

5. POLICY BOARD BUSINESS

5.01: Consider an Amendment to City Code Chapter 117, Article II, Division 4, Subdivision III (Floodplain Overlay Districts) to Adopt Updated Flood Insurance Rate Maps Prepared by the Federal Emergency Management Agency

City Planner Anderson presented the staff report. He drew attention to the latest flood map available, which was from November 1, 1979. There has been a lot of growth in the city since then. There are new flood insurance maps from the insurance agencies. He explained there is a difference between a flood way and a flood fringe. He said structures are not permitted in the floodway. Some exceptions could be possible through a Conditional Use Permit. He gave an example of a structure that would be built on posts and would be elevated above the flood plain. He explained a flood fringe is defined as not part of the main flood area. This would be where there may be spillage near from the floodway with much lower velocities. These definitions determine where a structure can be built, according to FEMA.

City Planner Anderson noted the updated maps do need to be adopted. He gave a brief overview of the sections in the current ordinance that will likely be updated. He noted some of the language and definitions should be updated. He stated some of the language from the City Code should be carried over. He discussed the possibilities of how the layout of the document may change.

Board Member Bentz raised the issue of residents that are currently dealing with property flooding. He asked if these types of situations would be included in the amendment.

City Planner Anderson responded this is an option to include such instances, but it does not need to be codified. These are situations that can be handled on a case by case basis. He noted it is staff's recommendation not to include potentially flood prone areas, however if the Board wants to pursue this they can make that part of their recommendation.

Board Member Bentz asked if there is a way the realtors can find out about properties that may have flooding issues.

City Planner Anderson replied staff receives a lot of questions from realtors, and developers, and residents about whether there are issues with a certain property. When the City is made aware of these situations, they work with them and also provide any pertinent information in the property file maintained by the City.

City Planner Anderson reiterated when the Ordinance amendment comes forward, it will be to repeal the existing ordinance and replace it with this one. It can look drastic, but in reality there is very little changing. There may be a little rearranging within a section, but there are no major changes to the amendment. He noted the deadline to adopt an Ordinance that incorporates these new maps to stay eligible in the flood insurance program is December 16. The intention is to present the ordinance amendment to the Planning Commission at a public hearing in October and would to have it in front of City Council for adoption by of December at the latest. Notification will then be sent to FEMA that the amendment is adopted, in time for the December 16 deadline. He noted residents do not have to be in a flood zone to purchase insurance. If a resident is not in a flood zone, it may be less expensive to purchase flood insurance if the homeowners wishes.

Board Member Bentz questioned if the map on display is the map used for insurance purposes now.

City Planner Anderson explained the maps being used now are the maps from 1979. It does not distinguish between flood fringe and flood way. The new one does that. It also distinguishes between 100 year and 500 year flood levels.

Board Member Bentz inquired if a GIF overlay could be included to make things clear for the residents.

Board Member Hiatt asked if staff anticipates this will be an effect on some residents.

City Planner Anderson responded residents are federally required to have flood insurance if their structure is in the 100-year flood plain. If only a portion of a lot is under the flood plain, then the insurance is up to the lender. He said lenders seemed to be a bit more lenient before the housing crash, but have become more stringent since. The requirement of flood insurance is not a decision by the City, but is up to the lender if not federally mandated. There are instances where residents have obtained their mortgage without obtaining flood insurance. Then they have refinanced, and then are required to have flood insurance. He said he has had many conversations with residents about this. This is a change instituted by the lender.

Board Member Bentz stated he would like to avoid the necessity of flood insurance for those on the borders of wetland.

City Planner Anderson noted there are a surprising amount of wetland areas that are not part of a designated flood plain. He said just because there is a water body or a wetland doesn't mean there will be flood plain associated with that.

Acting Chairperson Valentine pointed out flooding is usually associated with drainage and not a body of water.

Board Member Hiatt referred to a case mentioned prior regarding a property battling flooding due to construction. He questioned if this situation should be included in the new Ordinance in order for the City to provide assistance.

City Planner Anderson responded he cannot provide a blanket answer. These types of situations would be considered on a case-by-case basis. There may be some action toward drainage correction. He suggested if there is any hesitation by a Board Member to keep certain language in, or omit certain language in a certain section, they can ask for that amendment.

Board Member Bentz questioned in the case already mentioned, would the homeowner apply for a variance and go through that process, or would it be better to go to Engineering and request help.

City Planner Anderson stated if the language is not in the Ordinance, it is difficult to know how open the City will be to hear the case, or fix the problem. If that particular property is in a flood plain, it will be considered. He said if the property owner wanted it fixed, it would not be a variance, and doesn't fit in the Conditional Use Permit parameters. He suggested the homeowner have a conversation with the Public Works or Engineering Department, and then it may become

an issue to take to the Public Works Committee. He noted there is an appeal process if requested.

Motion by Board Member Hiatt and seconded by Board Member Lewis to recommend that the City Council adopt the updated Flood Insurance Rate Maps by amending Chapter 117, Article II, Division 4, Subdivision III (Floodplain Overly Districts).

Motion carried. Voting Yes: Acting Chairperson Valentine, Board Member Hiatt, Lewis, Bentz, and Bernard. Voting No: None. Absent: Chairperson Stodola and Board Member Covart.

5.02: Review of EPB Presence at Happy Days

City Planner Anderson presented the staff report. He asked for feedback on how the Board thought the day went. He said he did incorporate the various comments made throughout the event.

Board Member Bentz summarized the comments he heard throughout the event and sent them to him.

Board Member Hiatt commented the question used to engage people was a good starter piece. He said Board Member Bentz did a nice job having more specific questions to spur dialogue. He noted there was a chance to explain to a group of people that the Board Members are not employees, but are citizens volunteering their time. It was good visibility for the Committee and how it works.

Acting Chairperson Valentine asked how many people went through the area the Board was in.

City Planner answered it was between 50 and 75 people. He thought there were about 30 to 40 people the Board Members captured dialogue with. He noted the “after parade” rush that is typically seen in the expos in previous years did not seem to happen. The booths within the City tent had very little traffic after the parade. He said he wasn't sure if the craft and business expos that that traffic. He pointed out the EPB booth was the last City-represented booth. He suggested the Committee didn't need to be represented in person next year.

Board Member Lewis said he was there after the parade. He said considering the amount of time the Board spent in meetings preparing for Happy Days, and the time spent in the booth, he questioned whether it would be valid to move forward. He stated he noticed the absence of the Parks and Recreation Board, and that could have been a more sought out group than the EPB. There were a lot of questions posed to the EPB that would have pertained more to the Parks and Recreation Board. Since this is an advisory board, and not a policy making board, he said he wasn't sure how helpful its presence was.

Board Member Bentz stated he did not think the set up was conducive to where the City booths were located. The blow up bouncers were loud and had long lines. The crafts were one way, and the parking ramp was another. Unless people were going to the parking ramp, there was little reason to go by and stop at the City booth. He commented some residents mentioned the upcoming recycling day. It was said that Home Depot takes appliances on certain days, and Best Buy takes appliances. Some residents questioned whether there should be a recycling day. He