. Or you may call the planning information message line 24 hours a day. The number is (541) 682-3577. Please have a property address or a map and tax lot number ready when you call.

The planner will review your property file to see if any current flood hazard data and mapping has been generated for your land. Generally, specific flood information for your property will exist if you have done any new construction since June 2, 1999. A copy of this information is available upon request. If no specific mapping has been completed for your property, you may request to have your parcel and the location of any structures on your property mapped onto the Flood Insurance Rate Map for a fee. This process, known as Floodplain Verification, takes several days to complete.

Additionally, you may request a copy the Flood Rate Insurance Map for your area from the FEMA Map Store at [www.store.msc.fema.gov](http://www.store.msc.fema.gov), or you may call the FEMA Flood Map Store customer service line at 1-800-358-9616. Once you have a copy of the Flood Rate Insurance Map for your area, you will need to locate your property on the map. Determining the exact location of specific parcels on the FIRM is often difficult. An assessment and taxation (A&T) map can be a helpful tool. A&T maps are available online at: <http://www.lanecounty.org/taxmap/search.aspx>, or you may visit the Lane County Assessment and Taxation Dept. located in the basement of the Lane County Public Service Building, directly across from the Land Management Division.

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

Occasionally the map will show a property is within the SFHA, but it may actually be above or 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 to purchase flood insurance, check out FEMA's online tutorial entitled "How to Challenge a Flood Risk Determination" at: [http://www.fema.gov/fhm/fq\\_gen11.shtm](http://www.fema.gov/fhm/fq_gen11.shtm).

### PLEASE BE AWARE:

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.** Planning staff will evaluate the flood hazard potential of your property in order to determine its suitability for development. If you believe your property is outside the floodplain, and your goal is to build, options for contesting a floodplain determination are provided.

## WHAT ARE THE DIFFERENT TYPES OF SPECIAL FLOOD HAZARD AREAS IN LANE COUNTY AND WHAT DO THEY MEAN?

In Lane County there are three main types of Special Flood Hazard Areas. They are: "A Zones", "AE Zones", and "AE Floodway Area Zones".

**A Zones** are flood hazard areas where the specific elevations of 100-year 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.

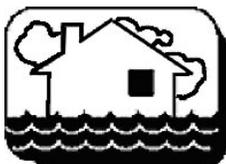
*Impact of A Zone on Development:* Because exact flood levels are not known within these areas, the lowest finished floor of new construction or substantial improvements generally need to be elevated at least two feet above the existing (undisturbed) grade.

**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 Flood Rate Insurance Maps.

*Impact of AE Zone on Development:* New construction and substantial improvements within AE zones generally need to be constructed with the lowest finished floor of the structure at least one foot above the Base Flood Elevation.

**AE Floodway Area 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 in order to prevent flood flows from backing up or being diverted onto adjacent properties.

*Impact of Floodway on Development:* Construction inside of the floodway is highly regulated. Floodways pose higher risks because waters can move through them with significant velocity. In addition, floodways must be kept unobstructed to allow waters to pass through them. An engineer must review any proposed development inside a floodway. Hydrologic and hydraulic analysis must demonstrate that the proposed development would not increase flood levels within a community during a base flood event. This is known as a no-rise analysis and usually contains two separate studies – a step-back water analysis and a conveyance computation calculation.



## WHAT ARE MY OPTIONS IF I WANT TO BUILD WITHIN THE SPECIAL FLOOD HAZARD AREA?

If your property is in the SFHA and you wish to build or place any new structures, remodel or improve existing structures, dig pools, place liquid or gas fuel tanks, or perform any fill & removal activity you, will need a floodplain development permit. Floodplain development permits are issued in order to ensure that the specific criteria of the Lane Code Floodplain Combining Zone has been satisfied.

Depending on the type of project you are working on, and the type of special flood hazard zone you are in, there are a number of options. Your options include: elevating your structure on top of engineered fill, elevating your structure off of a stem wall, and in limited cases, constructing a non-residential building at grade with flood resistant materials.

## ARE MINOR ADDITIONS OR IMPROVEMNTS EXEMPT FROM FLOODPLAIN REQUIREMENTS?

If you are doing a **non-substantial improvement** to an existing structure inside the SFHA, a floodplain development permit is not required and you will not need to elevate the structure above the base flood elevation (BFE). Non-substantial improvements are any remodels, additions, reconstruction, rehabilitations, or other improvements to an existing structure that do not add value to the structure equal or exceeding 50% of its current assessment value. Work done that increases the value of a structure over 50% is considered a **substantial improvement**.

To calculate if your project is a substantial or non-substantial improvement, you must first determine the assessed value of the structure. This information is available from the Assessment and Taxation Dept. Next, use the table below to determine the type of construction being done. Multiply the total square footage of the work being done with the corresponding valuation figure to determine the total value of the project.

**For Example:** The assessed value of a home is \$165,000; the owners would like to add a 16' x 12' study to their dwelling. The total valuation of the study is 192 square feet at \$95.91 per sq. ft.  $192 \times 95.91 = \$18,415$

The value of all the improvement is less than 50% of \$165,000, which is a **non-substantial improvement**.

Type of Construction	Valuation* (per sq. ft.)
Commercial Building	Varies
Covered Porch	\$18.57
Deck	\$18.57
Garage	\$37.34
Residential Addition	\$95.91

\*Valuation rates based on ICC building valuation data for Oregon and will fluctuate over time. Always inquire to determine the most current rates.

### **ARE AGRICULTURAL BUILDINGS ALLOWED IN THE SFHA?**

Permit-exempt agricultural structures are not allowed within a SFHA. If you would like to build a shop or barn for agricultural use within the SFHA, you will need to submit an application for standard accessory structure permit. All floodplain elevation criteria will apply. Building plans are required for these structures and engineering calculations may also be necessary. If you have building related questions please call 682-4651 and ask to speak with the building plans examiner on duty.

### **CAN LIQUID AND GAS FUEL TANKS BE PLACED IN THE SFHA?**

Fuel tanks are regulated just like any other structure in the floodplain. This means they must meet the same elevation criteria described above. Fuel tanks may also be buried inside the floodplain. For more information on the specific requirements of elevating or burying fuel tanks checkout: [http://www.fema.gov/pdf/hazards/pbuffd\\_chapter\\_3-2.pdf](http://www.fema.gov/pdf/hazards/pbuffd_chapter_3-2.pdf)

### **ARE THERE ANY STRUCTURES THAT DO NOT NEED TO BE ELEVATED INSIDE A SFHA?**

In limited circumstances, garages and minor storage sheds can be constructed in the SFHA with their lowest floor at grade. These structures can only be used for storage of vehicles and low damage potential items such as spare tires or gardening tools. All electrical and mechanical systems and appliances must be elevated above the Base Flood Elevation. Venting must be present to allow hydrostatic pressure to equalize. In addition, all areas below the BFE must be constructed with flood resistant materials. Detached garages will require a special application known as a wet-flood proofing variance. For detailed flood-resistant design information checkout: <http://www.fema.gov/pdf/fima/job14.pdf>

#### **Acronyms**

BFE: Base Flood Elevation

FEMA: Federal Emergency Management Agency

FIRM: Flood Insurance Rate Map

NFIP: National Flood Insurance Program

SFHA: Special Flood Hazard Area

#### **Related Brochures**

- Agricultural Buildings
- Substantial Improvement – Substantial Damage Guide
- Liquid and Gas Fuel Tanks