

AN ORDINANCE AMENDING ORDINANCE NO. 4441, WHICH ADOPTED THE CITY OF ALBANY DEVELOPMENT CODE, BY AMENDING THE ALBANY DEVELOPMENT CODE TEXT RELATING TO FLOODPLAIN MANAGEMENT AND ADOPTING FINDINGS

WHEREAS, the Albany Planning Commission held a public hearing on August 15, 2016, and considered public testimony on the proposed text amendments to the Albany Development Code (ADC), and recommended approval based on evidence presented in the Staff Report presented at the public hearing for City of Albany Planning File DC-01-16; and

WHEREAS, the proposed text amendments to the Albany Development Code are discussed in detail in the Staff Report, and the specific text amendments are presented as Exhibit A of this Ordinance; and

WHEREAS, the Albany City Council held a public hearing on the proposal on September 28, 2016, and reviewed the findings of fact and testimony presented at the public hearing and then deliberated.

NOW, THEREFORE, THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

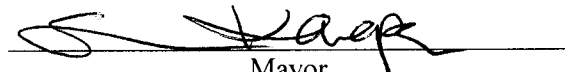
Section 1: The Findings of Fact and Conclusions included in the Staff Report are hereby adopted in support of this decision.

Section 2: The Albany Development Code is hereby amended.

Passed by the Council: Sept 28, 2016

Approved by the Mayor: Sept 28, 2016

Effective Date: Oct 28, 2016



Mayor

ATTEST:



City Clerk



COMMUNITY DEVELOPMENT DEPARTMENT

333 Broadalbin Street SW, P.O. Box 490
Albany OR 97321

Ph: 541-917-7550 Fax: 541-917-7598
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NOTICE OF DECISION

GENERAL INFORMATION

DATE OF NOTICE: September 30, 2016
FILES: DC-01-16
TYPE OF APPLICATION: Floodplain Development Code Text Amendment to the Albany Development Code (Type IV, Legislative Amendment)
REVIEW BODIES: Planning Commission and City Council
APPLICANTS: City of Albany, Community Development Department
ADDRESS/LOCATION: Not Applicable

On September 28, 2016, the Albany City Council adopted Ordinance No. 5875 to amend the Albany Development Code as described above.

A copy of Ordinance No. 5875 is available on request. The supporting documentation relied upon by the City in making this decision is available for review at the Community Development Department, City Hall, 333 Broadalbin Street SW, on the second floor. Office hours are 8:00 a.m. to 5:00 p.m., Monday through Friday. For more information, please contact Project Planner Melissa Anderson at 541-704-2319.

The City's decision may be appealed to the Oregon Land Use Board of Appeals (LUBA). Per ORS 197.830 a notice of intent to appeal the plan and/or zoning map amendments shall be filed with LUBA no later than 21 days after notice of the decision is mailed or otherwise submitted to parties entitled to notice.


Mayor

Attachments:

- Ordinance No. 5875 with associated Exhibit
- Staff Report with Attachments



Community Development Department

333 Broadalbin Street SW, P.O. Box 490
Albany, OR 97321

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STAFF REPORT

Floodplain Development Code Text Amendment (DC-01-16)

<u>HEARING BODY:</u>	PLANNING COMMISSION	CITY COUNCIL
<u>HEARING DATE:</u>	Monday, August 15, 2016	Wednesday, September 28, 2016
<u>HEARING TIME:</u>	5:15 p.m.	7:15 p.m.
<u>HEARING LOCATION:</u>	Council Chambers, Albany City Hall, 333 Broadalbin Street SW	

APPLICATION INFORMATION

DATE OF REPORT:	August 8, 2016
FILE:	DC-01-16
TYPE OF REQUEST:	Floodplain Development Code Text Amendment to the Albany Development Code (Type IV, Legislative Amendment)
REVIEW BODIES:	Planning Commission and City Council
APPLICANT:	City of Albany, Community Development Department
STAFF:	Melissa Anderson, Project Planner

SUMMARY

The proposal amends Article 6, Natural Resource Districts, of the Albany Development Code (ADC). The proposed floodplain development code text amendments are a legislative amendment and processed in accordance with the Type IV process.

This proposal was initiated because the Federal Emergency Management Agency (FEMA) recently updated flood hazard maps for North Albany. The maps include the 100-year floodplain boundary; some properties were removed from the floodplain and some were added. Albany's new FEMA floodplain maps will take effect on December 8, 2016. Federal regulations require the City to adopt a new floodplain development ordinance that references these new maps to be in compliance with the current National Flood Insurance Program (NFIP) requirements before December 8, 2016.

In addition to meeting this federal requirement, other minor changes to the floodplain-related development code are proposed. In summary, all of the the proposed text amendments include:

- 1) Reference the new Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps for North Albany that will be in effect on December 8, 2016;
- 2) Update the existing floodplain regulations to streamline the review process for subdivisions of 19 lots or less in the floodplain from a Type III to a Type I-L process;
- 3) Update the existing floodplain regulations to meet the minimum criteria set by the State of Oregon and the National Flood Insurance Program regarding a) historic properties and b) maintenance plans and emergency action plans for flood-proofed structures; and
- 4) Update the existing floodplain regulations to clarify application requirements regarding a) documentation for elevation certificates and fill projects, and b) the use of standard engineering methodology for no-rise studies.

Staff finds the proposal meets all applicable review criteria and recommends that the Planning Commission recommend APPROVAL of the proposed amendments to the City Council.

NOTICE INFORMATION

Notice was provided to the Oregon Department of Land Conservation and Development (DLCD) on June 24, 2016, at least 35 days before the first evidentiary hearing on August 15, 2016, in accordance with Oregon Administrative Rule (OAR) OAR 660-018-0020 and the Albany Development Code (ADC) 1.640.

Intergovernmental project review notice was also provided on July 11, 2016, to various agencies, including Benton County and Linn County Planning, Oregon Department of Land Conservation and Development, and the Oregon Department of Transportation.

On July 26, 2016, a "Measure 56" public notice of the public hearings before the Planning Commission and the City Council was mailed directly to property owners in North Albany. Notice of the public hearing was also published in the *Albany Democrat-Herald* on August 3, 2016, at least one week before the public hearing on August 15, 2016, in accordance with ADC 1.600. In addition, the staff report for the proposed TSP amendment was posted on the City's website on August 8, 2016, at least seven days before the first evidentiary public hearing.

As of the date of this report, no other comments have been received by the Community Development Department.

APPEALS

Within five days of the City Council's final action on the proposed amendments, the Community Development Director will provide written notice of the decisions to any parties entitled to notice. A City Council decision can be appealed to the Oregon Land Use Board of Appeals (LUBA) if a person with standing files a Notice of Intent to Appeal within 21 days of the date the decision is reduced to writing and bears the necessary signatures of the decision makers.

STAFF ANALYSIS

The Albany Development Code (ADC) 2.290 "Development Code Amendments" includes the following review criteria that must be met for the proposed Development Code Text amendment to be approved. Code criteria are written in *bold italics* and are followed by findings and conclusions.

CRITERION 1: The proposed amendments better achieve the goals and policies of the Comprehensive Plan than the existing regulatory language.

The applicable Comprehensive Plan goals and policies are identified in *italic* type.

FINDINGS OF FACT

- 1.1 Albany Comprehensive Plan, Chapter 2–Special Areas–Flood Hazards & Hillsides (Statewide Planning Goal 7)–Flood Hazards:

Goal: *Protect life and property from natural disasters and hazards.*

Policy 1: *Continue to participate in the National Flood Insurance Program and comply with applicable standards.*

Finding: The proposed amendments will bring the City into compliance with the NFIP requirements, and enable the City to continue participation in this federal program.

Policy 5: *Recognize that development within areas subject to flooding is subject to regulations to protect life and property and that certain types of development may not be allowed.*

Finding: The proposed amendments clarify floodplain permit application requirements; update existing floodplain regulations to meet the minimum criteria set by the State of Oregon and the NFIP and bring the City into compliance with NFIP.

Policy 6: *Ensure that development proposals in the flood fringe and adjacent to drainageways are consistent with Federal Emergency Management Agency (FEMA) and other applicable local regulations in order to minimize potential flood damage.*

Policy 10: *For construction, remodeling, or major repairs to structures (including prefabricated and mobile homes) within the floodplain, review building permits to ensure that: (a) Building location and grading are designed to protect the structure during a base year flood;*

Finding: The proposed amendments bring the City into compliance with NFIP by referencing the new flood insurance rate maps that establish the boundaries and base flood elevation of the floodplain/flood fringe for North Albany.

Policy 11: *Development approval within the flood fringe shall be reviewed to protect property and public safety and significant natural values.*

Finding: The proposed amendments clarify floodplain permit application requirements and reference the new FEMA flood insurance rate maps, which will be used to review development proposals relative to protection of property and public safety.

1.2 Albany Comprehensive Plan, Chapter 8–Urbanization (Statewide Planning Goal 14)–Development Review:

Goal: *Ensure that all new developments are reviewed expeditiously and thoroughly and result in compliance with Comprehensive Plan goals and policies and ordinance standards.*

Finding: The proposed amendments update the existing floodplain regulations to allow for more expeditious review of subdivisions of 19 lots or less in the floodplain.

Policy 3: *Give special attention to proposals in areas identified as in need of special review (greenway, floodplains, floodways, open space, airport, etc), ensuring that developments in these areas are specially designed in recognition of the particular concern for that area.*

Finding: The proposed amendments would reference the new FEMA flood insurance rate maps, which will be used to review development proposals relative to the protection of life and property

1.3 Albany Comprehensive Plan, Chapter 8–Urbanization (Statewide Planning Goal 14)–North Albany Planning Area–Natural and Cultural Resources:

Policy 1: *Minimize potential impacts to riparian vegetations, stream hydrology, and adjacent land uses.*

Policy 2: *Protect wetlands, floodplains, riparian corridors and other critical natural resources.*

Finding: The proposed amendments will reference the new FEMA flood insurance rate maps that establish the boundaries and base flood elevation of the floodplain for North Albany. This would support protection of floodplains and minimize impacts to stream hydrology to the extent possible by managing development in the floodplain using the most current information.

CONCLUSIONS

- 1.1 The proposed amendments better achieve the Comprehensive Plan goals and policies of Chapter 2 related to Flood Hazards by clarifying floodplain permit application requirements and by ensuring the City is in compliance with the State of Oregon and NFIP.
- 1.2 The proposed amendments better achieve the Comprehensive Plan goals and policies of Chapter 2 related to flood hazards by referencing the new FEMA flood insurance rate maps, which will be used to review development proposals relative to protection of property and public safety.
- 1.3 The proposed amendments better achieve the Comprehensive Plan goals and policies of Chapter 8 related to Urbanization by allowing for more expeditious review of subdivisions of 19 lots or less in the floodplain, and by using of the most current information to manage development in the floodplain to minimize the impacts of development in the floodplain.

CRITERION 2: *The proposed amendments are consistent with Development Code policies on purpose and with the purpose statement for the base zone, special purpose district, or development regulation where the amendment is proposed.*

The applicable Development Code policies and purposes are identified in *italic* type.

FINDINGS OF FACT

2.1 ADC Article 1–General Administration–Section 1.020 states *the general purpose of this Code is to set forth and coordinate City regulations governing the development and use of land. The Code is more specifically intended to do the following:*

(1) *Serve as the principal vehicle for implementation of the City's Comprehensive Plan in a manner that protects the health, safety, and welfare of the citizens of Albany.*

Finding: The proposed amendments are intended to manage development in the floodplain in a way that promotes public and environmental health and safety and minimizes economic loss and social disruption caused by flood events.

(2) *Satisfy relevant requirements of federal law, state law, statewide goals, and administrative rules.*

Finding: One of the City's roles in participating in NFIP is to review proposed development to ensure that it is reasonably safe from flooding using the base flood elevations and 100-year floodplain boundary (1% chance flood) as the basis. The proposed amendments bring the City into compliance with NFIP by referencing the new flood insurance maps that establish the base flood elevations and 100-year floodplain boundary for North Albany. The proposed amendments also bring the City into compliance with Statewide Planning Goal 7.

(3) *Facilitate prompt review of development proposals and the application of clear and specific standards.*

Finding: The proposed amendments clarify floodplain permit application requirements and facilitate prompt review of development proposals by streamlining the review process for subdivisions of 19 lots or less that are located in the floodplain.

(4) *Provide for public information, review, and comment on development proposals that may have a significant impact on the community.*

Finding: On July 26, 2016, notices of public hearings were sent to over 600 owners of properties in North Albany that contain the 100-year floodplain per the updated FEMA maps. The proposed Development Code amendments were posted on the City's Web site on July 26, 2016. A notice of public hearing was published in the *Albany Democrat-Herald* on August 3, 2016.

(6) *Establish procedures and standards requiring that the design of site improvements and building improvements (are) consistent with applicable standards and design guidelines.*

Finding: The proposed amendments reference the new FEMA flood insurance rate maps, which will be used to review development proposals consistent with applicable floodplain development standards and design guidelines.

(8) *Require that permitted uses and development designs provide reasonable protection from fire, flood, landslide, erosion, or other natural hazards, as well as prevent the spread of blight, and help prevent crime.*

Finding: The intent of the proposed amendments is to manage development in the floodplain in order to promote public and environmental health and safety and to minimize the economic loss and social disruption caused by flood events.

(10) *Protect constitutional property rights, provide due process of law, and give consideration in all matters to affected property owner interests in making land use decisions.*

Finding: The amendments are intended to meet the minimum criteria set by the State of Oregon and the NFIP and bring the City into compliance with NFIP. The impact to property owners of these amendments is minimal, and the benefits will be passed on to all flood insurance holders through discounted insurance rates.

