

This is to notify you that Benton County has proposed a land use regulation that may affect the permissible uses of your property and other properties.



**COMMUNITY DEVELOPMENT DEPARTMENT**

360 SW Avery Avenue  
Corvallis, OR 97333-1139  
(541) 766-6819  
FAX (541) 766-6891

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**NOTICE OF PUBLIC HEARINGS**

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<b>PROPOSED ACTION:</b>	<b>Amendments to Benton County:</b> <ul style="list-style-type: none"><li>• <b>Zoning Map</b> – Revised Flood Insurance Rate Map Panels</li><li>• <b>Development Code</b> – Chapter 83 “Floodplain Management”</li></ul> <p><i>A summary of the amendments is included on the reverse of this notice.</i></p>
<b>APPLICABLE CRITERIA:</b>	Benton County Development Code Sections 53.505 through 53.525 (Zone Change) and 53.605 through 53.625 (Text Amendment) Benton County Comprehensive Plan Section 7.2 (Floodplain)
<b>AFFECTED PROPERTY:</b>	<b>Zoning Map amendments apply to unincorporated land in:</b> <ul style="list-style-type: none"><li>• <b>North Albany:</b> Within the Special Flood Hazard Area of the Willamette River and the Thornton Lakes System</li><li>• <b>Corvallis:</b> Near the intersection of 35<sup>th</sup> St. &amp; Western Blvd.</li></ul> <b>Development Code amendments apply to:</b> <p>All land in unincorporated Benton County, located within the Special Flood Hazard Area, as identified on the Benton County Flood Insurance Rate Maps</p>
<b>PUBLIC HEARING DATES:</b>	<b>Planning Commission:</b> <u>October 4, 2016 at 7:00 p.m.</u> in the Main Meeting Room, Benton County Sunset Building, 4077 SW Research Way, Corvallis, Oregon. The Planning Commission will make a recommendation to the Board of County Commissioners. <b>Board of County Commissioners:</b> <u>October 18, 2016 at 12:00 p.m.</u> in the Board of Commissioners Meeting Room, 205 NW 5th Street, Corvallis, Oregon. At this hearing the final decision will be made.
<b>FILE NUMBER:</b>	<b>LU-16-057</b>
<b>STAFF CONTACT:</b>	Toby Lewis ( <a href="mailto:toby.a.lewis@co.benton.or.us">toby.a.lewis@co.benton.or.us</a> or 541-766-6819)

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**Availability of Information:** The proposed amendments to the Benton County Development Code and Zoning Map, the staff report, and related documents can be inspected free of cost, or purchased at a reasonable cost, at the Benton County Community Development Department, 360 SW Avery Avenue, Corvallis. The Staff Report will be available upon request on and after September 27, 2016. **You may request to have the proposed code amendments and staff report e-mailed to you for free.** For information regarding how the proposed amendments would affect your property, you may also call the Benton County Community Development Department at (541) 766-6819.

**Submitting Testimony:** Any interested person may submit written testimony prior to or at the public hearing. Testimony must identify the name and mailing address of the person commenting and the file number LU-16-057 in all correspondence. Testimony may be sent to [toby.a.lewis@co.benton.or.us](mailto:toby.a.lewis@co.benton.or.us) or the Community Development Dept., 360 SW Avery Ave., Corvallis, OR 97333. **Written testimony received by 5:00 p.m. on September 26, 2016,** will be included with the Staff Report sent to the Planning Commission in advance of the hearing; testimony received after this time and prior to 5:00 pm on the hearing date will be presented to the Planning Commission at the hearing.

The public hearing will be conducted in a manner which permits oral and written testimony. The Planning Commission action will be in the form of a recommendation to the Board of Commissioners, who will conduct a subsequent hearing on this issue where additional testimony will be accepted. All testifiers will be notified in writing of the final decision. Failure to raise an issue in person or by letter, or failure to provide sufficient specificity to afford the County the opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals (LUBA) based on that issue. The hearing room is accessible to the disabled. Please notify the Development Department at 541-766-6819 concerning any physical or language accommodations you may need as far in advance of the hearing as possible.

**Required Notification:** The following statement is required by state law; Benton County has not made a determination regarding how the revised Flood Insurance Rate Maps and proposed amendments to the floodplain regulations would affect the value of your property: *Benton County has determined that adoption of this ordinance may affect the permissible uses of your property, and other properties in the affected zone, and may change the value of your property.*

## SUMMARY OF PROPOSED AMENDMENTS

**NOTE:** Property owners in the North Albany area may also receive a notice similar to this one from the City of Albany. Separate notices are necessary because each jurisdiction has specific required procedures for amending development codes and comprehensive plans.

