



File No: \_\_\_\_\_

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

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

# Floodplain Development Permit

## Overview

In accordance with City of Drain Ordinance No. 421, development within the City of Drain regulatory floodplain must comply with the standards within the aforementioned regulations and may require a Floodplain Development Permit. The regulatory floodplain is the Special Flood Hazard Area (SFHA) as defined on the currently effective Flood Insurance Rate Maps for the City of Drain.

Development means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

Per Section 9.715, a Floodplain Development Permit shall be obtained prior to start of all proposed construction and other development including the placement of manufactured homes and all other development activities, including fill and other development activities within any area horizontally within the Special Flood Hazard Area.

**The location of the property will determine if you need a Floodplain Development Permit.**

**To determine if you need a Floodplain Development Permit, answer the following:**

1. Is the property that the proposed development activity will occur on at least partially within (horizontally within) the community's regulatory floodplain?
  - Yes
  - No (If the answer is "No" then a floodplain development permit is NOT required)
2. Is the site where the proposed development activity will occur on the property at least partially within (horizontally within) the community's regulatory floodplain?
  - Yes
  - No (If the answer is "No" then a floodplain development permit is NOT required)
3. Has FEMA, through a Letter of Map Change (LOMC) (i.e. LOMA, LOMR-F, LOMR), made a formal determination that this property or proposed development site is out of the regulatory floodplain?
  - Yes (If the answer is "Yes" then a floodplain development permit is NOT required but a copy of the LOMC must be kept in the permitting records.)
  - No

**Continue on to the following pages to complete the Floodplain Development Permit if your project meets any of the criteria above. This permit form should be submitted to the City of Drain Planning Department prior to start of any construction.**

## Section I: General Provisions

The undersigned hereby makes application for a permit to develop in a designated floodplain area. The work to be performed is described below and in attachments hereto. The undersigned agrees that all such work shall be done in accordance with the requirements of the City of Drain and City of Drain Ordinance No. 421, and with all other applicable local, state and federal regulations. This application does not create liability on the part of the City of Drain or any officer or employee thereof for any flood damage that results from reliance on this application or administrative decision made lawfully hereunder.

1. When the community's floodplain regulatory standards apply to a proposed development activity, no work of any kind may begin in a regulatory floodplain area until a floodplain development permit is issued.
2. The permit may be revoked if any false statements are made herein. If revoked, all work must cease until a permit is re-issued.
3. The permit will expire if no work is commenced within 180 days of the date of issue.
4. The permit will not be issued until any other necessary local, state, or federal permits have been obtained (approved).

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

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

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

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

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

**Tick box if Property Owner is Applicant**

**Applicant:**

\_\_\_\_\_

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

\_\_\_\_\_

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

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

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

*\*All property owners must be listed.*

## Section II: Development Proposal Information

### PROJECT LOCATION

Address of Property: \_\_\_\_\_

Map & Tax Lot of Property: \_\_\_\_\_

(To avoid delay in processing the application, please provide enough information to easily identify the project location. A map or sketch attached to this application showing the project location is required.)

Tick if the proposed development is NOT located horizontally within the Special Flood Hazard Area.\*

Tick if the property is partially located horizontally within the Special Flood Hazard Area, but the proposed development activity site is NOT.\*

***\*If this box is ticked then a floodplain development permit may not be required. Speak to community staff before completing the rest of this permit application.***

### PROJECT DESCRIPTION

#### A. Structural Development (Check all that apply)

##### Activity

- New Structure
- Addition\*
- Alteration (includes repairs or improvements)\*
- Relocation\*\*
- Demolition
- Replacement

##### Structure Type

- Residential:  Single  Two-Family  
 Multi-Family (3+)
- Non-Residential:  Elevated  Floodproofed
- Combined Use (Residential and Non-Residential)
- Manufactured Home
- Recreational Vehicle (RV)
- Garage:  Attached  Detached
- Appurtenant/Accessory Structure
- Other (please specify): \_\_\_\_\_

*\*An alternation includes the repair or improvement of a structure. If the value of an addition or alteration to a structure equals or exceeds 49% 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.*

#### B. 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 or Master Planned Development
- Other (Please Specify): \_\_\_\_\_

**FLOOD HAZARD INFORMATION**

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

2. 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)

3. The one-percent-annual chance (100 year) flood elevation at this site is: \_\_\_\_\_ ft  
NGVD 29 / NAVD 88 (circle the correct datum), source: \_\_\_\_\_

None Available

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

Temporary encroachment (less than 30 days – outside of flood season (October-April)

Fish habitat restoration or enhancement\*

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

*\*For habitat restoration projects a rise in elevation will only 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: \_\_\_\_\_

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

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

- A. Base Flood Elevation at this site: \_\_\_\_\_ ft (NGVD 29/NAVD 88).
- B. Elevation of highest adjacent grade: \_\_\_\_\_ ft (NGVD 29/NAVD 88).
- C. Required Elevation of lowest floor\* (including basement): \_\_\_\_\_ ft (NGVD 29/NAVD 88).
- D. Proposed Elevation of lowest floor\* (including basement): \_\_\_\_\_ ft (NGVD 29/NAVD 88).
- E. Elevation of next highest floor: \_\_\_\_\_ ft (NGVD 29/NAVD 88).
- F. Elevation of top of proposed garage slab, if any: \_\_\_\_\_ ft (NGVD 29/NAVD 88).
- G. Details for anchoring structures (type of anchoring used and location of anchoring):  
\_\_\_\_\_  
\_\_\_\_\_

