



# NOTICE OF PUBLIC HEARING

Tuesday, September 6, 2022, 6:00 p.m.  
Virtual Meeting (See attendance information on last page)

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The Eugene Planning Commission and Lane County Planning Commission will hold a virtual joint public hearing to consider:

**File Name (#):** Floodplain Regulation Update to Meet FEMA Minimum Standards for the National Flood Insurance Program (CA 22-2)

**Request:** Conduct a pre-hearing work-session and hold public hearing for the proposed land use code amendments updating existing floodplain development code to adopt FEMA minimum standards for the National Flood Insurance Program.

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## **Floodplain Regulation Update to Meet FEMA Minimum Standards for the National Flood Insurance Program**

The National Flood Insurance Program (NFIP) is managed by Federal Emergency Management Agency (FEMA) and provides flood insurance to property owner, renters, and businesses to help reduce the socio-economic impact of floods. The City of Eugene's participation in the NFIP allows any residents within Eugene's Urban Growth Boundary that reside within the Special Flood Hazard Area (SFHA) to purchase this insurance to cover their property in the event of a flood. The NFIP works with communities required to adopt and enforce floodplain management regulations that help mitigate flooding effects. As part of NFIP membership, the Oregon Department of Land and Conservation Development (DLCD) on behalf of FEMA, conducted a review the City's floodplain program, including the existing development regulations and permitting processes for development in the SFHA. This review provided recommendations and/or requirements for the City to meet to remain a member of the National Flood Insurance Program. The proposed land use code amendments are based upon these recommendations and requirements to continue the City's NFIP membership.

For properties within City Limits, existing Eugene Code (EC) sections 9.6705-9.6709 provide regulations for development in floodplains, whereas an identical set of code provisions adopted by Lane County provide the same regulations for unannexed properties within Eugene's Urban Growth Boundary (UGB). The purpose of these regulations is to promote public health, safety and general welfare, and to minimize public and private losses due to flood conditions in the SFHA. However, DLCDC and FEMA have determined that existing regulations do not meet FEMA minimum standards and the regulations require updating to maintain NFIP membership.

Adoption of the code language provided will ensure compliance with the minimum standards for the City's continued participation in the NFIP. The proposed code amendments are based on the State of Oregon Model Flood Management Ordinance provided by DLCDC with FEMA review and approval. The model ordinance includes standards and provisions that encourage sound floodplain management with language based on the minimum requirements of the NFIP found in the Code of Federal Regulations (CFRs Title 44),

Oregon's statewide land use planning Goal 7 (Areas Subject To Natural Disasters and Hazards), and the Oregon Specialty Codes.

More information regarding the Floodplain Code Amendment project can be found at the following webpage: <https://www.eugene-or.gov/4980/Eugene-Floodplain-Code-Update>

**Special Note:** This land use code amendment DOES NOT include any changes to the Flood Insurance Rate Maps (FIRMS) or alter which properties are located in a floodplain. That process is being conducted separately and more can be learned here: <https://www.eugene-or.gov/4576/FEMA-Flood-Map-Update>

## Procedures & Approval Criteria

Following this initial joint public hearing, each Planning Commission will deliberate and make a recommendation to the Eugene City Council and Lane County Board of commissioners. The City Council and Board of Commissioners will hold a second public hearing, then deliberate and make the final decision on the proposed land use code amendments. These land use code amendments will be processed using the Type V land use application procedures in EC 9.7500-9.7560. The City Council and Board of Commissioners will be the final local decision-makers on the application. Separate notice of the second public hearing will be provided. In making their recommendations on these proposed code amendments to the City Council and Board of Commissioners, each Planning Commission will address the relevant approval criteria from the Eugene Code (EC) at 9.8065. Testimony and evidence submitted should be directed toward the applicable approval criteria from the Eugene Code noted above, or other criteria in the adopted plans or land use regulations or applicable state law that the person testifying believes to apply to the decision.

