

JACKSON COUNTY PLANNING COMMISSION

PUBLIC MEETING

October 28, 2010

MINUTES

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

GUESTS PRESENT: Graham Wilkins
Gerry Lehrburger
Ray Figueira
Clark Stevens
Ron Bolstad
Gale Smith
Donald Denaree
Joe Granacki
Edwin Singmaster
Steve Rouse
Doug Olson
2 other guests

STAFF PRESENT: Director Kelly Madding
Planner Mike Mattson
Office Assistant Patricia Guida

The meeting was called to order by Chair Don Greene at 9:05 a.m. The roll was called.

POTENTIAL BUSINESS FROM THE AUDIENCE: None

NEW BUSINESS:

Public Hearing - Consideration of a Remand from the Board of Commissioners 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. The amendment also revises Sections 10.4.1 (F) (Floodplain Areas) and 13.3(100) (Definitions, Flood or Flooding) to coincide with changes to Section 7.1.2. These revisions could affect properties located within the FEMA mapped floodplain on the Flood Insurance Rate Maps (FIRM) for Jackson County. File No. LRP2008-00009.

Kelly Madding: Brief overview of today's hearing, stating the new Floodplain Maps will be noticed in November. Discussion and questions from the audience and commissioners on the Floodplain Maps vs Floodplain Ordinance followed.

Mike Mattson: Explanation and Staff report given on each item and sections of the proposed LDO language.

- FEMA Model Ordinance
- New Floodplain Map will have to be adopted or rejected within 6 months. First Hearing is December 9, 2010.
- New LDO Section 7.2 for the Floodplain, starting on page 8 of the record
- Flood Zones, Mapped and Unmapped Areas
- LUBA Notice requirements, appeals will be to the Hearing Officer
- 7.2.2 (D)(2) (DLCD/FEMA language) Don proposes to remove it, discussion followed. Section marked for deliberations.
- 7.2.3 (A)(6) Richard believes Authoritative Source needs better explanation or examples. Discussion followed, staff to find clarification of the language.
- 7.2.3 (A)(4) Staff will provide the contact persons for the listed agencies prior to adoption.
- Definitions are not changing. "Substantial Improvements" and Ag Exemptions discussed.
- 7.2.6 Must be administered per FEMA
- 7.2.8 (D) Joel questions the "no obligation" term. Wording/Clarity should be better.
- 7.2.9 Deed Declaration discussed.
- 7.2.10 (C) Change "Except as provided in F) to E)".
- 7.2.11 Discussion on Floodway vs. Floodplain.
- 7.2.12 (A) "Other Source" needs more clarity.
- 7.2.13 (D) Change graph verbiage from "Lowest Adjacent" to "
- Velocity of floodwater discussed regarding building crawlspaces and require engineer studies.
- 7.2.13 (F) Fencing or Walls in A Zones requires a Floodplain Development Permit. Development of a webpage for education on the Floodplain was discussed. Wire and Collapsible fencing discussed. Better clarification needed for each type and pictures.

Staff report ended with section 7.2.13 (G) and will continue with Recreational Vehicles 7.2.13 (H) on November 18, 2010.

Public Testimony began at 11:25 AM:

Gerry Lehrburger, Jackson Wellsprings, Ashland: Would like to submitted written comments to testimony given today. Spoke on previous actions by the county increasing flooding risks, and that they should have to follow their own rules. Present a simple flood mitigation plan to save lives in Jackson County. Wants Jackson County to hold itself to the same standards as its citizens. Listed LDO sections that should be followed (7.2.1 (B) and 7.2.10 (C)). Alleged multiple violations were reported to JA CO without action being taken, and the county's bikeway ramp construction has caused flooding due to the fill that was brought in. Other violations from the Ashland/Bear Creek area were reported. Jackson County should not be released from liability and the wording should be stronger. Discussion and questions from commissioners followed. Tani requests testimony be submitted in writing into the record.

