

# Lake Oswego Development Application and Permit (Flood Management Area Only)



FMA Permit No. _____
Bldg. Permit No. _____
Initial Submittal Date: _____
Re-Submittal Date: _____
<b>LODFE:</b> _____

## Flood Management Area Development Permit Overview

All development in the areas depicted on the Flood Management Area Maps, Figures [50.05.011-A to -D](#) are within the [Lake Oswego Flood Management Area](#) (FMA or “regulatory floodplain”) and must comply [LOC 50.05.011 Flood Management Area](#) standards, based on evidence submitted by an applicant per [LOC 50.07.004.13 Additional Submission Requirements](#) / Flood Management Area, in addition to general application requirements. These standards are required by FEMA for property owners in the City to obtain flood insurance. This development permit is a ministerial development permit under LOC 50.07.003.13.a.ii(20) (any development located in the FMA) or (21) (“≤ 500 sq. ft. boathouse variance”<sup>1</sup>). For questions, please contact Jamie Roberts, Certified Floodplain Manager, 503-697-6511, [jroberts@ci.oswego.or.us](mailto:jroberts@ci.oswego.or.us).

### Checklist to Determine if a FMA Development Permit is Required:

Location of Development:

\_\_\_\_\_ (Street Address) / \_\_\_\_\_ (Assessor Map & Lot).

(To avoid delay in processing the application, attach a map or site plan to this application showing the development location on the lot.)

1. Is the specific location of the proposed development activity on the lot at least partially within (horizontally) the area shown on the Flood Management Area Maps?

- Yes
- No (If the answer is “No” then a FMA development permit is NOT required)

2. Has FEMA, through a Letter of Map Change (LOMC) (e.g., LOMA, LOMR-F, LOMR), made a formal determination that the specific proposed development location on the lot is out of the regulatory floodplain?

\_\_\_\_\_

<sup>1</sup> If over 500 sq. ft., a minor development application is required, with the information requested on this application form appended to the minor development application.

- Yes (a copy of the LOMC must be provided, for the City to keep in the permitting records.)
- No

**Section I: General Provisions**

- The undersigned applies for a development permit to develop in a Flood Management Area. The development / development work is described below and in attachments.
- The development / development work shall comply with the FMA standards (LOC 50.05.011.6 and .7), base zone, and stormwater management, and with all other applicable local, state and federal regulations.
- This review and permit, and compliance with LOC 50.05.011 does not create liability on the part of the City of Lake Oswego, any officer or employee thereof, for the Federal Insurance Administrator for any flood damage that results from reliance on LOC 50.05.011 or administrative decision made lawfully hereunder. (LOC 50.05.011.2.e).
- When the FMA standards apply to a proposed development activity, no work of any kind may begin in the FMA until this permit is issued.
- The permit may be revoked if any materially false statements are made herein. If revoked, all work must cease until a new permit is issued.
- The permit will expire if no work is commenced within 180 days of the date of issue.
- The permit will not be issued until any other necessary local, state, or federal permits have been obtained (approved). (LOC 50.05.011.5.a.ii)
- If the proposed development activity involves construction / alteration of a new or existing structure located within the FMA, the applicant is required to submit a certified FEMA Elevation Certificate.

**Property Owner(s):\***

Name (Printed): \_\_\_\_\_

Signature: \_\_\_\_\_

Name (Printed): \_\_\_\_\_

Signature: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

\_\_\_\_\_

Phone number: \_\_\_\_\_

Fax number: \_\_\_\_\_

Email\*\* : \_\_\_\_\_

*\*All property owners must be listed.*

*\*\* Consent by communication by email is deemed given unless objection is noted, in which case communication will be by mail.*

**Check box if Property Owner is Applicant**

**Applicant:**

Name (Printed): \_\_\_\_\_

Signature: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

\_\_\_\_\_

Phone number: \_\_\_\_\_

Fax number: \_\_\_\_\_

Email\*\* : \_\_\_\_\_

**Section II: Development Information**

**LEGAL REFERENCE TO LOCATION**

Plat Name (If applicable): \_\_\_\_\_

Lot and Block: \_\_\_\_\_

Township, Range, Section: \_\_\_\_\_

**SPECIAL FLOOD HAZARD AREA (SFHA) ZONE**

- Check box if the proposed development is located horizontally within the Special Flood Hazard Area (FIRM Map, Zones A, AO, AH, A1-30, AE, A99, and AR).

