



Harney County Planning Department
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Harney County Land Use File No.

19-17

I. PROJECT DESCRIPTION:

Update the County floodplain development standards to reflect the most current needs and requirements from FEMA, State of Oregon, and Harney County. As proposed, adopting the new standards will require an approval by ordinance of the Harney County Court. The ordinance will adopt the new standards and replace the current floodplain development standards currently within the Harney County Zoning Ordinance.

II. BACKGROUND AND PROPOSED AMENDMENTS:

A previous review hearing was held by the Harney County Planning Commission on (10/16/2019). At said hearing, the proposed draft (*see 2019 staff report and materials/Exhibits*) was approved by vote of the Commission to move forward as recommended, with the exception of the outstanding language related to “Agricultural Buildings.”

The 4/21/2021 review hearing will be both a review of the draft standards for consideration, and the new additions as noted below:

- Added/amended section 4.4.1 to include “*G. Agricultural Structures*” (pg. 21). **Agricultural structures are a very common development throughout the county and especially areas mapped within the approximate “A” zone of the effective NFIP maps. In many circumstances, agriculture buildings can be proposed as very large and open pole-barn type structures. The buildings are not complicated, however elevating them on fill can be exceptionally cost prohibitive. FEMA did not specifically address these kinds of structures until Policy # 104-008-03 (*attached*) was issued in 2020. After working with DLCDD and FEMA Staff, a newly proposed variance definition is added to the draft code to address this and similar instances concerning agricultural structure development. The addition is largely based on the aforementioned FEMA policy.

- Removed language in the floodway section (previously under 5.2.4 (2)) which is no longer approved by FEMA due to the rescindment of the FEMA Region 10 Fish Enhancement policy (this policy was rescinded after the last full review of Harney County’s proposed ordinance revisions).

III. NOTIFICATION:

- Notice for the initial evidentiary Planning Commission hearing (*Hearing Date 10/16/2019*) was published within the 10/2/2019 & 10/9/2019 editions of the Burns Times Herald.
 - Notice for the 4/21/2021 evidentially hearing was published on both 4/7/2021 and 4/14/2021.
- The County Website was updated on 10/9/2019 to show notice for this hearing along with the review materials
 - The County Website was updated again on 4/7/2021 to show notice for the hearing and new draft code
- Notice of a proposed text amendment to the zoning ordinance was provided to and received by DLCDC on 9/27/2019 (*Post Acknowledgement Plan Amendment Notice*)
 - Updated PAPA notice was provided on 4/7/2021

V. PLANNING STAFF NOTES:

Suggested motion: *“To approve local file No. 19-17 and recommend the proposed floodplain development standards for consideration of the Harney County Court”*

Brandon M. McMullen, Planning Director

Date

ATTACHMENTS:

FEMA Policy # 104-008-03
4/2021 Draft Harney County Floodplain Ordinance 2021