

UMATILLA COUNTY, OREGON

ORDINANCE #86-6

AN ORDINANCE CO-ADOPTING THE CITY OF ECHO ORDINANCES #255-84 (SETBACKS, ETC.) AND #256-84 (THE 1984 FLOOD HAZARD AMENDMENTS) AND THE 1981 FLOOD HAZARD, GRADING, AND DRAINAGE ORDINANCE AND THEREBY AMENDING THE UMATILLA COUNTY COMPREHENSIVE PLAN AND DEVELOPMENT CODE, AS PREVIOUSLY AMENDED.

WHEREAS, the City of Echo adopted flood hazard, grading and drainage controls in 1981 and in 1984 updated the setback standards and made related changes to the Zoning Ordinance and in response to "conversion" by the National Flood Insurance Program amended the 1981 regulations to comply with Federal standards; and

WHEREAS, the City and County have entered into a Joint Management Agreement for the Urban Growth Area, whereby City land use ordinances are co-adopted for application in the Urban Growth Area; and

WHEREAS, a Umatilla County Planning Commission public hearing was scheduled for Thursday, 28 February 1985, at 7:00 p.m., in Room 20 of the County Courthouse in Pendleton; and

WHEREAS, a public hearing before the Umatilla County Board of Commissioners was scheduled for Wednesday, 20 March 1985, at 1:30 p.m., in the Commissioners Conference Room in the Courthouse, but was postponed to Friday, 22 March 1985 at 10:00 a.m. in the same location; and

WHEREAS, legal notice was published in the following newspapers:

Hermiston Herald	21 February 1985
East Oregonian	22 February 1985
East Oregonian	11 March 1985
East Oregonian	16 March 1985;

and

WHEREAS, notices were mailed on 14 February and 7 March 1985 to all affected Urban Growth Area property owners; and

WHEREAS, the Planning Commission hearing was held as scheduled, at which time no public testimony was received and the co-adoption was recommended; and

WHEREAS, the Board of Commissioners hearing was held on 22 March 1985, at which time the Board of Commissioners accepted the Planning Commission recommendations;

NOW THEREFORE

The Umatilla County Board of Commissioners ordains that the Umatilla County Comprehensive Plan and Development Code, as previously amended, be hereby amended to co-adopt the City of Echo 1981 Flood Hazard, Grading, and Drainage Ordinance and Ordinances #255-84 and #256-84, which are attached to this Ordinance, for application in the Echo Urban Growth Area, pursuant to the Echo Urban Growth Area Joint Management Agreement, and does hereby adopt this Ordinance nunc pro tunc to 22 March 1985.

FILED
J. DEAN FOUQUETTE, SR.
UMATILLA COUNTY CLERK
1985 SEP 30 P 9:08

Approved this 25th day of Sept. 1986, nunc pro tunc to March 22, 1985.

William S. Hansell
William S. Hansell, Chairman

Glenn Youngman
Glenn Youngman, Vice Chairman

ABSENT
Jeanne Hughes, Commissioner

ATTEST:

Dean Fouquette
Dean Fouquette, County Clerk

ORDINANCE #256-84
CITY OF ECHO
UMATILLA COUNTY, OREGON
THE 1984 FLOOD HAZARD AMENDMENTS

An Ordinance adopting amendments to the City of Echo Comprehensive Plan, Ordinance #232-78, and Zoning Ordinance #230-78, as earlier amended by Ordinance IN 1981 the original "Flood Hazard, Grading, and Drainage Ordinance," regarding revisions to the flood hazard regulations and related changes in response to the National Flood Insurance Program.

WHEREAS, The Federal Emergency Management Agency (FEMA), on 15 November 1983, issued a Flood Insurance Study (FIS) of the City of Echo and thereby converted Echo from the "emergency phase" to the "regular phase" for the National Flood Insurance Program (NFIP); and

WHEREAS, Echo's Development Ordinances, as amended by ORDINANCE IN 1981 complied with federal standards for the "emergency phase" of the NFIP but required a number of relatively minor revisions due to increased requirements of community's participating in the "regular phase;" and

WHEREAS, The mapping contained in the FIS was derived from a Corps of Engineers study completed in 1977 and revised in 1983; and

WHEREAS, This mapping indicated that three small areas containing five homes once thought to be within the 100-year floodplain, actually are not, and were therefore eligible to be re-designated Residential from the Permanent Open Space classification applied to the Floodway and 100-year floodplain of the Umatilla River; and

WHEREAS, The 500-year floodplain as mapped in the FIS, is only marginally larger than the 100-year floodplain, but includes property that was threatened by floodwaters during the 1965 flood.

WHEREAS, Following a workshop on 21 March 1984 the City Council authorized Steve Randolph the City's planner to prepare appropriate plan and ordinance revisions; and

WHEREAS, A City Council public hearing on the proposed 1984 Flood Hazard Amendments was scheduled for Wednesday, 18 April 1984 at 7:15 p.m., in City Hall; and

WHEREAS, Legal notice was published in the Saturday, 7 April and 15 April 1984 editions of the East Oregonian, and was posted in Echo; and

WHEREAS, on 6 April 1984 individual notices were mailed to all property owners whose land or a portions thereof were being included in the revised 100-year floodplain boundary or the 500-year floodplain boundary and/or were being redesignated from Permanent Open Space to Residential; and

WHEREAS, The public hearing was held as scheduled at which time Mr. Randolph reviewed the changes and responded to Council and public questions, and

WHEREAS, The City Council concluded that the proposed amendments were necessary and beneficial and were in compliance with Goal F of the Echo Comprehensive Plan; and

WHEREAS, Adoption of this formal amending Ordinance was delayed until a special City Council meeting Tuesday, 8 May 1984, at 7:00 p.m. in City Hall, to allow for completion and posting of the notice, said posting being done one week prior on Tuesday, 1 May 1984;

NOW THEREFORE,

The Echo City Council does ordain that the amendments to the Comp. Plan Ord. #232-78 policies and map, as enumerated on Attachments A and B, and to the Zoning Ordinance #230-78, on Attachments C and B, are hereby adopted, and that an emergency is declared to exist due to FEMA's 15 May 1984 deadline for submittal of revised Flood Hazard Regulations.

APPROVED by order of the City Council this 8th day of May 1984

Marvin Storz
Mayor Marvin Storz

ATTEST:

Diane Berry
Diane Berry, City Administrator/Recorder

CITY OF ECHO
COMPREHENSIVE PLAN
ORDINANCE # 232-78

1984 FLOOD HAZARD AMENDMENTS

GOALS, OBJECTIVES, AND POLICIES

GOAL F: AREAS SUBJECT TO NATURAL DISASTERS AND HAZARDS (p.4)

POLICIES (Old language in brackets, new language underlined)

2. To limit the use of the land in the 100-year floodplain and floodway of the Umatilla River to open space, recreation or other appropriate uses which minimize obstruction of floodwaters and the potential loss to life or property and which comply with federal and state regulations.
8. To participate in and comply with the National Flood Insurance Program.
9. To apply flood hazard regulations to the 500-year floodplain of the Umatilla River and to the channels, borders, and potential floodplains of the various creeks, draws, and gullies which extend from higher land to the north and east.

PLAN MAP (Following page 10)

The following revisions are illustrated on the map comprising Attachment B.

- A. Revise "Floodway" mapping and add "100-year floodplain" and "500-year floodplain" mapping as shown on the "Flood Boundary and Floodway Map" (community panel number 410207-001) issued for the City of Echo on 15 November 1983, and effective 15 May 1984.
- B. Redesignate five homesites that are now known to be outside the 100-year floodplain from Permanent Open Space to Residential, at the following locations:
 - Far west end of Main Street.
 - South side of Halstead Street.
 - Railroad Street (Kennedy St. extension).The 100-year flood plain constitutes the outer boundary of these sites.

NOTE: Permanent Open Space designation is retained for the floodway and 100-year floodplain, as provided originally in 1978.

CITY OF ECHO

DARK AREA:
100-YEAR
FLOODPLAIN

LIGHT AREA:
500-YEAR
FLOODPLAIN

1984 FLOOD HAZARD AMENDMENTS

PROPERTIES
SMITH FROM P.O.S.
TO R-1

RAILROAD
RIGHT-OF-WAY
(NOT IN P.O.S.)

BOUNDARY
OF P.O.S.

OLD
AREA "D"

NICHOLS

BOUNDARY
OF P.O.S.

