

The Wahoo Planning Commission met in regular session and in accordance with agenda posted at City Hall, Post Office, and First National Bank with each board member being notified of the agenda prior to the meeting. Meeting was called to order by Chair Glen Wilcox at 7:00 p.m. and opened with the Pledge of Allegiance. The Chair advised the public of the posted information regarding State Open Meetings Act and Title VI. The following board members were present answering to roll call: Meyer, Nielson, Houfek, Cady, Vculek, Pfligler and Wilcox. Absent: Blum, and Libal. Travis Beavers, Building Inspector/Zoning Administrator, was also present.

Libal entered at 7:01 p.m.

The board welcomed Ken Houfek as a new member. Board members introduced themselves.

The public hearing on amendment of Ordinance 1886, the Wahoo Zoning Ordinance, Section 5.17 FF/FW Flood Plain District was declared opened at 7:02 p.m. The Chair called for comments from the public. Scott Nielson stated that he spoke with a small property owner that is not in favor of the amendment. A motion was made by Nielson, seconded by Libal to close public hearing at 7:04 p.m. Roll call vote: Nielson, yes; Libal, yes; Wilcox, yes; Meyer, yes; Vculek, yes; Cady, yes; Houfek, yes; and Pfligler, yes. Absent and not voting: Blum. Motion carried.

Discussion was held on the amendment. Nielson excused himself because of financial interest. Beavers stated that the proposed amendment is to add appurtenant structure and obstruction to the definitions. Without the definition of appurtenant structure in the regulations, a variance would be required to allow any structure to be erected with the lowest floor below the base flood elevation. Beavers also stated that there are size and use limitations pertaining to appurtenant structures. A motion was made by Meyer, seconded by Houfek to recommend approval to amend Ordinance 1886, the Wahoo Zoning Ordinance, section 5.17 FF/FW Flood Plain District as follows:

2. FLOOD FRINGE OVERLAY DISTRICT (INCLUDING AO AND AH ZONES)

- a. Permitted Uses. Any use permitted in the Floodway Overlay District shall be permitted in the Flood Fringe Overlay District. No use shall be permitted in the District unless the standards of Section 5.17.09 are met.
- b. Standards for Flood Fringe Overlay District.
 - i. New construction or substantial improvement of any residential structure shall have the lowest floor, including basement, elevated to or above one foot above the base flood elevation.
 - ii. New construction or substantial improvement of non-residential structures shall have the lowest floor, including basement, elevated to or above one foot above the base flood elevation or, together with attendant utility and sanitary facilities, be **designed and floodproofed** so that below ~~that the level~~ **one foot above the base flood level**, the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall certify that standards of this subsection are satisfied. Such certification shall be provided to the Zoning Administrator.
 - iii. All new construction and substantial improvements that have fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the

following minimum criteria: A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

- iv. Appurtenant structures, such as detached garages and storage sheds that are no greater than 400 square feet in area, used exclusively for storage of motor vehicles, and storage of other items readily removable in the event of a flood warning may have their lowest floor below one foot above the base flood elevation, provided the structure is capable of withstanding hydrostatic and hydrodynamic forces caused by the base flood and provided that no utilities are installed in the structure except elevated or flood proofed electrical fixtures. If the structure is converted to another use, it must be brought into full compliance with the minimum standards governing such use.

"Appurtenant Structure" shall mean a structure on the same parcel of property as the principal structure, the use of which is incidental to the use of the principal structure.

"Base Flood" means the flood having a one percent chance of being equaled or exceeded in magnitude in any given year

"Obstruction" shall mean any wall, wharf, embankment, levee, dike, pile, abutment, projection, excavation (including the alteration or relocation of a watercourse or drainway), channel, rectification, bridge, conduit, culvert, building, stored equipment or material, wire, fence, rock, gravel, refuse, fill, or other analogous structure or matter which may impede, retard, or change the direction of the flow of water, either by itself or by catching or collecting debris carried by such water, or that is placed where the natural flow of the water would carry such structure or matter downstream to the damage or detriment of either life or property. Dams designed to store or divert water are not obstructions if permission for the construction thereof is obtained from the Nebraska Department of Natural Resources pursuant to the Safety of Dams and Reservoirs Act (Section 46-1601 to 46-1670 R.R.S., 1943 as amended.)

"Start of Construction" [for other than new construction or substantial improvements under the coastal Barrier Resources Act (Pub. L. 97-348)] includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start date means the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond a stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not the alteration affects the external dimensions of the building.

Roll call vote: Meyer, yes; Houfek, yes; Cady, yes; Vculek, yes; Pfligler, yes; Libal, yes; Nielson, abstain; and Wilcox, yes. Absent and not voting: Blum. Motion carried.

Beavers presented his February report, and discussed current projects: No new building permits for February. Contractors are finishing up projects that were started in the fall.

Beavers reported the NPZA conference is March 19-21 in Kearney. Mike Lawver spoke in regards to design standards for the new expressway and north chestnut.

A motion was made by Cady, seconded by Pfligler, to approve the minutes of the January 2nd, 2014 meeting as presented. Roll call vote: Cady, yes; Pfligler, yes; Libal, yes; Vculek, yes; Wilcox, yes; Meyer, yes; Nielson, yes; and Houfek, yes. Absent and not voting: Blum. Motion carried.

Meeting adjourned at 7:38 p.m.

Travis Beavers, Building/Zoning Administrator

Approved: