



# Oregon

Theodore R. Kubongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



## NOTICE OF ADOPTED AMENDMENT

9/20/2010

TO: Subscribers to Notice of Adopted Plan  
or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: City of Astoria Plan Amendment  
DLCD File Number 002-10

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures\*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Friday, October 01, 2010

This amendment was submitted to DLCD for review prior to adoption pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

\*NOTE: The Acknowledgment or Appeal Deadline is based upon the date the decision was mailed by local government. A decision may have been mailed to you on a different date than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Rosemary Johnson, City of Astoria  
Gloria Gardiner, DLCD Urban Planning Specialist  
Chris Shirley, FEMA Specialist  
Matt Spangler, DLCD Regional Representative  
Matt Spangler, DLCD Regional Representative

<paa> YA





FORM **2**

**DLCD**

In person  electronic  mailed

**DEPT OF**

**SEP 13 2010**

**LAND CONSERVATION  
AND DEVELOPMENT**

# Notice of Adoption

For Office Use Only

This Form 2 must be mailed to DLCD within **5-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

Jurisdiction: **City of Astoria**

Local file number: **A10-03**

Date of Adoption: **9-7-10**

Date Mailed: **9-10-10**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD?  Yes  No Date: 6-11-10

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Amend Development Code Section 2.810 concerning "Basis for Establishing the Areas of Special Flood Hazard" to reference the newly adopted FEMA maps.

Does the Adoption differ from proposal? no

Plan Map Changed from:

to:

Zone Map Changed from:

to:

Location: **City wide**

Acres Involved:

Specify Density: Previous:

New:

Applicable statewide planning goals:

|                          |                                     |                          |                          |                          |                          |                                     |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |
|--------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| <b>1</b>                 | <b>2</b>                            | <b>3</b>                 | <b>4</b>                 | <b>5</b>                 | <b>6</b>                 | <b>7</b>                            | <b>8</b>                 | <b>9</b>                 | <b>10</b>                | <b>11</b>                | <b>12</b>                | <b>13</b>                | <b>14</b>                | <b>15</b>                | <b>16</b>                | <b>17</b>                | <b>18</b>                | <b>19</b>                |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Was an Exception Adopted?  YES  NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

Yes  No

If no, do the statewide planning goals apply?

Yes  No

If no, did Emergency Circumstances require immediate adoption?

Yes  No

DLCD file No. 002-10 (18355) [16319]



Please list all affected State or Federal Agencies, Local Governments or Special Districts:

FEMA, CREST

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Local Contact: **Rosemary Johnson**

Phone: (503) 338-5183 Extension: 27

Address: **1095 Duane Street**

Fax Number: 503-338-6538

City: **Astoria**

Zip: **97103**

E-mail Address: **rjohnson@astoria.or.us**

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## ADOPTION SUBMITTAL REQUIREMENTS

**This Form 2 must be received by DLCD no later than 5 days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s) per ORS 197.615 and OAR Chapter 660, Division 18**

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting, please print this **Form 2** on light green paper if available.
3. Send this Form 2 and One (1) Complete Paper Copy and One (1) Electronic Digital CD (documents and maps) of the Adopted Amendment to the address in number 6:
4. **Electronic Submittals: Form 2 – Notice of Adoption will not be accepted via email or any electronic or digital format at this time.**
5. The Adopted Materials must include the final decision signed by the official designated by the jurisdiction. The Final Decision must include approved signed ordinance(s), finding(s), exhibit(s), and any map(s).
6. **DLCD Notice of Adoption must be submitted in One (1) Complete Paper Copy and One (1) Electronic Digital CD via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.** (for submittal instructions, also see # 5)] **MAIL the PAPER COPY and CD of the Adopted Amendment to:**

**ATTENTION: PLAN AMENDMENT SPECIALIST  
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT  
635 CAPITOL STREET NE, SUITE 150  
SALEM, OREGON 97301-2540**

7. Submittal of this Notice of Adoption must include the signed ordinance(s), finding(s), exhibit(s) and any other supplementary information (see ORS 197.615 ).
8. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) of adoption (see ORS 197.830 to 197.845 ).
9. In addition to sending the Form 2 - Notice of Adoption to DLCD, please notify persons who participated in the local hearing and requested notice of the final decision at the same time the adoption packet is mailed to DLCD (see ORS 197.615 ).
10. **Need More Copies?** You can now access these forms online at <http://www.lcd.state.or.us/>. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518.

