

FLOODPLAIN PERMIT COMMITTEE MEETING
201 West Gray, Building A, Conference Room D
Virtual Meeting via Video Conference

Tuesday, September 8, 2020
3:30 p.m.

Minutes

PRESENT: Shawn O’Leary, Director of Public Works
Ken Danner, Subdivision Development Manager
Jane Hudson, Director of Planning and Community Development
Lora Hoggatt, Planning Services Manager
Sherri Stansel, Citizen Member
Neil Suneson, Citizen Member

OTHERS PRESENT: Carrie Evenson, Stormwater Program Manager
Todd McLellan, Development Engineer
Kathryn Walker, City Attorney
Amy Shepard, Staff
Gary Farris, Resident
Leonard Billingsley, Resident
J.W. Dansby, Dansby Engineering
Ryan Loosley, Dansby Engineering
Jeremy Stahle, Western Farmers Electric Cooperative
Yohannes Brown, Western Farmers Electric Cooperative

Shawn O’Leary welcomed the committee and introduced the newest member of the Floodplain Committee the Planning Services Manager, Lora Hoggatt. The meeting was called to order by Shawn O’Leary at 3:30 p.m.

Item No. 1, Approval of Minutes:

Six members of the committee were present, and a quorum was established. Scott Sturtz was absent. Mr. O’Leary called for a motion to approve the minutes from the meeting of June 1, 2020. A motion was made to approve the minutes by Sherri Stansel. The motion was seconded by Neil Suneson. The minutes were approved 5-0.

Item No. 2, Floodplain Permit Application No. 615:

Mr. O’Leary said this application was for the replacement of utility transmission poles on property located on the west side of I-35 south of West Lindsey Street in the Canadian River Floodplain. Dr. Carrie Evenson gave the staff report for Floodplain Permit Application No. 615. Dr. Evenson introduced the applicant as Western Farmers Electric Cooperative/CEC represented by Jeremy Stahle and Yohannes Brown. Dr. Evenson said the applicant plans to remove 11 existing wood transmission line poles and replace them with 6 steel poles in order to reduce the number of poles in the floodplain and increase the reliability of the transmission line. Dr. Evenson said existing wood poles to be removed will be cut at grade and the remaining material below grade will be left in the ground to limit disturbance to the floodplain. Dr. Evenson said the new steel structures, Structures 25, 26, 28, and 29, will consist of steel poles on each of two (2) 7-foot diameter foundations and four (4) 6-foot diameter foundations. The foundations for each pole will extend two (2) feet above grade. Dr. Evenson said Structures 25, 26, and 28 are located within Norman city limits, with Structure 29 located on the south side of the Canadian River in McClain County outside of the city limits. Dr. Evenson reviewed maps of the current location, the proposed location, and the location within the floodplain. Dr. Evenson reviewed photos of the existing structures and plans for the proposed new structures as well as photographs of the property. Dr. Evenson verified the application met all applicable ordinances and said that staff recommends approval of Floodplain Permit Application No. 615. Mr. O’Leary asked for comments or questions on behalf of the applicant. Hearing none, he asked if there were any questions from the committee. Ms. Stansel asked about the location of access for the project. Mr. Yohannes Brown said they were working with property owners to access the poles at the south end. Mr. Brown said the sites at the north end could be accessed

using an easement on W. Lindsey Street which may require temporary removal of fence and traffic control. Mr. Brown said the other location of access would be on Shadowcrest Court. Ms. Stansel inquired about the construction timeline and materials. Mr. Brown said the construction of the concrete foundations is planned by February 2021, with the line contractor to begin between March and April 2021. Ms. Stansel asked if the traffic disturbance would extend the entire period or just during active construction. Mr. Brown said the fence would be secured between phases. Mr. Ken Danner recommended approval of Floodplain Permit Application No. 615. Mr. Suneson seconded the motion. The committee voted to approve the application 6-0.

Item No. 3, Floodplain Permit Application No. 616:

Mr. O'Leary said Floodplain Permit Application No. 616 was for the construction of a carport on the property located at 401 Thorton Drive in the Merkle Creek floodplain. Dr. Evenson gave the staff report for Floodplain Permit Application No. 616. Dr. Evenson said the applicant is Gary Farris and the engineer for the project is J.W. Dansby. Dr. Evenson said the applicant owns an approximately 0.35 acre tract at 401 Thorton Drive, which is located in the Merkle Creek floodplain. Dr. Evenson said there is an existing house currently on the property, and the applicant is proposing to build a 16 ft. by 20 ft. carport located north of the existing house on the existing concrete drive. Dr. Evenson said the carport will be open on all sides so as not to restrict the flow of floodwaters. Dr. Evenson said the posts will be 2.5 inch square posts that will be anchored to the existing concrete using ½" x 6 ¾" wedge anchors embedded a minimum of 3 ¼" deep. Dr. Evenson said the proposed structure will be located partially within the floodplain and that the applicable ordinance section 429.1 4(b) (5) allows the placement of fill to elevate residential and non-residential structures if compensatory storage is provided. Dr.