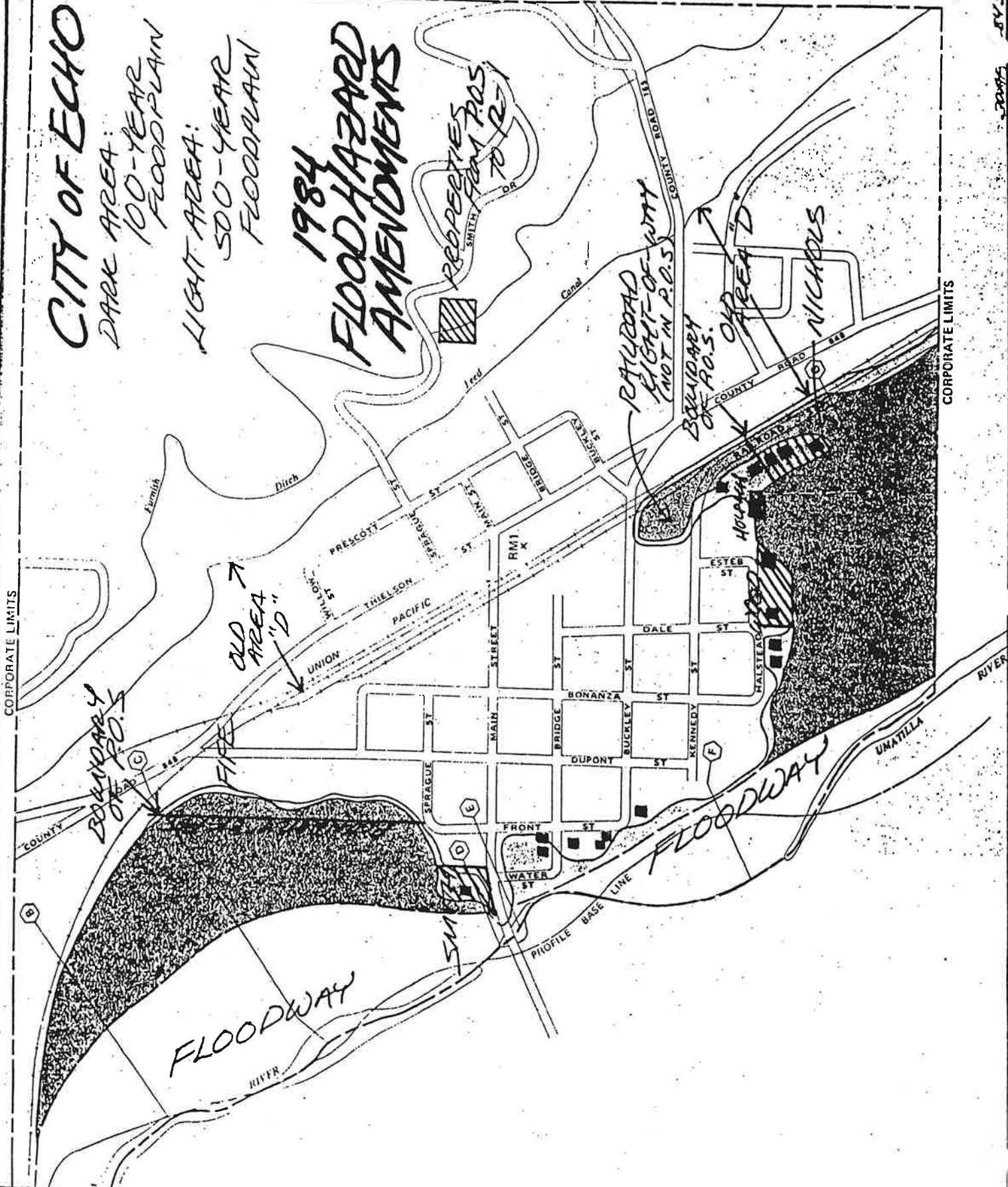
OLD
AREA
"D"

FLOODWAY

FLOODWAY

CORPORATE LIMITS

CORPORATE LIMITS



CITY OF ECHO
ZONING ORDINANCE # 230-78
AS AMENDED BY THE 1981
FLOOD HAZARD, GRADING, AND DRAINAGE ORDINANCE #

1984 FLOOD HAZARD AMENDMENTS

3.80 FLOOD HAZARD OVERLAY ZONE, FH
(Replace existing Section 3.80 with the following modified and expanded text)

3.81 INTENT: The Flood Hazard Overlay zone is designed to minimize public and private losses due to flooding and to fulfill the requirements of the National Flood Insurance Program.

3.82 WARNING AND DISCLAIMER OF LIABILITY: The degree of flood protection required by this Ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This Ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This Ordinance shall not create liability on the part of the City, any officer, employee, or contractee thereof or the Federal Emergency Management Agency, for any flood damages that result from reliance on this Ordinance or any administrative decision lawfully made thereunder.

3.83 FLOOD HAZARD AREA: The flood hazard area includes three distinct sub-areas.

- A. Umatilla River Floodway and 100-year floodplain as shown on the "Flood Boundary and Floodway Map" (community panel number 410207-0001) issued for the City of Echo by the Federal Emergency Management Agency on 15 November 1983 and effective 15 May 1984. Sub-area A is designated and zoned Permanent Open Space and is not available for development.
- B. Umatilla River 500-year floodplain, as shown on the map noted in A, above. This area is small in extent, but has been included due to being threatened by flooding in past years. It is designated and zoned for urban development.
- C. Tentative Flood Hazard Areas of the various draws, gullies, and streams which pass through the City of Echo or the Echo Urban Growth Area from the higher land north and east of town. These Tentative Flood Hazard Areas extend for 50 feet on either side of the centerline of each watercourse, draw, or gully, or to the perimeter of the generally level area along each such feature, whichever is greater.

NOTE: Tentative Flood Hazard Area D between Furnish Ditch and Union Pacific Railroad, as included in the 1981 amendments, is hereby deleted.

3.84 PERMITTED DEVELOPMENT

- A. A Development Permit from the city is needed for any construction project, grading, filling or fence building within the flood hazard areas. A Conditional Use Permit is required for a watercourse alteration.

- B. Types of uses permitted within the flood hazard areas shall be determined by the underlying land use zones.
- C. No development or alteration of the land will be allowed within the designated floodway without certification by the Soil Conservation Service, Corps of Engineers, or a registered engineer that the flood hazard upstream or downstream from the site will not be worsened by development of the project.
- D. All proposed developments shall be analyzed to determine effects on the flood carrying capacity and area of flooding.

3.85 CONSTRUCTION AND SITING: The construction and siting of all new structures and additions to existing ones shall comply with the following basic standards.

A. MATERIALS AND METHODS

- 1. Construction using materials and utility equipment resistant to flood damage.
 - 2. Construction using methods and practices that minimize flood damage.
 - 3. Mechanical and electrical equipment including electrical outlets shall be installed at least 1.5 feet above the 100-year flood elevation.
 - 4. Structures may be elevated on extended foundations, stem walls, pilings, columns, or saturation-stable compacted fill.
- B. LOCATION OF STRUCTURES: All buildings, fences, walls, hedges, and the like shall be sited so as not to obstruct the flow of flood waters, utilizing the following principles.
- 1. Locate buildings as far back from the floodway or watercourse channel as possible.
 - 2. Locate buildings on the highest part of the site, if possible.
 - 3. Locate buildings parallel to watercourse channels or the direction of historical flood flows.
 - 4. Fences across the watercourse channels shall be designed to float up or easily breakaway during times of high water. Fences shall be designed to not obstruct flood waters or to break away or be easily dismantlable during times of flood.
 - 5. Do not plant hedges across the direction of flood flows and when planting groups of trees or shrubs leave plenty of open space between clumps, taking into account the size and spread of shrubs at maturity.
 - 6. Mobile home parks and subdivisions shall be designed to insure that individual mobile homes can be easily elevated 1 1/2 feet above the 100-year flood elevation and that the complex can be easily evacuated during floods.

C. FIRST FLOOR ELEVATIONS AND BASEMENTS

- 1. Residential structures: Lowest Floor, including the basement, shall be elevated to at least 1 1/2' above the 100-year flood elevation in flood hazard area B, and to at least one foot above relevant historical flood levels in area C. Within flood hazard area C, following the siting locational principles noted above should insure most homes are out of the flood hazard area altogether.
- 2. Non-Residential Structures: New construction and substantial improvement of any commercial, industrial and other non-residential structure shall either have the lower floor, including basement, elevated to at least 1 1/2 feet above the base flood elevation; or, together with attendant utility and

- a. Be floodproofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water.
- b. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.
- c. Be certified by a registered professional engineer or architect that the standards of this subsection are satisfied. Such certifications shall be provided to the City.

3. Non-habitable storage and accessory buildings: Buildings intended for use primarily for storage of vehicles, equipment, animals or material need not be elevated above the 100-year flood elevation, but mechanical and electrical equipment and outlets must be elevated 1.5' above 100-year flood elevation.