**DEVELOPMENT DESCRIPTION I. Structural Development (Check all that apply)**

**Activity Structure Type**

- |   |   |
|---|---|
| <input type="checkbox"/> New Structure <input type="checkbox"/>           | Residential: <input type="checkbox"/> Single, <input type="checkbox"/> Two-Family, <input type="checkbox"/> Multi-Family (3+) |
| <input type="checkbox"/> Addition <input type="checkbox"/> Non-           | Residential: <input type="checkbox"/> Elevated, <input type="checkbox"/> Floodproofed   |
| <input type="checkbox"/> Alteration* <input type="checkbox"/> Combined    | Use (Residential and Non-Residential)   |
| <input type="checkbox"/> Relocation** <input type="checkbox"/>            | Manufactured Home   |
| <input type="checkbox"/> Demolition <input type="checkbox"/> Recreational | Vehicle (RV) <input type="checkbox"/> Replacement <input type="checkbox"/>  |
| Garage: <input type="checkbox"/> Attached, <input type="checkbox"/>       | Detached  |
|   | <input type="checkbox"/> Other (please specify):  |

*\*An alteration includes the repair or improvement of a structure. If the value of an addition or alteration to a structure equals or exceeds 50% of the value of the structure before the addition or alteration, the entire structure must be treated a substantially improved structure.*

*\*\*A relocated structure must be treated as new construction.*

**II. Other Development (Check all that apply)**

- Clearing  Fill  Mining  Drilling  Grading  Dredging
- Excavation or Removal of Fill (Except for Structural Development Checked Above)
- Watercourse Alteration  Drainage Improvement (including culvert work)
- Individual Water or Sewer System  Road, Street, or Bridge Construction
- Fencing  Utilities
- Subdivision (New or Expansion) or Partition
- Other (Please Specify):

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**FLOOD HAZARD INFORMATION**

1. The proposed development is located on FEMA FIRM Panel: \_\_\_\_\_ (number and suffix), Dated: \_\_\_\_\_

2. The proposed development is located partially or fully within the horizontal boundaries of the FEMA Special Flood Hazard Area, Zone(s): \_\_\_\_\_ (A, A1 -30, AE, AO, AH, AR, A99, V, V1-30, or VE)

3. The one-percent-annual chance (100 year) flood elevation (FEMA Base Flood Elevation (BFE)) at this site is: \_\_\_\_\_ ft  NGVD 29  NAVD 88

Source of BFE: \_\_\_\_\_  None Available

4. Is the proposed development located partially or fully within a FEMA designated Floodway:  **Yes**  
**No** If “Yes”, then is this proposal for:

Temporary encroachment (less than 30 days – outside of flood season (October 1st to March 1st )

Fish habitat restoration or enhancement\*

Fence (type and material): \_\_\_\_\_

Other: \_\_\_\_\_

*\*For habitat restoration projects a rise in elevation may be allowed if a CLOMR is approved by FEMA. Permit shall not be issued, until FEMA approval is received.*

5. If “Yes” was answered to (4.) above, then is a “No Rise Certification” with supporting engineering hydrologic and hydraulic data attached?  **Yes**  **No**

6. Are other federal, state, or local permits required?  **Yes**  **No** If yes, which ones:

***[This of Section to be completed by City of Lake Oswego Floodplain Manager]***

- A. The proposed development is located on FIRM Panel: \_\_\_\_\_  
(number and suffix), Dated: \_\_\_\_\_
- B. The proposed development is located partially or fully within the horizontal boundaries of the Special Flood Hazard Area, Zone(s): \_\_\_\_\_ (A, A1 -30, AE, AO, AH, AR, A99, V, V1-30, or VE)
- C. The FEMA Base Flood Elevation (BFE)/one-percent-annual chance (100 year) flood elevation at this site is: \_\_\_\_\_ ft.  NGVD 29  NAVD 88 (Check the correct datum). Source: \_\_\_\_\_  None Available
- D. The Lake Oswego Design Flood Elevation (LODFE) at this site is: \_\_\_\_\_ ft.  NGVD 29  NAVD 88 (Check the correct datum).
- E. Is the proposed development located partially or fully within a designated Floodway:

