City of Springfield
Development & Public Works
225 Fifth Street
Springfield, OR 97477
Planning@springfield-or.gov

Floodplain Overlay District Development

Required Project Information	***(Applicant: complete this section)***
Applicant Name:	**Phone:**
Company:	**Email:**
Address:	
Applicant's Rep.:	**Phone:**
Company:	**Email:**
Address:	
Property Owner:	**Phone:**
Company:	**Email:**
Address:	
ASSESSOR'S MAP NO:	**TAX LOT NO(S):**
Property Address:	
Size of Property:	**Acres** ☐ **Square Feet** ☐
Land Use District:	
Existing Use:	
Description of Proposal:	If you are filling in this form by hand, please attach your proposal description to this application.
Signatures: Please sign and print your name and date in the appropriate box on the next page.	

Required Property Information	***(City Intake Staff: complete this section)***	
Associated Cases:		
Case No.:	**Date:**	**Reviewed by:**
Application Fee: $	**Admin Fee: $**	**Notice Fee: $0**
TOTAL FEES: $	**PROJECT NUMBER:**	

Signatures

The undersigned applicant hereby applies for a permit to develop in a designated Special Flood Hazard Area. The undersigned hereby certifies that all information in this application is correct and accurate and is in compliance with the requirements of SDC 3.4.400 and all other applicable state and federal regulations, including the Endangered Species Act (ESA). The undersigned acknowledges receipt of an informative notice regarding obligations for ESA compliance. This application does not create liability on the part of the City of Springfield or its officers or employees for any flood damage or ESA violations associated with the development described in this application or in reliance upon this application.

Applicant:

_____ **Date:** _____

Signature

_____

Print

If the applicant is not the owner, the owner hereby grants permission for the applicant to act in his/her behalf.

Owner:

_____ **Date:** _____

Signature

_____

Print

Floodplain Overlay District Development Application Process

1. Applicant Submits a Floodplain Overlay District Development Application to the Development & Public Works Department

- The application must conform to the *Floodplain Overlay District Development Submittal Requirements Checklist* on page 4 of this application packet.
- Planning staff screen the submittal at the front counter to determine whether all required items listed in the *Floodplain Overlay District Development Submittal Requirements Checklist* have been submitted.
- Applications missing required items will not be accepted for submittal.

2. City Staff Conduct Detailed Completeness Check

- Planning staff conducts a detailed completeness check within 30 days of submittal.
- The assigned planner notifies the applicant in writing regarding the completeness of the application.
- An application is not deemed technically complete until all information necessary to evaluate the proposed development, its impacts, and its compliance with the provisions of the Springfield Development Code and other applicable codes and statutes have been provided.
- Incomplete applications, as well as insufficient or unclear data, will delay the application review process and may result in denial.

3. City Staff Review the Application and Issue a Decision

- This is a Type 1 decision and thus is made without public notice and without a public hearing since there are clear and objective approval criteria and/or development standards that do not require the use of discretion.
- Decisions address all the applicable approval criteria and/or development standards.
- Applications may be approved, approved with conditions, or denied.
- The City mails the applicant and any party of standing a copy of the decision, which is effective on the day it is mailed.
- The decision issued is the final decision of the City and may not be appealed.

Floodplain Overlay District Development Submittal Requirements Checklist

NOTE: If you feel an item does not apply, please state the reason why and attach the explanation to this form.

- ☐ **Submitted Concurrently** with Site Plan Review, Minimum Development Standards, or Residential Building Permit applications, where applicable

- ☐ **Application Fee -** refer to the *Master Fees & Charges Schedule* for the appropriate fee calculation. A copy of the fee schedule is available at the Development & Public Works Department and on the website at www.springfield-or.gov. The applicable application, administrative, and notice fees are collected at the time of complete application submittal.

- ☐ **Floodplain Development Application Form**

- ☐ **Proof of Ownership –** Deed or other recorded document.