ORDINANCE NO. 10- 09

AN ORDINANCE AMENDING THE ASTORIA DEVELOPMENT CODE SECTION CONCERNING FLOOD HAZARD AREAS AND DECLARING AN EMERGENCY

THE CITY OF ASTORIA DOES ORDAIN AS FOLLOWS:

Section 1. Astoria Development Code Section 2.810.B, "Basis For Establishing The Areas of Special Flood Hazard" is hereby deleted in its entirety and replaced to read as follows:

"The areas of special flood hazard identified by the Federal Insurance Administration through a scientific and engineering report entitled "The Flood Insurance Study for Clatsop County, Oregon and Incorporated Areas", dated September 17, 2010, with accompanying Flood Insurance Rate Maps and Flood Boundary Maps and any revision thereto, is hereby adopted by reference and declared to be a part of this Code. The Flood Insurance Study is on file at the City of Astoria City Hall, Community Development Department, 1095 Duane Street, Astoria."

Section 2. Effective Date. The City Councils finds that an emergency exists in that this Ordinance Amendment would benefit the economic health of the City as adoption and enactment of the revised FEMA flood maps must occur prior to September 17, 2010. Therefore, the City Council declares that an emergency exists and this ordinance will take effect immediately upon its adoption.

ADOPTED BY THE COMMON COUNCIL THIS 7TH DAY OF SEPTEMBER, 2010.

APPROVED BY THE MAYOR THIS 7TH DAY OF SEPTEMBER, 2010.

[Signature] Mayor

ATTEST:

[Signature] Paul Benoit, City Manager

| ROLL CALL ON ADOPTION: |               | YEA | NAY | ABSENT |
|------------------------|---------------|-----|-----|--------|
| Commissioner           | LaMear        |     |     | X      |
|                        | Roscoe        | X   |     |        |
|                        | Henningsgaard | X   |     |        |
|                        | Warr          | X   |     |        |
| Mayor                  | Van Dusen     |     |     | X      |



BEFORE THE CITY COUNCIL  
OF THE CITY OF ASTORIA

IN THE MATTER OF AN AMENDMENT REQUEST )  
 )  
FOR THE FOLLOWING PROPERTY: CITY WIDE )  
 )  
APPLICANT: COMMUNITY DEVELOPMENT DIRECTOR )  
11095 DUANE STREET, ASTORIA, OREGON 97103 )

ORDER NO. A10-03

The above named applicant applied to the City for an Amendment to amend the text of the Astoria Development Code Section 2.810.B, "Basis For Establishing The Areas of Special Flood Hazard" in all zones within the City limits of Astoria, Oregon.

A public hearing on the above entitled matter was held before the Planning Commission on August 3, 2010 and the Planning Commission closed the public hearing at the August 3, 2010 meeting and recommended that the City Council approve the request.

A public hearing on the above entitled matter was held before the Astoria City Council and the public hearing was closed at the August 16, 2010 meeting; and the Astoria City Council rendered a decision at the September 7, 2010 meeting.

The City Council found the proposed amendment to be necessary and orders that this application for Amendment A10-03 is approved and adopts the findings and conclusions of law attached hereto.


The effective date of this approval is the date of the signing of this order, subject to any attached conditions. *A copy of the application, all documents and evidence relied upon by the applicant, the staff report, and applicable criteria are available for inspection at no cost and will be provided at reasonable cost.*

This decision may be appealed to the Land Use Board of Appeals (LUBA) by the applicant, party to the hearing, or a party who responded in writing by filing a Notice of Intent to Appeal with LUBA within 21 days after the land use decision becomes final as described by OAR 661-010-0010(3).


DATE SIGNED: SEPTEMBER 7, 2010

DATE MAILED: 9/10/10


ASTORIA CITY COUNCIL

  
\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Commissioner

  
\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Commissioner

  
\_\_\_\_\_  
Commissioner



August 30, 2010

TO: ASTORIA CITY COUNCIL

FROM: PAUL BENOIT, CITY MANAGER

SUBJECT: AMENDMENT REQUEST (A10-03) TO AMEND THE ASTORIA DEVELOPMENT CODE CONCERNING THE FLOOD HAZARD OVERLAY ZONE

BACKGROUND

The City of Astoria adopted a Flood Hazard Overlay Zone (FHO) in 1987 to comply with Federal and State mandated requirements for flood hazard management in flood prone areas. On August 3, 2009, the City adopted an update to that code to comply with recent Federal and State requirements. The City's Flood Insurance Rate Map (FIRM) was completed in 1978 by the Federal Emergency Management Agency (FEMA) and is used in conjunction with the FHO for review of any construction in the identified flood prone areas to reduce the potential risk associated with development in these areas. Most flood prone areas in Astoria are along the waterfront, especially in the lower Alderbrook areas. There are a few flood prone areas in the upper hill areas associated with natural streams and underground springs. Other than the obvious over-water parcels, there are approximately 130 parcels in Astoria that are located in the flood zones.

