

Captioning Transcript of Planning and Zoning Committee Meeting - August 16, 2022

"Chair Flood"

Good afternoon. Welcome to planning and zoning committee.

I'm councilman Madonna flood chair of the committee, and I'm joined today virtually by my vice chair councilman Scott read by committee members, councilman Arthur Council, and Bill Hollander councilman Kevin Triplett Nicole George councilman Robin Engel is on his way and we'll be here momentarily. Also we're joined by Council Cassie Chambers Armstrong. Welcome. We're going to start with.

Item number 2, because.

The 2nd item, those folks are caught in traffic and underway.

So, we're gonna start with an awareness relating to the zoning of properties located at 4,490 and 4,492 brownsboro road containing approximately 2.177 acres and being the local metro case number 22 zone. seventy seven acres and being the local metro case number twenty two zone zero two two

properly moved by Committee Member Arthur 2nd, by Committee Member Hollander. So we're ready for a discussion.

"Brian Davis"

All right good afternoon Brian Davis, louisville metro planning and design.

"Chair Flood"

Council Member Fowler can you turn your, um. Your video on please.

Need help in terms of the camera.

Oh, there she is. Okay. Thank you. And we've been joined by Council Member Cindi Fowler welcome.

Go ahead. All right. Thank you.

"Brian Davis"

This is planning commission docket number, 22 zone, 22 for 440,944 and 92. brownsboro road.

Located at 44, 944 and 92 brownsboro road located metro Council district. 7.

Now, this is an outline of the 2 properties in question, an aerial photo. You can see that the properties are currently single family residents is that I was proposing to develop a attached single family residents development on the site.

This is only map of the area you can see there's a.

It's currently our 4 they have, but some are 5 a, and our 6 as well as our 4 properties. Then you have.

Just a variety of residential residential zoning districts in this area. So the request for these properties that changed its only from our 4 or 5, 8.

That point is proposing to construct 12 multi family dwelling units are approximately 2.177 acres.

It is located within the neighborhood form district in the windy hills area of Northeast, local metro access to the site will come from brownsboro road via private access easement that they are proposing.

This is the proposed plan here that you can see the, um. Access season will come into the site, run down through the middle of the site, and you'll have units on both sides. There's also a proposed the open space area located on the western side of the development, which is the bottom of the screen here.

This is a photo of the subject site looking from brownsboro wrote into the properties.

And this is 1 of the elevations that was provided by the applicant to give an idea of what the proposed units will look like.

That being conducted her neighborhood meeting on February.

The land development transportation committee was held on June 9th, 2022.

And the planning commission could other conducted their public hearing on July, 21st, 2022 1 person spoken opposition with the planning commission

motion was to recommend approval to change the zoning from our 4 to.

And that passed by vote of 10 0, that's all that I had. Unless you have any questions.

"Chair Flood"

I just wanted to ask a quick question if it's okay on the staff report it says 14.

Um, but that may be a typo or did it change during the.

I didn't I know it changed a couple of times throughout the process.

"Brian Davis"

Yeah, so that.

Yeah, and right before planning commission, that that number changed again. So that may have been for the discretion between the numbers on the plan and the.

"Chair Flood"

Staff report. Okay. I'll just check it because it had the same date. The same here at the July 21st and July 21st just wanted to make sure that.

There was nothing we needed to correct. This is in Council Member Paula McCraney's district, and she couldn't be here today, but she did want us as a committee to go ahead and do our due diligence and move this project forward with our recommendation.

We were also joined in the middle of that by councilman Stuart Benson.

Welcome, Stuart.

I'm looking to Council Member Jecorey Arthur.

"Committee Member Arthur"

Thank you do we know what the requests were for? The person who has spoken opposition? He's.

They claim that all of those were denied, do we have a list or an understanding of what those requests were?

"Brian Davis"

So, in the the summary in the minutes, just the person stated that they felt that the units were too modern looking and or out of character with the area.

I know that was 1 of the concerns, and then also had concerns about drainage and then, and then traffic coming in and out of the site.

Those were the primary concerns that were addressed at the planning commission hearing.