## How to Submit Testimony to the Planning Commission

- Send a written statement to the Planning Commission, c/o Jeff Gepper, Planning Division, 99 W. 10<sup>th</sup> Avenue, Eugene, Oregon 97401 or by e-mail [JGepper@eugene-or.gov](mailto:JGepper@eugene-or.gov). To be included in the Agenda Packet for the September 6th public hearing, your statement must be received by staff no later than 5pm on August 26, 2022.
- Submit a written statement to the address or email above after August 26, 2022, but before the Planning Commission closes the public hearing. The Planning Commission will have less time to read written material submitted after 5pm on August 26<sup>th</sup>, prior to taking action on the request and forwarding their recommendations to the City Council and Board of County Commissioners.
- Attend the public hearing on September 6, 2022 and provide spoken testimony. Your spoken testimony will be recorded. Instructions for providing testimony during the virtual public hearing will be provided during the hearing. The time for each speaker may be limited to a few minutes. You are encouraged to submit written testimony prior to the close of the public hearing if you have detailed comments you wish to make.

All public testimony received will also be forwarded to the Eugene City Council and Lane County Board of Commissioners. As noted above, the Eugene City Council and Lane County Board of Commissioners will hold a subsequent public hearing following the Planning Commissions' recommendations before any final action is taken on the request.

## Additional Information and Staff Report

The application materials, including all documents, evidence, and the applicable approval criteria, are available for free inspection at the Eugene Planning and Development Department, 99 West 10<sup>th</sup> Avenue, Eugene, Oregon 97401 between 9:00 a.m. and 5:00 p.m. Monday-Friday. **\*IMPORTANT NOTE:** To take preventative measures for community members and staff safety against the spread of COVID-19, the office is open from 12p-4p Monday-Friday. Please contact the listed staff representative to make an appointment outside of these times to review application materials in person. Copies of all documents may be obtained at cost, \$0.25 per page after the first 5 pages, and more for color or oversized. As a courtesy, the documents related to these proposed code amendments will be made available online on the project website listed above and at the following: <https://pdd.eugene-or.gov/LandUse/ApplicationSearch>

The agenda, meeting materials, and staff report for the Joint Planning Commission public hearing will be available for viewing by **6:00 p.m. on Tuesday, August 30, 2022**, on the Project Webpage and the Eugene Planning Commission's webpage at: [www.eugene-or.gov/pc](http://www.eugene-or.gov/pc).

You may also wish to discuss this proposal with your neighborhood organization. To obtain contact information for your neighborhood group, call the City's Neighborhood Involvement Office at 541-682-5177 or [www.eugene-or.gov/neighborhoods](http://www.eugene-or.gov/neighborhoods)

For more information, or if you have questions, please contact Jack Blackham, Public Works Engineering Division, at 541-731-3873 or by e-mail at [JBlackham@eugene-or.gov](mailto:JBlackham@eugene-or.gov).

#### **ATTENDANCE INSTRUCTIONS: VIRTUAL PLANNING COMMISSION PUBLIC HEARING**

Floodplain Regulation Update to Meet FEMA Minimum Standards for the National Flood Insurance Program (CA 22-2) **September 6, 2022 at 6:00 pm**

**Watch the Public Hearing live:** This option is for viewing only, and does not allow participation  
Please visit this URL to watch: <https://www.eugene-or.gov/2109/Planning-Commission-Webcasts>

**To participate in the Public Hearing join using one of the two following options:**

- **Join from a computer, tablet, or smart phone:**

Please click this URL to join: <https://eugene-or-gov.zoom.us/j/88568352100> | Webinar ID: 885 6835 2100

Sign up to speak by clicking once on the "raise hand" icon

- **Join by phone:** Dial one of numbers below and enter the Webinar ID: 885 6835 2100  
+1 833-548-0276 (Toll Free); or +1 833-548-0282 (Toll Free); or +1 877-853-5257 (Toll Free)

For higher quality, dial a number based on your current location.

Sign up to speak by dialing \*9 (Star-9)

International numbers available: <https://eugene-or-gov.zoom.us/j/88568352100>

Please contact the staff referenced above with questions about attending the virtual hearing.