



Oregon
Theodore R. Kulungoski, Governor

Department of Land Conservation and Development
635 Capitol Street, Suite 150
Salem, OR 97301-2540
(503) 373-0050
Fax (503) 378-5518
www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

11/2/2010

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: City of Sodaville Plan Amendment
DLCD File Number 001-10

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Wednesday, November 17, 2010

This amendment was submitted to DLCD for review prior to adoption pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE:** The Acknowledgment or Appeal Deadline is based upon the date the decision was mailed by local government. A decision may have been mailed to you on a different date than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Karen Corrington, City of Sodaville
Gloria Gardiner, DLCD Urban Planning Specialist
Chris Shirley, FEMA Specialist
Ed Moore, DLCD Regional Representative

<paa> YA

**FORM 2****DLCD**

Notice of Adoption

This Form 2 must be mailed to DLCD within **5-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

DATE STAMP	<input type="checkbox"/> In person <input type="checkbox"/> electronic <input type="checkbox"/> mailed
	DEPT OF
	OCT 28 2010
	LAND CONSERVATION AND DEVELOPMENT
For Office Use Only	

Jurisdiction: City of Sodaville

Local file number:

Date of Adoption: **10-21-2010**Date Mailed: **10-27-2010**Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? X Yes ☐ No Date: 7-22-2010

X Comprehensive Plan Text Amendment

☐ Comprehensive Plan Map Amendment☐ Land Use Regulation Amendment☐ Zoning Map Amendment

X New Land Use Regulation

☐ Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Adoption of a comprehensive plan amendment which would adopt a flood plain study, flood plain maps, and provide the basis for adoption of a flood damage prevention ordinance for the City of Sodaville. Adoption of a flood damage prevention ordinance which would provide regulations for development within the Area of Special Flood Hazard as identified by the Federal Emergency Management Agency in its Flood Insurance Study for Linn County, Oregon and its Incorporated Areas. The floodplain study and new floodplain maps for the City of Sodaville are available at DLCD through the Natural Hazard Coordinator.

Does the Adoption differ from proposal? NO

Plan Map Changed from:

to:

Zone Map Changed from:

to:

Location:

Acres Involved:

Specify Density: Previous:

New:

Applicable statewide planning goals:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Was an Exception Adopted? ☐ YES X NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

X Yes ☐ No

If no, do the statewide planning goals apply?

☐ Yes ☐ No

If no, did Emergency Circumstances require immediate adoption?

☐ Yes ☐ No

DLCD file No. _____

Please list all affected State or Federal Agencies, Local Governments or Special Districts:
DLCD and DHS/FEMA

Local Contact: Karen Corrington

Phone: (541) 258-8882 Extension:

Address: 30723 Sodaville Rd.

Fax Number: 541-258-8882

City: Lebanon

Zip: 97386

E-mail Address: sodaville@centurytel.net

DLCD File No. 001-10 (18421) [16381]

ORDINANCE No. 10-01

**AN ORDINANCE AMENDING THE CITY OF SODAVILLE COMPREHENSIVE PLAN
RELATED TO ADOPTION OF A FLOODPLAIN STUDY, FLOODPLAIN MAP
AND FLOOD DAMAGE PREVENTION ORDINANCE**

WHEREAS, the City Council of the City of Sodaville has reviewed the floodplain study for Linn County as it applies to the City of Sodaville; and

WHEREAS, the City Council has reviewed the floodplain maps for Linn County as they apply to the City of Sodaville; and

WHEREAS, the City Council has reviewed the Flood Damage Prevention Ordinance for the City of Sodaville; and

WHEREAS, it is the responsibility of the City Council to adopt the revised flood plain study, maps, and ordinance in order to comply with the requirements of the Federal Emergency Management Agency (FEMA); and

WHEREAS, the City Council has held the required public hearings related to the adoption of the flood plain study, maps, and ordinance in order to give the citizens of Sodaville the opportunity to provide public testimony.

THE CITY OF SODAVILLE ORDAINS AS FOLLOWS:

The land use plan, an element of the Sodaville Comprehensive Plan, is hereby amended by the addition of a section pertaining to flood plains. The plan amendment reads as follows:

1. The flood plain study conducted by FEMA pertaining to the Oak Creek drainage in Linn County, Oregon as it applies to the City of Sodaville is hereby adopted and incorporated into the Sodaville Comprehensive plan. The flood plain is shown on the Flood Insurance Rate Map for Linn County, Oregon and Incorporated Areas, Panels 860 and 880, Map Numbers 41043C0860G and 41043C0880G, effective date September 28, 2010.
2. The flood plain maps for Oak Creek as they apply to the City of Sodaville are hereby adopted and incorporated into the Sodaville Comprehensive Plan. The applicable flood plain maps are identified in Section 1, above.
3. The City of Sodaville Flood Damage Prevention Ordinance is intended to implement the Flood Plain provisions of the comprehensive plan and the studies and requirements of the Federal Emergency Management Agency. Its attached by reference to the Flood Plain provisions of the Sodaville Comprehensive Plan.

