

**JACKSON COUNTY PLANNING COMMISSION  
PUBLIC MEETING**

**October 8, 2009**

**MINUTES**

**MEMBERS PRESENT:** Don Greene  
Joel Ockunzzi  
Richard Thierolf Jr.

**MEMBERS EXCUSED:** Tani Wouters

**GUESTS PRESENT:** Clark Stevens  
Delores Lisman  
2 other guests

**STAFF PRESENT:** Director Kelly Madding  
Planner Mike Mattson  
Office Assistant Lisa Canon

The meeting was called to order by Chair Don Greene at 9:01 a.m. The roll was called.

**APPROVAL OF MINUTES:**

**A motion was made by Commissioner Richard Thierolf and seconded by Commissioner Joel Ockunzzi to approve the September 10, 2009 meeting minutes. The motion was approved by a unanimous "Aye" vote.**

**POTENTIAL BUSINESS FROM THE AUDIENCE:** None

**UNFINISHED BUSINESS:**

**Continued Public Hearing** - Consideration of a Text Amendment to the Land Development Ordinance to revise the Floodplain Overlay, Section 7.1.2, in order to meet the National Flood Insurance Program (NFIP) requirements for floodplain management in Jackson County. This revision could affect properties located within the FEMA mapped floodplain on the Flood Insurance Rate Maps (FIRM) for Jackson County. File No. LRP2008-00009.

Don Greene read the application summary and requested that Mike Mattson give the staff report. Mike stated that Kelly Madding wanted to speak prior to the staff report.

Kelly: Wants to let everyone, audience, know why we have floodplain regulations. We have to comply with FEMA regulations so that we can be a part of the NFIP, have a low community rating system so that the citizens pay less for their flood insurance.

Mike: Issues expressed at the July 23, 2009 Public Hearing, page 605 of the record. He has made more changes and is handing out those to the commissioners.

- Fill in the floodplain: additional text "effect the excavation or placement of fill will have on *adjacent properties and structures*"
- Asking the commissioners what they think is best for Jackson County
- Should fill be allowed that will effect other properties
- Do you have authorization to increase to the flood elevation on someone else's property, due to fill or excavation on your own property?

Joel: How do they determine how a certain amount of fill effects the floodplain. Mike: Engineers do have ways to determine how it changes.

Richard: From Herbert Farber's comments I understand that he is against the requirement of engineers reports. He (Farber) says its impossible to predict what effect excavation or fill will have on adjacent properties. But that's not the type of report you are talking about, you are talking about what effect it will have on the floodplain.

Mike: Correct and I haven't heard of anybody having any problems with that.

Kelly: In Mike's revised copy of section 7.1.2(F)(9) that is omitted.

Don: I understood that the language was required.

Mike: No, that was not required, it has been stricken.

Discussion took place regarding what is required language and what staff would like to have added. Don re-stated that they need to determine what language needs to be included beyond what is required.

Clark Stevens: Would like staff to emphasize on cumulative effect, increasing the base flood elevation.

Mike: When floodways have been determined you can fill in a floodplain all the way to the floodway boundary and it will only increase it one foot. When there is development on one side of the stream and a proposed development on the other side, you increase the 100 year flood elevation on one side it will probably increase on the other side of the stream. Depending upon the stream itself there is a chance that it would be more than one foot. He will speak with some engineers about the topic; possibly have them come to the next hearing to speak.

Joel: Is there anything written about what happens when fill is naturally occurring?

Mike: no there are no regulations.

Joel: Would like to see an example of an engineer's report.

Mike:

- 7.1.2(A)(2) Methods of Reducing Flood Losses-replaced the wording "and uses" with "development."
- 7.1.2(B)(2)(h) Diversion points regarding the definition and use of "structure." The definition and wording must remain because it is a requirement.
- 7.1.2(B)(3)(a) LOMA-Changed wording to singular, building and site.