D. ANCHORING

1. All new construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure.
2. All mobile homes shall be anchored to resist flotation, collapse or lateral movement by providing over-the-top and frame ties to ground anchors. Specific requirements shall be that:
 - a. Over the top ties be provided at each of the four corners of the mobile home, with two additional ties per side at intermediate locations, with mobile homes less than 50 feet long requiring one additional tie per side.
 - b. Frame ties be provided at each corner of the home with five additional ties per side at intermediate points, with mobile homes less than 50 feet long requiring four additional ties per side.
 - c. All components of the anchoring system be capable of carrying a force of 4,800 pounds.
 - d. Any additions to the mobile home be similarly anchored.
3. An alternative method of anchoring may involve a system designed to withstand a wind force of 90 mile per hour or greater. Certification must be provided to the City that this standard has been met.

3.86 UTILITIES

- A. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.
- B. New and replacement sanitary sewage system shall be designed to minimize or eliminate infiltration of flood waters in the systems and discharge from the systems into flood waters.
- C. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.
- D. Back-flow valves shall be installed on all water and sewer/septic lines.

3.87 STREETS, DRIVEWAYS AND BRIDGES: All new streets and all driveways shall be elevated so that they are not more than one foot below the 100-year or relevant historical flood elevation, to insure ease of emergency access during times of flooding. New and replacement bridges must be designed to not increase the height of the 100-year flood elevation and to accommodate at least a 20-year flood flow.

ORD.#256-84

3.98 ALTERATION OF WATERCOURSES

- A. The city shall notify the F.E.M.A., Oregon Division of State Lands, Oregon Department of Fish and Wildlife, Corps of Engineers, Umatilla County Planning Department, and immediate downstream jurisdiction and property owners of any proposed alterations to or relocations of watercourses.
- B. No permit for a watercourse alteration or relocation may be approved without certification by the Soil Conservation Service, Corps of Engineers, or registered engineer that the flood hazard upstream or downstream will not be worsened by the alteration or relocation.
- C. Altered or relocated portions of a watercourse shall be maintained in such a manner that flood carrying capacity is not diminished.

3.99 ENFORCEMENT AND INTERPRETATION

- A. 100-Year Flood Elevation: The FEMA's Flood Insurance Study for Echo, and the 100-year flood elevation profiles and Flood Insurance Rate Map contained therein, constitute the legal 100-year flood elevations for the purposes of this zone. For Flood Hazard Area C, the city shall obtain, review, and reasonably utilize flood elevation data, records of high water marks, photographs, etc, to determine the elevation necessary to assure new construction will be reasonably safe from flooding.
- B. Flood Hazard Area Boundaries: The city may make interpretations as to the exact location of the boundaries of the flood hazard area when mapped boundaries do not reflect actual field conditions.
- C. Development Permits: All Development Permits shall be reviewed to determine that the requirements of this Ordinance have been satisfied.
- D. State and Federal Permits: The city shall review all development permits to determine that all necessary permits have been obtained from those Federal, State or local governmental agencies from which prior approval is required.
- E. Certification of Flood Elevation and Floodproofing:
 1. Applicant shall obtain and city shall record the actual elevation (in relation to mean sea level) of the average ground level and the lower floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement.
 2. For all new or substantially improved floodproofed structures:
The applicant shall verify and city shall record the actual elevation (in relation to mean sea level).
 3. The city shall maintain for public inspection all records pertaining to the provisions of this Ordinance.
- F. Variances: Variances to the requirements of this overlay zone shall be processed in accordance with Section 1910.6 of the National Flood Insurance Program, if the requirements at issue are those found in the NFIP. If the requirements exceed those of the NFIP, the variance shall be processed in accordance with Article 6 of this Ordinance.

- G. Structures on the National Register of Historic Places: Automatic waivers may be issued for the reconstruction, rehabilitation, or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the variance procedures set forth in the remainder of this section.
- H. Appeals to Federal Floodplain Mapping and 100-year Elevation Determination: Persons disputing the mapping of the 100-year flood elevations of the Wildhorse Creek and Sand Hollow floodplains shall file an appeal with the Federal Emergency Management Agency via sections 1915 or 1917 of the National Flood Insurance program.
- I. Development Density: Within the flood hazard area when portions of a development site are required to be dedicated to the city as floodway rights-of-way or are otherwise prohibited from being developed, the City may use an overall density calculation rather than the minimum lot area requirements to determine the number of dwelling units allowed in the site. Setback and lot area standards may be varied by the City on the remainder of the site to accommodate the number of units allowed as if the entire project was outside the flood hazard area. All proposed variances must be presented on an overlay development plan, subject to modification and approval by the City.
- J. Evacuation Plans: Mobile home park or subdivision developers shall file evacuation plans with the city and Umatilla County Emergency Service Department.
- K. Additional Information and Special Cases: The City may require a registered engineer's evaluation and Development plan or more detailed floodplain information for a proposed project. Also, uses not otherwise addressed in the standards of this zone may be determined by the City on a case-by-case basis. Action may be delayed while the city obtains expert information or advice or if the city requires more detailed information and planning from the applicant.
- L. Conditions of Approval: The City may place conditions of approval on any development permit issued in this zone if said conditions are deemed necessary to mitigate hazards to the applicant's project or to neighboring or other impacted properties.

1.50 Definitions

6. Area of shallow Flooding: (Eliminate, no longer applicable)
8. Base Flood: (Add: "100-Year Flood)
19. Flood Hazard Boundary Map: (Eliminate, no longer applicable)
19. (New) Flood Insurance Rate Map: The official map on which the Federal Insurance administration has delineated the areas of special Flood Hazards and the risk premium zones applicable to the community.
- 42A. (New) 100-year Flood: Also referred to as the "base flood" this is the flood having a one percent chance of being equalled or exceeded in any given year; in other words, the largest flood expected during an average 100-year period.
- 42B. (New) 100-year Flood Plain: That area which would be flooded by a 100-year flood same as an "area of special flood hazard" except that a 100-year flood plain can exist along minor streams as well, not just those major flood areas identified by the Federal Insurance Administration.
- 42C. (New) 100-year Flood Elevation: The water surface elevation of a 100-year flood.
- 48A. (New) Substantial Improvement: "Substantial Improvement" means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either:
(1) before the improvement or repair is started, or

- (2) if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

The term does not include either:

- (1) any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specification which are solely necessary to assure safe living conditions, or
- (2) any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

ZONING MAP

The following changes to the Zoning Map are illustrated on Attachment B.

- A. Revise the boundaries of the Flood Hazard Overlay Zone to include the 500-year floodplain of the Umatilla River as well as the revised mapping of the Umatilla's floodway and 100-year floodplain as shown on the "Flood Boundary and Floodway Map" (410207-0001) issued by FEMA for the City of Echo on 15 November 1983 and effective 15 May 1984.
- B. Delete old Flood Hazard Area D from the mapping of the Flood Hazard overlay zone.
- C. Rezone the five homesites noted in Attachment A from Permanent Open Space to R-1, General Residential.

CITY OF ECHO
ORDINANCE # 2584

AN ORDINANCE AMENDING THE ZONING ORDINANCE
#231-78 WITH RESPECT TO YARD AREA (SETBACK)
STANDARDS, REQUIRING DEVELOPMENT AND BUILDING
PERMITS AND MODIFYING AND ADDING SEVERAL
RELATED DEFINITIONS.

WHEREAS, In response to confusion regarding the applicability of certain yard area (setback) standards in the zoning ordinance, and the enforcement thereof, the Echo City Council discussed these issues, and on 13 December 83, authorized holding a public hearing on 15 February 84 and commencing refinement of draft ordinance revisions to address yard area (setback) standards, definitions, and permits; and

WHEREAS, A public workshop on these issues was held by the Council at their 18 January 84 regular meeting focusing on proposals prepared by the City's Planning Consultant, Steve Randolph; and

WHEREAS, Mr. Randolph and Diane Berry, City Administrator, conducted a survey of town on 13 February 84 in response to questions and concerns raised by the Council, and at the Council's regular 15 February 84 meeting, presented a revised approach based more closely on historic building practices in town; and

WHEREAS, At their public meeting that night, the Council approved the revised concept and authorized that it be written into ordinance form for adoption on 21 March 84;

WHEREAS, LCDC was sent notice of the City's intentions to revise the zoning ordinance and a copy of the draft proposal on 30 December 83; and

WHEREAS, In compliance with the City Charter, notices of the proposed ordinance amendments were posted at City Hall on 15 March 84, and a copy of the amendments was made available at City Hall; and

WHEREAS, Via notices to the press and posted agendas, the public was made aware of each of the public workshops on these amendments, and was invited to participate, and comments were received from three interested citizens; and

WHEREAS, At their public meeting on 21 March 84, the Echo City Council approved the proposed zoning ordinance amendments for the following reasons:

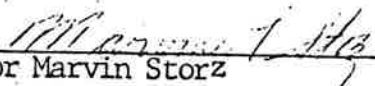
1. The new development permit and building permit requirements clarify the permit and city review process.

