

Chapter 16.40

HAZARD OVERLAY ZONE (H)

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16.40.010 Purpose.

The Hazard Overlay Zone is intended to be used in conjunction with any of the city's underlying base zones (example: R-1/H, M-2/H, etc.) to assure that the development of the site will not result in an unacceptable level of risk because of hazardous conditions. The Hazard Overlay Zone is intended to be applied only to those specific properties which have been identified as having steep slopes or potential for flooding. (Ord. 740 section 10.3.37(A), 1984)

16.40.014 Flood insurance study.

The flood insurance study, including the flood insurance rate map, dated June 17, 2008, as presently adopted, and as may be amended by the Federal Emergency Management Agency, are adopted by reference and declared to be part of this chapter. Copies of the flood insurance rate maps shall be kept on file with the official zoning map of the city. (Ord. 804 section 3(A), 1987; Ord. 1286, 2008)

16.40.016 Floodways - alteration of watercourse.

Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles, and erosion potential, the Planning Commission shall work closely with the city Building Official to assure that encroachments into floodways are minimized and the requirements of the Flood Hazard Protection Ordinance (Chapter 15.12 of this code) are met. (Ord. 804 section 3(B), 1987)

16.40.018 Subdivisions, partitions and lot line adjustments.

In approving applications for subdivisions, land partitions and lot line adjustments in H overlay zones, it must be found that the proposed development will:

- A.** Be consistent with the need to minimize flood damage, based upon accurate base flood elevation data;

B. Have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage;

C. Have adequate drainage to reduce exposure to flood damage. (Ord. 804 section 3(C), 1987)

16.40.020 Uses permitted outright.

Uses permitted outright in the Hazard Overlay Zone shall be as follows:

A. One single-family dwelling per lot, provided that it is designed, located and constructed with a base floor elevation which is at least one foot above the base flood elevation determined in compliance with the requirements of the Federal Flood Insurance Program;

B. Agriculture, including all accessory structures necessary to the conduct of agricultural activity, provided that such structures comply with the requirements of the Federal Flood Insurance Program, and excluding commercial processing, sales, manufacturing, or packaging plants, except when used for items grown primarily on the premises;

C. Accessory structures and use, provided that they comply with the requirements of the Federal Flood Insurance Program;

D. Water intake or sewer outflow structures which meet county and state requirements for construction, as well as the requirements of the Federal Flood Insurance Program. (Ord. 740 section 10.3.37(B), 1984)

16.40.030 Conditional uses.

Conditional uses in the Hazard Overlay Zone shall be as follows:

A. All uses not listed in section 16.40.020 as permitted outright, but listed as either permitted or conditional uses in the underlying base zone. In reviewing such conditional use permit applications, the Planning Commission shall require full compliance with the requirements of the Federal Flood Insurance Program, proof of base floor elevations at least one foot above base flood levels, and may impose special conditions to mitigate or minimize hazards to life and property;

B. Aggregate removal operations. (Ord. 740 section 10.3.37(C), 1984)

16.40.040 Special conditions relating to fish and wildlife protection.

In reviewing any discretionary application for development in an "H" overlay zoned area, the Planning Commission and City Council shall consider the potential impacts of the development upon fish, wildlife and open space resources of the community. Where it is found that the potential for such impacts is significant, the hearing body shall impose whatever conditions or restrictions upon the development are necessary to mitigate or minimize such impacts. Grading plans shall be submitted for the review of the Planning Commission prior to the commencement of any road building or major site grading. Tree-cutting plans shall be submitted for review prior to the removal of any trees having trunks of greater than six inches in diameter. Grading plans and tree-cutting plans shall be reviewed

by the commission except in the case of minor tree cutting in isolated cases which shall require only the prior approval of the city forester. The commission may require the developer to plant selected species of trees or other vegetation to stabilize slopes and enhance wildlife habitat areas. (Ord. 740 section 10.3.37(D), 1984)

16.40.050 Special conditions relating to mobile homes and travel trailers.

All manufactured housing units to be placed or substantially improved within the areas designated A-1 through A-30, AH or AE, on the flood insurance rate map of the City of Canby, as now drawn or as may be amended, shall be:

A. Elevated on a permanent foundation such that the lowest floor of the unit is a minimum of one foot above the base flood elevation; and

B. Anchored to a foundation system in compliance with the standards established by the Federal Emergency Management Agency. (Ord. 804 section 3 (D), 1987)