

**JACKSON COUNTY PLANNING COMMISSION
PUBLIC MEETING**

September 10, 2009

MINUTES

MEMBERS PRESENT: Don Greene
Joel Ockunzzi
Richard Thierolf Jr.
Tani Wouters

GUESTS PRESENT: Clark Stevens
Herb Farber
Delores Lisman
Antone Pederson
Ron Bolstad
Mike Savage
Mike Thornton
4 others

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

The meeting was called to order by Chair Don Greene at 9:10 a.m. Don spoke in remembrance of Commissioner Reeve Hennion.
The roll was called.

APPROVAL OF MINUTES:

A motion was made by Commissioner Tani Wouters and seconded by Commissioner Joel Ockunzzi to approve the August 27, 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 summary. Mike Mattson gave the presentation. He stated that he will have the rest of the documents requested by commissioners at the next meeting. Mike suggested reviewing the Comparison of Oregon Model Ordinance and Proposed LDO be reviewed at the next meeting along with the suggested changes to our LDO. Commissioners agreed to wait until the next meeting to discuss those items.

Richard Thierolf: Are we considering an ordinance that would make floodplain data from a property owner conclusive and not allow any opposition? Mike: That is written into the proposed changes, the department's discretion of surveyors findings or if the findings are final without the allowance of challenging the findings.

Public hearing opened at 9:21 by Don Greene. Speakers were:

Dennis Drouin, 9715 Hwy 62, EP: Believes that a lot of the land has been miscategorized by FEMA. This has restricted the use of his property and also had to pay for flood insurance even though FEMA has no proof that they are in a floodplain. He stated that FEMA should be present at the hearing to listen to their issues.

Antone Pederson, 4269 Grant Rd, CP: Was told by insurance companies that he needed a certificate that states what flood zone he is in and that he could get it from the planning department, but no one knows what that is. Lives across from Jackson Creek, where trees were planted in the creek to shade the fish. If the trees effect the flood level who is responsible when that happens?

Richard: Page 375 of the record describes the types of certificates required when building in the floodplain. Mike: Believes that he is referring to an elevation certificate and that because his residence was built before they were required he probably never had one. Mike will call Antone to discuss his particular property. Joel: What if a residence doesn't have flood insurance? What if in a flood part of your structure damages another structure? Mike: It's a legal liability, flood insurance is mostly to cover your own property. A structure can be replaced and increase square footage if within the floodplain, but not necessarily floodway.

Herb Farber, Surveyor: Submitted written testimony to the record. Understands the changes being made to the LDO and is working with other jurisdictions currently updated their floodplain ordinances as well. Only has a few concerns about the proposed changes. First concern is regarding the wording of 7.1.2(F). The statement requiring a surveyor's report on how the construction will effect surrounding properties. Herb feels that it will nothing to help construction, instead it will prevent any construction within the floodplain because it is too difficult to make all those determinations. Second concern is 10.4.1(F)(4) "Where base flood elevation data and floodways location have not been provided, they shall be generated for all subdivisions and