2. The new setback standards for the R-1 zone in the lower part of town more closely reflect historic common practice, given the small lots and wide street rights-of-way typical of the older neighborhoods.
3. The new setback standards for the R-2 zone in the newer, upper part of town are more flexible, yet remain oriented to the larger lots and more narrow rights-of-way that are modern practice.
4. The new and modified definitions aid greatly in clarifying the setback and development standards.
5. The amendments are in compliance with Goal B: Land Use Planning, and Goal A: Citizen's Involvement, of the Echo Comprehensive Plan, in that citizens raised the issues and the amendments are better tailored to Echo than were the relevant original standards, definitions, and procedures of the 1978 zoning ordinance.

NOW THEREFORE,

The Echo City Council does hereby amend the Zoning Ordinance #231-78 as enumerated in the attached text.

APPROVED this 8th day of _____, 1984.



Mayor Marvin Storz

ATTEST:

Diane Berry
City Administrator/Recorder

CITY OF ECHO ZONING ORDINANCE #23178
MARCH 1984 REVISIONS

"Setback Standards and Development Permits"

ARTICLE 1. INTRODUCTORY PROVISIONS

1.30 SCOPE (Replaces existing language with the following)

From this day forward, all structural development, use of structures, use of land, and alteration of the land shall conform with the provisions of this Ordinance and the Echo Comprehensive Plan.

1.40 ZONES OF AREAS TO BE ANNEXED

(Renumber as Section 2.40 and relocate to Article 2, Establishment of Zones)

1.40 DEVELOPMENT PERMITS (New Section)

A Development Permit shall be obtained from the City pursuant to Section 12.35 of this Ordinance prior to the following:

- .01 Construction of a new structure.
- .02 Reconstruction, alteration or addition to a structure.
- .03 Development of a deck or paved area, including patios, driveways, and parking lots and sidewalks.
- .04 Installation, replacement, or addition to a mobile home.
- .05 Change of use of a structure, including changes of business occupancy.
- .06 Change of use of a parcel.
- .07 Alteration of, or within, a watercourse or drainage ditch.
- .08 Landfilling within the floodplain.
- .09 Construction of fences.
- .10 Significant grading or excavation.
- .11 Demolition of a structure.
- .12 Planting of trees or shrubs in the floodway.

1.42 BUILDING PERMITS (New Section)

As required by State law, any necessary building, mobile home siting, mechanical, electrical, and plumbing permits shall be obtained from the Building Codes Division of the Oregon Department of Commerce or other applicable building inspection agency, prior to the following:

- .01 Construction of a new structure.
 - .02 Reconstruction, alteration or addition to a structure.
 - .03 Installation, replacement, or addition to a mobile home.
 - .04 Installation or alteration of wiring, plumbing, heating or water or sewer connections.
 - .05 Installation or alteration of a wood stove.
 - .06 Construction of a fence over 6' high.
 - .07 Demolition of a structure.
 - .08 Any other structural development not otherwise listed.
- .20 All structural development shall be accomplished in compliance with the Oregon Uniform Building Code, this Ordinance, and other applicable City ordinances.

- .30 A City Development Permit constitutes required City approval of a proposed structural development and must be obtained prior to applying for a building permit or mobile home siting permit.
- 1.50 DEFINITIONS (Modify or add the following definitions; modifications are noted as follows with old language being struck out and new language underlined)
- 1A. Addition (New). A structure added to the original structure at some time after completion of the original.
- 3A. Building (Modify). Any structure having a roof supported by columns, posts, or walls and intended for the support, shelter, housing, or enclosure of any persons, animals, process, equipment, ~~property~~ or business activity, goods or materials of any kind or nature.
- 3B. Carport (New). A building (roofed structure) providing primarily for the parking or storage of motor vehicles, either being without walls and/or enclosed on not more than three sides by walls, structural screens, or doors.
- 6B. Deck (New). An accessory wooden or metal structure forming a platform raised partially or entirely above ground level, commonly intended for outdoor living activities adjoining or near a dwelling. If roofed, it must be open on at least one side, otherwise it would be classified as a porch, i.e. a building addition.
- 6C. Development (New). The construction, reconstruction, conversion, structural alteration, relocation, enlargement or change of use of any structure; any mining, excavation, grading, landfill, land disturbance, or waterway alteration; any use, extension of use, or change of use of the land.
- 6D. Driveway (New). A private roadway providing access for vehicles to a parking space, garage, carport, yard area, dwelling, or other structure; classified as a "structure" and therefore also as a "development".
- 12B. Fence (New). A structure, and therefore a "development", constructed of any material or combination of materials constituting a barrier erected to enclose or screen areas of land, eg. yards, patios, parking lots, or fields.
- 13B. Garage, Private Residential (New). A building enclosed on all four sides by walls, structural screens, and doors, which is used for the parking and storage of vehicles as an accessory structure to a dwelling or groups of dwellings, either attached to the dwelling or constituting a separate building.
- 14B. Greenhouse, Private Residential (New). A separate accessory building or addition onto a dwelling or other accessory structure, whose roof and sides are made largely of glass or other transparent or translucent material and in which the temperature and humidity can be regulated for the cultivation of non-hardy, out-of-season, or seedling plants, for the personal use, enjoyment, and occupation of the occupants of a dwelling.
- 30B. Patio (New). An accessory structure, and therefore a "development", consisting of a surfaced area adjoining or near the principal structure, intended for use as an outdoor living area. If roofed, it must be open on at least one side, otherwise it would be classified as a porch, i.e. a building addition.

- 30C. Porch (New). A roofed open area, which may be glassed or screened, attached to, with direct access to, and considered an addition to a building. If the porch is enclosed and is heated or air-conditioned or if the windows comprise less than 50% of the wall surface, the porch becomes a "room" in the building.
- 34B. Sidewalk (New). A paved, surfaced or leveled area, the primary purpose of which is to provide pedestrian access between buildings, and between buildings and streets, patios, decks, yards, parking lots, other sidewalks, or other structures classified as a "development".
- 34C. Shed, Storage (New). A building open or enclosed, designed for the storage of goods, equipment or animals but not for human habitation.
- 38B. Structure (New). A combination of materials to form a construction for use, occupancy, or ornamentation, whether installed on, above, or below the surface of land or water. NOTE: By this definition all buildings are structures, but not all structures are buildings. Structures include the following: swimming pools, paved areas, decks, tennis courts, retaining walls, fences, levels, etc.
- 38C. Workshop, Private Residential (New). An enclosed, lockable separate building provided as an accessory structure to a dwelling for the sole personal use, enjoyment, and occupation, of the dwelling occupants, for such quasi-industrial activities as woodworking, vehicle repair, machining, home repair, and fabrication.
39. Yard (All New Language). An open space between a lot line and the buildable area for a dwelling, accessory structure, or other building or structure. Landscaping is permitted, but no structure shall be located within this area, excepting driveways, sidewalks, and in some cases fences (refer to Clear Vision Standards, Section 3.81, and individual zone requirements). These areas are also commonly referred to as "setbacks".

ARTICLE 3, USE ZONES

3.10 General Residential Zone, R-1

3.12 Dimensional Standards in an R-1 Zone

Remove subsections 1 to 3 relating to yards (setbacks) to a new section 3.13.

Renumber Subsections 4-9 to 1-6.

3.13 Yard (Setback) Standards in an R-1 Zone (New Section)

NOTE 1: These setbacks are measured from the foundation; eaves and awnings may extend into yard areas provided 6' distance is maintained between similar projections on neighboring structures.

NOTE 2: No structure may be developed within an utility or access easement, and road easements are to be treated the same as street rights-of-way for the purposes of this section.

NOTE 3: Runoff from buildings and roofed structures must be contained on the site, unless a neighbor approves of diverting runoff into his/her property.