- H. 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):  
\_\_\_\_\_  
\_\_\_\_\_

- I. 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, in site plan or drawings):  
\_\_\_\_\_  
\_\_\_\_\_

- J. 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:

Please complete **Appendix A** to the City of Drain floodplain development permit and enter the cost of the proposed construction\* here: \$ \_\_\_\_\_

**\*PLEASE 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:**

- A. Type of floodproofing method: \_\_\_\_\_
- B. Required floodproofing elevation is: \_\_\_\_\_ feet NGVD.
- C. Floodproofing certification by a registered engineer attached?  
 Yes  No

**4. Complete for Partitions, Subdivisions and Master Plans:**

- A. Will the subdivision or other development contain 50 lots or 5 acres?  
 Yes  No
- B. If “Yes”, does the plat or proposal 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 Proposals NOT Included in 1-4 Above:**

- A. For all watercourse relocations and/or landform alterations include plans showing the proposed relocation and/or alterations.
- 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 (circle whichever applies).
- C. For stream habitat restoration that impacts a mapped floodway, provide copy of “no-rise certification” from registered professional engineer or a FEMA approved CLOMR.
- D. Amount of fill to be placed \_\_\_\_\_.
  - i. Top of new compacted fill elevation \_\_\_\_\_ ft.  
(NGVD29/NAVD 88)

**6. Required Attachments:**

- A. A site plan drawn to scale, with elevations of the project area and the nature, location, dimensions of existing and/or proposed structures, earthen fill placement, storage of materials or equipment and drainage facilities. Plans shall include location of all water bodies, adjacent roads, lot dimensions, as well as, delineation of Special Flood Hazard Areas, regulatory Floodway boundaries including Base Flood Elevations (when available), or flood depth in AO zones, and amount, location and proposed final elevations of any fill or exaction activities.
- B. Foundation plan/floor plan/elevations(s) showing location and sizes of all flood openings, if required, in any proposed structure.
- C. Copies of all required local, state, and federal permits. All required local, state, and federal permits must be approved before the floodplain development permit is approved.
- D. A complete pre-construction Elevation Certificate signed and sealed by a registered professional surveyor.
- E. A FEMA-approved CLOMR for proposed floodway encroachments that increase the base flood elevation.

- F. Certification from a registered professional engineer that any proposed non-residential floodproofed structure will meet the floodproofing criteria.
- G. Other documentation as required per the above sections.

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

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

**Property Owner(s)\***

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

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

**Applicant**

Signature: \_\_\_\_\_  
 Name (print): \_\_\_\_\_  
 Date: \_\_\_\_\_

*This application is only for Floodplain Development Permit. Building Permits and any other permits require separate applications.*

*\*All property owners must sign. The signature is an acknowledgement and consent to this floodplain development permit application.*

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## Section V: OFFICE USE ONLY

### APPLICATION PROCESSING

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

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

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

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

### 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).(A.)?  
 Yes    No
5. What is the cost of the proposed construction\* (provided in both Section III.(2).(A.) and Appendix A)? \$ \_\_\_\_\_
6. Is the value listed in line "3." 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.*





## **APPENDIX A**

To be completed for alterations, additions, rehabilitations, repairs, or improvements to existing structures.

### **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](#)

**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			
	GROSS TOTAL = Contract Price			

**Section III.**

**CONSTRUCTION COST AFFIDAVITS FROM FEMA PUBLICATION [P-758, Substantial Improvement/Substantial Damage Desk Reference](#)**

**Affidavit**

**Completed by** (select one)    **Architect**    or    **Contractor**    or    **Property Owner**

**Project Address:** \_\_\_\_\_

**Architect/Contractor/Property Owner Name:** \_\_\_\_\_

**Company Name** (if applicable): \_\_\_\_\_

**Address:** \_\_\_\_\_

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

**I hereby attest to the following:**

- I have prepared (or directly supervised the preparation of) a set of construction plans and specifications for the project located at the above noted property.
- I have personally reviewed the Itemization of Costs to Complete Project listed in Section II above.
- The cost, quantity, and type of materials and labor shown in the Itemization of Costs to Complete Project constitute the entire scope of work to be done in accordance with plans and specifications prepared by or supervised by me.

**Additionally, I understand:**

- I will not be held responsible for actions taken by the contractor, architect, or property owner without my knowledge or approval.
- I am subject to enforcement actions and/or fines if I subsequently alter the approved plans without prior approval by the City of Drain.
- The grade of materials may vary as to the manufacturer, but may not exceed the costs stated on the Itemization of Costs to Complete Project.
- Any permit issued by the City of Drain for the proposed project does not authorize the reconstruction, repair or maintenance of any illegal additions, sheds or other non-conforming uses or structures on the subject property.

Total Labor and Materials    \$ \_\_\_\_\_

Overhead & Profit    \$ \_\_\_\_\_

**Total Cost**    \$ \_\_\_\_\_

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

State of \_\_\_\_\_    County of \_\_\_\_\_

Sworn to and subscribed before me this \_\_\_\_ day of 20\_\_, by \_\_\_\_\_

Personally known \_\_\_\_\_ or produced identification \_\_\_\_\_

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_