"Chair Flood"

We are also joined by councilman Robin Engel
Does anyone else have any questions or comments or concerns? Councilman Hollander

"Committee Member Hollander"

The calendar, thank you, Madam chair for some reason, I can't sign in, but.

I think that does summarize. I did watch the, the planning commission meeting. I think that does summarize the 1 person who spoken opposition. The comment that I wrote down, was that she didn't think the elevations looked like the bricks brick homes in the area the style of the of the properties.

I would point out that there are letters in the record from, from neighboring municipalities, supporting this project, Indian hills as well as windy hills.

And I think some of that came about after some combinations with the developer.

So, I'd look to me, like, a situation where most of the concerns were addressed.

"Chair Flood"

Thank you any other questions or comments.

See, no, 1 in the queue, believe we're ready for vote Cheryl.

If you'll call the virtual, please.

Vice Chair Reed

Yes,

"Committee Member Hollander"

I'm sure I want to vote. Yes. Okay.

For some reason I can't get in here.

Were you had another committee meeting? Maybe.

"Chair Flood"

Without objection voting is closing, there are 7 yes. Votes and this will go to old business at our next council meeting.

Before I call another item council member Stuart Benson, are we waiting for Kevin Kramer? I thought he was going to be virtual. Is he going to be.

"Council Member Benson"

I didn't know anything that he was going to be here. I made a I made the amendment.

"Chair Flood"

Okay, we'll just go ahead and I'm going to head and call item number 1 then number 1.

Number 1 is an ordinance relating to the zoning of.

Um, and nor is related to the zoning of an alternative plan for connectivity for property located at 805 South English station road,

containing approximately 7.19 acres and being a little metro case number 22 zone. 0. 0, 4, 9. two zone zero zero four nine 2nd, properly made by councilman Arthur 2nd, by councilman Triplett we're ready for discussion.

"Brian Davis"

This is the planning commission docket number 22. 749 805 South English station road multi family. The property is 805 South English station. Road is located in metro cancel district. 11. this is 1 of several reasons. We've had. is one of several reasons we've had Switched zoning districts whenever while it was in the process this 1 was previously in district 20. So, the property in questions are existing residential development or residential use. The Africans proposing residential development here on the site. You can see that. It's very much an infill type development where you have residential development surrounding it on all. Almost all sides. This is the zoning map. You can see the properties currently zoned are for they are proposing to resume to a which developments to the, to the West and to the South are currently zoned. As the request, the change is only from our for our 4 or 5 8. And then also there's an alternative plan for connectivity. That is included as part of the actions that are needed by Metro Council. The site is currently developed with the single family structure, which will be removed, and they have proposing 82 residential units on the site. The net density for development 11.87 doing is per acre, which is just under the maximum rollout in the district. This is a view of the site from South English station road again, looking into the site. This is the Atkins development plan that was presented. At the planning commission hearing, so you can see the distribution of the buildings throughout the site. For the proposed residential districts, South English station rows at the bottom of the photo, give you orient or. Did you oriented here? Here is 1 of the elevations that was provided by the applicant. A view of what the units would look like from the interior roads and then this rendering was provided by the applicant to show what the development would look like on the South English station roadside. Uh, so they again tried to. Create some undulation in the facade and then use the different materials in order to help make it look more like a front of a unit since it's facing the public road. I believe applicant conducted their neighborhood meeting on March 23rd, 2022. the land development transportation committee meeting was on June 23rd and then the planning commission public hearing was on July, 21st, 2022 people spoken opposition. july twenty first two thousand and twenty two people spoken opposition The planning commissions recommendation was for approval for the change in zoning from R4 to 5 a, and that vote passed by about 10 to 0.

And then the planning commissions recommendation for the alternative plan for connectivity was for denial that vote passed by a vote of 82, the development plan vote.

The planning commission did approve that on condition that the applicant come back.

With a different plan to make up for their recommendation for the. Alternative plan for connectivity, unless metro council votes differently here today and then we would address that.

Efforts so that's all I had, unless have any questions for me.

"Chair Flood"

Yeah, before I move forward, we were joined by Councilman Anthony Piagentini, so, um.

