

PLANNING COMMISSION RECORD

Briefing Session

NAME OF GROUP: PLANNING COMMISSION

DATE, TIME AND PLACE OF MEETING: Wednesday, August 20, 2003, 12:00 Noon, Room 113, First Floor, County-City Building, 555 S. 10th Street, Lincoln, Nebraska

MEMBERS IN ATTENDANCE: Jon Carlson, Steve Duvall, Gerry Krieser, Roger Larson, Dan Marvin, Greg Schwinn, Cecil Steward, Mary Bills-Strand and Tommy Taylor. Marvin Krout, Steve Henrichsen, Mike DeKalb, Brian Will, Duncan Ross and Teresa McKinstry of the Planning Dept.; Nicole Fleck-Tooze of Public Works and Utilities; Glenn Johnson of the Lower Platte South Natural Resources District; and other interested parties.

STATED PURPOSE Staff briefing on the **Floodplain Task Force Recommendations**

Nicole Fleck-Tooze stated that they are here today to give an overview of the Floodplain Task Force recommendations and how floodplains work.

Glenn Johnson explained that floodplains occur along any stream or river, around the lake, or wetlands. It is an area that has more than normal amounts of water. It expands out of the normal area. This is a natural land feature. They have always existed in the natural world. Prior to any development, a stream naturally seeks its own dynamic. It is relatively stable but changes over time. It covers about a 10 year frequency storm. Anything over that, flows over. Floodplains are designated by the frequency of the flood event that covers a certain area. A 100 year is a larger floodplain. The flood frequencies are determined by plotting all the floods and when they occur. A 100 year storm really has a 1% chance of happening in any given year. There are 3 components; the natural channel, the floodway which is the stream channel and a certain area on both sides and, the rest of the area is called the flood fringe. The maps are generally prepared by FEMA and provided to the County. There are minimum federal and state regulations. Nebraska has regulations and the city has adopted regulations more stringent than the federal standards. The floodway is a calculated area. This is calculated by taking the volume of flood storage and displacing it until it comes up 1 foot. These are the boundaries of the floodway. The mapping that FEMA does to determine the floodplain does not take into account the 1 foot rise in the base elevation. The floodway is regulated differently than the flood fringe. You cannot develop in the floodway unless you can prove there will be no rise in the base flood elevation. You can build in the flood fringe and generally fill or occupy. The first floor elevation of any new structures in the flood fringe must be one foot above the base elevation, which puts it above the base elevation that they use to determine the floodway.

That is fine if you are the only one in there. Someone else comes in and the base flood elevation rises even more. It also moves the floodplain out from the original boundaries. You may have structures that are outside the existing floodplain that as encroachment creeps out, it may cover more structures.

Marvin Krout wondered if the FEMA map covers all encroachments. Mr. Johnson replied no. It is determined with the flood fringe.

Larson understands that no structure can be put in the floodway that raises the base elevation. Mr. Johnson replied that some structures in other areas of the country have been done on stilts or they compensate for the fill they have put in.

Steward stated that someone told him all they need to do is flood proof the building. It is not only the one building that is being affected. That building in the flood fringe is affecting other properties. Mr. Johnson concurred. That building is occupying a certain space of flood fringe.

Ms. Fleck-Tooze explained that in the winter of 2000-2001, the city started to look at the increasing number of fill permits and assess the impacts. We had a number of neighborhood and environmental groups that expressed concern. A previous 5 year period was evaluated. The number of permits from 1998-2000 had tripled. The city and the NRD began to work with the Corps. of Engineers to evaluate the amount of fill in the floodplain. There was an interim 18 month "no net rise" standard. There was a lot of discussion and concern.

The Mayor appointed a 16 member task force. They were charged with formulating some flood plain standards. They first met in August of 2001. The final report was issued in April of 2003. There were 2 main studies the task force used to develop their recommendations. The first was the Corp. of Engineers study. It evaluated alternative floodplain ideas on a nationwide basis. They also looked at Dead Man's Run and Beal Slough as examples. They looked at what would happen if we took the whole flood plain and assumed that 50% of it were filled and lost. They also looked at just the one foot of rise. A final scenario evaluated what would happen if there were a loss of 100% of the storage area. The results of the Corps. of Engineers study were that you can see greater than the one foot of rise. A one foot of rise on Dead Man's Run would create approximately 1 million dollars additional damage. The second study that was looked at was done by CDM out of Kansas City. They looked at existing public infrastructure and private development. They looked at the same reach along Dead Man's Run and created different scenarios. A "no net rise" approach would lower the percentage of damages.

This was a huge volume of information that the Task Force looked at. They developed recommendations which divided the existing area from the future growth area. There were 16 major areas of recommendations. The study shows a map that represents the definition between the 2 areas. Recommendations for the new growth areas are defined as those areas outside the existing city limits that are zoned AG or AGR. The first recommendation

is no adverse impact with a goal of ensuring that one property owner does not adversely impact another property owner. The second is floodplain mapping. The Task Force recognized the need to keep the floodplain maps up to date and improve the accuracy. Third, is "no net rise" compensatory storage in new areas. Development in the floodplain should demonstrate that there will be "no net rise" and provide for compensatory storage. Fourth is very specific to bridges in the floodplain area. Fifth is stream buffers. Sixth is surplus of vacated floodplain property. Unusual circumstances only should merit a surplus of floodplain and then only with an easement. Seven relates to a floodplain buyout program. Eight is a floodplain development fee. Nine is best management practices. Ten is Salt Creek. Eleven is encouraging higher construction standards. Twelve is related to conditions for commercial or industrial structures. Thirteen relates to encouraging cluster development. Fourteen relates to using the floodplain information as the best available information. Fifteen talks about notifying prospective buyers and the last item encourages the County Assessor to take a new look at the way we look at properties in the floodplain. As far as recommendations for existing areas, this mostly related to Salt Creek which goes through town from approximately Calvert to Superior. Salt Creek as it flows through Lincoln creates some very special conditions.

Ms. Fleck-Tooze explained the next steps. There seems to be a much greater consensus on how to handle the new areas as opposed to existing areas. There is a lot more complexity on how to handle the issues in the existing urban areas. The first phase will be new standards for the new growth areas. That involves taking these recommendations and standards and draft them into the Zoning and Subdivision ordinances. We are probably looking at trying to have something brought forward early next year. Regulations for all areas will follow.

The meeting was adjourned at 12:50 p.m.

Respectfully submitted,

Teresa McKinstry
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Planning Department