- 2.2 ADC Article 6–Floodplain–Section 6.070 states that the *Floodplain overlay district (/FP) standards are intended to manage development in the floodplain in a way that promotes public and environmental health and safety and minimizes the economic loss and social disruption caused by impending flood events.*

Finding: The proposed amendments reference the new FEMA flood insurance rate maps, clarify and streamline existing regulations intended to promote public and environmental health and safety, and minimize the economic loss and social disruption caused by flooding.

CONCLUSIONS

- 2.1 The proposed amendments are consistent with Article 1–General Administration–Purpose by protecting public health and safety, streamlining the floodplain review process for small subdivisions, complying with the state and federal requirements of NFIP, and notifying the public of the proposed amendments.
- 2.2 The proposed amendments are consistent with Article 6–Floodplain–Purpose because they reference the new FEMA flood insurance rate maps, clarify and streamline existing regulations intended to promote public and environmental health and safety, and minimize the economic loss and social disruption caused by flooding.

OVERALL CONCLUSION

The proposed Floodplain Development Code Text Amendments meet all of the applicable review criteria as outlined in this report.

OPTIONS FOR THE CITY COUNCIL

The City Council has three options with respect to the proposed development code amendments:

- Option 1: Approve the proposed text amendments;
- Option 2: Approve the proposed text amendments as modified by the City Council; or
- Option 3: Deny the proposed text amendments.

STAFF RECOMMENDATION

Based on the analysis in this report, staff recommends the City Council pursue Option 1 and approve the Floodplain Development Code Text Amendments.

Motion:

Based on the staff recommendation, the following motion is suggested:

I MOVE that the City Council ADOPT the text amendments to the Albany Development Code floodplain development regulations as presented in the Ordinance with the associated Exhibit for planning file DC-01-16. This motion is based on the findings and conclusions of the staff report and testimony presented at the public hearing.

ATTACHMENTS

- A. Proposed Floodplain Development Code Text Amendments
- B. Letter of Final Determination from FEMA and Summary of Map Actions (dated June 8, 2016)

Adopted Code Amendments

Proposed code amendments are written in red with additions underlined and deletions in ~~strike-out~~.

ARTICLE 6 NATURAL RESOURCE DISTRICTS

FLOODPLAIN

6.070 Purpose. The Floodplain overlay district (/FP) standards are intended to manage development in the floodplain in a way that promotes public and environmental health and safety and minimizes the economic loss and social disruption caused by impending flood events. [Ord. 5746, 9/29/10]

6.075 Definitions. As used in this Article the following words and phrases have the following meanings: [Ord. 5746, 9/29/10]

Base Flood or 100-year Flood: The flood having a one percent chance of occurring in any given year.

Base Flood Elevation (BFE): The BFE is the elevation, expressed in feet above sea level, that the base flood is expected to reach.

Basement: The portion of a structure with its floor sub grade (below ground level) on all sides.

Continuous Storage Operations: Operations that continuously store equipment or materials, including, but not limited to lumber yards, automobile junkyards, logging or sawmill operations, storage yards for heavy equipment, automobile dealership lots, and other storage operations with similar impacts. These operations are included in the definition of floodplain development.

Critical Facility: A facility that needs to be operable during a flood, or for which even a slight chance of flooding might pose unacceptable risk to health and safety. Critical facilities include, but are not limited to schools, nursing homes, hospitals, police, fire and other emergency responders, and installations that produce, use or store hazardous materials.

Datum: Until recently, the FIRMs have referenced the National Geodetic Vertical Datum of 1929 (NGVD 29). A newer more accurate vertical datum, the North American Vertical Datum of 1988 (NAVD 88), will be used for all FIRM updates. The 2010 Albany FIRMs reference the NAVD 88 datum.

NAVD 88 will be used for floodplain management purposes in the City of Albany. The conversion factor from NGVD 29 to NAVD 88 for all flooding sources in Albany is +3.38 feet. This represents an average conversion offset. This simplified uniform conversion procedure can be used for entire counties when the maximum error is not more than 0.25 feet (3 inches) for that county, which is the case for the City of Albany.

Federal Emergency Management Agency (FEMA): The federal agency charged with implementing the National Flood Insurance Program. FEMA provides floodplain maps to the City of Albany.

Flood: A general and temporary condition of partial or complete inundation of normally dry land areas from:

- (a) the overflow of inland or tidal waters; and/or
- (b) the unusual and rapid accumulation of runoff of surface waters from any source.

Flood Fringe: Those areas on either side of the floodway within the Special Flood Hazard Area (100-year floodplain). This area is subject to inundation by the base flood but conveys little or no velocity flows. Zone designations on Flood Insurance Rate Maps for Albany include A and AE. Note Floodplain Relationships diagram (Figure 6-1).

Flood Insurance Rate Map (FIRM): The official map on which FEMA has delineated the Base Flood Elevations, regulatory floodways, and Special Flood Hazard Areas.

Flood Insurance Study (FIS): The official report by the Federal Insurance Administration evaluating flood hazards and containing flood profiles, floodway boundaries and water surface elevations of the base flood.

Floodplain: The combined area of the floodway and the flood fringe. Also known as the 100-year floodplain, and the Special Flood Hazard Area. Note Floodplain Relationships diagram in Figure 6-1.

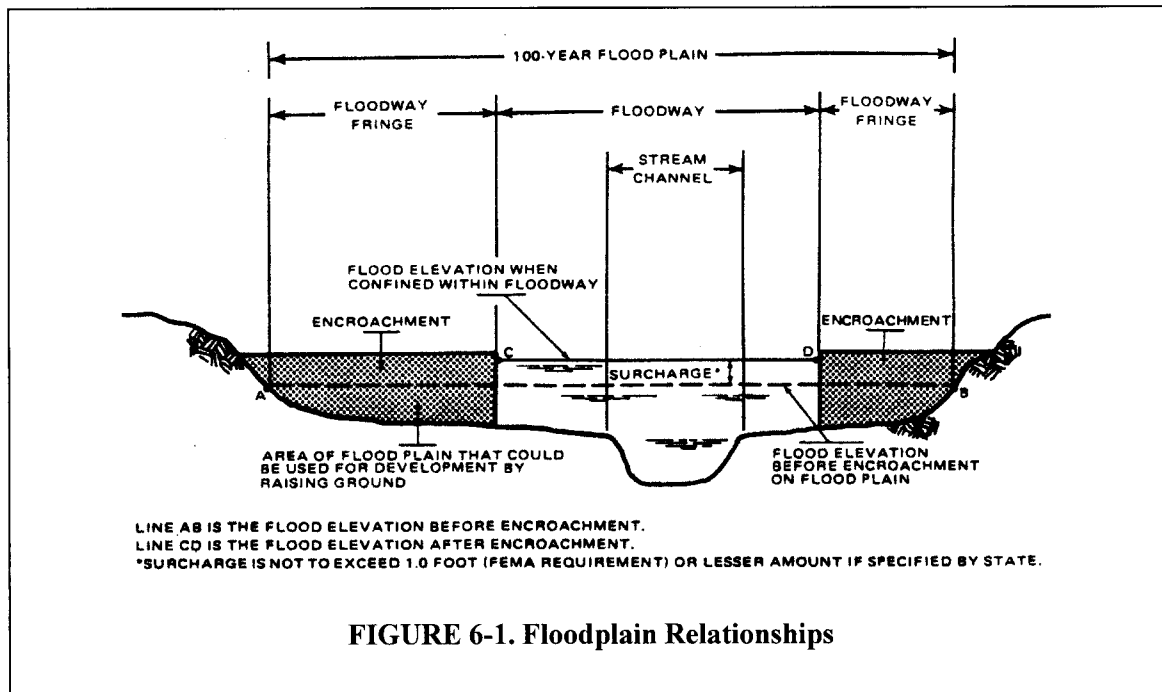


FIGURE 6-1. Floodplain Relationships

Floodplain Development: Any man-made change to real property, including but not limited to, construction or placement of buildings or other structures, fencing, mining, dredging, filling, grading, paving, excavating, land clearing, drilling, or Continuous Storage Operations in the Special Flood Hazard Area (100-year floodplain).

Floodproofing: Any combination of structural or nonstructural provisions, changes or adjustments to structures, land or waterway for the reduction or elimination of flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents during a 100-year flood.

Floodway: The regulatory floodway is the stream channel plus that portion of the overbanks that must be kept free from encroachment in order to discharge the 1-percent-annual-chance flood without increasing flood levels by more than 1.0 foot. Note Floodplain Relationships diagram in Figure 6-1.

Hazardous Material: The Oregon Department of Environmental Quality defines hazardous materials to include any of the following:

- (a) Hazardous waste as defined in ORS 466.005;
- (b) Radioactive waste as defined in ORS 469.300, radioactive material identified by the Energy Facility Siting Council under 469.605 and radioactive substances as defined in 453.005;
- (c) Communicable disease agents as regulated by the Health Division under ORS Chapter 431 and 433.010 to 433.045 and 433.106 to 433.990;
- (d) Hazardous substances designated by the United States Environmental Protection Agency under section 311 of the Federal Water Pollution Control Act, P.L. 92-500, as amended;
- (e) Substances listed by the United States Environmental Protection Agency in 40 Code of Federal

Regulations Part 302 -- Table 302.4 (List of Hazardous Substances and Reportable Quantities) and amendments;

- (f) Material regulated as a Chemical Agent under ORS 465.550;
- (g) Material used as a weapon of mass destruction, or biological weapon;
- (h) Pesticide residue;
- (i) Dry cleaning solvent as defined by ORS 465.200(9).

Letter of Map Change (LOMC) means an official FEMA determination, by letter, to amend or revise effective Flood Insurance Rate Maps and Flood Insurance Studies. LOMCs are issued in the following categories:

Letter of Map Amendment (LOMA): A revision based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A LOMA amends the current effective Flood Insurance Rate Map and establishes that a specific property is not located in a special flood hazard area;

Letter of Map Revision (LOMR): A revision based on technical data showing that, usually due to manmade changes, shows changes to flood zones, flood elevations, floodplain and floodway delineations, and planimetric (horizontal) features. One common type of LOMR, a LOMR-F, is a determination that a structure or parcel has been elevated by fill above the Base Flood Elevation and is excluded from the special flood hazard area; and

Conditional Letter of Map Revision (CLOMR): A formal review and comment by FEMA as to whether a proposed project complies with the minimum National Flood Insurance Program floodplain management criteria. A CLOMR does NOT amend or revise effective Flood Insurance Rate Maps, Flood Boundary and Floodway Maps, or Flood Insurance Studies.

Lowest Floor: The lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking vehicles, building access or storage, in any area other than a basement area, is not considered a building's lowest floor, provided that the enclosure is not built so as to render the structure in violation of the applicable design requirements of this Article found in Section 6.121(1).

National Flood Insurance Program: FEMA's National Flood Insurance Program (NFIP) has three basic components – flood hazard mapping, flood insurance, and floodplain regulations. The combination of the three all work together to reduce flood damages. NFIP is founded on a mutual agreement between the federal government and each participating community. Local, state and federal governments and private insurance companies must share roles and responsibilities to meet the goals and objectives of the NFIP. The City of Albany joined the NFIP in 1985. The community's role is of paramount importance. Residents and property owners can get federally-backed flood insurance only if the community carries out its responsibilities. The community enacts and implements the floodplain regulations required for participation in NFIP. The community's regulations must meet the regulations set by its state, as well as the NFIP criteria.

Nonresidential: For the purposes of development in the floodplain, FEMA defines nonresidential construction to include structures not used for human habitation. This includes parking, limited storage, and building access associated with residential uses, as well as commercial, industrial, and institutional uses. This differs from the definition of nonresidential in other Articles and Sections of this Code, and from the definition in the locally adopted State Building Codes.

Oregon Drainage Law: Oregon, through court decisions, has adopted a civil law doctrine of drainage. Generally, under this doctrine, adjoining landowners are entitled to have the normal course of natural drainage maintained. The lower landowner must accept water that naturally comes to his land from above, but he is entitled not to have the normal drainage changed or substantially increased. The lower landowner may not obstruct the runoff from the upper land, if the upper landowner is properly discharging the water. The drainage law has developed without legislative action; therefore there are no

Oregon Revised Statutes, rules or other laws to cite. Note that this definition is intended to provide general information and should not be used as the basis for legal advice or legal decisions.

Permanent Foundation: A natural or manufactured support system to which a structure is anchored or attached. A permanent foundation is capable of resisting flood forces and may include posts, piles, poured concrete or reinforced block walls, properly compacted fill, or other systems of comparable flood resistivity and strength.

Recreational Vehicle: A vehicle that is:

- (a) Built on a single chassis;
- (b) 400 square feet or less when measured at the largest horizontal projection;
- (c) Designed to be self-propelled or permanently towed by a light duty truck, and;
- (d) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Residential: For the purposes of development in the floodplain, FEMA defines residential construction to include the entire habitable structure, including bathroom, laundry rooms, hobby rooms, workshops, etc. Residential accessory structures are considered residential construction. This differs from the definition of residential in other Articles and Sections of this Code, and from the definition of residential and habitable in the locally adopted State Building Codes.

Special Flood Hazard Area: Areas subject to inundation during the occurrence of the 1 percent annual flood. These areas include both the flood fringe and the floodway and are collectively commonly referred to as the “100-year floodplain.”

Start of Construction: Includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not the alteration affects the external dimensions of a building.

Substantial Damage: Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 49 percent of the market value of the structure before the damage occurred.

Substantial Improvement: For the purposes of this section any and all repairs, reconstruction, additions or improvements of a structure occurring within the ten years prior to the date of the application for the current improvement, the cost of which, when cumulatively added to the costs of prior improvements, equals or exceeds 49 percent of the market value of the structure before the start of construction of the improvement. Cumulative value will be computed by adding the valuations of all improvements within the ten-year period as calculated on the associated building permit plus the valuations that would have applied for improvements requiring permits but for which no permit was actually issued. This cumulative value shall be used in comparing the value of improvements against the current market value of the structure before the start of construction of the new improvement. The market value determination shall be based upon the county assessor's most recent computation of real market value at the time of the current application. This term includes structures that have incurred “substantial damage,” regardless of the actual repair work performed.

The term does not, however, include either:

- (a) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications that have been identified by the local code enforcement official and are the minimum necessary to assure safe living conditions; or
- (b) Any restoration or rehabilitation of a structure on the City's ~~adopted~~ Local Historic Inventory or the National Register of Historic Places (additions and new construction are not exempt);
- (c) Maintenance, replacement, or repair of prior lawfully constructed improvements.

Watercourse: Any natural or artificial stream, river, creek, ditch, channel, canal, conduit, culvert, drain, waterway, gully, ravine or wash in which water flows in a definite direction or course, either continuously or intermittently, and has a definite channel, bed and banks; including any adjacent area subject to inundation by reason of overflow or flood water. This also includes any topographic feature not meeting the above definition that is identified in the City's Stormwater Master Plan as needing preservation.

GENERAL PROVISIONS

6.080 Lands to Which These Regulations Apply. These regulations apply to all areas in the City of Albany that are subject to inundation from a 100-year flood. These areas have been identified by the Federal Emergency Management Agency (FEMA) in the Flood Insurance Study for Linn County, Oregon and Incorporated Areas—effective date September 29, 2010 and as revised effective date December 8, 2016, 2016), and associated Flood Insurance Rate Maps (FIRMs) with Community Number 410137. These areas are depicted on the FIRMs by the letter A and AE. The Flood Insurance Study and FIRMs are on file at the City of Albany, Community Development Department at 333 Broadalbin Street SW.

In addition, the City Council may adopt by resolution more current floodplain studies or boundary information. If the new information conflicts with the current effective Flood Insurance Study of Flood Insurance Rate Maps, the more restrictive information will apply. [Ord. 5773, 02/08/12]

Precise Special Flood Hazard Area (100-year floodplain) boundaries may be difficult to determine from the maps referred to above due to their large scale and lack of site specific studies. In such instances, the Floodplain Administrator may apply FEMA base flood elevations to topographic maps or site surveys in order to determine actual boundaries. In the absence of FEMA base flood elevations, the Floodplain Administrator shall reasonably use other sources of floodplain and floodway data to determine base flood elevations and boundaries. However, when elevation data is not available through FEMA or another authoritative source and the development consists of 4 or more lots, 4 or more structures, or 4 or more acres, the applicant shall generate and have certified by a registered engineer the base flood elevation.

[Ord. 5146, 9/14/94; Ord. 5410, 7/28/99; Ord. 5746, 9/29/10]

6.081 Warning and Disclaimer of Liability. The degree of flood protection required by this article is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased as a result of failure of manmade structures and/or natural causes. This article does not imply that the land outside the Special Flood Hazard Areas or uses permitted within such areas will be free from flooding or flood damages. This article does not create any duty or liability on the part of the City of Albany or any officer or employee thereof for any flood damages that result from reliance on this article or any administrative decision lawfully made thereunder. [Ord. 5746, 9/29/10]

6.082 Abrogation and Greater Restrictions. This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another ordinance, Building Codes, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail. [Ord. 5746, 9/29/10]

ADMINISTRATION

6.090 Floodplain Administrator. The Community Development Director is appointed to administer and implement this Article in accordance with its provisions. Duties of the local floodplain administrator shall include, but are not limited to: [Ord. 5746, 9/29/10]

- (1) Review all development permit applications to determine whether proposed new development will be located in Areas of Special Flood Hazard.
- (2) Review applications for modifications of any existing development in Areas of Special Flood Hazard for compliance with the requirements of this Article.
- (3) Interpret flood hazard area boundaries, provide available flood hazard information, and provide Base Flood Elevations, where they exist.
- (4) Review proposed development to assure that necessary permits have been received from governmental agencies from which approval is required by federal or state law, including but not limited to section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334; the Endangered Species Act of 1973, 16 U.S.C. 1531-1544; and State of Oregon Removal-Fill permits. Copies of such permits shall be maintained on file.
- (5) Review all development permit applications to determine if the proposed development is located in the floodway, and if so, ensure that the standards in Sections 6.100 through 6.110 are met.
- (6) When Base Flood Elevation data or floodway data are not available, then the Floodplain Administrator shall obtain, review and reasonably utilize any Base Flood Elevation and floodway data available from a federal, state or other authoritative source in order to administer the provisions of this Article.
- (7) When Base Flood Elevations or other engineering data are not available from an authoritative source, the Floodplain Administrator shall take into account the flood hazards, to the extent they are known, to determine whether a proposed building site or subdivision will be reasonably safe from flooding.
- (8) Where interpretation is needed of the exact location of the Special Flood Hazard Boundary, including regulatory floodway, the Floodplain Administrator shall make the interpretation. Any person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in Section 6.091.
- (9) Issue floodplain development permits when the provisions of this Article have been met, or disapprove the same in the event of noncompliance.
- (10) Coordinate with the Building Official to assure that applications for building permits comply with the requirements of this Article.
- (11) Obtain, verify and record the actual elevation in relation to the vertical datum used on the effective FIRM, or highest adjacent grade where no BFE is available, of the lowest floor level, including basement, of all new construction or substantially improved buildings and structures.
- (12) Obtain, verify and record the actual elevation, in relation to the vertical datum used on the effective FIRM, or highest adjacent grade where no BFE is available, to which any new or substantially improved buildings or structures have been flood-proofed. When flood-proofing is utilized for a structure, the Floodplain Administrator shall obtain certification of design criteria from a registered professional engineer or architect.
- (13) Ensure that all records pertaining to the provisions of this Article are permanently maintained in the Community Development Department and shall be open for public inspection.
- (14) Make inspections in Areas of Special Flood Hazard to determine whether development has been undertaken without issuance of a floodplain development permit, ensure that development is undertaken in accordance with a the floodplain development permit and this Article, and verify that existing buildings and structures maintain compliance with this Article.
- (15) Coordinate with the Building Official to inspect areas where buildings and structures in flood

hazard areas have been damaged, regardless of the cause of damage, and notify owners that permits may be required prior to repair, rehabilitation, demolition, relocation, or reconstruction of the building or structure.

- (16) Make Substantial Improvement or Substantial Damage determinations based on the definitions described in Section 6.075.

6.091 Appeals. Appeals to the interpretations of the Floodplain Administrator shall be reviewed by the Hearings Board as a Type II procedure in accordance with Sections 1.040 and 1.520 of this Code. Appeals to the land use decisions (Types I-L, II, and III) resulting from the Floodplain Development Permit applications shall be reviewed in accordance with Section 1.520 of this Code. [Ord. 5746, 9/29/10]

6.092 Variations. Variations from the terms of this section shall be granted only, when because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of this section deprives such property of privileges enjoyed by other property in vicinity and under identical zoning classifications. Variations as interpreted in the National Flood Insurance Program are based on the physical characteristics of the land and are not dependent upon the occupants, type, or use of a structure. They primarily address small lots in densely populated residential neighborhoods. As such, variations from the flood elevations should be quite rare. [Ord. 5746, 9/29/10]

No variance will be given to the standards for development in a floodway.

Variations from the floodplain management regulations of this section shall be reviewed as a Type II procedure and shall be approved if the review body finds that all of the following criteria have been met: [Ord. 5746, 9/29/10]

- (1) The applicant can show good and sufficient cause; and
- (2) Failure to grant the variance would result in exceptional hardship to the applicant; and
- (3) Issuing the variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances; and
- (4) The variance is the minimum necessary, considering the flood hazard, to afford relief.
- (5) Variations from the required lowest floor elevation for new construction and substantial improvements may be granted if the review body find that the request meets criteria (1)-(4) and the parcel is one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level. As the lot size increases the technical justification required for issuing the variance increases.
- (6) Variations may be granted for a water dependent use provided that the structure or other development meets criteria (1)-(4) and is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.
- (7) Variations may be granted for the reconstruction, rehabilitation, or restoration of structures listed on Albany's Local Historic Inventory or the National Register of Historic Places, without regard to the procedures set forth in this section.
- (8) Variations may be granted for nonresidential buildings in very limited circumstances to allow a lesser degree of floodproofing than watertight or dry-floodproofing, where it can be determined that such action will have low damage potential, complies with all other variance criteria and otherwise complies with Building Codes.

Upon issuing the variance, the Floodplain Administrator will notify the applicant in writing that the issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance, and that such construction below the base flood level increases risks to life and property. [Ord. 5746, 9/29/10]

6.093 Floodplain Development Permit Required. A Floodplain Development Permit is required prior to initiating floodplain development activities, as defined in Section 6.075, in the Special Flood Hazard Area. This Article cannot anticipate all development activities that may be located within the Special Flood Hazard Area. The floodplain development permit shall expire 180 days after issuance unless the permitted activity has been substantially begun and thereafter pursued to completion. [Ord. 5746, 9/29/10]

All development activities that require a Floodplain Development Permit shall be processed in accordance with ADC Section 1.200, Land Use Application Procedures. When ambiguity exists concerning the appropriate classification of a particular activity, the use may be reviewed as a conditional use when the Floodplain Administrator determines that the proposed activity is consistent with other activities allowable within the subject district due to similar characteristics and impacts. When a development proposal involves a combination of activities, the more restrictive provisions of this Code shall apply. [Ord. 5746, 9/29/10]

- A. The following activities will be processed through a Type I procedure as established in ADC 1.320:
 - (1) Any structure 200 square feet or more.
 - (2) Any substantial improvement to an existing structure as defined in this code.
 - (3) Placement of a recreational vehicle more than 180 consecutive days, as described in 6.124(2)-(3).
 - (4) Solid fences and walls that require a permit as listed in Section 6.125.
 - (5) Any ~~Site Plan Review~~ site improvement for development in the floodplain pursuant to Section 6.110 that is not exempt under Section 6.094 and does not already require a permit elsewhere in this Section of the Code.

- B. The following activities will be processed through a Type I-L procedure as established in ADC 1.330:
 - (1) Any development in the floodway allowed by Sections 6.100-6.101, ~~will be reviewed through the Site Plan Review process.~~
 - (2) Grading, excavation, fill, and paving pursuant to Section 6.111 that cumulatively impacts more than 50 cubic yards of the native elevation and contours of the site or that otherwise requires a permit per this Article, and any associated retaining walls.
 - (3) Mining and drilling operations that result in sledge, slag, or other materials remaining in the Special Flood Hazard area will be considered fill for the purposes of this Article, and will be reviewed through the applicable criteria in Section 6.111.
 - (4) Additions or expansions of Continuous Storage Operations pursuant to Section 6.112, ~~will be reviewed through the Site Plan Review process.~~
 - (5) New Continuous Storage Operations pursuant to Section 6.112, ~~will be reviewed through the Site Plan Review process.~~ [Ord. 5767, Ord. 12/7/11]
 - (6) Land Divisions of 19 lots or less pursuant to Section 6.110.

- C. The following activities will be processed through a Type II procedure as established in ADC 1.350:
 - (1) Any alteration of a Watercourse, pursuant to 6.101 and the applicable criteria in Section 6.111.

- D. The following will be processed through a Type III procedure as established in ADC 1.360:
 - (1) Land Divisions of 20 or more lots, Cluster Developments and Planned Developments pursuant to Section 6.110, ~~will be reviewed through the Planned Development or appropriate Land Division process.~~
 - (2) Manufactured home parks pursuant to Section 6.110 will be reviewed through the Manufactured Home Park application process.

6.094 Floodplain Development Permit Exemptions. The following development activities in the flood fringe do not require a Floodplain Development Permit. These exemptions do not apply to development in the

floodway. (Note: Federal and State laws and regulations, including Oregon Drainage Law, may still apply to exempted development activities.) [Ord. 5746, 9/29/10]

- (1) Structures less than 200 square feet that meet the provisions of 6.122.
- (2) Grading, excavation, fill or paving less than 50 cubic yards (cumulative).
- (3) Retaining walls not associated with a grading, fill, excavation, and paving review.
- (4) Open barbless wire, pipe, rail, chain link, or wood fences that meet the design guidelines in Section 6.125 of this Article.
- (5) Agricultural activities, not including structures.
- (6) Short-term storage of equipment or materials that in time of flooding could either be removed from the area, or would not cause harm to property, humans, animals or the environment by becoming buoyant or hazardous.
- (7) Signs, markers, aids, etc., placed by a public agency to serve the public.
- (8) Minor repairs or improvements to existing structures provided that the alterations do not increase the size or intensity of use, and do not constitute repair of substantial damage, or substantial improvement as defined in this Article.
- (9) Customary dredging to maintain existing channel capacity consistent with State or Federal laws and permits.
- (10) Replacement of utility facilities that are necessary to serve established and permitted uses, and that are of equal or lesser size and impact.
- (11) Subsurface public utility projects that will not ultimately result in modification to existing topography.
- (12) Transportation facility rehabilitation and maintenance projects that will not result in modifications to existing topography.