- ☐ **Narrative** explaining the proposal and any additional information that may have a bearing in determining the action to be taken, including findings demonstrating compliance with the Floodplain Overlay District Development Standards described in SDC 3.3.420.

  NOTE: Before the Director can approve a Floodplain Overlay District Development request, information submitted by the applicant must adequately support the request. All of the Floodplain Overlay District Development Standards must be addressed by the applicant. Incomplete applications, as well as insufficient or unclear data, will delay the application review process and may result in denial.

- ☐ **One (1) Copy and one (1) Digital copy of a Plot Plan** drawn to scale to include:
  - ☐ Name, location, and dimensions of all existing and proposed structures
  - ☐ Name, location, and dimensions of all fill
  - ☐ Name, location, and dimensions of all storage of materials
  - ☐ Name, location, and dimensions of all drainage facilities
  - ☐ Base flood elevation area
  - ☐ Elevation in relation to mean sea level
    - ☐ Of the existing grade of the proposed development (for residential structures, show elevations at the corners of the proposed structures)
    - ☐ Of the lowest floor (including basement) of all structures
    - ☐ To which any structure has been flood-proofed
    - ☐ For residential structures, elevations at the corners of proposed structures

- ☐ **Certification by an Oregon licensed Engineer or Architect** that flood-proofing methods for any non-residential structure meet the flood-proofing criteria in SDC 3.3.420 (B)(2).

- ☐ **Description** of the extent to which any watercourse will be altered or relocated as a result of the proposed development.

Informational Notice – Endangered Species Act Compliance (FEMA National Flood Insurance Program)

Recent Events

In July 2024, the Federal Emergency Management Agency (FEMA) sent a letter to Oregon cities and counties instructing them to make short term changes to how they regulate development in flood hazard areas by Dec. 1, 2024. FEMA describes these short-term actions as "pre-implementation" because they are occurring before FEMA fully implements long-term changes to the National Flood Insurance Program (NFIP) to comply with the Endangered Species Act (ESA). According to FEMA's July 2024 letter, cities and counties must update rules and regulations for the floodplain to meet ESA requirements.

For more information on the events leading up to the July 2024 letter, see the *Department of Land Conservation and Development Frequently Asked Questions about Pre-Implementation Compliance Measures*, at https://www.oregon.gov/lcd/NH/Documents/DLCD_PICM_FAQ.pdf.

FEMA Direction

FEMA has stated that any new development proposed within a Special Flood Hazard Area must demonstrate that the proposed development will be compliant with the ESA. This may require that the development include mitigation measures to achieve "no net loss" to ESA-listed species. No net loss is defined as "any development action resulting in negative impacts to one or more key floodplain functions that are then mitigated or avoided to offset said impacts."

To demonstrate that a proposed development will comply with the ESA, FEMA is requiring applicants for development to prepare a property-specific impact analysis that FEMA refers to as a "Floodplain Mitigation Assessment." This property-specific assessment must include a demonstration that the proposed development, when completed, will result in no net loss of flood storage, water quality, or riparian vegetation. Property owners may need to hire a qualified professional to produce the assessment. FEMA has produced several documents to assist with the preparation of this assessment. These documents are available on FEMA's webpage for ESA Integration in Oregon at https://www.fema.gov/about/organization/region10/oregon/nfip-esa-integration.

All applicants for floodplain development proceed at their own risk; the City of Springfield does not warrant that a Floodplain Development Overlay Permit processed under the present standards in SDC 3.4.400 will meet all potentially applicable requirements under the ESA. All applicants are advised to consult their own legal counsel for advice on ESA compliance for development within the Special Flood Hazard Area.

City of Springfield Implementation

Continued participation in the National Flood Insurance Program will require the City of Springfield to update rules and regulations for floodplain development. The City is in the process of adopting FEMA's model ordinance to meet the Pre-Implementation Compliance Measures requirement. More information on the City's proposed code changes is provided on the City's Floodplain Management webpage at https://springfield-or.gov/city/development-public-works/floodplain-management/.