**General Information:** File No. LU-16-057 adopts five revised Flood Insurance Rate Map (FIRM) panels and one Letter of Map Revision (LOMR) issued by the Federal Emergency Management Agency (FEMA) and implements revisions to the Floodplain Management chapter of the Benton County Development Code (BCC). These actions affect land outside the city limits of incorporated cities within the FEMA-designated floodplains (also known as Special Flood Hazard Areas), as shown on the revised Flood Insurance Rate Map panels. You are receiving this notice because you own property that appears to be within a revised FEMA-designated floodplain area.

**Additional information regarding the North Albany flood study and flood insurance is available online at:**  
<https://www.cityofalbany.net/departments/public-works/engineering/north-albany-floodplain-study>

The purpose of the code amendments is to cite the effective date of the revised FIRM panels and Letter of Map Amendment and to clarify documentation requirements for several floodplain development activities. The goal of the Floodplain Management regulations is to minimize the hazard to property owners, neighboring property owners, public and private infrastructure, and environmental systems during flood events.

**The consequence of not adopting a revised, FEMA-compliant floodplain ordinance is suspension from the National Flood Insurance Program (NFIP).** Suspension from the NFIP means federally backed flood insurance will no longer be available to property owners in unincorporated Benton County. Suspension from the NFIP also means that the cost of all flood insurance policies within the unincorporated Benton County Special Flood Hazard Area will increase by 20% and the cost of all other flood insurance policies in unincorporated Benton County will increase by 10%.

**Zoning Map Amendments:** Copies of the preliminary Flood Insurance Rate Map panels identifying the location of the FEMA-designated floodplain in relation to your property are available for viewing at the Community Development Department, 360 SW Avery Ave., Corvallis. This information is also **available on-line at:**

<http://msc.fema.gov/portal/advanceSearch>

- **North Albany:** In the *Jurisdiction Name or FEMA ID* search box, type "410008" and then click on the drop-down option that begins with "BENTON COUNTY UNINCORPORATED AREAS". Next click on the blue *Search* button below. Under the light blue "Please Note:" information box, click on "Pending Products (8)", then click on "FIRM Panels (6)". Finally, click on a button in the "View" column to view a revised panel.
- **Corvallis:** In the *Product ID* search box, type "14-10-0472P-410008" and then click on the drop-down option labeled "14-10-0472P-410008|LOMR". Next click on the blue *Search* button below. Under the light blue "Please Note:" information box, click on each of the bolded folder options as they drop down until a table appears. Finally, click on the button in the "Download" column to view the revised panel section.

**Development Code Amendments:** The following represents a brief summary of the proposed revisions to the Development Code; this list does not include all elements of the proposed amendments. (For complete information please see the full text of the proposal, available from the Benton County Community Development Department, 360 SW Avery Ave., Corvallis, or on-line at [www.co.benton.or.us/cd/page/floodplain-information](http://www.co.benton.or.us/cd/page/floodplain-information) beginning September 27, 2016)

- **Section 83.010** – Addition of language citing Flood Insurance Rate Map revisions and effective dates for the Oak Creek Letter of Map Revision (FEMA Case No. 14-10-0472P) and the North Albany area Physical Map Revision; removal of outdated language regarding the 0.2-foot floodway identification within the Corvallis Urban Fringe.
- **Section 83.205(1)(a)** – Clarification of documentation required to be submitted for proposed development within a floodway. The current requirements state that no increase of base flood levels is allowed but does not identify how this must be documented. The proposed amendment will require submission of an approved Conditional Letter of Map Revision. Implementation of this requirement will ensure documentation of compliance with the no-rise criteria and that proposed projects will not cause harm to endangered fish species within the affected Special Flood Hazard Areas.
- **Section 83.210(1)** – Correction regarding when a Post-Construction Elevation Certificate is required.
- **Section 83.605(2)(b)** – Clarification of documentation required to be submitted with applications for land division and adjustment within the Special Flood Hazard Areas. The Development Code currently requires input from the fire districts identifying whether or not they can access the proposed parcels during a flood event; however, the Planning Division and fire districts do not have access to all of the necessary information to make such a determination. The proposed amendments will require either (a) submission of grade elevations compared to Base Flood Elevations along the entire access route so that fire districts can determine whether or not they can access the subject property during emergency situations or (b) recording of a covenant removing dwelling rights from the affected property until such documentation is submitted.

**The full text of the proposed Development Code amendments will available on and after September 27, 2016** from the Benton County Planning Division, 360 SW Avery Ave., Corvallis.

**NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR OR SELLER:**  
**ORS 215 REQUIRES THAT IF YOU RECEIVE THIS NOTICE IT MUST BE PROMPTLY FORWARDED TO THE PURCHASER.**  
*The recipient of this notice is hereby responsible to promptly forward a copy of this notice to every person with a documented interest, including a renter or lessee.*