

ORDINANCE NO. 2025-XX

**ORDINANCE AMENDING FOREST GROVE DEVELOPMNT CODE ARTICLE 8 AND 12
TO ADOPT REVISED FLOODPLAIN MANAGEMENT REGULATIONS AND
DEFINITIONS IN COMPLIANCE WITH THE FEDERAL EMERGENCY MANAGEMENT
AGECNY 2024 FLOOD HAZARD MANAGEMENT MODEL ORDINANCE;
FILE NO. 311-25-000005-PLNG**

WHEREAS, the Federal Emergency Management Agency (FEMA) developed a mode flood hazard management model ordinance (Model Ordinance) in 2024; and

WHEREAS, the Model Ordinance addresses the requirements outlined in the draft implementation plan for the National Flood Insurance Program (NFIP); and

WHEREAS, in 2016, the National Marine Fisheries Service (NMFS) issued a biological opinion (BiOp) which recommended changes to the implementation of the NFIP in Oregon on listed endangered species under NMFS authority; and

WHEREAS, as a result of the BiOP issued by NMFS, communities are required to demonstrate how development in the floodplain is compliant with the Endangered Species Act while an Environmental Impact Statement is prepared; and

WHEREAS, the Model Ordinance provides the regulations necessary to implement the draft implementation plan and serves as one of three actions a community can take under pre-implementation compliance measures (PICM); and

WHEREAS, implementing the Model Ordinance is the preferred PICM action under Oregon land use planning law which requires clear and objectives development standards for certain types of development; and

WHEREAS, implementing the Model Ordinance also ensures the City's continuing eligibility for participation in the NFIP; and

WHEREAS, notice of the proposed amendments to the Development Code was provided to the Oregon Department of Land Conservation and Development and Metro; and

WHEREAS, notice of the proposed amendments were also provided to potentially affected property owners as required by Oregon Ballot Measure 56; and

WHEREAS, notice of the proposed amendments was published in the Forest Grove News-Times on April 10, 2025; and

WHEREAS, the Planning Commission held the duly noticed public hearing on the proposed amendments on April 21, 2025; and

WHEREAS, on April 21, 2025, the Planning Commission adopted Planning Commission Findings and Decision No. XXXX-XX recommending approval of the proposed amendments; and

WHEREAS, the City Council held the duly noticed public hearing on the proposed ordinance amending the Development Code for first and second reading on XXX, XX, XXXX

NOW, THEREFORE, THE CITY OF FOREST GROVE ORDAINS AS FOLLOWS:

Section 1. The City Council hereby adopts the Planning Commission’s findings and Decision No. XXXX-XX, attached as Exhibit A, recommending approval of the proposed Development Code amendments.

Section 2. The City Council hereby adopts the text amendments to Development Code Article 8 and Article 12 as described by Exhibit A, Attachment 1.

Section 3. This ordinance shall be effective 30 days following its enactment by the City Council.

PRESENTED AND PASSED the first reading the XX day of XX, 2025.

PASSED the second reading the XX day of XX, 2025.

Mariah S. Woods, City Recorder

APPROVED by the Mayor this XX day of XX, 2025.

Malynda H. Wenzl, Mayor