6.095 General Information Requirements. In addition to the information required in other sections of this code, the application for any development proposed in the Special Flood Hazard Area (100-year floodplain) must include the following information:

- (1) Elevations of the original contours.
- (2) Final elevations of proposed fills and excavations.
- (3) Base flood (100-year flood) elevations of the site based on North American Vertical Datum (NAVD) 1988.
- (4) Location of any designated floodway and base flood boundary. If no floodway is designated, estimate the location of the floodway boundary per Section 6.100
- (5) Location of any designated wetlands and/or wildlife habitat (if applicable).
- (6) Proposed elevation in relation to mean sea level of the lowest floor (including basement) of all structures (if applicable).
- (7) Description of the extent to which a watercourse will be altered or relocated as a result of proposed development (if applicable).
- (8) If floodproofing is required, the proposed description and elevation of floodproofing.
- (9) Elevation certificate. The base flood elevation shall be determined based on the applicable flood insurance study and flood profile. A copy of the flood profile with the base flood elevation identified on the flood profile shall be included with the elevation certificate as evidence for determining the base flood elevation.

6.096 Flood Insurance Rate Map (FIRM) Revisions. Requirements to Submit New Technical Data: [Ord. 5746, 9/29/10]

- (1) It is the responsibility of the applicant to have technical data prepared in a format required for a CLOMR or LOMR and to submit such data to FEMA on the appropriate application forms. Submittal and processing fees for these map revisions shall be the responsibility of the applicant.
- (2) Applicants shall be responsible for all costs associated with obtaining a CLOMR or LOMR from FEMA.
- (3) The City of Albany shall be under no obligation to sign the Community Acknowledgement Form, which is part of the CLOMR/LOMR application, without evaluation and concurrence with the information presented.
- (4) Within six months of project completion, an applicant who obtains an approved CLOMR from FEMA or whose development modifies floodplain boundaries or Base Flood Elevations shall obtain from FEMA a LOMR reflecting the as-built changes to the FIRM.

PROVISIONS FOR FLOOD HAZARD REDUCTION

6.100 Floodway Restrictions. No development is allowed in any floodway except when the review body finds that the development will not result in any increase in flood levels during the occurrence of the 100-year flood. The finding shall be based upon applicant-supplied evidence prepared in accordance with standard engineering methodology approved by FEMA and certified by a registered professional engineer and upon documentation that one of the following criteria has been met:

- (1) The development does not involve the construction of permanent or habitable structures (including fences). [Ord. 5746, 9/29/10]
- (2) The development is a public or private park or recreational use or municipal utility use.
- (3) The development is a water-dependent structure such as a dock, pier, bridge, or floating marina.

For temporary storage of materials or equipment:

- (4) The temporary storage or processing of materials will not become buoyant, flammable, hazardous explosive or otherwise potentially injurious to human, animal or plant life in times of flooding. [Ord. 5746, 9/29/10]
- (5) The temporary storage of material or equipment are not subject to major damage by floods and is firmly anchored to prevent flotation or is readily removable from the area within the time available after flood warning. [Ord. 5746, 9/29/10]

If a floodway boundary is not designated on an official FEMA map available to the City, the floodway boundary can be estimated from available data and new studies. Proposed development along the estimated floodway boundary shall not result in an increase of the base flood level greater than one foot as certified by a registered professional engineer.

6.101 Alteration of a Watercourse. A Watercourse is considered altered when any changes occur within its banks, including installation of new culverts and bridges, or size modifications to existing culverts and bridges. [Ord. 5746, 9/29/10]

- (1) No development shall diminish the flood-carrying capacity of a watercourse.
- (2) Subject to the foregoing regulation, no person shall alter or relocate a watercourse without necessary approval from the Floodplain Administrator. [Ord. 5746, 9/29/10]
- (3) Prior to approval, the applicant shall provide a 30-day written notice to the City, any adjacent community, the Natural Hazards Program of the Oregon Department of Land Conservation and Development, and the DSL. [Ord. 5746, 9/29/10]
- (4) The applicant shall be responsible for ensuring necessary maintenance of the altered or relocated

portion of said watercourse so that the flood carrying capacity is not diminished. [Ord. 5746, 9/29/10]

- 6.110 Site Improvement, Land Division and Manufactured Home Park Standards. Site improvements, land divisions, and manufactured home parks in the Special Flood Hazard Area (100-year floodplain) shall be reviewed by the Planning Division as a part of the land use review process. An application to develop property that has floodplain on it, but where no development is proposed in that floodplain will be processed as otherwise required in this Code. In the case of a land division, “no actual development” means the floodplain area has been excluded from the land division. This can be done by setting the property aside for some other purpose than later development (for example, as a public drainage right-of-way). [Ord. 5746, 9/29/10]

In addition to the general review criteria for site improvements, land divisions and manufactured home parks, applications that propose actual development within the Special Flood Hazard Area shall also be subject to the following standards: [Ord. 5338, 1/28/98; Ord. 5746, 9/29/10]

- (1) All proposed new development and land divisions shall be consistent with the need to minimize flood damage and ensure that building sites will be reasonably safe from flooding.
- (2) All new development and land division proposals shall have utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage.
- (3) On-site waste disposal systems shall be located and constructed to avoid functional impairment, or contamination from them, during flooding.
- (4) All development proposals shall have adequate drainage provided to reduce exposure to flood damage.
- (5) Any lot created for development purposes must have adequate area created outside of the floodway to maintain a buildable site area meeting the minimum requirements of this Article.
- (6) Any new public or private street providing access to a residential development shall have a roadway crown elevation not lower than one foot below the 100-year flood elevation.
- (7) All development proposals shall show the location of the 100-year flood contour line followed by the date the flood elevation was established. When elevation data is not available, either through the Flood Insurance Study or from another authoritative source, and the development is four or more acres or results in four or more lots or structures, the elevation shall be determined and certified by a registered engineer. In addition, a statement located on or attached to the recorded map or plat shall read as follows: “Development of property within the Special Flood Hazard Area as most currently established by the Federal Emergency Management Agency or City of Albany may be restricted and subject to special regulations by the City.” [Ord. 5338, 1/28/98]
- (8) In addition to the general review criteria applicable to manufactured home parks in Article 10, applications that propose actual development within a Special Flood Hazard Area shall include an evacuation plan indicating alternate vehicular access and escape routes.

- 6.111 Grading, Fill, Excavation, and Paving. A floodplain development permit is required for grading, fill, excavation, and paving in the Special Flood Hazard Area (100-year floodplain), except activities exempted in Section 6.094 of this Article. No grading will be permitted in a floodway, except when the applicant has supplied evidence prepared by a professional engineer that demonstrates the proposal will not result in any increase in flood levels during the occurrence of the 100-year flood. The permit will be approved if the applicant has shown that each of the following criteria that are applicable have been met: [Ord. 5746, 9/29/10]

- (1) Provisions have been made to maintain adequate flood-carrying capacity of existing watercourses, including future maintenance of that capacity.

- (2) The proposal will be approved only where adequate provisions for stormwater runoff have been made that are consistent with the Public Works Engineering standards, or as otherwise approved by the City Engineer.
- (3) The proposal will not increase the existing velocity of flood flows so as to exceed the erosive velocity limits of soils in the flood area.
- (4) No grading, fill, excavation, or paving will be permitted over an existing public storm drain, sanitary sewer, or water line unless it can be demonstrated to the satisfaction of the City Engineer that the proposed grading, fill, excavation, or paving will not be detrimental to the anticipated service life, operation and maintenance of the existing utility.
- (5) In areas where no floodway has been designated on the applicable FIRM, grading will not be permitted unless it is demonstrated by the applicant that the cumulative effect of the proposed grading, fill, excavation, or paving when combined with all other existing and planned development, will not increase the water surface elevation of the base flood more than a maximum of one foot (cumulative) at any point within the community.
- (6) The applicant shall notify the City of Albany, any adjacent community, and the Natural Hazards Mitigation Office of the Oregon Department of Land Conservation and Development of any proposed grading, fill, excavation, or paving activity that will result in alteration or relocation of a watercourse (See Section 6.101).
- (7) All drainage facilities shall be designed to carry waters to the nearest practicable watercourse approved by the designee as a safe place to deposit such waters. Erosion of ground in the area of discharge shall be prevented by installation of non-erosive down spouts and diffusers or other devices.
- (8) Building pads shall have a drainage gradient of two percent toward approved drainage facilities, unless waived by the Building Official or designee.

6.112 Continuous Storage Operations. The regulation of storage in the flood fringe focuses on long-term storage activities associated with continuous operations as defined in this Article. [Ord. 5746, 9/29/10]

A continuous storage operation is allowed if it can be shown that:

- (1) The materials or equipment will not be flammable, hazardous, explosive or otherwise potentially injurious to human, animal, or plant life in times of flooding; and
- (2) The materials or equipment are not subject to major damage by flood and are firmly anchored to prevent flotation or is readily removable from the area within the time available after flood warning.

6.113 Critical Facility Standards. Construction of new critical facilities, and additions to critical facilities built after September 29, 2010, shall be, to the maximum extent feasible, located outside the limits of the Special Flood Hazard Area (100-year floodplain). [Ord. 5746, 9/29/10]

Construction of new critical facilities shall be permissible within the Special Flood Hazard Area if no feasible alternative site is available. Critical facilities constructed within the Special Flood Hazard Area shall have the lowest floor elevated three feet above BFE or to the height of the 500-year flood, whichever is higher. Access to and from the critical facility shall also be protected to the height utilized above. Floodproofing and sealing measures must be taken to ensure that hazardous materials will not be displaced by or released into floodwaters. Access routes elevated to or above the level of the base flood elevation shall be provided to all critical facilities to the extent possible. [Ord. 5746, 9/29/10]

6.120 Building Standards. Applications for building permits within the Special Flood Hazard Area, as established in Section 6.080, shall be reviewed by the Building Official pursuant to locally adopted state building codes. In addition to building code criteria, all development in the Special Flood Hazard Area, except that exempted in Section 6.094, is subject to the following building standards: [Ord. 5746,

9/29/10]

- (1) Property owners or developers shall file with the City two elevation certificates in a format that is acceptable to FEMA. These certificates must be approved by the Building Official, prepared by a registered surveyor or professional engineer, architect or surveyor, and maintained for public inspection. A Pre-Construction Elevation Certificate shall be submitted and approved prior to setback and foundation inspection approval. A Post-Construction Elevation Certificate shall be submitted and approved prior to final inspection approval for all building permits when the Pre-Construction Elevation Certificate shows the building site to be within a Special Flood Hazard Area and lowest adjacent grade to be at or below the base flood elevation (BFE). The Post-Construction certificate must contain: 1) the actual elevation (in relation to mean sea level) of the lowest floor including basement of all new or substantially improved structures; 2) the elevation of any flood proofing; and 3) whether or not the structure contains a basement.
- (2) The lowest floor, including basement, of any proposed structure (including residential and non-residential structures) shall be placed at least one (1) foot above the 100-year flood as determined by the latest Flood Insurance Study.
- (3) When elevation data is not available either through the Flood Insurance Study, FIRM, or from other sources of floodplain and floodway data as described in Section 6.080, applications for building permits shall be reviewed to assure that proposed construction will be reasonably safe from flooding. The test of reasonableness is a local judgment and includes use of historical data, high water marks, photographs of past flooding, etc., when available.
- (4) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
- (5) All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.
- (6) Electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities shall be designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components during a flood.
- (7) All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement and shall be installed or constructed using materials, methods, and practices that minimize flood damage.
- (8) All new and replacement public water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.
- (9) All new and replacement public sanitary sewer systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharges from the system into flood water. On site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.
- (10) If floodproofing methods are required as per Section 6.121(2), the property owners or developers shall file with the City a certification by a registered professional engineer or architect that the floodproofing methods meet or exceed FEMA standards. The City will maintain the certification available for public inspection. [Ord. 5146, 9/14/94; Ord. 5281, 3/26/97]

6.121 Flood Hazard Reduction Standards for Structures. All applicable flood hazard reduction measures are required and must be certified as required in 6.120 (1) and (10) above to at least meet the following standards (these standards do not apply to structures exempted in Section 6.122): [Ord. 5746, 9/29/10]

- (1) In all structures that will not be floodproofed, as described in 6.121(2), fully enclosed areas below the lowest floor (crawl spaces, parking areas or building access) and lower than 1 foot above the 100-year flood level must meet or exceed the following criteria:
 - (a) At least two openings, having a total net area of not less than one square inch for every

square foot of enclosed area subject to flooding, shall be provided.