Plan Amend 10-01 and 10-02

Adopted 10-21-10 Sodaville City Council

ORDINANCE NO. 10-02

AN ORDINANCE ADOPTING STANDARDS AND PROCEDURES RELATED TO MANAGEMENT OF DEVELOPMENT IN THE AREA OF SPECIAL FLOOD HAZARD IN THE CITY OF SODAVILLE, OREGON

WHEREAS, the City Council of the Sodaville has reviewed the floodplain study for Linn County, Oregon as it applies to the City of Sodaville; and

WHEREAS, The City Council has reviewed the floodplain maps for Linn County as they apply to Sodaville; and

WHEREAS, the City Council has adopted an amendment to the Land Use Element of the City of Sodaville Comprehensive Plan as it pertains to areas of special flood hazard within the City of Sodaville; and

WHEREAS, the Sodaville Area of Special Flood Hazard applies to lands within the Oak Creek drainage located within the city limits of Sodaville, and the land involved is in the Base Flood area meaning that a flood would have a one percent chance of being equaled or exceeded in any given year; and

WHEREAS, the Sodaville City Council has duly considered a Flood Damage Prevention Ordinance in order to carry out the provisions of the Sodaville Comprehensive Plan as they relate to the Base Flood area within Sodaville; and

WHEREAS, the City Council has held the required public hearings related to adoption of a Flood Damage Prevention Ordinance, and given the citizens of Sodaville the opportunity to provide public testimony.

THE CITY OF SODAVILLE ORDAINS AS FOLLOWS:

1. **Title.** The title of this ordinance shall be the **Flood Damage Prevention Ordinance of the City of Sodaville.**
2. **Basis for Area of Special Flood Hazard.** The area of Special Flood Hazard identified by the Federal Emergency Agency in its **Flood Insurance Study for Linn County, Oregon and its Incorporated Areas,** Map Numbers 4104CO860G and 41043CO880G, dated September 29, 2010 with accompanying Flood Insurance Rate Maps (FIRM) or Digital Flood Insurance Rate Maps (DFIRM), and other supporting data are adopted by reference and declared a part of this ordinance. The FIS and FIRM are on file at the office of the Sodaville City Administrator, 30723 Sodaville Road, Lebanon, Oregon 97355.

3. **Development** means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures , mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials located within the area of special flood hazard. Development does not include:
 - a. Signs, markers, aids, etc. placed by a public agency to serve the public.
 - b. Driveways, parking lots, or other open space use areas where no alteration of topography occurs.
 - c. 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 section.
 - d. Customary dredging associated with routine channel maintenance consistent with State or Federal laws and permits.
 - e. Replacement of utility facilities necessary to serve established and permitted uses.
4. **Development Within the Base Flood Area.** Development as specified in Section 3. within the Base Flood as specified in Section 2. is not permitted, except for those activities listed under section 3.a. through 3.e. The Base Flood means a flood having a one per cent (1%) chance of being equaled or exceeded in any given year.

MIDDLE RIDGE

ANTONY

FISHER

FIST

City of

Sodaville

30723 Sodaville Rd
Lebanon, OR 97355

Incorporated Since 1880

October 27, 2010

ATTEN: PLAN AMENDMENT SPECIALIST
DLCD
635 CAPITOL STREET NE, Suite 50
SALEM, OREGON, 97301-2540

Dear DLCD,

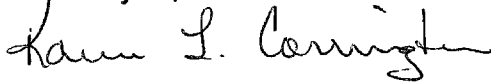
I have enclosed a Notice of Adoption, ordinances, and map.

I am unable to send an electronic copy on disc.

I can send one on a flash drive, or by email.

I prefer email, will you please let me know when I can send that to you.

Thank you,



Karen Corrington
City Administrator
City of Sodaville.
sodaville@centurytel.net

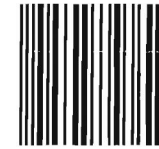
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sodaville@centurytel.net

The City of Sodaville is an Equal Opportunity Provider

City of Sodaville
30723 Sodaville Rd
Lebanon, OR 97355



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Atten: Plan Amendment Specialist
DLCD

635 Capitol Street NE Suite 150

Salem, OR

97301-2540