FEMA has recently updated its Flood Insurance Rate Maps (FIRM). In order for property owners to be eligible for flood insurance through the National Flood Insurance Program, a community must have an approved flood management ordinance and must adopt the new maps and have them enacted by September 17, 2010. To comply with this requirement, the City needs to update the FHO to reference the new FEMA maps.

While the Astoria panels of the new FEMA maps did not necessarily add properties to flood zones, the maps are at a larger scale and therefore more detailed. With this increased detail, the actual boundaries of the flood zones may appear to be slightly different. One major change in the maps is that FEMA has converted the maps to use "North American Vertical Datum of 1988" (NAVD88) rather than the former National Geodetic Vertical Datum of 1929 (NGVD29). A vertical datum is the base measurement point from which all elevations are determined. NAVD88 is more compatible with modern surveying, mapping technologies, and GPS (global positioning system), and is more accurate than NGVD29. The older NGVD29 datum was based on 21 surveyed stations while the newer NAVD88 datum is based on the actual earth elevation. This change results in different figures for the base flood elevation (BFE) even though the flood elevation, or relationship of the ground heights to the water surface, does not actually change. In looking at the example diagram provide by FEMA, if the NGVD29 BFE is 109' and the lowest floor elevation (LFE) is 111', under the new NAVD88 datum, the BFE would be 108' and the

LFE would be 110'. In either circumstance, the difference between the flood height and the lowest floor height is two feet. An information sheet from FEMA explaining the differences in the two vertical datum references is attached to the APC's Findings of Fact.

During the FEMA map revision process over the last two years, FEMA met with community representatives and held public outreach meetings. Communities and property owners were given an opportunity to respond to the proposed changes and ask questions on the impact it would have on their properties. Astorians did not have many comments as there were not significant changes to flood plain locations, but the City did respond to FEMA noting errors on the maps that needed to be corrected.

In October 2008, the City Council adopted a Pre-Disaster Mitigation Plan as part of the "Multi-Jurisdictional Natural Hazards Mitigation Plan" for the entire County. An "Action Item" identified in the City's Plan states that the City will "Ensure continued compliance in the National Flood Insurance Program (NFIP) through enforcement of local floodplain management ordinances".

The main goal of the proposed amendment is to adopt the new FEMA maps for compliance with the NFIP requirements. Due to the September 17, 2010 enactment deadline, it is recommended that the Council adopt the ordinance with an emergency clause so that the ordinance is enacted immediately upon adoption and not 30 days after adoption. Failure to have an enacted ordinance by this date would result in the inability of property owners to obtain flood insurance.

At its August 3, 2010 meeting, the Astoria Planning Commission held a public hearing and recommended that the City Council adopt the proposed amendments. A copy of the Staff Report and Findings of Fact as adopted by the Planning Commission is attached. Also attached to this memo is the proposed Development Code changes, and the proposed ordinance.

A public hearing on the Amendment was held and a first reading conducted at the August 16, 2010 City Council meeting.

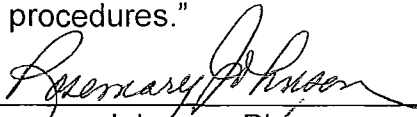
## RECOMMENDATION

It is recommended that the Council adopt the ordinance as recommended by the Planning Commission. If the Council is in agreement with the recommendation of the Planning Commission, it would be in order for Council to hold a second reading, adopt the Findings of Fact, and adopt the Ordinance declaring an emergency for immediate enactment of the ordinance upon adoption.

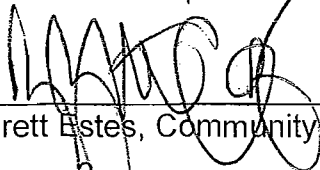
The following is sample language for a motion for adoption of the Findings of Fact:

"I move that the Astoria City Council suspend the rules and adopt the findings and conclusions contained in the staff report, and adopt the Ordinance amending the Astoria Development Code under emergency procedures."