- (b) The bottom of all openings shall be no higher than one foot above grade.
 - (c) Openings may be equipped with screens, louvers, or other coverings or devices, provided that they permit the automatic entry and exit of floodwaters.
 - (d) The interior grade below the BFE must not be more than two (2) feet below the lowest adjacent exterior grade.
 - (e) The height of the below-grade area, measured from the interior grade to the top of the foundation wall must not exceed four (4) feet at any point.
 - (f) There must be an adequate drainage system that removes floodwaters from the interior area. The enclosed area should be drained within a reasonable time after a flood event.
 - (g) It will be used solely for parking vehicles, limited storage, or access to the building and will never be used for human habitation.
 - (h) The property owner of the building shall sign and record on the title to the property a nonconversion agreement, guaranteeing not to improve, finish, or otherwise convert the enclosed area below the lowest floor and lower than 1-foot above the 100-year flood level and granting the City the right to inspect the enclosed area.
- (2) Nonresidential construction meeting the certification requirements of 6.120 (1) and (10) can have the lowest floor and attendant utility and sanitary facilities located lower than one foot above the 100-year flood elevation if all of the following is met:
- (a) The structure is floodproofed so that areas lower than one foot above the 100-year flood level are watertight with walls substantially impermeable to the passage of water.
 - (b) The structure has structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.
 - (c) The applicant is notified that flood insurance premiums will be based on rates that are one foot below the floodproofed level.
 - (d) The applicant files a certification by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this subsection based on their development and/or review of the structural design, specifications and plans. The certification shall be provided to the Building Official as set forth in 6.120(1). [Ord. 5146, 9/14/94; Ord. 5281, 3/26/97]
 - (e) Applicants supply a Maintenance Plan for the entire structure to include but not limited to: exterior envelope of structure; all penetrations to the exterior of the structure; all shields, gates, barriers, or components designed to provide floodproofing protection to the structure; all seals or gaskets for shields, gates, barriers, or components; and, the location of all shields, gates, barriers, and components as well as all associated hardware, and any materials or specialized tools necessary to seal the structure.
 - (f) Applicants supply an Emergency Action Plan (EAP) for the installation and sealing of the structure prior to a flooding event that clearly identifies what triggers the EAP and who is responsible for enacting the EAP.

6.122 Accessory Buildings. Accessory structures in Special Flood Hazard Areas (100-year floodplain) that represent a minimal investment are exempt from the standards of ADC 6.120 and 6.121. The following standards and all other regulations that apply to development in floodplain areas apply to those buildings. The definition of “minimal investment” for the purposes of this section is a building that costs less than \$10,000 in labor and materials to construct. The value of a proposed building will be the value stated on the application for building permits.

- (1) Accessory structures shall not be used for human habitation.

- (2) Accessory structures shall be designed to have low flood damage potential.
- (3) Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters.
- (4) Accessory structures shall be firmly anchored to prevent flotation that may result in damage to other structures.
- (5) Service facilities such as electrical and heating equipment shall be elevated and/or floodproofed. [Ord. 5281, 3/26/97]

6.123 Manufactured Homes. New and replacement manufactured dwellings fall within the scope of the Building Codes. All new manufactured dwellings and replacement manufactured dwellings shall be installed using methods and practices that minimize flood damage and shall be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement. Methods of anchoring include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces. [Ord. 5338, 1/28/98; Ord. 5746, 9/29/10]

6.124 Recreational Vehicles. Recreational vehicles placed on sites within the flood fringe are required to either: [Ord. 5746, 9/29/10]

- (1) Be on the site for fewer than 180 consecutive days; or
- (2) Be fully licensed and ready for highway use, on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions; or
- (3) Meet the requirements of Section 6.123 for manufactured homes.

6.125 Flood Fringe Fencing and Wall Standards. Certain types of fences and garden walls may be allowed in the flood fringe of the Special Flood Hazard Area (100-year floodplain). All fences and garden walls constructed within the flood fringe must not obstruct the entry and exit of floodwater, through their design and construction. All fences and walls are prohibited in the floodway. [Ord. 5746, 9/29/10]

Table 6-1 below is provided to assist in selecting appropriate fencing in the flood fringe. All fences and walls also must meet the standards in other sections of the Code. [Ord. 5746, 9/29/10]

TABLE 6-1. Fence type selection for flood fringe areas.

Fence Type	Flood Fringe Areas
Open barbless wire; Open pipe or rail; Other wire, pipe or rail (e.g. field fence, chicken wire, etc.); Chain link (1)	No permit required
Wood fences (2)	No permit required
Solid fences and freestanding walls, such as masonry (3)	Permit required, must have openings at and below BFE
Other fences (4)	Permit required, must have openings at and below BFE

- (1) Acceptable are materials and installation methods that allow for the entry and exit of floodwater.
- (2) Wood fence boards should be spaced to allow for the entry and exit of floodwater.
- (3) Solid fences and freestanding walls must include a flap or opening in the areas at or below the Base Flood Elevation at least once every three fence panels or 24 feet, whichever is less. Fences less than 24 feet in length shall have at least one flap or opening in the areas at or below the Base Flood elevation. The minimum dimensions of the flap or opening shall not be less than 12"x12" or 8"x18". Openings shall not include any screening of any type or size. If flaps are used, they may be secured to allow closure during normal use, but must be capable of self release and opening to full dimensions when under pressure of no greater than 30

pounds per sq. ft. These standards do not apply to retaining walls which shall meet the same standards as other building, paving, and grading activities.

Solid fences and walls constructed within Zone A, where the base flood elevation has not been determined, can use other sources of floodplain and floodway data to determine base flood elevations and boundaries as described in Section 6.080, or the openings can be placed within one foot of the finished grade along the fence alignment.

- (4) Other fence materials and construction that would restrict the flow of floodwaters will require a permit so they can be reviewed and adapted to meet the intent of this section of the Code.



Federal Emergency Management Agency
Washington, D.C. 20472

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

IN REPLY REFER TO:
115-A

June 8, 2016

The Honorable Sharon Konopa
Mayor, City of Albany
City Council Office
632 35th Avenue Southeast
Albany, Oregon 97322

Community: City of Albany,
Linn County, Oregon
Community No.: 410137
Map Panels Affected: See FIRM Index

Dear Mayor Konopa:

On July 1, 2015, you were notified of proposed modified flood elevation determinations affecting the Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) report for the City of Albany, Oregon. The statutory 90-day appeal period that was initiated on July 15, 2015, when the Federal Emergency Management Agency (FEMA) published a notice of proposed Base Flood Elevations (BFEs) for your community in the *Albany Democrat-Herald*, and *Corvallis Gazette-Times*, has elapsed.

FEMA did receive an appeal during that 90-day period. The technical data submitted in support of the appeal have been evaluated, and the appeal has been resolved. Therefore, the determination of the Agency as to the BFEs for your community is considered final. The final BFEs will be published in the *Federal Register* as soon as possible. The modified BFEs and revised map panels, as referenced above, are effective as of December 8, 2016, and revise the FIRM that was in effect prior to that date. For insurance rating purposes, the community number and new suffix code for the panels being revised are indicated above and on the map and must be used for all new policies and renewals.

The modifications are pursuant to Section 206 of the Flood Disaster Protection Act of 1973 (Public Law 93-234) and are in accordance with the National Flood Insurance Act of 1968, as amended (Title XIII of the Housing and Urban Development Act of 1968, Public Law 90-448), 42 U.S.C. 4001-4128, and 44 CFR Part 65. Because of the modifications to the FIRM and FIS report made by this map revision, certain additional requirements must be met under Section 1361 of the National Flood Insurance Act of 1968, as amended, within 6 months from the date of this letter. Prior to December 8, 2016, your community is required, as a condition of continued eligibility in the National Flood Insurance Program (NFIP), to adopt or show evidence of adoption of floodplain management regulations that meet the standards of Section 60.3 (d) of the NFIP regulations. These standards are the minimum requirements and do not supersede any State or local requirements of a more stringent nature.

It must be emphasized that all of the standards specified in Paragraph 60.3 (d) of the NFIP regulations must be enacted in a legally enforceable document. This includes the adoption of the effective FIRM and FIS report to which the regulations apply and the modifications made by this map revision. Some of the standards should already have been enacted by your community. Any additional requirements can be met by taking one of the following actions:

- Amending existing regulations to incorporate any additional requirements of Paragraph 60.3 (d);
- Adopting all of the standards of Paragraph 60.3 (d) into one new, comprehensive set of regulations; or,
- Showing evidence that regulations have previously been adopted that meet or exceed the minimum requirements of Paragraph 60.3 (d).

Communities that fail to enact the necessary floodplain management regulations will be suspended from participation in the NFIP and subject to the prohibitions contained in Section 202(a) of the 1973 Act as amended.

A Consultation Coordination Officer (CCO) has been designated to assist your community with any difficulties you may be encountering in enacting the floodplain management regulations. The CCO will be the primary liaison between your community and FEMA. For information about your CCO, please contact:

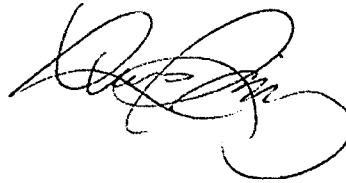
Mr. David Ratté
Engineer, Federal Emergency Management Agency, Region X
130 - 228th Street Southwest
Bothell, WA 98021-8627
(425) 487-4657

To assist your community in maintaining the FIRM, we have enclosed a Summary of Map Actions to document previous Letter of Map Change (LOMC) actions (i.e., Letters of Map Amendment (LOMA), Letters of Map Revision (LOMR)) that will be superseded when the revised FIRM panels referenced above become effective. Information on LOMCs is presented in the following four categories: (1) LOMCs for which results have been included on the revised FIRM panels; (2) LOMCs for which results could not be shown on the revised FIRM panels because of scale limitations or because the LOMC issued had determined that the lots or structures involved were outside the Special Flood Hazard Area as shown on the FIRM; (3) LOMCs for which results have not been included on the revised FIRM panels because the flood hazard information on which the original determinations were based are being superseded by new flood hazard information; and (4) LOMCs issued for multiple lots or structures where the determination for one or more of the lots or structures cannot be revalidated through an administrative process like the LOMCs in Category 2 above. LOMCs in Category 2 will be revalidated through a single letter that reaffirms the validity of a previously issued LOMC; the letter will be sent to your community shortly before the effective date of the revised FIRM and will become effective 1 day after the revised FIRM becomes effective. For the LOMCs listed in Category 4, we will review the data previously submitted for the LOMA or LOMR request and issue a new determination for the affected properties after the revised FIRM becomes effective.

The FIRM panels have been computer-generated. Once the FIRM and FIS report are printed and distributed, the digital files containing the flood hazard data for the entire county can be provided to your community for use in a computer mapping system. These files can be used in conjunction with other thematic data for floodplain management purposes, insurance purchase and rating requirements, and many other planning applications. Copies of the digital files or paper copies of the FIRM panels may be obtained by calling our Map Information eXchange, toll free, at 1-877-336-2627. In addition, your community may be eligible for additional credits under our Community Rating System if you implement your activities using digital mapping files.

If you have any questions regarding the necessary floodplain management measures for your community or the NFIP in general, we urge you to call the Director, Federal Insurance and Mitigation Division of FEMA in Bothell, Washington, at 1-877-336-2627 for assistance for assistance. If you have any questions concerning mapping issues in general, please call FMIX at the number shown above. Additional information and resources your community may find helpful regarding the NFIP and floodplain management, such as *The National Flood Insurance Program Code of Federal Regulations*, *Answers to Questions About the NFIP*, *Use of Flood Insurance Study (FIS) Data as Available Data*, *Frequently Asked Questions Regarding the Effect that Revised Flood Hazards have on Existing Structures*, and *National Flood Insurance Program Elevation Certificate and Instructions*, can be found on our website at <http://www.floodmaps.fema.gov/lfd>. Paper copies of these documents may also be obtained by calling FMIX.

Sincerely,

A handwritten signature in black ink, appearing to read 'Luis Rodriguez', with a large, stylized flourish at the end.

Luis Rodriguez, P.E., Chief
Engineering Management Branch
Federal Insurance and Mitigation Administration

Enclosure:

Final Summary of Map Actions

cc: Community Map Repository
Melissa Anderson, Planner, City of Albany
Christine Shirley, Oregon Department of Land Conservation and Development, State NFIP
Coordinator

FINAL SUMMARY OF MAP ACTIONS

Community: ALBANY, CITY OF

Community No: 410137

To assist your community in maintaining the Flood Insurance Rate Map (FIRM), we have summarized below the previously issued Letter of Map Change (LOMC) actions (i.e., Letters of Map Revision (LOMRs) and Letters of Map Amendment (LOMAs)) that will be affected when the revised FIRM becomes effective on December 8, 2016.

1. LOMCs Incorporated

The modifications effected by the LOMCs listed below will be reflected on the revised FIRM. In addition, these LOMCs will remain in effect until the revised FIRM becomes effective.

LOMC	Case No.	Date Issued	Project Identifier	Old Panel	New Panel
			NO CASES RECORDED		

2. LOMCs Not Incorporated

The modifications effected by the LOMCs listed below will not be reflected on the revised FIRM panels because of scale limitations or because the LOMC issued had determined that the lot(s) or structure(s) involved were outside the Special Flood Hazard Area, as shown on the FIRM. These LOMCs will remain in effect until the revised FIRM becomes effective. These LOMCs will be revalidated free of charge 1 day after the revised FIRM becomes effective through a single revalidation letter that reaffirms the validity of the previous LOMCs.