Clark Stevens, Richard Stevens & Assoc., Medford: Congratulated staff on preparing an easier document to follow. Questions and discussion on the following topics:

- LDO Page 4 (D) should be removed as commissioners discussed, (2) & (3) make no sense.
- LDO Page 6 – Subsection 8 -Unclear on the term "Determination". Move the last sentence of 7.2.3 (A) (8) "Any person contesting..." to 7.2.3 (A)(8)(a) or make a subsection (b). Timing for an appeal questioned and discussed. Kelly Madding would like to have the text reviewed.
- LDO Page 8 – 7.2.4 (A) What if you don't have any building plans for the floodplain review applications. DLCD language that was left out was discussed. Sections 7.2.4 (4) and (5) text discussed, expenses up front and making it a two step process of review. Give applicants an option of one or two steps.
- LDO Page 14 – 7.2.10 (A)(2) Verbiage on "Safest location" be changed. Mike will review FEMA policy. "Replacement buildings..." sentence should be removed. Within the existing footprint discussed.
- LDO Page 25 – Headings missing from the chart. Fencing needs to be clarified.

Joe Granacki, Covered Bridge Road, Near Evans Creek – Code required a fence to hide construction material and vehicles, had to repair the fence from wind damage, now in code violation for the fence without a floodplain review. Discussed collapsible fencing with staff, and financial requirements for engineers and reviews being required. Definitions need to be better defined.

Steve Rouse, Jacksonville, Representing Rogue Aggregates – Would like to make sure the language is very clear regarding the floodplain. Type 1 decisions don't notify the public. and staff discretionary decisions discussed. Section 7.2.12 and the 50 feet area would require a Type 2 review. Kelly request any examples of language by submitted to staff. DLCD language discussed.

Doug Olson, Country Club Dr., Medford, Olson Holdings LLC. - Leer Way property questions. Advised to contact staff regarding specific questions on this property.

A motion was made by Commissioner Richard Thierolf and seconded by Commissioner Joel Ockunzzi to continue the public hearing to November 18, 2010 at 9 am. Vote was as follows:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Don Greene		
Joel Ockunzzi		
Richard Thierolf Jr.		
Tani Wouters		

BUSINESS FROM THE BOARD OF COMMISSIONERS: None

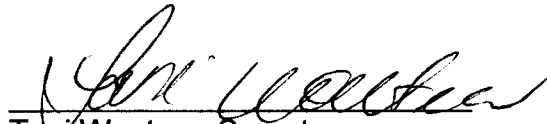
BUSINESS FROM COMMISSION MEMBERS: None

BUSINESS FROM THE PLANNING DIVISION: None

The next regular meeting is scheduled for Thursday, November 18, 2010 at 9:00 a.m;

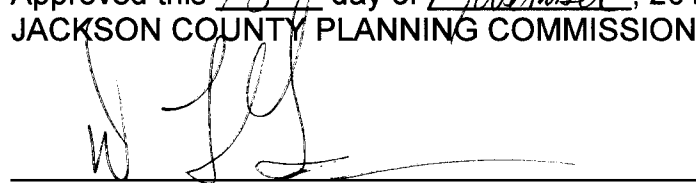
There being no further business, the meeting was adjourned at 12:36 p.m.

Respectfully submitted,


Tani Wouters, Secretary


Patricia A. Guida, Recording Clerk

Approved this 18th day of November, 2010.
JACKSON COUNTY PLANNING COMMISSION



Don Greene, Chair

Note: An audio CD of this public hearing can be ordered and purchased from Development Services for a nominal fee. In order to listen to the CD, you will need access to a computer with an internet connection to download (free of charge) the program for the CD.

You may order the CD by phone (774 6907; Jackson County residents outside of Medford's local calling area use 1 800 452 5021 x.6907) or you may FAX your order to (541) 774 6791. Please allow seven (7) working days.

When you place your order, please indicate that you need a CD of a Jackson County Planning Commission Public Hearing, the date of the public hearing, the file number that relates to the public hearing, your name and your daytime telephone number. You will be notified when the CD is ready to pick up at the Zoning Counter in Room 100 of the County Offices, 10 South Oakdale. It will be your responsibility to pay for the CD when it is picked up.