- .01 Dwellings (single-family, two-family, and multi-family), public and semi-public uses.
 - .01 Front: 15' minimum
 - .02 Side, interior: 10' minimum except as follows:
 - .01 A 4' minimum will be allowed on one side if there are no windows on that side of the dwelling within 10' of the property line, or if a 6', sight-obscuring fence and/or hedge is provided on the property line, opposite any windows and extending at least 10' beyond any windows in both directions along the property line.
 - .02 A 4' minimum will be allowed on one side and 6' minimum will be allowed on the other if a joint, 10' driveway easement is agreed to by the neighbor and recorded in the Deed Records of Umatilla County, subject to the sight obscuring requirement of .01 above.
 - .03 A 4' minimum will be allowed on the interior side of a corner lot, subject to the sight-obscuring requirement of .01 above.
 - .04 If the longer side of a dwelling is parallel to an interior property line a 15' minimum will be required; an 8' minimum will be allowed if a continuous sight-obscuring fence and/or hedge at least 6' high is provided on the property line opposite the dwelling and extending at least 10' beyond either end of the building.
 - .03 Side, Corner: 15' minimum except that a 4' minimum will be allowed if a continuous sight-obscuring fence and/or hedge at least 6' high is provided on the property line opposite the building, provided that neither the dwelling, fence, or hedge intrude into the Clear Vision Area (Section 3.81).
 - .04 Rear: 15' minimum.
- .02 Mobile Homes:
 - .01 Front: 15' minimum for double-wides; 10' minimum for single-wides.
 - .02 Side, interior, if sited parallel to the street in front of the parcel: 10' minimum except as follows:
 - .01 A 4' minimum will be allowed on one side if there are no windows on that side of the dwelling within 10' of the property line, or if a 6', sight-obscuring fence and/or hedge is provided on the property line, opposite any windows and extending at least 10' beyond any windows in both directions along the property line.
 - .02 A 4' minimum will be allowed on one side and 6' minimum will be allowed on the other if a joint, 10' driveway easement is agreed to by the neighbor and recorded in the Deed Records of Umatilla County, subject to the sight obscuring requirement of .01 above.
 - .03 A 4' minimum will be allowed on the interior side of a corner lot, subject to the sight-obscuring requirement of .01 above.
 - .03 Side, interior, if sited perpendicular to the street in front, i.e. with the long side of the mobile home facing the interior side property line: 15' minimum, except that an 8' minimum will be allowed if a continuous sight-obscuring fence and/or hedge at least 6' high is provided on the property line opposite the home and extending at least 10' beyond either end of the unit.
 - .04 Rear: 15' minimum for double-wides; 10' minimum for single-wides.
- .03 Garages, storage sheds, private residential workshops and greenhouses, and other enclosed accessory structures.
 - .01 Front: 15' minimum.
 - .02 Side, interior:
 - .01 If placed on a permanent foundation: 4' minimum from property line and 6' minimum from neighboring structure, except that, if provided with a one-hour fire wall built to UBC specifications, these minimums may be reduced to 0'.

- .02 If portable: 0' minimum from property line and 6' minimum from neighboring structure.
- .03 Side, corner: 0' allowed.
- .04 Rear: Same as for Side, interior, (3.13.03.02), except that 0' is allowed if rear property line adjoins platted alley, irrigation ditch right-of-way, or other right-of-way.
- .05 Accessory buildings larger than 600 sq.ft. or more than 14' high must be located at least 10' from interior side and rear property lines adjoining private property.
- .04 Carports:
 - .01 Front: 5' minimum from sidewalk; up to 0' from property line; provided that no side screen walls or structural infill is placed within 15' of the front property line, i.e. the carport is an open structure supported by posts, poles, or columns and is not located within a clear vision area.
 - .02 Side, interior: 0' is allowed, except that a one-hour fire wall is required if the carport is to be closer than 6' to an existing building, carport, or roofed deck or patio.
 - .03 Side, corner: 0' is allowed except that the carport may not intrude into a clear vision area.
 - .04 Rear: Same as for side, interior, above (Section 3.13.04.02), except that 0' is allowed if the rear property line adjoins a platted alley, irrigation ditch right-of-way, or other right-of-way.
- .05 Decks, Patios and other such structures:
 - .01 Front: 10' minimum provided clear vision area is not obstructed.
 - .02 Side, interior: 10' minimum except that up to 0' is allowed if a continuous sight-obscuring fence and/or hedge at least 6' high is provided along the adjoining property line and extending at least 10' outward beyond the edge of the deck, patio, etc. Also, a roof over a deck, patio, or other such structure may not extend closer than 6' from a neighboring building or structure of similar height.
 - .03 Side, corner: Same as side, interior above (Section 3.13.05.02)
 - .04 Rear: Same as side interior above (Section 3.13.05.02) except that up to 0' is allowed if the rear property line adjoins a platted alley, irrigation ditch right-of-way, or other right-of-way.
- .06 Fences (including free standing walls and hedges):
 - .01 Front: 10', except that such structures or plantings may be allowed up to 0' from front property line if built or planted and maintained at a height of not more than 3', so as not to obstruct vision.
 - .02 Side, interior: 0'
 - .03 Side, corner: 0', except that within the clear vision area, only maximum height of 3' is permitted.
 - .04 Rear: 0'
- .10 Fence Height: Except as restricted above and in clear vision areas, maximum of 8' except that any fence over 6' in height within 4' of property line requires written approval of adjoining neighbor, and a building permit. No height limit on hedges, except in clear vision area.
- .07 Driveways and Sidewalks: No setbacks from property lines are required.

3.20 LIMITED RESIDENTIAL ZONE R-2

3.23 Yard (Setback) Standards (New Section):

NOTE 1: These setbacks are measured from the foundation; eaves and awnings may extend into yard areas provided 6' distance is maintained between similar projections on neighboring structures.

NOTE 2: No structure may be developed within a utility or access easement, and road easements are to be treated the same as street rights-of-way for the purposes of this section.

NOTE 3: Runoff from buildings and roofed structures must be contained on the site, unless a neighbor approves of diverting runoff into his/her property.

.01 Dwellings, public and semi-public uses.

.01 Front: 20' minimum.

.02 Side, interior: 10' minimum except as follows:

.01 A 4' minimum will be allowed on one side if there are no windows on that side of the dwelling within 10' of the property line, or if a 6' sight-obscuring fence and/or hedge is provided on the property line, opposite any windows and extending at least 10' beyond any windows in both directions along the property line.

.02 A 4' minimum will be allowed on one side and 6' minimum will be allowed on the other if a joint, 10' driveway easement is agreed to by the neighbor and recorded in the Deed Records of Umatilla County, subject to the sight-obscuring requirement of .01 above.

.03 A 4' minimum will be allowed on the interior side of a corner lot, subject to the sight-obscuring requirement of .01 above.

.04 If the longer side of a dwelling is parallel to an interior property line a 15' minimum will be required; except that an 8' minimum will be allowed if a continuous sight-obscuring fence and/or hedge at least 6' high is provided on the property line opposite the dwelling and extending at least 10' beyond either end of the building.

.03 Side, corner: 15' minimum.

.04 Rear: 20' minimum.

.02 Carports, storage sheds, and private-use garages, greenhouses and workshops.

.01 Front: 20' minimum.

.02 Side, interior: 4' minimum.

.03 Side, corner: 0' is allowed.

.04 Rear: 4', except that 0' is allowed if rear property line adjoins a platted alley, irrigation ditch right-of-way, or other right-of-way.

.05 Large accessory buildings and those more than 12' must be located at least 10' from interior side and rear property lines adjoining private property.

.03 Decks and Patios.

.01 Front: 10'

.02 Side, interior: 10' minimum except that up to 0' is allowed if a continuous sight-obscuring fence and/or hedge at least 6' high is provided along the adjoining property line and extending at least 10' outward beyond the edge of the deck, patio, etc. Also, a roof over a deck, patio, or other such structure may not extend closer than 6' from a neighboring building or structure of similar height.

.03 Side, corner: Same as side, interior above (Section 3.23.03.02).

.04 Rear: Same as side, interior above (Section 3.23.03.02).

.04 Fences (Including free-standing walls and hedges).

.01 Front: 10', except that such structures or plantings may be allowed up to 0' from front property line if built or planted and maintained at a height of not more than 3' so as not to obstruct vision.

.02 Side, interior: 0'

.03 Side, corner: 0', except that within the clear vision area, only maximum height of 3' is permitted

- .04 Rear: 0'
- .10 Fence Height: Except as restricted above and in clear vision areas, maximum of 8' except that any fence over 6' in height within 4' of property line requires written approval of adjoining neighbor, and a building permit. No height limit on hedges, except in clear vision area.
- .05 Driveways and sidewalks: No setbacks from property lines are required.

3.35 Residential-Commercial Zone, R-C

3.38 Dimensional and Yard (Setback) Standards.

- .01 The dimensional and yard (setback) standards of the R-1 Zone, as contained in Sections 3.12 and 3.13, shall be applied to all residential uses.

3.40 Farm Residential Zone, R-4

3.42 Dimensional and Yard (Setback) Standards.

In a R-4 zone the dimensional standards of an R-1 Zone shall apply, as contained in Section 3.12, and the yard (setback) standards of the R-2 Zone, as contained in Section 3.23, shall be applied except that the lot area shall be a minimum of one(1) acre.

ARTICLE 12

12.30 Building Permits (New Language).

Building and mobile home siting permits will be issued by Oregon Department of Commerce or other authorized agency only upon receipt of an approved city Development Permit.

12.31 Development Permits (New Section).

Development permits, per section 1.40, constitutes city approval of a development request, and is necessary prior to commencement of a development.

- .01 Application form. Requests for a Development Permit shall be made on forms provided by the City and shall include a site plan illustrating the following:
 - .01 Dimensions of the lot and street access.
 - .02 Size and location of existing and proposed structures.
 - .03 Location and access to any off-street parking.
 - .04 Intended use of each structure.
 - .05 Proposed general landscaping and any other improvements
- .02 Approval Process: Outright permitted uses and structures, including accessory uses and structures. The City Administrator/Recorder and City Zoning administrator are both authorized to approve Development Permits for such uses "over-the-counter" at the time the request is made. A development request may be referred to City Council for review and decision-making.
- .03 Approval Process: Conditional uses, variances temporary uses, and permitted and accessory uses subject to public development review. The city Administrator/Recorder or City Zoning Administrator may approve development permits for such uses only following their approval by the City Council.