By:

  
\_\_\_\_\_  
Rosemary Johnson, Planner

Through:

  
\_\_\_\_\_  
Brett Estes, Community Development Director

ORDINANCE NO. 10-\_\_\_\_\_

AN ORDINANCE AMENDING THE ASTORIA DEVELOPMENT CODE SECTION CONCERNING FLOOD HAZARD AREAS AND DECLARING AN EMERGENCY

THE CITY OF ASTORIA DOES ORDAIN AS FOLLOWS:

Section 1. Astoria Development Code Section 2.810.B, "Basis For Establishing The Areas of Special Flood Hazard" is hereby deleted in its entirety and replaced to read as follows:

"The areas of special flood hazard identified by the Federal Insurance Administration through a scientific and engineering report entitled "The Flood Insurance Study for Clatsop County, Oregon and Incorporated Areas", dated September 17, 2010, with accompanying Flood Insurance Rate Maps and Flood Boundary Maps and any revision thereto, is hereby adopted by reference and declared to be a part of this Code. The Flood Insurance Study is on file at the City of Astoria City Hall, Community Development Department, 1095 Duane Street, Astoria."

Section 2. Effective Date. The City Councils finds that an emergency exists in that this Ordinance Amendment would benefit the economic health of the City as adoption and enactment of the revised FEMA flood maps must occur prior to September 17, 2010. Therefore, the City Council declares that an emergency exists and this ordinance will take effect immediately upon its adoption.

ADOPTED BY THE COMMON COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2010.

APPROVED BY THE MAYOR THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2010.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Paul Benoit, City Manager

ROLL CALL ON ADOPTION:                    YEA                    NAY                    ABSENT

Commissioner      LaMear  
                             Roscoe  
                             Henningsgaard  
                             Warr

Mayor Van Dusen



STAFF REPORT AND FINDINGS OF FACT

July 26, 2010

TO: PLANNING COMMISSION

FROM: ROSEMARY JOHNSON, PLANNER



SUBJECT: AMENDMENT (A10-03) TO THE DEVELOPMENT CODE CONCERNING THE FLOOD HAZARD OVERLAY ZONE

I. BACKGROUND SUMMARY

- A. Applicant: Brett Estes  
Community Development Director  
City of Astoria  
1095 Duane  
Astoria OR 97103
- B. Request: Amend the Development Code Section 2.810 by revising the Flood Hazard Overlay Zone to reference newly adopted FEMA maps
- C. Location: City wide
- D. Zone: Flood Hazard Overlay Zone

II. BACKGROUND

The City of Astoria adopted a Flood Hazard Overlay Zone (FHO) in 1987 to comply with Federal and State mandated requirements for flood hazard management in flood prone areas. The City's Flood Insurance Rate Map (FIRM) was completed in 1978 by the Federal Emergency Management Agency (FEMA) and is used in conjunction with the FHO for review of any construction in the identified flood prone areas to reduce the potential risk associated with development in these areas. Most flood prone areas in Astoria are along the waterfront, especially in the lower Alderbrook areas. There are a few flood prone areas in the upper hill areas associated with natural streams and underground springs.

On August 2, 2009, the City Council adopted an update to the text of the Flood Hazard Overlay Zone. The FHO had not been updated since 1992 and the revisions were required for several reasons. One reason was that FEMA was in the process of updating its Flood Insurance Rate Maps (FIRM) which identify areas which are subject to flooding. With the proposed map updates, the City reviewed the Flood Hazard Overlay Zone and assessed any needed updates. In addition, the Oregon Department of Land Conservation and Development (DLCD) has been coordinating with FEMA to encourage all Oregon jurisdictions to update their flood hazard ordinances. In order for property owners to be eligible for flood insurance through the National Flood

Insurance Program, a community must have an approved flood management ordinance. To comply with this requirement, the City needed to update the FHO as recommended by FEMA and DLCD.

