



SUMMARY MINUTES OF PLANNING COMMISSION ACTION HELD
January 16, 2024

Planning Commission meeting minutes are not an exact transcript and represent key points and the basis of discussion.

1. **CALLED MEETING TO ORDER– By Michael P. Griffith at 6:16 P.M.**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL OF MEMBERS**

Those present: Michael P. Griffith, Tom Aljinovich, Doug Magee, Steve Hannan, Tim Knapp

THOSE ABSENT

Brandon Figliolino, Andrew Gay

ALSO PRESENT: Jessica Garner; Director of Community and Economic Development, Rob Smetana, City Planning Manager; Laura Hemler, Ass't. City Attorney; Josie Suk, Development Systems and Administrative Manager; Melanie Walter, Engineering Manager, Dixielee Rodriguez, Recording Secretary.

Michael Griffith made a motion to excuse Brandon Figliolino and Andrew gay

Those voting Yes: Griffith, Hannan, Ajinovich, Magee, Knapp

Those voting No:

Those absent: Figliolino, Gay

The motion carried 5-0

4. **APPROVAL OF MINUTES**

November 21, 2023. The minutes stand approved as printed.

5. **GENERAL BUSINESS**

None

6. **REPORTS**

None

7. **PUBLIC COMMENT**

There being no one wishing to speak, Public Comment was closed.

8. PUBLIC HEARINGS

8.A. OTH2023-0004 Major Land Development Code Amendment Associated with the Floodplain Regulations

Mr. Griffith opened the public hearing.

Mr. Griffith asked if all of the required documents were in order.

Mr. Smetana stated yes with publication and posting of the meeting agenda.

Mr Griffith stated the staff report has been submitted and made part of the permanent record.

Mr. Griffith asked Mr. Smetana to introduce the project.

Mr. Smetana introduced Melanie Walter, the City's Floodplain Administrator Manager to introduce the project.

Ms. Walter introduced the project, stating that proposed changes are to simplify data management. Four changes are proposed, 1) elimination of the City's Official Floodplain Map 2) the addition of a prohibition on makeshift structures within certain areas of the floodplain where having such structures would be particularly dangerous 3) allowing more flexibility to evaluate the fencing constructed within the floodplain, and 4) allowing the City to impose floodplain regulations in areas that may be at high-risk for flooding, but may not be reflected in FEMA's current floodplain boundaries. The changes proposed will also shift supervisor responsibilities from the CED Director to the City Engineer to align with the current supervisory hierarchy.

Mr. Magee asked how often FEMA updates floodplain maps?

Ms. Walter stated not very frequently, the last required flood insurance study update was 2021 and she doesn't anticipate another one for a number of years.

PUBLIC COMMENT

N/A

IN FAVOR

IN OPPOSITION

There being no one wishing to speak, Public Comment was closed.

APPLICANT REBUTTAL

QUESTIONS FROM THE COMMISSION

Mr. Aljinovich asked, with all new construction does this change the floodplain area?

Ms. Walter stated if they propose to change the floodplain boundaries they have to obtain a letter of map revision.

Mr. Aljinovich restated/asked his question with new construction and hard surfaces, water runoff, does that change the existing floodplain?

Ms. Walter stated that the City requires detention as pre developed conditions, that is our stormwater regulations.

Mr. Aljinovich asked if all egress routes were established for evacuation for the 100 year flood?

Ms. Walter stated yes and we have an emergency management plan, it is not part of the floodplain regulations but part of our (City of Arvada) emergency management report.

Mr. Hannan asked about fencing. How is this different, and improving our scores, are we allowing any and all fences to be put up?

Ms. Walter stated that if someone is proposing a fence in the floodplain, she will review each case-by-case for fencing permits, what type of fence they are proposing and material the customer is proposing to use.

Mr. Hannan asked, does the wording on "temporary structures" in the floodplain include tents?

Ms. Walter stated new language says to prohibit makeshift structures meant for human habitation in high-risk flood zones.

Mr. Magee asked is it only named creeks that have a floodplain?

Ms. Walter stated most of them do, there are other areas that don't like tributaries. Most are creeks.

Mr. Magee asked canals and ditches included in floodplains?

Ms. Walter stated No, only if they are shown in the model to intercept the flood flows. Most of them are not included.

Mr. Magee asked will other areas be affected negatively with these changes?

Ms. Walter stated no, they will not.

Mr. Knapp asked are we losing anything when pulling in these documents, are we losing any data?

Ms. Walter stated the boundaries are pulled directly from FEMA, real time. Keeping current maps we are losing data.

Mr. Knapp asked why are we allowing fences at all in the floodplain, if this blocks the flow of water? Are we allowing more fences to be installed?

Ms. Walter stated if the fence exists more or less reviewing the type of material. If the proposed fence is in a Floodway there is no way she would allow a new fence.

Mr. Knapp asked, are new structures allowed?

Ms. Walter states new structures are not allowed unless they meet a certain elevation. They must meet the code.

Mr. Knapp asked in the redline section 4-1-2-6a, what are the impacts of these proposed changes?

Ms Hemler asked is it about Flood insurance adopted?

Mr. Knapp stated no.

Mr. Knapp asked what is this dealing with? Is the 100 year floodplain or floodplain areas. Now it is talking about the regulatory floodplain.

Ms. Walter stated she believes it's the auto-adopting language. It was inconsistently referred to as floodplain and so they just changed it in the definition to be consistent.

Mr. Knapp asked about section 4-1-2-6e more of a note then anything else, this is the chart has been deleted and just now 4 points. These are considerations taken into account by Ms. Walter.

Ms. Walter stated she would take it into consideration and certainly take a look at it and review that with the City Attorney's office.

MOTION FOR 8.A.

It was moved by Mr. Magee That a Major Land Development Code Amendment Associated with the Floodplain Regulations located in the City of Arvada be recommended to City Council for approval.

This motion is based on the findings of fact and approval criteria on Page(s) 3 of the Staff Report.

Mr Griffith stated this is a pretty complicated thing to put together, and he appreciates the level of detail that was put into it. He is always glad to see more staff in these meetings. and Thank you for all your hard work.

DISCUSSION OF MOTION

Those voting Yes: Griffith, Hannan, Ajinovich, Magee, Knapp

Those voting No:

Those absent: Figliolino, Gay

The motion carried 5-0

8. OTHER ITEMS

There will be no meeting on the February 6th agenda.

Mr. Magee, brought up when meetings are canceled by staff not by a motion. That we have no procedure on how staff cancels the meetings. We need to address that, and/or review and update our By-Laws.

Mr Smetana we will address this with Emily Groog how to handle the canceling of meetings.

Mr. Magee asked Can we discuss this at the February 20th workshop meeting?

Mr. Smetana stated yes we can.

It was moved by Mr. Magee that we cancel the February 6th meeting.

Those voting Yes: Griffith, Hannan, Ajinovich, Magee, Knapp

Those voting No:

Those absent: Figliolino, Gay

The motion carried 5-0

10. **ADJOURNED** at 6:48 P.M.



Tim Knapp, Secretary

Michael P. Griffith, Chair

Dixielee Rodriguez, Recording Secretary