Yes No

If "Yes", then is development for:

- Temporary encroachment (less than 30 days – outside of flood season of October 31 to March 1).
- Fish habitat restoration or enhancement\*
- Fence (type and material): \_\_\_\_\_
- Other: \_\_\_\_\_

*\*For habitat restoration projects a rise in elevation may be allowed if a Conditional Letter of Map Revision (CLOMR) is approved by FEMA. Permit shall not be issued, until FEMA approval is received.*

**Section III. Additional Information Required (Complete all that apply)**

*[Applicant to Complete Section III after Staff Information Provided in Section II. City staff to aid as necessary]*

**1. Complete for Proposed Structures and Building Sites:**

- A. FEMA Base Flood Elevation (BFE) at this site: \_\_\_\_\_ ft.  NGVD 29  NAVD 88.
- B. Lake Oswego Design Flood Elevation at this site: \_\_\_\_\_ ft.  NGVD 29  NAVD 88.
- C. Elevation of highest adjacent grade: \_\_\_\_\_ ft.  NGVD 29  NAVD 88.
- D. Elevation of lowest adjacent grade: \_\_\_\_\_ ft.  NGVD 29  NAVD 88.
- E. Proposed Elevation of lowest floor\* (including basement): \_\_\_\_\_ ft.  NGVD 29  NAVD 88.  
*Must be at or higher than the LODFE in Section II(D)].*
- F. Elevation of next highest floor: \_\_\_\_\_ ft.  NGVD 29  NAVD 88.

- G. Elevation of top of proposed garage slab, if any: \_\_\_\_\_ ft.  NGVD 29  NAVD 88. H. Details for anchoring structures (type of anchoring used and location of anchoring) (LOC 50.05.011.7.a):
- I. Details of floodproofing or elevation of utilities. Provide the elevation of the utilities or the elevation to which the utilities were floodproofed. If floodproofed, provide details regarding how the utilities were floodproofed (describe the type of floodproofing used or manner in which the utilities were floodproofed) (LOC 50.05.011.6.v):
- J. Exact location(s) on structure of all flood openings, if required. Include the elevation of the bottom of the flood opening(s), the size of the openings, and note if engineered flood opening(s) will be used. (Provide a reference diagram, on site plan or drawings) (LOC 50.05.011.6.b.iv(6)):
- K. Types of water-resistant materials used below the first-floor and portions of the structure they were applied to:

*\*lowest floor is defined as: the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure (such as a crawlspace), usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such enclosure is built in compliance with the required floodplain and building code regulations including but not limited to flood venting requirements.*

## 2. Complete for Alterations or Additions to Existing Structures:

- A. Is there a current FEMA Elevation Certificate on file for the structure?  Yes  No
- B. Are there any fully enclosed areas below the lowest floor\*?  Yes  No
- C. If yes, what is the area of the enclosure? \_\_\_\_\_ (sq. ft.)
- D. If yes, number & size of openings provided: \_\_\_\_\_ (#). \_\_\_\_\_ (size in sq. in.)
- E. Please complete **Appendix A** and state cost of the proposed construction\*\*:  
\$ \_\_\_\_\_

*\*Note: minimum of 2 openings, having a total net area of not less than 1 square inch for every square foot of enclosed area, located 1 foot above grade area required.*

*\*\* Note: Cost of construction estimates must include all structural elements, interior finish elements, utility and service equipment, labor and other costs associated with demolishing, removing, or altering building components, and construction management. As well as any improvements being made to repair damage that go beyond just making repairs to return to pre-damaged conditions.*

## 3. Complete for Non-Residential Floodproofed Construction (LOC 50.05.011.6.b.iv(3)):

- A. Type of floodproofing method: \_\_\_\_\_

- B. Required floodproofing elevation is: \_\_\_\_\_ ft.  NGVD 29  NAVD 88.
- C. Floodproofing certification by a registered engineer attached?  
 Yes  No

**4. Complete for Partitions and Subdivisions or on a Lot 5 Acres or Greater:**

- A. Will the subdivision or other development contain 50 lots or 5 acres?  
 Yes  No
- B. If “Yes”, does the plat or application drawings clearly identify base flood elevations?  
 Yes  No
- C. Are the 100-year Floodplain and Floodway delineated on the site plan?  
 Yes  No