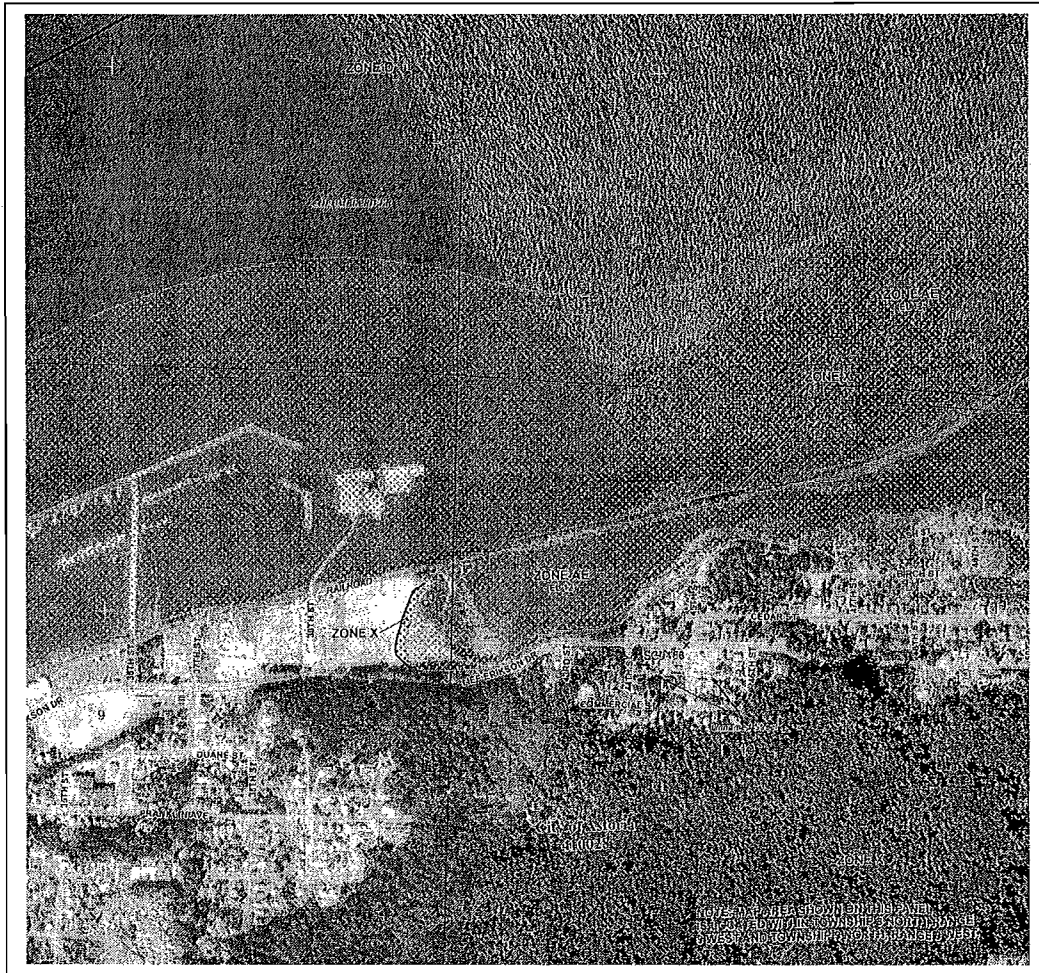
FEMA has now completed the new flood maps and communities need to reference these new maps in the Flood Hazard Overlay Zone. Adoption of the new maps must be completed by September 17, 2010 (the effective date of the newly adopted FEMA maps) or property owners would not be eligible for flood insurance. In October 2008, the City Council adopted a Pre-Disaster Mitigation Plan as part of the "Multi-Jurisdictional Natural Hazards Mitigation Plan" for the entire County. An "Action Item" identified in the City's Plan states that the City will *"Ensure continued compliance in the National Flood Insurance Program (NFIP) through enforcement of local floodplain management ordinances"*. The main goal of the proposed amendment is to adequately incorporate the revisions identified by DLCD and FEMA for compliance with the NFIP requirements.

While the Astoria panels of the new FEMA maps did not necessarily add properties to flood zones, the maps are at a larger scale and therefore more detailed. With this increased detail, the actual boundaries of the flood zones may appear to be slightly different. One major change in the maps is that FEMA has converted the maps to use "North American Vertical Datum of 1988" (NAVD88) rather than the former National Geodetic Vertical Datum of 1929 (NGVD29). A vertical datum is the base measurement point from which all elevations are determined. NAVD88 is more compatible with modern surveying, mapping technologies, and GPS (global positioning system), and is more accurate than NGVD29. The older NGVD29 datum was based on 21 surveyed stations while the newer NAVD88 datum is based on the actual earth elevation. This change results in different figures for the base flood elevation (BFE) even though the flood elevation, or relationship of the ground heights to the water surface, does not actually change. In looking at the example diagram provide by FEMA, if the NGVD29 BFE is 109' and the lowest floor elevation (LFE) is 111', under the new NAVD88 datum, the BFE would be 108' and the LFE would be 110'. That results in still a two foot difference between the flood height and the lowest floor height no matter which datum is used. An information sheet from FEMA explaining the differences in the two vertical datum references is attached for the APC's information.