CITY OF ECHO

ORDINANCE # _____

1981

AN ORDINANCE AMENDING THE ECHO ZONING ORDINANCE #231-78 AND THE ECHO SUBDIVISION ORDINANCE #230-78 TO INCLUDE MORE COMPLETE FLOOD HAZARD REGULATIONS AS WELL AS GRADING AND DRAINAGE CONTROLS.

AMENDED BY ORD 255-84 + 256-84

WHEREAS, The City of Echo does not presently comply with the Federal Emergency Management Agency's regulations for participation in the National Flood Insurance Program and has been given until 1 January 1981 to comply with these regulations, and

WHEREAS, There is a need to control grading and drainage in Echo and the Echo Urban Growth Area within both designated flood hazard areas and the development area in general for the purpose of controlling runoff and erosion and thereby attempting to implement the U.S. Dept. of Housing and Urban Development 208 Water Quality Program, and

WHEREAS, Suggested flood hazard regulations and grading and drainage controls were presented to the Echo City Council on 19 November 1980 by the City's planning consultant, Steve Randolph, and

WHEREAS, The City Council authorized drafting these proposals into an ordinance, and

WHEREAS, A public hearing on the resulting ordinance was scheduled for 17 December 1980, and notice of the hearing was duly advertised in the East Oregonian on 8 December 1980 and 15 December 1980, and

WHEREAS, Affected property owners and agencies were notified of the proposed Flood Hazard Overlay Zone on 8 December 1980,

NOW THEREFORE,

The Echo City Council does hereby ordain that the following text amendments be made to the Zoning Ordinance and the Subdivision ordinance, that a second Zoning Map be added to the Zoning Ordinance to portray the Flood Hazard Overlay Zone and its subareas, and that an emergency does presently exist.

AMENDMENTS TO THE ZONING ORDINANCE #231-78

Article 1. Introductory Provisions

1.50 DEFINITIONS

add the following new terms and definitions

ALTERATIONS TO WATERCOURSES. Any physical change in the course, configuration, channel, or banks of a flowing or intermittent river, stream, draw, gully, or wash, including, but not limited to, rip-rapping, brushing-out, filling, excavating, aggregate mining, damming, bridging, construction of retaining walls or structures, fencing, diking, leveeing, and tree-planting.

AREA OF SPECIAL FLOOD HAZARD. The land in the flood plain within a community subject to a one percent or greater chance of flooding in any given year, as identified by the Federal Insurance Administration for major rivers or streams.

8/20/81
1/20/81
5:1

DEVELOPMENT. Any man-made change to improved or unimproved real estate, including, but not limited to other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations.

FLOOD OR FLOODING: A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters and/or the unusual and rapid accumulation of runoff of surface waters from any source.

5/27/81
1/20/81
10.6.81

FLOOD HAZARD BOUNDARY MAP. The official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY. The official report provided by the Federal Insurance Administration that includes flood profiles, the Flood Boundary-Floodway Map, and the water surface elevation of the 100-year flood.

FLOODWAY. The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the 100-year flood without cumulatively increasing the water surface elevation more than one foot.

FLOODWAY FRINGE. The area between the edge of the floodway and the outer perimeter of the 100-year floodplain.

100-YEAR FLOOD. Also referred to as the "base flood" this is the flood having a one percent chance of being equalled or exceeded in any given year; in other words, the largest flood expected during an average 100-year period.

100-YEAR FLOOD PLAIN. That area which would be flooded by a 100-year flood. Same as an "area of special flood hazard" except that a 100-year flood plain can exist along minor streams as well, not just those major flood areas identified by the Federal Insurance Administration.

100-YEAR FLOOD ELEVATION. The water surface elevation of a 100-year flood.

TENTATIVE FLOOD HAZARD AREA. An area along a minor watercourse, including intermittent streams or gullies, that would likely be flooded or within which development might serve to worsen flooding of the watercourse. These areas are not scientifically defined and have not been included within Flood Hazard Boundary Maps because the floodplains are less than 200 feet wide. Because of their hazard potential they have been tentatively identified by the City, and should be addressed in the Flood Insurance Study.

HABITABLE FLOOR. Any floor usable for living purposes, which includes working, sleeping, eating, cooking, or recreation, or a combination thereof. A floor used only for storage purposes is not a "habitable floor."

Article 2. Establishment of Zones

2.10 CLASSIFICATION OF ZONES

add: 8. Flood Hazard Overlay Zone

Article 3. Use Zones

3.70 PERMANENT OPEN SPACE

delete: "and in addition all uses must be in accordance with the U.S. Dept. of

Housing and Urban Development's Federal Insurance Administration floodplain requirements."

3.80 ADDITIONAL REQUIREMENTS

relocate to Article 11 as Section 11.40

3.80 FLOOD HAZARD OVERLAY ZONE *(TEXT OF 3.80 REPLACED BY ORD. 56-31) (3.80 THROUGH 3.89, PP 3-6)*
add this new section (which contains subsections 3.81 through 3.8)

3.81 INTENT. The Flood Hazard Overlay Zone is designed to minimize public and private losses due to flooding and to fulfill the requirements of the National Flood Insurance Program.

3.82 WARNING AND DISCLAIMER OF LIABILITY. The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the City, any officer, employee, or contractee thereof or the Federal Emergency Management Agency, for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made thereunder.

3.83 FLOOD HAZARD AREA. The Flood Hazard area includes four distinct sub-areas

A: Umatilla River Floodway as delineated on published and unpublished mapping of the Umatilla River 100-year Floodplain by the Corps of Engineers in 1976.

B: Umatilla River Floodway Fringe, the outer perimeter of which is obtained from the Flood Hazard Boundary Map #H-01 adopted on 13 September 1974 and amended on 28 December 1975, and which coincides with the outer perimeter of the 100-year Floodplain as mapped by the Corps of Engineers in 1976. The inner boundary of the Floodway Fringe is the edge of the Floodway as mapped by the Corps.

C: Tentative Flood Hazard Areas for the various draws, gullies, and streams which pass through the City of Echo or the Echo Urban Growth Area from the higher land north and east of town. These Tentative Flood Hazard Areas extend for 50 feet on either side of the centerline of each watercourse, draw, or gully, or to the perimeter of the generally level area along each such feature, whichever is greater.

D: Tentative Flood Hazard Area between the Furnish Ditch and the Union Pacific Railroad mainline within which flood waters on occasion accumulate from flooding of the various draws which feed into this area or from overflows along the Feed Canal or Furnish Ditch.

3.84 PERMITTED DEVELOPMENT

A: A Conditional Use Permit from the City is needed for any construction project, grading, filling, fence building or watercourse alteration within the flood hazard areas.

B: Types of uses permitted within the flood hazard areas shall be determined by the underlying land use zones.

C: No development or alteration of the land will be allowed within the designated floodway without certification by the Soil Conservation

REPLACED BY
O.D. 256-31

Service, Corp of Engineers, or a registered engineer that the flood hazard upstream or downstream from the site will not be worsened by development of the project.

D: All proposed developments shall be analyzed to determine effects on the flood carrying capacity and area of flooding.

3.85 CONSTRUCTION AND SITING. The construction and siting of all new structures and additions to existing ones shall comply with the following basic standards.

A: MATERIALS AND METHODS

1. Construction using materials and utility equipment resistant to flood damage.
2. Construction using methods and practices that minimize flood damage.

B: LOCATION OF STRUCTURES. All buildings, fences, walls, hedges, and the like shall be sited so as not to obstruct the flow of flood waters, utilizing the following principles.

1. Locate buildings as far back from the floodway or watercourse channel as possible.
2. Locate buildings on the highest part of the site, if possible
3. Locate buildings parallel to watercourse channels or the direction of historical flood flows.
4. Keep fences out of watercourse channels and design them to either not obstruct flood flows or be easily dismountable during times of flood.
5. Do not plant hedges across the direction of flood flows and when planting groups of trees or shrubs leave plenty of open space between clumps, taking into account the size and spread of shrubs at maturity.

C: BUILDING SITE ELEVATIONS. All new building sites should be elevated on saturation-stable, compacted fill to within one foot below the 100-year or relevant historical flood elevations.