LOMC	Case No.	Date Issued	Project Identifier	Old Panel	New Panel
LOMA	199531717MBJ	06/02/1979	MEADOWVIEW ADDITION, 2ND PLAT, BLOCK 1, LOTS 1-35; BLOCK 2, LOTS 1-7; BLOCK 3, LOTS 1-14	H410137B 04	41043C0213H
LOMA	97-10-054A	11/18/1996	680 NW WALKER LANE -- PORTION OF A.M. RAINWATER DLC NO. 39, T11S, R4W, W.M.	4100080050C	41043C0213H
LOMA	97-10-353A	10/30/1997	LAKESIDE ACRES, LOT 10-- 1185 GREEN ACRES LOOP NW	4100080050C	41043C0213H
LOMA	98-10-377A	07/31/1998	3416 NW HIGHWAY 20 -- PORTION OF SECTION 2, T11S, R4W, W.M.	4100080050C	41043C0200H
LOMA	99-10-026A	12/11/1998	524 QUARRY ROAD NW -- PORTION OF SECTION 31, T10S, R4W, W.M.	4100080050C	41043C0211H
LOMA	99-10-037A	12/16/1998	525 PEACOCK LANE NW -- PORTION OF A.M. RAINWATER DLC NO. 39, T11S, R4W, W.M.	4100080050C	41043C0213H
LOMR-F	99-10-125A	12/31/1998	CABINS AT PERIWINKLE CREEK, LOTS 2-7	4101370002E	41043C0214H
LOMA	99-10-321A	04/15/1999	3138 NW HIGHWAY 20 -- PORTION OF SECTION 2, T11S, R4W, W.M.	4100080050C	41043C0200H

FINAL SUMMARY OF MAP ACTIONS

Community: ALBANY, CITY OF

Community No: 410137

LOMC	Case No.	Date Issued	Project Identifier	Old Panel	New Panel
LOMA	99-10-319A	04/21/1999	FAIRWAY TERRACE, SARAH ADKINS DLC NO. 45, LOT 25 -- 220 NW COUNTRY CLUB LANE	4100080050C	41043C0211H
LOMA	99-10-492A	07/15/1999	LAKESIDE ACRES, LOTS 8 & 9 -- 1175 GREEN ACRES LOOP NW	4101370001F	41043C0213H
LOMA	99-10-490A	07/15/1999	A PARCEL ADJACENT TO SOUTH LINE OF JOHN Q. THORNTON DONATION LAND CLAIM	4101370003F	41043C0213H
LOMA	99-10-491A	07/15/1999	720 EAST THORNTON LAKE DRIVE -- A PORTION OF CLAIM NO. 37, T10S, R4W, W.M.	4101370001F	41043C0213H
LOMA	99-10-489A	07/15/1999	246/248, 256/258, & 222/224 NW 14TH AVENUE -- PARCELS 2-4	4101370001F	41043C0213H
LOMA	99-10-488A	07/15/1999	STRAWBERRY ACRES FIRST ADDITION, BLOCK 3, LOT 3, & BLOCK 1, LOT 1 -- 1330 ROSA LANE & 1675 MAYVIEW	4101370002F	41043C0211H 41043C0213H
LOMA	99-10-530A	08/19/1999	1120 NORTH ALBANY ROAD -- PORTION OF SECTION 1, T10S, R4W, W.M.	4101370001F	41043C0213H
LOMA	00-10-066A	01/12/2000	LAKESIDE ACRES, LOT 13 -- 311 GREEN ACRES LANE	4101370001F	41043C0213H
LOMA	00-10-151A	02/24/2000	GOLF CLUB ADDITION, BLOCK 3, LOT 6 -- 130 NE CLOVERDALE DRIVE	4101370001F	41043C0213H
LOMR-F	00-10-422A	08/30/2000	HICKORY HILLS M.D.P. -- 820 NORTH ALBANY ROAD	4101370003F	41043C0213H
LOMA	01-10-074A	12/18/2000	GOLF CLUB ADDITION, BLOCK 2, LOT 2 -- 112 GREEN COURT NE	4101370001F	41043C0213H
LOMA	01-10-042A	03/02/2001	630/632, 634/636, 638/640, 642/644, 646/648, & 650/652 EAST THORNTON LAKE DRIVE -- PORTION OF JOHN	4101370001F	41043C0213H
LOMR-F	01-10-415A	06/27/2001	NORTH ALBANY SELF STORAGE, PARCEL 3, PARTITION PLAT 94-63, PORTION OF SECTION 1, T11S, R4W, W.M. --	4101370003F	41043C0213H
LOMA	02-10-219A	03/20/2002	GOLF CLUB ADDITION, BLOCK 2, LOT 12 -- 128 FAIRWAY DRIVE NE	4101370001F	41043C0213H
LOMA	03-10-0034A	11/13/2002	1250 NE HILL STREET; PARCEL 1	4101370002F	41043C0213H 41043C0214H
LOMR-F	03-10-0324A	04/23/2003	N. P. M. SUBDIV PHASE 1, LOTS 3-4, 6-7, 9	4101370003F	41043C0213H
LOMA	03-10-0630A	08/19/2003	206 BENTON PLACE NW -- PORTION OF JOHN Q. THORNTON DLC NO. 37, T11S, R3W, W.M. (TL: 3800)	4101370001F	41043C0213H
LOMA	03-10-0739A	09/03/2003	HACKLEMAN'S 4TH ADDITION, BLOCK 6, LOTS 3 & 4 -- 110 CLEVELAND STREET SE	4101370004F	41043C0214H

FINAL SUMMARY OF MAP ACTIONS

Community: ALBANY, CITY OF

Community No: 410137

LOMC	Case No.	Date Issued	Project Identifier	Old Panel	New Panel
LOMA	04-10-0080A	12/03/2003	SCHMEER'S CENTRAL ADDITION, LOTS 13-16 -- 1520 SE 2ND AVENUE	4101370004F	41043C0214H
LOMA	04-10-0163A	01/09/2004	1030 GREEN ACRES LANE -- PORTION OF J. QUINN THORNTON DLC NO. 37, T10 & 11, R3 & 4W, W.M.	4101370001F	41043C0213H
LOMA	04-10-0338A	03/10/2004	526 NE SOUTH NEBERGALL LOOP -- PORTION OF SECTION 31, T10S, R3W, W.M.	4101370002F	41043C0211H
LOMA	04-10-0345A	03/25/2004	317 NE SOUTH NEBERGALL LOOP -- PORTION OF SECTION 31, T10S, R3W, W.M.	4101370001F	41043C0211H
LOMA	04-10-0864A	12/08/2004	1455 HARPER LANE NW -- PORTION OF SECTION 31, T10S, R3W, W.M.	4101370001F	41043C0213H
LOMR-F	04-10-0874A	12/28/2004	1275 NW HILL STREET	4101370002F	41043C0214H
LOMR-F	05-10-0313A	03/28/2005	N.P.M. SUBDV PHASE 1, LOTS 8, 10-12	4101370003F	41043C0213H
LOMA	05-10-0487A	06/01/2005	1380 MURPHY LANE NW, A PARCEL OF LAND IN BENTON COUNTY	4101370001F	41043C0213H
LOMA	05-10-0755A	09/08/2005	350 CHERRY LANE	4101370002F	41043C0211H
LOMR-F	05-10-0791A	10/06/2005	1014 GREEN ACRES LANE	4101370001F	41043C0213H
LOMA	06-10-0057A	11/03/2005	895 LAWRIDGE STREET NW	4101370001F	41043C0213H
LOMA	06-10-0097A	12/21/2005	935 NW SPRINGHILL DRIVE	4101370001F	41043C0213H
LOMR-F	06-10-0154A	01/10/2006	655 NORTH ALBANY ROAD	4101370003F	41043C0213H
LOMR-F	07-10-0129A	02/08/2007	LEGEND AT N.P., LOTS 1-63	4101370003F	41043C0213H
LOMA	07-10-0348A	03/20/2007	2377 HIGHWAY 20 NW (OR)	4101370003F	41043C0200H
LOMR-F	07-10-0441A	05/08/2007	LEGEND AT N.P., LOTS 1-63	4101370003F	41043C0213H
LOMR-F	07-10-0508A	05/24/2007	NORTHWOOD SUBDIV, LOT 1 -- 1215 SPENCER MOUNTAIN DRIVE NW	4101370001F	41043C0213H
LOMA	07-10-0583A	06/26/2007	236 WALKER LANE NW	4101370003F	41043C0213H

FINAL SUMMARY OF MAP ACTIONS

Community: ALBANY, CITY OF

Community No: 410137

LOMC	Case No.	Date Issued	Project Identifier	Old Panel	New Panel
LOMA	08-10-0042A	11/01/2007	754 QUARRY ROAD NW	4101370001F	41043C0213H
LOMA	08-10-0176A	01/10/2008	634 SOUTH NEBERGALL LOOP NE -- Sec 31, T10S, R3W, W.M.	4101370002F	41043C0211H
LOMR-F	08-10-0115A	01/15/2008	389 CHERRY LANE NE -- A portion of Section 31, T10S, R3W, W.M.	4101370002F	41043C0213H
LOMR-F	08-10-0158A	03/13/2008	NORTH POINTE MEADOWS SUBDIV PHASE 1, LOTS 1, 2 & 5 -- 603, 643 & 655 SPYGLASS COURT NW	4101370003F	41043C0213H
LOMR-F	08-10-0229A	04/24/2008	NORTH ALBANY VILLAGE SHOPPING CENTER	4101370003F	41043C0213H
LOMR-F	08-10-0849A	10/14/2008	NORTH ALBANY VILLAGE SHOPPING CENTER	4101370003F	41043C0213H
LOMA	09-10-0565A	05/28/2009	RANCH ACRES, LOT 8 -- 1432 MAYVIEW DRIVE NE	4101370002F	41043C0213H
LOMA	09-10-0780A	07/16/2009	730 HICKORY STREET	4101370003F	41043C0213H
LOMR-F	10-10-0206A	01/26/2010	640 HICKORY STREET	4101370003F	41043C0213H
LOMA	10-10-0302A	03/04/2010	LOT 4, BLOCK 2, GULF CLUB ADDITION -- 115 NORTHEAST PUTTER PLACE	4101370001F	41043C0213H
LOMR-F	10-10-0878A	08/03/2010	A PORTION OF SECTION 1, T11S, R4W, W.M.	4101370003F	41043C0213H
LOMA	11-10-0155A	12/28/2010	PARCEL 1, PARTITION PLAT NO. 2004-57 -- 1505 & 1507 2ND AVENUE SOUTHEAST	41043C0214G	41043C0214H
LOMA	11-10-0315A	02/04/2011	LOT 7, RANCH ACRES SUBDIVISION -- 1470 MAYVIEW DRIVE NORTHEAST	41043C0213G	41043C0213H
LOMA	11-10-0622A	02/24/2011	1015 GREEN ACRES LANE NORTHWEST	41043C0213G	41043C0213H
LOMA	11-10-0831A	04/26/2011	246 & 248 14TH AVENUE NORTHWEST	41043C0213G	41043C0213H
LOMA	11-10-0832A	04/26/2011	222 & 224 14TH AVENUE NORTHWEST	41043C0213G	41043C0213H
LOMA	11-10-0862A	05/19/2011	515 NORTHWEST RAINWATER LANE	41043C0200G	41043C0200H
LOMA	11-10-0260A	01/12/2012	Lot 20, The Ridge at Cascade Heights Subdivision - 1892 Eagles Nest Circle Northwest	41043C0211G	41043C0211H

FINAL SUMMARY OF MAP ACTIONS

Community: ALBANY, CITY OF

Community No: 410137

LOMC	Case No.	Date Issued	Project Identifier	Old Panel	New Panel
LOMR-F	12-10-0938A	05/08/2012	NORTH POINTE MEADOWS SUBDIV PHASE 1, LOTS 1, 2 & 5 - 803, 643 & 655 SPYGLASS COURT NORTHWEST	41043C0213G	41043C0213H
LOMA	12-10-1229A	07/31/2012	LOT 22, THE RIDGE AT CASCADE HEIGHTS - 1910 NORTHWEST EAGLES NEST CIRCLE	41043C0211G	41043C0211H
LOMA	13-10-0903A	04/09/2013	HACKLEMAN'S FOURTH ADDITION, BLOCK 6, PORTION OF LOTS 1 & 2 - 105 HARRISON STREET SOUTHEAST	41043C0214G	41043C0214H
LOMA	13-10-1759A	10/22/2013	RANCH ACRES, LOT 6 - 1500 MAYVIEW DRIVE NORTHEAST	41043C0213G	41043C0213H
LOMA	14-10-0842A	02/27/2014	LOT 1, BLOCK 3, FIRST ADDITION TO STRAWBERRY ACRES - 1510 MAYVIEW DRIVE NORTHEAST	41043C0213G	41043C0213H
LOMA	14-10-1310A	04/24/2014	A PORTION OF LOTS 5 AND 6, BLOCK 7, HACKLEMAN'S FOURTH ADDITION - 106 CLEVELAND STREET NORTHEAST	41043C0214G	41043C0214H
LOMA	14-10-1237A	05/22/2014	LOT 1, BLOCK 2, GOLF CLUB ADDITION - 108 GREEN COURT NORTHEAST	41043C0213G	41043C0213H
LOMA	14-10-1457A	05/20/2014	1540 HARDER LANE NORTHWEST	41043C0213G	41043C0213H
LOMA	15-10-0006A	11/25/2014	LOT 6, BLOCK 2, BRYANT'S SECOND ADDITION - 420 CLEVELAND STREET SOUTHEAST	41043C0214G	41043C0214H
LOMR-F	15-10-0908A	05/20/2015	BLOSSOM CROSSING, LOTS 23-26	41003C0113F	41003C0113G
LOMR-F	15-10-1225A	07/24/2015	NORTH ALBANY CENTER, LOT 8 - 625 HICKORY STREET	41003C0113F	41003C0113G

3. LOMCs Superseded

The modifications effected by the LOMCs listed below have not been reflected on the Final revised FIRM panels because they are being superseded by new detailed flood hazard information or the information available was not sufficient to make a determination. The reason each is being superseded is noted below. These LOMCs will no longer be in effect when the revised FIRM becomes effective.