Evenson said according to the applicant's engineer, approximately 1.32 cubic feet will be brought into the floodplain as part of this project; however, he does not recommend compensatory storage for this project. Dr. Evenson said staff recommends that at least 1.32 cubic feet of compensatory storage be provided to meet this ordinance requirement. Dr. Evenson reviewed plans and photographs of the property and confirmed all other ordinance requirements have been met. Dr. Evenson said staff recommends that Floodplain Permit Application #616 be approved with the condition that compensatory storage be provided. Mr. O'Leary asked for comments or questions from the applicant or engineer. Mr. Dansby said the reason he recommended no compensatory storage is due to the location of the floodplain on the property and the small amount required. Mr. Dansby said to be in compliance the applicant will have to dig a hole in his front yard to meet the requirement and since it is such a small amount he recommended not to provide it. Mr. O'Leary said staff explored the current Floodplain Ordinance and found that it does not currently have a provision or variance for a de minimis amount regarding compensatory storage but that if the Committee would like to explore defining that then it could be considered for future updates. Mr. O'Leary said, as the ordinance is written today, there is not a way to approve the application without compensatory storage being provided. Mr. O'Leary asked for questions or comments from the committee. Mr. Suneson recommended approval of Floodplain Permit Application No. 616 with the condition that the applicant work with City staff to find a reasonable alternative/location for compensatory storage. Ms. Sherri Stansel asked for clarification about the amount of soil that would need to be removed. Mr. Dansby stated the volume is about the contents of one wheelbarrow. Ms. Stansel asked the applicant for his thoughts. Mr. Farris said he would prefer not to place a hole in his front yard but understands the ordinance may require it. Mr. O'Leary clarified the motion

by Mr. Suneson that the applicant will work with staff to find a practical application to provide compensatory storage. Jane Hudson seconded the motion. The committee voted to approve the application 6-0.

Item No. 4, Approval of Floodplain Ordinance Revisions:

Mr. O’Leary said the next item was the review and approval of the floodplain ordinance revision to adopt the new Flood Insurance Study (FIS) and Flood Insurance Rate Maps (FIRMs) that will become effective on January 15, 2021. Dr. Evenson gave the staff report for the ordinance revisions. Dr. Evenson introduced the City Attorney, Mrs. Kathryn Walker, who has been assisting in oversight of the ordinance updates. Dr. Evenson gave a review of the history of the City of Norman’s floodplain ordinance, the method and process that occurred to bring these revisions forward, and the public input and meetings to bring it before the committee. Dr. Evenson said the 10 Mile Flat Creek watershed will be impacted by the study by removing 18 properties from the floodplain and adding 28 properties to the floodplain. Dr. Evenson said the Brookhaven Creek watershed will be impacted by removing 42 properties from the floodplain and adding 39 properties to the floodplain. Dr. Evenson said all property owners had been notified and were given two opportunities to discuss the map changes. Dr. Evenson said that representatives from all participating agencies, including Federal Emergency Management Agency (FEMA), Oklahoma Water Resources Board (OWRB) and Meshek & Associates, were available to assist property owners and answer questions. Dr. Evenson said some of the benefits of the new FIRMs included more detailed and accurate maps with Base Flood Elevation (BFE) data, mapping and BFE data integrated in the City’s Geographical Information System (GIS), and more accurate data available to stakeholders when applying for Letters of Map Revision (LOMR) and Letters of Map Amendment (LOMA). Dr. Evenson said part of the map revision

process requires the update and adoption of the City's revised floodplain ordinance prior to January 15, 2021. Dr. Evenson said that if approved by the Floodplain Permit Committee, the revisions would be sent to OWRB and brought before the Planning Commission and City Council for adoption. Dr. Evenson said the revisions will correct minor typographical errors, adjust the definition of "manufactured home", reference the FEMA FIRM Panels and FIS, update the titles of Floodplain Permit Committee members, and add the use of FEMA's Base Level Engineering data as approved data to be used for determining BFEs in "A" Zones. Dr. Evenson said staff recommends that the Floodplain Permit Committee, Planning Commission, and City Council approve the floodplain ordinance revisions. Mr. O'Leary thanked staff for the work to bring this forward and noted the significance of this study and these updates to both the 10 Mile Flat and Brookhaven Creek floodplains. Mr. O'Leary asked for comments or discussion on the item. Hearing none, he asked for a motion. Mr. Danner motioned to approve the Floodplain Ordinance Revisions. Mr. Suneson seconded the motion. The committee voted to approve the revision 6-0.

Item No. 5, Miscellaneous Discussion:

- a) Mr. O'Leary said the September 21, 2020, meeting has been cancelled due to lack of applications.
- b) Mr. O'Leary said the deadline for the October 5, 2020, meeting is coming up on September 16, 2020.
- c) Mr. O'Leary said that this would be Mr. Suneson's last meeting with the Floodplain Permit Committee and thanked him for his many years of service to the community and the committee.

- d) Mr. Danner said he had received a citizen request for an update on the floodplain violation at 535 S. Pickard Avenue. Mr. O'Leary asked City Attorney Kathryn Walker to update the committee. Mrs. Walker said she would research the status and send it to the committee.

Item No. 5, Adjournment:

Mr. O'Leary called for a motion to adjourn. Ms. Stansel motioned to adjourn and was seconded by Mr. Danner. Motion was approved 6-0. Meeting adjourned at 4:08 p.m.