D: FIRST FLOOR ELEVATIONS AND BASEMENTS

1. Residential Structures: Lowest floor, including the basement, shall be elevated to at least one foot above the 100-year flood elevation in flood hazard areas at B, and to at least one foot above relevant historical flood levels in areas C and D. Within flood hazard area C, following the siting location principles noted above should insure most homes are out of the flood hazard area altogether.
2. Non-Residential Structures: New construction and substantial improvement of any commercial, industrial and other non-residential structure shall either have the lowest floor, including basement, elevated to at least one foot above the base flood elevation; or, together with attendant utility and sanitary facilities, shall:

REPLACED BY
ORD 256-81

- a. Be floodproofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water.
- b. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.
- c. Be certified by a registered professional engineer or architect that the standards of this subsection are satisfied. Such certifications shall be provided to the Planning Commission.

E: ANCHORING

1. All new construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure.
2. All mobile homes shall be anchored to resist flotation, collapse or lateral movement by providing over-the-top and frame ties to ground anchors. Specific requirements shall be that:
 - a. Over the top ties be provided at each of the four corners of the mobile home, with two additional ties per side at intermediate locations, with mobile homes less than 50 feet long requiring one additional tie per side.
 - b. Frame ties be provided at each corner of the home with five additional ties per side at intermediate points, with mobile homes less than 50 feet long requiring four additional ties per side.
 - c. All components of the anchoring system be capable of carrying a force of 4,800 pounds.
 - d. Any additions to the mobile home be similarly anchored
3. An alternative method of anchoring may involve a system designed to withstand a wind force of 90 miles per hour or greater. Certification must be provided to the Planning Commission that this standard has been met.

3.86 UTILITIES

- A: All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.
- B: New and replacement sanitary sewage system shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters.
- C: On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

3.87 STREETS AND DRIVEWAYS. All new streets and all driveways shall be elevated to at most one foot below the 100-year or relevant historical flood elevation, to insure ease of emergency access during times of flooding

REPLACED
BY ORD 255-31

3.88 ALTERATION OF WATERCOURSES

- A: The city shall notify the F.E.M.A. Oregon Division of State Lands, Oregon Department of Fish and Wildlife, Corps of Engineers, Umatilla County Planning Department, and immediate downstream jurisdictions and property owners of any proposed alterations to or relocations of watercourses.
- B: No permit for a watercourse alteration or relocation may be approved without certification by the Soil Conservation Service, Corps of Engineers, or registered engineer that the flood hazard upstream or downstream will not be worsened by the alteration or relocation.
- C: Altered or relocated portions of a watercourse shall be maintained in such a manner that flood carrying capacity is not diminished.

3.89 ENFORCEMENT AND INTERPRETATION

- A: FLOOD DATA: The 100-year flood elevation data has not yet been published for the Umatilla River in Echo, nor have flood hazard areas C and D been scientifically defined. Therefore, the City shall obtain, review, and reasonably utilize flood elevation data from any available sources, including local historical data, records of high water marks, photographs, etc., to determine the elevation necessary to assure new construction will be reasonably safe from flooding. The Corps of Engineers will be contacted for flood elevation data within the Umatilla River Floodplain.
- B: FLOOD HAZARD AREA BOUNDARIES: The City may make interpretations as to the exact location of the boundaries of the flood hazard areas when mapped boundaries do not reflect actual field conditions.
- C: VARIANCES:
1. Flood Hazard Areas A and B: Variances to the requirements of this overlay zone within areas A and B shall be processed in accordance with Section 1910.6 of the National Flood Insurance Program.
 2. Flood Hazard Areas C and D: Variances to the requirements of this overlay zone within areas C and D shall be processed as a standard variance according to Article _____ of this Ordinance.
- D: APPEALS TO FEDERAL FLOODPLAIN MAPPING AND 100-YEAR ELEVATION DETERMINATION: Persons disputing the mapping of the 100-year flood elevations of the Umatilla River Floodplain shall file an appeal with the Federal Emergency Management Agency via Sections 1915 or 1917 of the National Flood Insurance Program.
- E: DEVELOPMENT DENSITY: Within the flood hazard area when portions of a development site are required to be dedicated to the city as floodway rights-of-way or are otherwise prohibited from being developed. The city may use an overall density calculation rather than the minimum lot area requirements to determine the number of dwelling units allowed in the site. Setback and lot area standards may be varied by the city on the remainder of the site to accommodate the number of units allowed as if the entire project was outside the flood hazard area. All proposed variances must be presented on an overall development plan, subject to modification and approval by the city

Article 11. Supplementary Provisions

11.30 GRADING AND DRAINAGE. The following standards and guidelines have been developed to encourage a compatibility between future development and the natural landscape, thereby avoiding serious drainage, erosion, and runoff problems and promoting a more attractive community.

11.31 GENERAL REQUIREMENTS

- a. The design and construction of all developments shall make provision for the:
 - maintenance of natural drainage courses and features of a site
 - protection of the soil surface from undue water and wind erosion
 - minimizing of additional runoff due to surfacing of the land for roads, houses, and accessory facilities
 - accommodation of runoff from the development in such a way that erosion or siltation is not induced on adjoining or downstream properties.
- b. Upon reviewing the natural characteristics of a particular site, the city may require that the applicant develop a Conservation Plan approved by the Umatilla County Soil and Water Conservation District, such plan to be adopted and implemented as part of an approved Development Plan. Larger developments, such as mobile home parks, industrial facilities, and apartments, that are located on hillsides or along water courses, would usually be required to develop a Conservation Plan.

11.32 GRADING AND EXCAVATION. All grading and excavation projects shall be designed and carried out according to the following standards.

- a. All grading and excavation work shall be related directly to and necessary for the construction and maintenance of a project approved by a Building Permit, Conditional Use Permit, Variance, Temporary Use Permit, Partition, or Subdivision.
- b. A grading plan shall be submitted as part of a proposed Development Plan.
- c. The smallest practical area of land shall be disturbed and exposed at any one time.
- d. When land is exposed during development, the exposure shall be kept to the shortest practical period of time.
- e. The development shall be fitted to the topography and soils to create the least erosion possible and blend in with the natural contours of the land.
- f. Wherever feasible, natural vegetation shall be retained and protected.
- g. Temporary vegetation and/or mulching shall be used to protect critical areas exposed during construction.

- h. The permanent final vegetation and structures shall be installed as soon as practical.
- i. No top soil shall be removed from the site except for those areas intended for structures or to be covered by other man-made improvements. The top soil from areas intended for such improvements shall be redistributed within the boundaries of the lands in question so as to provide a suitable base for seeding and planting vegetation.
- j. Excavation shall be limited to that required for the construction of basements, foundations, and other below-surface-level improvements.
- k. Grading or excavation work within the flood hazard area requires a Conditional Use Permit from the city before any ground may be disturbed.
- l. Use of land for home gardening is exempted from the requirements of this Section.

11.33 DRAINAGE. All Development Plans shall provide for adequate drainage of the site, accommodation of storm or flood water runoff, and the preservation of existing drainage courses, according to the following standards.

- a. Increased runoff from project sites shall be reduced by minimizing the surface area covered by impervious paving and buildings, by encouraging the use of semi-pervious paving for patios, driveways, and walkways, and use of grass, shrubs, other vegetation, and pervious landscaping materials over the bulk of the site.
- b. Runoff should either drain away from structures or be channelled around them so as to prevent flooding of basements, garages, and living or working areas.
- c. In an effort to prevent runoff flowing full-force into downhill yards or ditches and thereby causing flooding the drainage system of a site shall include grassed swales or diversion ponds to capture runoff and hold it for a slower release. These impoundments can be easily and attractively incorporated in landscaping plans.
- d. Low areas that could collect standing water should be limited to specific locations on the site designed for this purpose.
- e. Where possible, drainage from the site shall be directly connected to an adequate drainage channel or watercourse.
- f. Any watercourse, drainageway, channel, or stream crossing a site shall not be obstructed and shall be protected by a drainage easement or right-of-way. These drainage channels may be incorporated into landscaping plans, but should be kept adequately wide and clear of brush and trees so as to accommodate runoff from uphill areas. Impoundments may be created along the channel, and trees may be planted along its banks. The bed of the channel should be grassed and large rocks may be incorporated into the design to slow the water down on steep stretches. The location of the channel may be altered somewhat, but in no way that would make the channel ineffective.
- g. When drainage channels are modified, bridged, or put into culverts under streets, the improvements shall be designed to accommodate the potential runoff from the upstream drainage area as developed according to the Comprehensive Plan



- h. Where topography or other conditions indicate a new drainage channel needs to be provided to adequately accommodate runoff from a project, the applicant shall obtain drainage easements across affected properties and construct the appropriate facilities from the project site to a connection with an existing adequate channel.
- i. Drainage easements and rights-of-way shall be dedicated to the City. Such dedications shall be conditions attached to the Development permits for the project involved.
- j. Drainage easements or rights-of-way must be of sufficient width to accommodate the potential runoff from the upstream drainage area as developed according to the Comprehensive Plan.
- k. Low-lying lands along watercourses subject to flooding or overflowing during storm periods, whether or not included in areas for dedication, shall be preserved and retained as drainage ways.
- l. The City may require that any proposed drainage system easement dedication, or drainage channel modification and improvement be reviewed by the Umatilla County Soil and Water Conservation District or the City Engineer. The recommendations of these agencies may be attached as conditions to the granting of a Development Permit or may result in the Planning Commission denying a Permit application. Any additional expenses created by such agency reviews will be assessed to the applicant as a supplemental fee.