LOMC	Case No.	Date Issued	Project Identifier	Reason Determination Will be Superseded
LOMA	99-10-225A	06/14/1999	EVERGREEN ACRES, LOT 10 - 1417 NE SHERMAN ST.	2
LOMR-F	09-10-0874A	07/28/2009	CASCADE HEIGHTS SUBDIV, LOT 25 - 1930 HERON POINT COURT NW	2
LOMA	11-10-1930A	09/29/2011	THE RIDGE AT CASCADE HEIGHTS, LOT 17 - 1800 HORSESHOE LAKE CIRCLE	2

FINAL SUMMARY OF MAP ACTIONS

Community: ALBANY, CITY OF

Community No: 410137

LOMC	Case No.	Date Issued	Project Identifier	Reason Determination Will be Superseded
LOMA	14-10-0285A	12/05/2013	850 NORTHWEST SPRINGHILL DRIVE	5

1. Insufficient information available to make a determination.
2. Lowest Adjacent Grade and Lowest Finished Floor are below the proposed Base Flood Elevation.
3. Lowest Ground Elevation is below the proposed Base Flood Elevation.
4. Revised hydrologic and hydraulic analyses.
5. Revised topographic information.

4. LOMCs To Be Redetermined

The LOMCs in Category 2 above will be revalidated through a single revalidation letter that reaffirms the validity of the determination in the previously issued LOMC. For LOMCs issued for multiple lots or structures where the determination for one or more of the lots or structures has changed, the LOMC cannot be revalidated through this administrative process. Therefore, we will review the data previously submitted for the LOMC requests listed below and issue a new determination for the affected properties after the effective date of the revised FIRM.

LOMC	Case No.	Date Issued	Project Identifier	Old Panel	New Panel
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Federal Emergency Management Agency
Washington, D.C. 20472

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

IN REPLY REFER TO:
115-J

June 8, 2016

Roger Nyquist
Chair, Board of Commissioners
Linn County Courthouse
300 Southwest Fourth Avenue
Albany, Oregon 97321

Community: Linn County, Oregon
(Unincorporated Areas)

Community No.: 410136
Map Panels Affected: See FIRM Index

Dear Mr. Nyquist:

On July 1, 2015, you were notified of proposed modified flood elevation determinations affecting the Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) report for the Unincorporated Areas of Linn County, Oregon. The statutory 90-day appeal period that was initiated on July 15, 2015, when the Federal Emergency Management Agency (FEMA) published a notice of proposed Base Flood Elevations (BFEs) for your community in the *Albany Democrat-Herald*, and *Corvallis Gazette-Times*, has elapsed.

FEMA received no valid requests for changes in the BFEs. Therefore, the determination of the Agency as to the BFEs for your community is considered final. The final BFEs will be published in the *Federal Register* as soon as possible. The modified BFEs and revised map panels, as referenced above, are effective as of December 8, 2016, and revise the FIRM that was in effect prior to that date. For insurance rating purposes, the community number and new suffix code for the panels being revised are indicated above and on the map and must be used for all new policies and renewals.

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- Amending existing regulations to incorporate any additional requirements of Paragraph 60.3 (d);
- Adopting all of the standards of Paragraph 60.3 (d) into one new, comprehensive set of regulations; or,
- Showing evidence that regulations have previously been adopted that meet or exceed the minimum requirements of Paragraph 60.3 (d).

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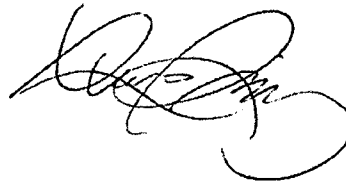
Mr. David Ratté
Engineer, Federal Emergency Management Agency, Region X
130 - 228th Street Southwest
Bothell, WA 98021-8627
(425) 487-4657

To assist your community in maintaining the FIRM, we have enclosed a Summary of Map Actions to document previous Letter of Map Change (LOMC) actions (i.e., Letters of Map Amendment (LOMA), Letters of Map Revision (LOMR)) that will be superseded when the revised FIRM panels referenced above become effective. Information on LOMCs is presented in the following four categories: (1) LOMCs for which results have been included on the revised FIRM panels; (2) LOMCs for which results could not be shown on the revised FIRM panels because of scale limitations or because the LOMC issued had determined that the lots or structures involved were outside the Special Flood Hazard Area as shown on the FIRM; (3) LOMCs for which results have not been included on the revised FIRM panels because the flood hazard information on which the original determinations were based are being superseded by new flood hazard information; and (4) LOMCs issued for multiple lots or structures where the determination for one or more of the lots or structures cannot be revalidated through an administrative process like the LOMCs in Category 2 above. LOMCs in Category 2 will be revalidated through a single letter that reaffirms the validity of a previously issued LOMC; the letter will be sent to your community shortly before the effective date of the revised FIRM and will become effective 1 day after the revised FIRM becomes effective. For the LOMCs listed in Category 4, we will review the data previously submitted for the LOMA or LOMR request and issue a new determination for the affected properties after the revised FIRM becomes effective.

The FIRM panels have been computer-generated. Once the FIRM and FIS report are printed and distributed, the digital files containing the flood hazard data for the entire county can be provided to your community for use in a computer mapping system. These files can be used in conjunction with other thematic data for floodplain management purposes, insurance purchase and rating requirements, and many other planning applications. Copies of the digital files or paper copies of the FIRM panels may be obtained by calling our Map Service Center, toll free, at 1-877-336-2627. In addition, your community may be eligible for additional credits under our Community Rating System if you implement your activities using digital mapping files.

If you have any questions regarding the necessary floodplain management measures for your community or the NFIP in general, we urge you to call the Director, Federal Insurance and Mitigation Division of FEMA in Bothell, Washington, at 1-877-336-2627 for assistance for assistance. If you have any questions concerning mapping issues in general, please call FMIX at the number shown above. Additional information and resources your community may find helpful regarding the NFIP and floodplain management, such as *The National Flood Insurance Program Code of Federal Regulations*, *Answers to Questions About the NFIP*, *Use of Flood Insurance Study (FIS) Data as Available Data*, *Frequently Asked Questions Regarding the Effect that Revised Flood Hazards have on Existing Structures*, and *National Flood Insurance Program Elevation Certificate and Instructions*, can be found on our website at <http://www.floodmaps.fema.gov/lfid>. Paper copies of these documents may also be obtained by calling FMIX.

Sincerely,

A handwritten signature in black ink, appearing to read 'Luis Rodriguez', with a large, stylized flourish at the end.

Luis Rodriguez, P.E., Chief
Engineering Management Branch
Federal Insurance and Mitigation Administration

Enclosure:

Final Summary of Map Actions

cc: Community Map Repository
Angie Thompson, County Administrator, Linn County
Christine Shirley, Oregon Department of Land Conservation and Development, State NFIP
Coordinator

FINAL SUMMARY OF MAP ACTIONS

Community: LINN COUNTY

Community No: 410136

To assist your community in maintaining the Flood Insurance Rate Map (FIRM), we have summarized below the previously issued Letter of Map Change (LOMC) actions (i.e., Letters of Map Revision (LOMRs) and Letters of Map Amendment (LOMAs)) that will be affected when the revised FIRM becomes effective on December 8, 2016.

1. LOMCs Incorporated

The modifications effected by the LOMCs listed below will be reflected on the revised FIRM. In addition, these LOMCs will remain in effect until the revised FIRM becomes effective.

LOMC	Case No.	Date Issued	Project Identifier	Old Panel	New Panel
			NO CASES RECORDED		

2. LOMCs Not Incorporated

The modifications effected by the LOMCs listed below will not be reflected on the revised FIRM panels because of scale limitations or because the LOMC issued had determined that the lot(s) or structure(s) involved were outside the Special Flood Hazard Area, as shown on the FIRM. These LOMCs will remain in effect until the revised FIRM becomes effective. These LOMCs will be revalidated free of charge 1 day after the revised FIRM becomes effective through a single revalidation letter that reaffirms the validity of the previous LOMCs.

LOMC	Case No.	Date Issued	Project Identifier	Old Panel	New Panel
LOMA	03-10-0459A	05/09/2003	38568 CONSER ROAD NE -- PORTION OF CHILCOTE TRACT (TL: 102)	4101360025B	41043C0211H
LOMA	11-10-1842A	10/04/2011	38296 CONSER ROAD - METES AND BOUNDS #1	41043C0211G	41043C0211H
LOMR-F	12-10-0421A	01/17/2012	38296 CONSER ROAD - METES AND BOUNDS #2	41043C0211G	41043C0211H

3. LOMCs Superseded

The modifications effected by the LOMCs listed below have not been reflected on the Final revised FIRM panels because they are being superseded by new detailed flood hazard information or the information available was not sufficient to make a determination. The reason each is being superseded is noted below. These LOMCs will no longer be in effect when the revised FIRM becomes effective.

LOMC	Case No.	Date Issued	Project Identifier	Reason Determination Will be Superseded
			NO CASES RECORDED	

FINAL SUMMARY OF MAP ACTIONS

Community: LINN COUNTY

Community No: 410136

1. Insufficient information available to make a determination.
2. Lowest Adjacent Grade and Lowest Finished Floor are below the proposed Base Flood Elevation.
3. Lowest Ground Elevation is below the proposed Base Flood Elevation.
4. Revised hydrologic and hydraulic analyses.
5. Revised topographic information.

4. LOMCs To Be Redetermined

The LOMCs in Category 2 above will be revalidated through a single revalidation letter that reaffirms the validity of the determination in the previously issued LOMC. For LOMCs issued for multiple lots or structures where the determination for one or more of the lots or structures has changed, the LOMC cannot be revalidated through this administrative process. Therefore, we will review the data previously submitted for the LOMC requests listed below and issue a new determination for the affected properties after the effective date of the revised FIRM.

LOMC	Case No.	Date Issued	Project Identifier	Old Panel	New Panel
			NO CASES RECORDED		



Federal Emergency Management Agency

Washington, D.C. 20472

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

IN REPLY REFER TO:
115-N

June 8, 2016

The Honorable Clayton Wood
Mayor, City of Millersburg
City Hall
4222 Northeast Old Salem Road
Albany, Oregon 97321

Community: City of Millersburg,
Linn County, Oregon
Community No.: 410284
Map Panels Affected: See FIRM Index

Dear Mayor Wood:

On November 29, 2013, the Federal Emergency Management Agency (FEMA) provided you with Preliminary copies of the revised Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) report for Linn County, Oregon and Incorporated Areas for your review and comment. Those Preliminary copies presented revised flood hazard information for your community, but did not present revised elevations of the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood). Therefore, no appeal period was required.

Your community was provided with a 30-day review period, and that period has now elapsed. No comments or concerns about the preliminary revised FIRM and FIS report were submitted to FEMA; therefore, the revised FIRM panels, as referenced above, will be effective as of December 8, 2016, and revise the FIRM that was in effect prior to that date. For insurance rating purposes, the community number and new suffix code for the FIRM panels being revised are indicated on the panels and must be used for all new policies and renewals.

The modifications are pursuant to Section 206 of the Flood Disaster Protection Act of 1973 (Public Law 93-234) and are in accordance with the National Flood Insurance Act of 1968, as amended (Title XIII of the Housing and Urban Development Act of 1968, Public Law 90-448), 42 U.S.C. 4001-4128, and 44 CFR Part 65. Because of the modifications to the FIRM and FIS report for your community made by this map revision, certain additional requirements must be met under Section 1361 of the 1968 Act, as amended, within 6 months from the date of this letter. Prior to December 8, 2016, your community is required, as a condition of continued eligibility in the National Flood Insurance Program (NFIP), to adopt or show evidence of adoption of floodplain management regulations that meet the standards of Paragraph 60.3 (d) of the NFIP regulations. These standards are the minimum requirements and do not supersede any State or local requirements of a more stringent nature.

It must be emphasized that all of the standards specified in Paragraph 60.3 (d) of the NFIP regulations must be enacted in a legally enforceable document. This includes the adoption of the effective FIRM and FIS report to which the regulations apply and the modifications made by this map revision. Some of the standards should already have been enacted by your community. Any additional requirements can be met by taking one of the following actions:

- Amending existing regulations to incorporate any additional requirements of Paragraph 60.3 (d);

- Adopting all of the standards of Paragraph 60.3 (d) into one new, comprehensive set of regulations; or,
- Showing evidence that regulations have previously been adopted that meet or exceed the minimum requirements of Paragraph 60.3 (d).

Communities that fail to enact the necessary floodplain management regulations will be suspended from participation in the NFIP and subject to the prohibitions contained in Section 202(a) of the 1973 Act as amended.

A Consultation Coordination Officer (CCO) has been designated to assist your community with any difficulties you may be encountering in enacting the floodplain management regulations. The CCO will be the primary liaison between your community and FEMA. For information about your CCO, please contact:

Mr. David Ratté
Engineer, Federal Emergency Management Agency, Region X
130 - 228th Street Southwest
Bothell, WA 98021-8627
(425) 487-4657

To assist your community in maintaining the FIRM, we reviewed our records to determine if any previous Letters of Map Change (i.e., Letters of Map Amendment, Letters of Map Revision) will be superseded when the revised FIRM panels referenced above become effective. According to our records, no Letters of Map Change were issued previously for the affected FIRM panels.

The FIRM panels have been computer-generated. Once the FIRM and FIS report are printed and distributed, the digital files containing the flood hazard data for the entire county can be provided to your community for use in a computer mapping system. These files can be used in conjunction with other thematic data for floodplain management purposes, insurance purchase and rating requirements, and many other planning applications. Copies of the digital files or paper copies of the FIRM panels may be obtained by calling our Map Service Center, toll free, at 1-877-336-2627. In addition, your community may be eligible for additional credits under our Community Rating System if you implement your activities using digital mapping files.