During the FEMA map revision process over the last two years, FEMA met with community representatives and held public outreach meetings. Communities and property owners were given an opportunity to respond to the proposed changes and ask questions on the impact it would have on their properties. Astorians did not have many comments, but the City did respond to FEMA noting errors on the maps that needed to be corrected. Some communities in Clatsop County were impacted by various aspects of the new map updates, but it did not appear that Astoria was negatively impacted by the changes.

The new maps are large and there are several different panels that comprise the Astoria area. Therefore, they are not easy to copy and include with the staff report. Copies of the revised FEMA maps are available for review in the Community Development Department office and will be available at the Planning Commission

meeting. The map included below is an example of the new FEMA map and depicts a portion of the Alderbrook neighborhood. It shows various zones with the flood zones identified with a stippled shading.



Should the Astoria Planning Commission (APC) recommend approval, the recommendation will be forwarded to the City Council for consideration and adoption tentatively at the City Council's August 16, 2009 meeting.

### III. PUBLIC REVIEW AND COMMENT

#### A. Planning Commission

A public notice was mailed to Neighborhood Associates and interested parties on July 9, 2010. In accordance with Section 9.020, a notice of public hearing was published in the Daily Astorian on July 27, 2010. The proposed amendments are legislative as they apply City-wide. Any comments received will be made available at the Planning Commission meeting.



B. City Council

In accordance with Section 9.020, a notice of public hearing will be published in the Daily Astorian on August 9, 2010. Any comments received will be made available at the City Council meeting.

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IV. FINDINGS OF FACT

- A. Development Code Section 10.020(A) states that *“an amendment to the text of the Development Code or the Comprehensive Plan may be initiated by the City Council, Planning Commission, the Community Development Director, or the owner or owners of the property for which the change is proposed.”*

Finding: The proposed amendment to the Development Code is being initiated by the Community Development Director.

- B. Section 10.050(A) states that *“The following amendment actions are considered legislative under this Code:*

1. *An amendment to the text of the Development Code or Comprehensive Plan.*
2. *A zone change action that the Community Development Director has designated as legislative after finding the matter at issue involves such a substantial area and number of property owners or such broad public policy changes that processing the request as a quasi-judicial action would be inappropriate.”*

Finding: The proposed amendment is to amend the text of the Flood Hazard Overlay Zone in the Astoria Development Code. The Code is applicable City-wide in all flood prone areas. Processing as a quasi-judicial action would be inappropriate.

- C. Section 10.070(A)(1) requires that *“The amendment is consistent with the Comprehensive Plan.”*

1. CP.400(1) concerning Geologic and Flood Hazard Policies states that *“The City will take reasonable precautions to protect life and property from natural hazards or disasters, through the use of the City Flood Hazards Ordinance, the Uniform Building Code, and the policies for the management of geologic hazard areas.”*

Finding: The proposed amendment will update the City’s Flood Hazard Ordinance (i.e. Flood Hazard Overlay Zone) to ensure that the ordinance complies with the flood hazard requirements set forth by the Oregon Department of Land Conservation and Development, and the Federal Emergency Management Agency, Department of Homeland Security. By updating the FHO to adopt the current FEMA maps, the City is taking

reasonable precautions to protect life and liberty from natural hazards or disasters. Therefore, the proposed amendment is consistent with the Geologic and Flood Hazard Policies.

Finding: The request is consistent with the Comprehensive Plan as a result of the findings stated above.

- C. Section 10.070(A)(2) requires that *"The amendment will not adversely affect the ability of the City to satisfy land and water use needs."*

Finding: The proposed amendment addresses the reference to the newly adopted FEMA flood maps which is to ensure compliance with State and Federal requirements. The proposed amendment does not prohibit development but adopts reference to the new FEMA flood maps for construction within a flood hazard area. The proposed amendment will not adversely affect the ability of the City to satisfy land and water use needs.

#### V. CONCLUSION AND RECOMMENDATION

The request is consistent with the Comprehensive Plan and Development Code. Staff recommends that the Planning Commission recommend approval of the proposed amendment to the City Council for adoption.

28

Community Development Dept  
City of Astoria  
1095 Duane St  
Astoria OR 97103



incentive

049J82020187  
**\$0 1.560**  
09/10/2010  
Mailed From 97103  
**US POSTAGE**

Plan Amendment Specialist  
DLCD  
635 Capitol St NE 150  
Salem OR 97301-2540

**FIRST CLASS**