Councilman Benson did you have something you wanted to say before we move on?

"Council Member Benson"

Just ma'am. I would.

Uh, both the developments, the left and or even the right are private roads.

And both of them access is from English station, road, connected in 1 way, or another doesn't really help them. And since their private roads, the individuals on those roads.

Thinks that, since they had to pay for asphalt or taking maintaining them.

They don't want anymore anymore, any more traffic that needs to be. And so, as you look at it, if it was somewhere on the other end, it would connect to someplace else. It would make a connectivity a positive thing. I feel a little bit different. I'm really opposed to private roads. I think, you know, all of our roads will be public and not to be of the standard to make.

So, we can use them later for other things if we need to. And so I'm, I'm wanting to kind of sponsor this thing that we are. We don't have to have the connectivity on this and I hope you all would vote. Yes. Yay.

"Chair Flood"

Council Member George. wouldn't you care if I'll let the county attorney read the amendment by substitution?

Pertains to connectivity into the record and then I'll come back to you.

Go ahead, Travis Feichter assistant county attorney.

"Travis Fiechter"

Sorry? Everyone, it seems like we've had a bit of a technical hiccup. This is the amendment is on granted, but for some reason, it's not showing on the current system. So I'm going to read it into the record just to make sure everyone knows what's going on in the 2nd, whereas clause that would be changed to read.

Whereas the council concurs in and adopts the findings of the planning commission for the zoning change.

It would strike the phrase and the alternative plan for connectivity.

In case, number, 22 zones 0049 and approve and accepts the recommendation of the planning commission.

As set out and said minutes and records and then add the phrase for the zoning change.

And 2 new, whereas whereas.

While the council generally supports connectivity in this case there are circumstances that justify not requiring a connection between 805 South English States and road and the adjoining condominium development to the South as.

Sub 1, the connection would only serve 2, relatively small developments over private, not public roads with no potential to provide greater connectivity to other developments or roads in the future.

And sub, 2, each development has an access point to South English station road with the 2 access points.

Located approximately 500 feet apart.

So that any benefit of a 2nd, connection to the same road will be limited due to the close proximity of the 2 access points.

And whereas based on these circumstances council disagrees with the recommendation of the planning commission.

For the alternative plan for connectivity in case 22 zones 049, and rejects the recommendation of the planning commission.

Has set out in 10 minutes and records for the alternative plan for connectivity.

And then moving on to the section 2 of the ordinance, it would now read. connectivity for the property located at 805 South English station road, containing approximately 7.19 acres, and being in global Metro.

As more particularly described in the minutes and records of the planning commission in case 22 00049 is here by approved, would strike the term denied. Um, so it just explains the reason for the change and the overturn of the planning commissions decision regarding.

the planning commissions decision regarding

The alternate plan for connectivity. I'm happy to answer any questions. If there are any.

"Chair Flood"

We'll start with Council Member George and that was it about connectivity.

"Committee Member George"

It was already answered my question. Thank you.

"Chair Flood"

Okay, then we'll go to Council Member Bill Hollander

"Committee Member Hollander"

I think it matters I just want to state the reason why I, I'll be voting no on this amendment.

I did watch the planning commission meeting. I did hear chief Carlson talk about how he thinks connectivity is just so vitally important for public safety. He's seen that so many times around our community.

And I'll just say my experience on a development off of Frankfurt Avenue. Decision was made some years ago to provide no connectivity and it's caused massive problems.

We've had to expand public money to allow people to get out of this subdivision when their train is blocking the street.

We've had great concerns from neighbors about being landlocked and I think it was a mistake that was made many years ago. I hope that we won't continue to make that mistake. So, I wanted to explain my vote that way. Thank you.

"Chair Flood"

Thank you Councilman Hollander. My concern is with all these private roads, because I have a older subdivision was not really to me that though, because it was built in the 80 s and there's 3 private roads back there.

They are in desperate need of patching, just potholes and public works won't do it because it's private. They can't, they can't spend tax payers dollars a private roadway.