If you have any questions regarding the necessary floodplain management measures for your community or the NFIP in general, we urge you to call the Director, Federal Insurance and Mitigation Division of FEMA in Bothell, Washington, at 1-877-336-2627 for assistance for assistance. If you have any questions concerning mapping issues in general, please call FMIX at the number shown above. Additional information and resources your community may find helpful regarding the NFIP and floodplain management, such as *The National Flood Insurance Program Code of Federal Regulations*, *Answers to Questions About the NFIP*, *Use of Flood Insurance Study (FIS) Data as Available Data*, *Frequently Asked Questions Regarding the Effect that Revised Flood Hazards have on Existing Structures*, and *National*

Flood Insurance Program Elevation Certificate and Instructions, can be found on our website at <http://www.floodmaps.fema.gov/lfid>. Paper copies of these documents may also be obtained by calling FMIX.

Sincerely,

A handwritten signature in black ink, appearing to read 'Luis Rodriguez', with a large, stylized flourish at the end.

**Luis Rodriguez, P.E., Chief
Engineering Management Branch
Federal Insurance and Mitigation Administration**

cc: **Community Map Repository
Barbara Castillo, City Administrator, City of Millersburg
Christine Shirley, Oregon Department of Land Conservation and Development, State NFIP
Coordinator**



Federal Emergency Management Agency
Washington, D.C. 20472

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

IN REPLY REFER TO:
115-I

June 8, 2016

Annabelle Jaramillo
Chair, Board of Commissioners
Benton County Administration Building
205 Northwest Fifth Street
Corvallis, Oregon 97330

Community: Benton County, Oregon
(Unincorporated Areas)

Community No.: 410008
Map Panels Affected: See FIRM Index

Dear Ms. Jaramillo:

On July 1, 2015, you were notified of proposed modified flood elevation determinations affecting the Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) report for the Unincorporated Areas of Benton County, Oregon. The statutory 90-day appeal period that was initiated on July 15, 2015, when the Federal Emergency Management Agency (FEMA) published a notice of proposed Base Flood Elevations (BFEs) for your community in the *Albany Democrat-Herald*, and *Corvallis Gazette-Times*, has elapsed.

FEMA received no valid requests for changes in the BFEs. Therefore, the determination of the Agency as to the BFEs for your community is considered final. The final BFEs will be published in the *Federal Register* as soon as possible. The modified BFEs and revised map panels, as referenced above, are effective as of December 8, 2016, and revise the FIRM that was in effect prior to that date. For insurance rating purposes, the community number and new suffix code for the panels being revised are indicated above and on the map and must be used for all new policies and renewals.

The modifications are pursuant to Section 206 of the Flood Disaster Protection Act of 1973 (Public Law 93-234) and are in accordance with the National Flood Insurance Act of 1968, as amended (Title XIII of the Housing and Urban Development Act of 1968, Public Law 90-448), 42 U.S.C. 4001-4128, and 44 CFR Part 65. Because of the modifications to the FIRM and FIS report for your community made by this map revision, certain additional requirements must be met under Section 1361 of the 1968 Act, as amended, within 6 months from the date of this letter. Prior to December 8, 2016, your community is required, as a condition of continued eligibility in the National Flood Insurance Program (NFIP), to adopt or show evidence of adoption of floodplain management regulations that meet the standards of Section 60.3 (d) of the NFIP regulations. These standards are the minimum requirements and do not supersede any State or local requirements of a more stringent nature.

It must be emphasized that all of the standards specified in Paragraph 60.3 (d) of the NFIP regulations must be enacted in a legally enforceable document. This includes the adoption of the effective FIRM and FIS report to which the regulations apply and the modifications made by this map revision. Some of the standards should already have been enacted by your community. Any additional requirements can be met by taking one of the following actions:

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- Showing evidence that regulations have previously been adopted that meet or exceed the minimum requirements of Paragraph 60.3 (d).

Communities that fail to enact the necessary floodplain management regulations will be suspended from participation in the NFIP and subject to the prohibitions contained in Section 202(a) of the 1973 Act as amended.

A Consultation Coordination Officer (CCO) has been designated to assist your community with any difficulties you may be encountering in enacting the floodplain management regulations. The CCO will be the primary liaison between your community and FEMA. For information about your CCO, please contact:

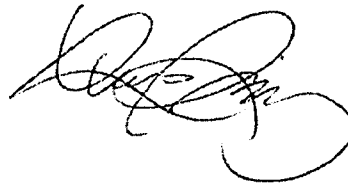
Mr. David Ratté
Engineer, Federal Emergency Management Agency, Region X
130 - 228th Street Southwest
Bothell, WA 98021-8627
(425) 487-4657

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If you have any questions regarding the necessary floodplain management measures for your community or the NFIP in general, we urge you to call the Director, Federal Insurance and Mitigation Division of FEMA in Bothell, Washington, at 1-877-336-2627 for assistance for assistance. If you have any questions concerning mapping issues in general, please call FMIX at the number shown above. Additional information and resources your community may find helpful regarding the NFIP and floodplain management, such as *The National Flood Insurance Program Code of Federal Regulations*, *Answers to Questions About the NFIP*, *Use of Flood Insurance Study (FIS) Data as Available Data*, *Frequently Asked Questions Regarding the Effect that Revised Flood Hazards have on Existing Structures*, and *National Flood Insurance Program Elevation Certificate and Instructions*, can be found on our website at <http://www.floodmaps.fema.gov/lfid>. Paper copies of these documents may also be obtained by calling FMIX.

Sincerely,

A handwritten signature in black ink, appearing to read 'Luis Rodriguez', is written over a white background.

Luis Rodriguez, P.E., Chief
Engineering Management Branch
Federal Insurance and Mitigation Administration

Enclosure:

Final Summary of Map Actions

cc: Community Map Repository
Toby Lewis, CFM, Associate Planner, Benton County
Christine Shirley, Oregon Department of Land Conservation and Development, State NFIP
Coordinator

FINAL SUMMARY OF MAP ACTIONS

Community: BENTON COUNTY

Community No: 410008

To assist your community in maintaining the Flood Insurance Rate Map (FIRM), we have summarized below the previously issued Letter of Map Change (LOMC) actions (i.e., Letters of Map Revision (LOMRs) and Letters of Map Amendment (LOMAs)) that will be affected when the revised FIRM becomes effective on December 8, 2016.

1. LOMCs Incorporated

The modifications effected by the LOMCs listed below will be reflected on the revised FIRM. In addition, these LOMCs will remain in effect until the revised FIRM becomes effective.

LOMC	Case No.	Date Issued	Project Identifier	Old Panel	New Panel
			NO CASES RECORDED		

2. LOMCs Not Incorporated

The modifications effected by the LOMCs listed below will not be reflected on the revised FIRM panels because of scale limitations or because the LOMC issued had determined that the lot(s) or structure(s) involved were outside the Special Flood Hazard Area, as shown on the FIRM. These LOMCs will remain in effect until the revised FIRM becomes effective. These LOMCs will be revalidated free of charge 1 day after the revised FIRM becomes effective through a single revalidation letter that reaffirms the validity of the previous LOMCs.

LOMC	Case No.	Date Issued	Project Identifier	Old Panel	New Panel
LOMA	RX-218-70-R	12/21/1992	1586 THORNTON LAKE DRIVE NW	4100080050C	41003C0113G
LOMA	900000123FIA	05/12/1993	1505 HARDER LANE	4100080050C	41003C0113G
LOMA	93-RX-0149	09/23/1993	GOLF CLUB ADDITION, BLOCK 2, LOT 1 -- 108 GREEN COURT NE	4100080050C	41003C0113G
LOMA	94-RX-0034	12/16/1993	GOLF CLUB ADDITION, BLOCK 2, LOT 2 -- 112 GREEN COURT NE	4100080050C	41003C0113G
LOMA	94-RX-0057	01/21/1994	2350 WEST THORNTON LAKE DRIVE	4100080050C	41003C0094G
LOMA	94-RX-0159	06/21/1994	1009 JONES AVENUE NW -- PORTION OF SECTION ??, T11S, R4W, W.M.	4100080050C	41003C0113G
LOMA	94-RX-0172	07/15/1994	633 SOUTH NEBOGALL LOOP N.E.	4100080050C	41003C0111G
LOMA	94-RX-0213	09/12/1994	1431 NW HIGHWAY 20	4100080050C	41003C0113G

FINAL SUMMARY OF MAP ACTIONS

Community: BENTON COUNTY

Community No: 410008

LOMC	Case No.	Date Issued	Project Identifier	Old Panel	New Panel
LOMA	95-R10-056	02/22/1995	249 JUNIPER LANE NW	4100080000	41003C0094G
LOMA	95-R10-101	04/24/1995	1037 NORTH ALBANY ROAD	4100080000	41003C0113G
LOMA	95-R10-160	07/05/1995	1415 HARDER LANE	4100080050C	41003C0113G
LOMA	95-R10-165	09/28/1995	721 NE LAYFAYETTE PLACE -- A PORTION OF LAND FROM LOT 5, BLOCK 6, ROLLING GREEN	4100080050C	41003C0113G
LOMA	96-R10-085	12/05/1995	515 NW RAINWATER LANE	4100080050C	41003C0094G
LOMA	96-10-147A	06/07/1996	A PARCEL ADJACENT TO THE SOUTH LINE OF THE JOHN Q. THORNTON DONATION LAND CLAIM, 831 RIDDERS LANE N.W	4100080050C	41003C0113G
LOMA	96-10-076A	06/19/1996	PORT. OF SARAH ADKINS DONATION LAND CLAIM NO. 45, TOWNSHIP 10 SOUTH, RANGE 3 WEST, WILLIMETTE MERIDI	4100080050C	41003C0113G
LOMA	97-10-154A	04/01/1997	STRAWBERRY ACRES FIRST ADDITION, BLOCK 3, LOT 3-- 1330 ROSA LANE	4100080050C	41003C0113G
LOMA	97-10-156A	04/03/1997	1642 CHRISTMAS TREE DRIVE-- PORTION OF THE GALLATIN ADKINS DLC NO. 79, T10S, R3W, W.M.	4100080050C	41003C0111G
LOMA	97-10-276A	07/15/1997	STRAWBERRY ACRES, BLOCK 1, LOT 1-- 1675 MAYVIEW DRIVE NE	4100080050C	41003C0111G
LOMA	98-10-045A	12/03/1997	LAKESIDE ACRES, LOTS 8-9-- 1175 GREEN ACRES LOOP NORTHWEST	4100080050C	41003C0113G
LOMA	98-10-046A	12/03/1997	720 EAST THORNTON LAKE DRIVE--A PORTION OF CLAIM NO. 37, T10S, R4W, W.M.	4100080050C	41003C0113G
LOMA	98-10-334A	06/30/1998	435 QUARRY ROAD -- A PORTION OF SECTION 31, T10S, R3W, W.M.	4100080050C	41003C0111G
LOMA	01-10-061A	12/18/2000	3380 & 3378 NW HIGHWAY 20 -- PORTION OF SECTION 2, T11S, R4W, W.M.	4100080050C	41003C0094G
LOMA	03-10-0026A	11/15/2002	1345 NEBERGALL LOOP NE -- PORTION OF SECTION 32, T10S, R3W, W.B.&M.	4100080050C	41003C0112G
LOMA	05-10-0311A	03/28/2005	543 NEBERGALL LOOP SOUTH	4100080050C	41003C0111G
LOMA	06-10-B287A	06/13/2006	Cascade Heights, Lot 8 -- 608 Alpine Meadow NW	4100080050C	41003C0111G
LOMA	07-10-0197A	01/30/2007	435 NW QUARRY ROAD -- PORTION OF SECTION 31, T10S, R3W, W.M.	4100080050C	41003C0111G

FINAL SUMMARY OF MAP ACTIONSCommunity: **BENTON COUNTY**Community No: **410008**

LOMC	Case No.	Date Issued	Project Identifier	Old Panel	New Panel
LOMA	11-10-0242A	01/28/2011	3502 HIGHWAY 20 NORTHWEST	4100080050C	41003C0094G
LOMA	13-10-0021A	10/18/2012	4028 SPRINGHILL DRIVE NORTHWEST	41003C0111F	41003C0111G
LOMA	14-10-1044A	04/03/2014	3440 SPRINGHILL DRIVE	41003C0111F	41003C0111G

3. LOMCs Superseded

The modifications effected by the LOMCs listed below have not been reflected on the Final revised FIRM panels because they are being superseded by new detailed flood hazard information or the information available was not sufficient to make a determination. The reason each is being superseded is noted below. These LOMCs will no longer be in effect when the revised FIRM becomes effective.

LOMC	Case No.	Date Issued	Project Identifier	Reason Determination Will be Superseded
			NO CASES RECORDED	

1. Insufficient information available to make a determination.
2. Lowest Adjacent Grade and Lowest Finished Floor are below the proposed Base Flood Elevation.
3. Lowest Ground Elevation is below the proposed Base Flood Elevation.
4. Revised hydrologic and hydraulic analyses.
5. Revised topographic information.

4. LOMCs To Be Redetermined

The LOMCs in Category 2 above will be revalidated through a single revalidation letter that reaffirms the validity of the determination in the previously issued LOMC. For LOMCs issued for multiple lots or structures where the determination for one or more of the lots or structures has changed, the LOMC cannot be revalidated through this administrative process. Therefore, we will review the data previously submitted for the LOMC requests listed below and issue a new determination for the affected properties after the effective date of the revised FIRM.

LOMC	Case No.	Date Issued	Project Identifier	Old Panel	New Panel
			NO CASES RECORDED		