



**NOTICE OF PLANNING COMMISSION PUBLIC HEARING**

The Benton County Planning Commission will hold a **phone-and-internet-based public hearing** on **Tuesday, July 20, 2021, at 7:00 p.m.** The Planning Commission will then make a recommendation to the Board of Commissioners regarding the proposed code amendments.

**Please join the meeting from your computer, tablet or smartphone:**

<https://global.gotomeeting.com/join/291863437>

**You can also dial in using your phone.**

United States: +1 (872) 240-3212      Access Code: 924-565-213

**Visit this webpage to get the active link to the meeting:**

<https://www.co.benton.or.us/cd/page/planning-commission-meeting-public-hearing-3>

**TO TESTIFY ORALLY AT THE HEARING, you must register by 5:00 pm on Monday, July 19th by contacting Linda Ray at 541-766-0250 or [linda.ray@co.benton.or.us](mailto:linda.ray@co.benton.or.us).**

**Only oral testimony (no written testimony) will be accepted at the hearing.** You can submit written testimony so that it is received:

- **By 8:00 a.m. on Friday, July 9, 2021** to have the testimony factor into the staff analysis and recommendation.
- **By 8:00 a.m. on Monday, July 12** to have the testimony included in the materials sent to the Planning Commission ahead of the hearing.
- **By 5:00 p.m. on Tuesday, July 20** (the day of the hearing) to have the testimony sent to the Planning Commission, however they may not have an opportunity to review it prior to the hearing.

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<b>PROPOSED ACTION:</b>	<b>Amendments to the Benton County Development Code.</b> The majority of the amendments will be made to Chapter 83 (Floodplain Management); minor adjustments will also be made to Chapters 51 (Development Code Administration), 57 (Flood Plain Agriculture), 88 (Natural Features Overlay), 94 (Property Line Adjustments), 95 (Partitions), 97 (Subdivisions), and 99 (General Development Standards) <b><i>A summary of the amendments is included on page 2 of this notice.</i></b>
<b>APPLICABLE CRITERIA:</b>	Benton County Development Code Sections 53.605 through 53.625 (Text Amendment); Benton County Comprehensive Plan Section 7.2 (Floodplain)
<b>AFFECTED PROPERTY:</b>	<b>The proposed Development Code amendments apply to:</b> All land in unincorporated Benton County, located within the Special Flood Hazard Area, as identified on the Benton County Flood Insurance Rate Maps
<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
<b>FILE NUMBER:</b>	<b>LU-21-032</b>

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**How to Find Out More Information:** See page 2 for a summary of the proposed code amendments. The proposed amendments, staff report, and any related documents will be available on the Community Development website (<https://www.co.benton.or.us/cd/page/planning-commission-meeting-public-hearing-3>) beginning July 13, 2021. Documents may also be inspected free of cost, or purchased for the cost of copying, at the Benton County Community Development Department, 360 SW Avery Avenue, Corvallis. (You must call ahead to make an appointment.) **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 or email Toby Lewis (see above for contact information).

**How to Submit Written Testimony:** You may submit written testimony via US mail (Attn: Toby Lewis, Benton County Community Development Department, 360 SW Avery Ave, Corvallis OR 97333) or email ([toby.a.lewis@co.benton.or.us](mailto:toby.a.lewis@co.benton.or.us)) according to the dates specified above. **All testimony must identify the name and mailing address of the person commenting as well as the file number (LU-21-032) in all correspondence.** Testimony submitted via email must clearly state an intent to be included in the record.

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.

**Planning Commission Hearing Process:** 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.

Please notify the Community Development Department at 541-766-6819 concerning any physical or language accommodations you may need as far in advance of the hearing as possible.

### ***SUMMARY OF PROPOSED CODE AMENDMENTS***

**General Information:** File No. LU-21-032 implements revisions to the Floodplain Management chapter of the Benton County Development Code (BCC), as well as minor revisions to the other chapters identified on the first page of this notice. These actions affect land in Benton County, but outside the city limits of incorporated cities, within the FEMA-designated floodplains (also known as Special Flood Hazard Areas) mapped on the Benton County Flood Insurance Rate Map.

The purpose of the code amendments is to ensure that Benton County's floodplain ordinance is fully compliant with the requirements of the Federal Emergency Management Agency (FEMA) and the National Flood Insurance Program (NFIP). The goal of the Floodplain Management regulations is to minimize hazards to property owners, neighboring property owners, public and private infrastructure, and environmental systems during flood events.

**The consequence of not adopting a revised, FEMA- and NFIP-compliant floodplain ordinance is suspension from the National Flood Insurance Program.** 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 such federal flood insurance policies within the unincorporated Benton County Special Flood Hazard Area will increase by 15% and the cost of all other such federal flood insurance policies in unincorporated Benton County will increase by 5%.

**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.

- **Chapter 83 –**
  - Reorganization of the chapter to match Oregon Model Floodplain Ordinance format;
  - Addition of language required for compliance with the Federal Emergency Management Agency (FEMA) and the National Flood Insurance Program (NFIP);
  - Addition of language required for compliance with recent amendments to the NFIP's Community Rating System (CRS) program;
  - Relaxation of language requiring the creation of dry-land access (for property reconfiguration and land division) that has been identified as having the potential to cause negative impacts to floodplain function.
- **Chapter 51 –** Amendment of floodplain-related definitions for compliance with NFIP requirements and adjustment of citations referencing specific floodplain code sections in Chapter 83.
- **Chapter 57 –** Correction of the term *Flood Plain* to *Floodplain*.
- **Chapters 88, 94, 95, 97, & 99 –** Adjustment of citations referencing specific floodplain code sections in Chapter 83.

**For complete information please visit the Benton County Community Development Department website (<https://www.co.benton.or.us/cd/page/planning-commission-meeting-public-hearing-3>). The preliminary code text (reviewed at the Planning Commission work session on June 22, 2021) will be uploaded to the website beginning July 6, 2021; **the full text of the proposal will be uploaded to the website beginning July 13, 2021.** A paper copy of the full text of the proposed Development Code amendments will available for review at the Benton County Community Development Department (360 SW Avery Ave., Corvallis OR 97333) beginning July 13, 2021.**

**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.*