

AGENDA CHECKLIST
BENTON COUNTY BOARD OF COMMISSIONERS
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Item #

This document must be completed for each agenda item submitted for consideration by the Board of Commissioners at any meeting where a Board quorum is expected.

Suggested Placement for this Agenda Item:
 BOC Tuesday Meeting
 Other: _____

Suggested Agenda Date: October 18, 2016

Department Submitting: Community Development

Short Title of Agenda Item: **Public Hearing & Ordinance 1st Reading – Floodplain Map & Code Amendments – Planning File No. LU-16-057**

Contact Person: Toby Lewis

Phone Extension: 6296

Person Attending BOC Meeting (REQUIRED):

Toby Lewis & Greg Verret

Person(s) Who Should Receive Signed Documents

After Meeting: Toby Lewis

This Item Involves: (Check all that apply for this meeting.)	
<input type="checkbox"/> Order/Resolution/Proclamation	<input type="checkbox"/> Appointments
<input checked="" type="checkbox"/> Ordinance/Public Hearing:	<input type="checkbox"/> Update on Project/Committee
<input checked="" type="checkbox"/> 1st Reading <input type="checkbox"/> 2nd Reading	<input type="checkbox"/> Discussion Only
<input type="checkbox"/> Public Comment Anticipated: Estimated Time	<input checked="" type="checkbox"/> Discussion & Action 30 minutes Estimated Time
<input type="checkbox"/> Document Recording Required	<input type="checkbox"/> Special Report:
<input type="checkbox"/> Contract/Agreement	<input type="checkbox"/> Oral <input type="checkbox"/> Written

If appropriate, have Boards/Committees been involved? Yes No Not Applicable

If yes, address under Salient Issues, page 2.

If appropriate, has this agenda/item been advertised? Yes No Not Applicable

Names of Publications Corvallis Gazette-Times

Dates of Publication: Friday, September 23, 2016

Reviewed By: (Signature and Date Required)

<u></u>	<u>10/12/16</u>	Department Head	Required for all BOC meetings
_____	DATE	Chief Operating Officer	Required for all BOC meetings
_____	DATE	County Counsel	Required for all legal documents
_____	DATE	Budget Office	If appropriate
_____	DATE	Human Resources	Required for all personnel actions
_____	DATE	BOC Administration	Required for all BOC meetings

Provide one original or send electronically to Board Staff.

DO NOT USE STAPLES!

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DATE OF MEETING:

October 18, 2016

TITLE OF AGENDA ITEM:

Public Hearing & First Reading of Ordinance 2016-0276: Zoning Map and Development Code amendments relating to flood hazard mapping and regulations (Planning File No. LU-16-057)

IDENTIFIED SALIENT ISSUES:

- This is a public hearing to adopt proposed Zoning Map and Development Code revisions.
- The Federal Emergency Management Agency (FEMA) has issued five revised flood map panels, which Benton County is required to adopt.
- Staff is proposing a few additional modifications to the Floodplain Management chapter of the Development Code.
- FEMA has mandated an effective date of December 8, 2016, for the revised flood maps. In order to meet that deadline, it will be necessary for the Board to conduct the first reading on October 18.
- The proposed Zoning Map and Development Code revisions were reviewed during a Planning Commission hearing held on October 4, 2016.
- The following items are included with this agenda checklist:
 - Memo identifying key topics of discussion leading up to the Planning Commission's recommendation;
 - Staff report prepared for the Planning Commission hearing held October 4, 2016;
 - Proposed code amendments
 - Comments received from Rural Fire Protection Districts as of October 10, 2016 regarding the proposed Development Code amendments in Section 83.605(2)(b) ; and
 - Proposed Ordinance 2016-0276.
- The agenda packet prepared for the September 20, 2016, work session is also included for reference regarding background information of the events leading up to the need to adopt the revised flood map panels.

Current Status for Benton County and Adoption Process:

On October 4, 2016, the Planning Commission issued a recommendation to adopt the revised Flood Insurance Rate Map panels and the proposed amendments to the floodplain regulations.

The October 18, 2016 public hearing before the Board of Commissioners is the next step in the adoption process. The hearing is an opportunity for the Board to receive testimony, deliberate the proposed revisions, and issue a decision regarding the adoption of the revised Flood Insurance Rate Map panels and the proposed amendments to the floodplain regulations.

The First Reading of the Ordinance is scheduled to be held at the conclusion of the public hearing on October 18, 2016 and the Second Reading is scheduled for November 1, 2016. The expected effective date of the proposed map and code amendments is December 8, 2016.

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Proposed Code Amendments:

The proposed code amendments to Chapter 83 (Floodplain Management Overlay) are summarized below; the full text of the amendments is included as an attachment to this agenda packet.

- BCC 83.010(1) – Incorporation of the revised Flood Insurance Rate Map panels and Letter of Map Revision into the chapter. This is required by FEMA in order for Benton County residents to continue to be eligible for federal flood insurance.
- BCC 83.205(1) – Clarification of method for documenting that a proposed project will not result in any increase in flood levels during a base flood event. This will make clear what the evaluation process is for certain development proposals, and by having FEMA review them, will ensure consistent and expert evaluation.
- BCC 83.605(2)(b) – Clarification of the method for providing documentation and review process to determine whether or not newly created parcels will have adequate access by standard emergency vehicles during a base flood event. This will create a more certain and reliable process for review by fire agencies, ensuring that the intent of this code provision is carried through.
- BCC 83.010(2) & (3) – Removal of outdated language regarding the 0.2-foot floodway identified within the Corvallis Urban Fringe. This is a redundant provision now, because the recently adopted flood maps for the Corvallis area utilize the 0.2-foot floodway.
- BCC 83.010(3)(b)(C) – Correction of the term Letter of Map Revision
- BCC 83.210(1) – Correction of when a Post-Construction Elevation Certificate is required to be submitted
- BCC 83.310(2) – Spelling correction
- BCC 83.605(2) – Clarification of what is meant by the term non-residential, as used in this section

OPTIONS:

- 1) Conduct the first reading of the ordinance.
- 2) Modify the proposed amendments and conduct the first reading.

FISCAL IMPACT:

Adopting the proposed map revisions will keep Benton County Development Code current with the latest Flood Insurance Rate Maps which will ensure that federally backed flood insurance remains available in Benton County. Additionally, in Benton County, policy holders within the Special Flood Hazard Area continue to receive an automatic discount – currently 20% – on their flood insurance premiums due to the County’s management of development in the floodplain.

Adopting the floodplain code revisions will provide greater clarification for applicants and staff and will remove errors.

These amendments do not create new requirements; however, they will result in some properties being designated as subject to floodplain regulations which may result in increased construction expenses.

STAFF RECOMMENDATIONS:

Conduct the public hearing and then conduct the First Reading of the Ordinance.

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SUGGESTED MOTION(S):

I move to conduct the first reading for adoption of Ordinance No. 2016-0276, amending the Zoning Map and revising the Development Code as proposed in Planning File No. LU-16-057.

Or,

I move to conduct the first reading for adoption of Ordinance No. 2016-0276, **as modified at the public hearing**, amending the Zoning Map and revising the Development Code as proposed in Planning File No. LU-16-057.