AMENDMENTS TO THE SUBDIVISION ORDINANCE #230-78

Section 4. Requirements For Improvements, Preservations, and Design

4.1 GENERAL IMPROVEMENTS

1. CONFORMANCE TO APPLICABLE RULES AND REGULATIONS. Include "minor partitions," after the word "subdivisions" in line 2, to apply the development requirements to minor partitions as well as subdivisions and major partitions.

4.3 DRAINAGE AND STORM SEWERS. Revise section title to read "Flood Hazard Areas, Drainage, and Storm Sewers."

1. GENERAL REQUIREMENTS. Itemize existing text as (A).
 - (B) (Add new text). The design and development of all subdivisions and partitions shall make provision for the protection of the soil surface from undue water and wind erosion, for minimizing additional runoff due to surfacing of the land for roads, houses, and accessory facilities, and for accommodating runoff from the development in such a way that erosion or siltation is not induced on adjoining or downstream properties. All grading and drainage shall be designed to comply with the requirements of the Echo Zoning Ordinance, including both sections 3.8 and 11.3
 - (C) (Add new text). For all sites with an average slope of 7% or greater, the applicant shall develop a Conservation Plan approved by the Umatilla County Soil and Water Conservation District; such plan to be adopted and implemented as a part and parcel of the subdivision plan.

- (D) (Add new text). For all sites with an average slope of less than 7%, the Planning Commission may recommend and City Council require development of an approved Conservation Plan should it be felt the natural characteristics of the site warrant special treatment.

Add a new subsection (3) "Flood Hazard Areas" between items (D) and (E) of subsection (2). Reorganize and relabel (2)(E) and (2)(F).

3. FLOOD HAZARD AREAS. When ever a plan , Plat or Map is submitted for a site within the designated flood hazard area on the Echo Zoning Map or some other area of poor-drainage or potential flood hazard, the following requirements are made. (New Items)
- A: ELEVATION OF STREETS AND HOMESITES. Change the requirements to read "the applicant either constructs fill to place the elevation of streets and building sites at a maximum of one foot below the 100-year flood elevation, utilizing saturation-stable materials properly compacted, or so elevates only streets and driveways, leaving the buildings to be elevated on pilings, foundations, or the like."
 - B: OVERFLOW ZONES. The plan, plat or map of the subdivision or partition shall provide for an overflow zone along the bank of any stream or water-course, in a width which shall be sufficient in time of high water to contain or move the water, and no fill shall be placed in the overflow zone nor shall any structure be erected or placed therein. The overflow zone along the Umatilla River will be the designated "floodway" all mapped overflow areas will be dedicated to the City as floodway rights-of-way for openspace, protection, and flood control use. The boundaries of the overflow zone shall be subject to approval by the City Engineer.
 - C: COMPLIANCE WITH FLOOD HAZARD OVERLAY ZONE REQUIREMENTS. All buildings, structures, plantings, filling grading, road work, and utility installation conducted for or during the development of a partition or subdivision shall comply with the provisions of the Flood Hazard Overlay Zone of the Echo Zoning Ordinance.
 - D: PROHIBITION OF DEVELOPMENT. The City Council, when it deems necessary for the health, safety, or welfare of the present and future population of the area and necessary to the conservation of water, drainage, and sanitary facilities may prohibit the subdivision or partition of any portion of the property which lies within the flood plain of any stream or drainage course, or within areas of extremely poor drainage. These areas shall be preserved from clearing, grading, or dumping of earth, waste material, or stumps, except at the discretion of City Council.
 - E: DEVELOPMENT DENSITIES AND LOT AREAS. Overflow zones, drainage easements or rights-of-way, and areas within the floodplain or exhibiting poor drainage upon which development is prohibited, may still be use in calculating the number of units allowed on the site based on an average zone density.
3. DEDICATION OF DRAINAGE EASEMENTS. (Renumber as 4)
- D.1: Change "perpetual easements" and "easements" to drainage rights-of-way" since the property owner must continue to pay taxes on easements but not rights-of-way.

D.3: Change to read "the applicant shall dedicated drainage rights-of-way along and on both sides of existing watercourses, to a distance to be determined by the City.

D.4: Replace this section has been revised and absorbed into Section 3.89E of the Zoning Ordinance and new item (3)(b) and (3)(e) of this Ordinance.

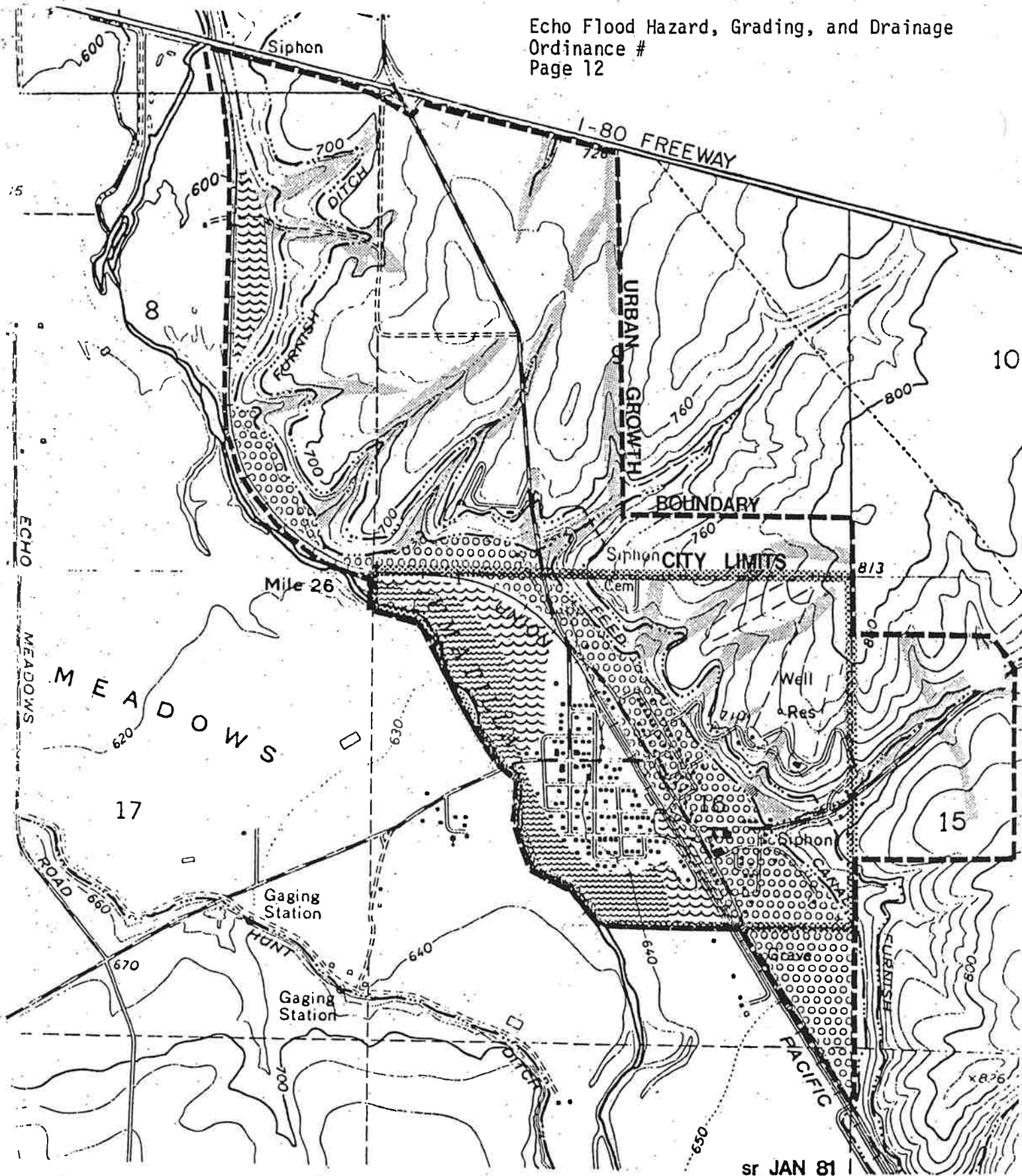
NEW ITEM: Drainage rights-of-way may be included in individual lot area determinations provided they do not take up more than 25% of the required lot area.

This Ordinance amending the Zoning and Subdivision Ordinances is hereby approved this _____ day of December 1980.

Mayor Marvin Laughlin

ATTEST:

Susan Schuening, City Administrator



CITY OF ECHO FLOOD HAZARD OVERLAY ZONE

AMENDMENTS
BY
ORD 254-81

AREAS

A

B

C

D