

AGENDA CHECKLIST
BENTON COUNTY BOARD OF COMMISSIONERS
(Page 2 of 3)

DATE OF MEETING:

September 20, 2016

TITLE OF AGENDA ITEM:

Discussion and initiation of Zoning Map and Development Code amendments relating to flood hazard mapping and regulations.

IDENTIFIED SALIENT ISSUES:

- FEMA has issued three 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.
- The Board's approval is required to initiate changes to the Zoning Map and Development Code absent an application from the public.
- The proposed Zoning Map and Development Code revisions will be reviewed during a Planning Commission hearing scheduled for October 4, 2016 and a hearing before the Board of Commissioners has been scheduled for October 18, 2016.
- An overview of the proposed revisions to the floodplain maps and regulations is included below.

Zoning Map Revisions:

The proposed Zoning Map changes center on amendments the Federal Emergency Management Agency (FEMA) has made to five of the Flood Insurance Rate Map (FIRM) panels in the North Albany area as well as a small section of Oak Creek near the intersection of 35th Street and Washington Avenue in Corvallis.

The City of Albany has been working with FEMA to complete the review of the North Albany flood study for several years. The study was initiated by the City of Albany in 2010 due to the observation that the currently mapped floodplain was not consistent with historic flood records or with new information being submitted by developers. The City has included Benton County staff and citizens throughout this process to ensure that there is a smooth transition from the current maps to the proposed maps. FEMA has now issued the revised FIRM panels and stated that they will be effective December 8, 2016.

Changes to the floodplain along Oak Creek near the intersection of 35th Street and Washington Avenue were initiated following the annexation of the housing development known as The Retreat and prior to its construction. Because the changes only affected a portion of one FIRM panel, the revision was approved by FEMA through the Letter of Map Revision (LOMR) process. Approval of a LOMR formally changes the mapped floodplain recognized by FEMA but does not cause a new FIRM panel to be issued. These changes were effective July 14, 2014 and the County has been regulating floodplain development in this area based on the changes but there has been no opportunity to formally incorporate the LOMR approval into the Development Code until now.

Development Code Revisions:

As required by FEMA, the proposed Development Code amendments will formally recognize the North Albany FIRM panel map revisions. The amendments will also make minor modifications to clarify methods of compliance with floodplain regulations and correct minor errors. The proposed points of clarification are:

AGENDA CHECKLIST
BENTON COUNTY BOARD OF COMMISSIONERS
(Page 3 of 3)

- Work within a designated floodway requires submission of an approved Conditional Letter of Map Revision (CLOMR). This will ensure documentation of compliance with the no-rise criteria and will ensure that proposed projects will not cause harm to endangered fish species within the mapped floodplains.
- Land partitions within the mapped floodplain require either 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 recording of a covenant removing dwelling rights from the affected property until such documentation is submitted. The code currently requires that the fire districts determine whether or not they can access the proposed parcels during a flood event but does not identify how this determination should be made and the fire districts do not have access to all of the necessary information to make such a determination.

OPTIONS:

- 1) Direct staff to proceed; or
- 2) Request additional information; or
- 3) Direct no action.

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.

There are no identified significant costs associated with this proposal.

STAFF RECOMMENDATIONS:

Direct staff to proceed.

SUGGESTED MOTION(S):

I move to direct staff to proceed with the public hearing process for Zoning Map and Development Code amendments to reflect changes to the mapped flood hazard areas and clarification of floodplain requirements.