**5. Complete for Development NOT Included in 1-4 Above:**

- A. For all watercourse relocations and/or landform alterations include plans showing the proposed relocation and/or alterations.  Plans Attached
- B. If the proposed development activity will result in a change in water elevation, then what is the change in water elevation (in feet) \_\_\_\_\_  increase  decrease. *Attach Letter of Map Change (LOMC).*
- C. For stream habitat restoration that impacts a FEMA-mapped floodway, provide copy of “notice certification” from registered professional engineer or a FEMA-approved Conditional Letter of Map Revision (CLOMR).
- D. Amount of fill to be placed: \_\_\_\_\_ cu/yards.
- E. Top of new compacted fill elevation \_\_\_\_\_ ft.  NGVD 29  NAVD 88

**6. Required Attachments:**

- A. A site plan drawn to scale, stamped and signed by a licensed surveyor, with elevations of the development area; the nature, location, dimensions of existing and proposed structures stated; the location and quantity of fill placement stated; describe the storage of materials, equipment and drainage facilities. Plans shall include location of all water bodies, adjacent roads, lot dimensions, as well as delineation of FMA, Floodway boundaries including LODFE (when available), or flood depth in AO zones.
- B. Copies of all necessary local, state, and federal permits. All local, state, and federal permits must be approved before this FMA development permit is approved.
- C. A complete pre-construction Elevation Certificate signed and sealed by a registered professional surveyor (*unless already on file with Floodplain Manager*).
- D. Certification from a registered professional engineer that any proposed non-residential floodproofed structure will meet the FEMA floodproofing criteria and, if applicable, Oregon Specialty Code requirements.
- E. Other documentation as required per the above sections.

**7. Other Required Information (To be Completed by City Floodplain Manager).**



**Section IV: Property Owner and Applicant Signatures**

I/We hereby request a FMA Development Permit on the above described real property located within the Lake Oswego, Oregon. I/We hereby acknowledge that this application is not considered filed until all of the required information as determined by the City's floodplain manager has been submitted and all required fees have been paid in full.

**Property Owner(s)\***

Signature(s): \_\_\_\_\_, \_\_\_\_\_

Name(s) (print): \_\_\_\_\_, \_\_\_\_\_

Date: \_\_\_\_\_

**Property Owner(s)\***

Signature(s): \_\_\_\_\_, \_\_\_\_\_

Name(s) (print): \_\_\_\_\_, \_\_\_\_\_

Date: \_\_\_\_\_

**Check box if the Property Owner is the Applicant.**

**Applicant**

Signature: \_\_\_\_\_

Name (print): \_\_\_\_\_

Date: \_\_\_\_\_

*This application is only for FMA Development Permit. Building Permits and any other land use development permits require separate applications.*

*\*The signature is an acknowledgement and consent to this FMA development permit application.*

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## Section V: City OFFICE USE ONLY

### APPLICATION PROCESSING

Date Application Received: \_\_\_\_\_ Initials: \_\_\_\_\_

Date Application Complete: \_\_\_\_\_ Initials: \_\_\_\_\_

Applicant Notified of Completeness: \_\_\_\_\_ Initials: \_\_\_\_\_

Fee Paid: \$ \_\_\_\_\_ Receipt No. \_\_\_\_\_ Initials: \_\_\_\_\_

FMA Application No.: \_\_\_\_\_ Building Permit No.: \_\_\_\_\_

### SUBSTANTIAL IMPROVEMENT REVIEW

The formula for substantial improvement threshold is as follows:

#### Market Value x 50% (.50) = Substantial Improvement Threshold

1. What is the market value (based on current Assessor data) of the existing structure prior to damage/improvement? \$ \_\_\_\_\_
2. What is 50% of the estimated market value of the existing structure prior to damage/improvement (use the formula provided above) \$ \_\_\_\_\_
3. Has Appendix A been completed?  
 Yes  No
4. Does the total cost of the proposed construction noted in Appendix A match the cost of the proposed construction provided in Section III.(2)?  
 Yes  No
5. What is the cost of the proposed construction?\* (provided in both Section III.(2) and Appendix A) \$ \_\_\_\_\_
6. Is the value listed in line "5." of this section, equal to or greater than the value listed in line "2."?  
 Yes, (If "Yes", then the proposed development activity qualifies as a substantial improvement\*\*).  
 No
7. Does the proposed development activity qualify as a substantial improvement\*\*?  Yes  No

*\*Construction cost estimates must include all structural elements, interior finish elements, utility and service equipment, labor and other costs associated with demolishing, removing, or altering building components, and construction management, as well as any improvements being made to repair damage that go beyond just making repairs to return to pre-damaged conditions.*

*\*\*If the cost of the proposed construction equals or exceeds 50 percent of the market value of the structure, then the entire structure must be treated as a substantially improved structure and the substantial improvement provisions shall apply. See FEMA publication [P-758, Substantial Improvement/Substantial Damage Desk Reference](#) for more information regarding substantial improvement.*

**APPLICATION DETERMINATION**

The proposed development activity is determined to be in conformance with the provisions of LOC 50.05.011.

**YES**       **NO**

If Yes, then this permit is issued, subject to the following conditions and, if needed, attached to and made part of this permit:

City of Lake Oswego  
Floodplain Manager: \_\_\_\_\_ Dated: \_\_\_\_\_  
(Jamie Roberts, CFM)

Date Applicant Notified of Application Determination: \_\_\_\_\_ Initials: \_\_\_\_\_

## **APPENDIX A: Substantial Damage/Improvement Determination Information**

To be completed for alterations, additions, rehabilitations, repairs, or improvements to existing structures located in the Flood Management Area.

### **Section I.**

#### **COSTS TO BE INCLUDED**

1. Material and labor for all structural elements, "including":
  - ✓ Spread or continuous foundation footings and pilings
  - ✓ Monolithic or other types of concrete slabs
  - ✓ Bearing walls, tie beams and trusses
  - ✓ Floors and ceilings
  - ✓ Attached decks and porches
  - ✓ Interior partition walls
  - ✓ Exterior wall finishes (brick, stucco, siding) including painting and moldings
  - ✓ Windows and doors
  - ✓ Re-shingling or re-tiling a roof
  - ✓ Hardware
  
2. All interior finishing elements, "including":
  - ✓ Tiling, linoleum, stone, or carpet over subflooring
  - ✓ Bathroom tiling and fixtures
  - ✓ Wall finishes (drywall, painting, stucco, plaster, paneling, marble, etc.)
  - ✓ Kitchen, utility and bathroom cabinets
  - ✓ Built-in bookcases, cabinets, and furniture
  - ✓ Hardware
  
3. All utility and service equipment, "including":
  - ✓ HVAC equipment
  - ✓ Plumbing and electrical services
  - ✓ Light fixtures and ceiling fans
  - ✓ Security systems
  - ✓ Built-in kitchen appliances
  - ✓ Central vacuum systems
  - ✓ Water filtration, conditioning, or recirculation systems
  
4. Cost to demolish storm-damaged building components
  
5. Labor and other costs associated with moving or altering undamaged building components to accommodate the improvements or additions
  
6. Overhead and profits

**ITEMS TO BE EXCLUDED:**

1. Plans and specifications
2. Survey costs
3. Permit fees
4. Post-storm debris removal and clean up
5. Outside improvements, including:
  - Landscaping
  - Sidewalks
  - Fences
  - Swimming pools
  - Screened pool enclosures
  - Detached structures (including garages, sheds, and gazebos)
  - Landscape irrigation systems

Source: FEMA Publication P-758, Substantial Improvement/Substantial Damage Desk Reference (May 2010)

**Section II.**

**ITEMIZATION OF CONSTRUCTION COSTS TO COMPLETE PROJECT**

	Work Description	Cost of Materials	Cost of Labor	Comments
1	Foundation/ Footings/ Pilings			
2	Concrete Slab			
3	Masonry Work			
4	Rough Carpentry			
5	Roofing and Gutters			
6	Insulation/ Weather Stripping			
7	Exterior Finish (stucco/ siding)			
8	Finished Carpentry			
9	Drywall			
10	Cabinets (built-in)			
11	Floor Covering			
12	Plumbing/ Gas			

13	Bathroom Fixtures			
14	Kitchen Fixtures			
15	Electrical and Lighting Fixtures			
16	Built-in Appliances			
17	HVAC System			
18	Paint and Wallpaper			
19	Demolition and Removal			
20	Overhead and Profit			
21	Construction Supervision			
	Materials/Labor/Gross Total			