So now, because of a defunct these people are having to deal with. Asphalt problems, and, you know, it's like people have bought homes there that didn't even know when they chose existed back when it was built in the 80. so, I mean, we're gonna have to it's sometime come a reckoning to what we're going to do with private roads.

That are being torn up and we can't do anything about it when, you know, the average homeowner probably doesn't have a lot of money to throw into redoing their streets unless they have paid over the years. So.

Any more questions or comments before we vote on the amendment by substitution for.

"Council Member Fowler"

Madam chair? Yes.

Um, I just got a chime in on the, uh, private road situation because, um, I've had a couple of private roads that.

Uh, were used for Ingress and egress on some, um.

Developments and off of Dixie highway, and the podcast did become a great, uh, concern because, you know.

Even though the rest of the road was fairly good.

Uh, 1 of them was, um, a, um.

Carwash so, the wet cars coming out onto the road, caused a lot of problems on that private road and the potholes develop. They were huge public works that no, they couldn't do it. And I was, like, did, why did we approve.

This to go through and and not.

Respect the people who own that road, they ended up doing something. I'm not sure what it was, but they ended up coming and filling the potholes, but it was only because I think I think they required, um, the.

Uh, the carwash to fill them or pay to fill them.

So, but it is a problem and I think that we, we really need to.

Be conscious of what what's happening across the city, um, on these private roads.

Thanks.

"Chair Flood"

Thank you. Cindi Is there any.

Any other questions or comments. Okay although I guess we'll do a roll call be easier on the amendment by substitution. You'll call.

The row call for the amendment Cheryl.

Yes, I yes.

Committee Member Arthur no.

Committee Member Hollander no Committee Member Triplet yes

Committee Member George no, Committee Member Engel yes

Council Member Benson

He doesn't have a vote it's not his district. When does it?

"Council Member Benson"

It was a few months ago, but not now.

"Chair Flood"

Okay, I'm sorry without objection. Voting is complete there are 4 yes. Votes and 3, no votes in the. So now the, um.

Pardon alternative plan for connectivity alternative plan for connectivity is adopted into the ordinance. Does anybody have any questions about the ordinance as a whole.

If you open the voting, Cheryl.

If you'll call the.

Yes, that objection voting is closing. There are 7 yes. Votes in this will go to our business and our next council meeting.

Also items number 4 and 5, or to be held until further notice.

We're going to move on to item number 7, which is an ordinance relating to the revised district development plan and alternative plan for access for property located at 816 shepherds,

railroad containing approximately 18.9 acres and being a little metro case number 220001 and it was a table suddenly an emotional, untable motion. and it was a table suddenly an motion to untable

It is properly moved by Councilman Arthur and seconded by Councilman Engel. We're ready for discussion.

"Brian Davis"

We presented last time, so we don't have anything additional unless you have any questions for me.

"Chair Flood"

No, the committee might we have some amendments an amendment by substitution That'll need to be read into the record. There were some, some concerns about connectivity.

We just heard some just now, but I did watch that.

Watched I watched the real on this, but I also watch the video on the previous 1 and I have a concern too that.

There has to be something, something lead way when you have this many apartments.

If you only have 2 matters of Ingress and egress coming out on the same street, what happens.

When traffic or something is blocked there, or especially for emergency situations. So, 1 of the things that we have worked with the developer to do is an alternative plan for connection is a fire gate.

That will be put in into the subdivision because that subdivision behind them already suffers massive problems because the state highway department.

They have in their own admission, messed up when they were allowing Jefferson Commons, the commercial area to go in, you can hardly get in and out of that street. Now that goes into that subdivision. Then they tried putting up those yellow pose to keep people from turning the wrong way.

It's just a real mess and it's, you know, during the original zoning change on this, there was an agreement with the opposing sides council and with neighbors.

To not allow access to that subdivision because we're just exacerbate and already bad situation but in the spirit of safety.

There's a fire gate, we have 1 in our subdivision, but it, it allows access just for EMS fire in the police department to gain access fast. They have a code they can go through. So, and I believe they've agreed to that.

And the only thing that I'm not in agreement with on this are the binding elements as it refers to sidewalks.

But we're going to try to work that out between now and next Thursday, come up with language that will be supportive by myself. And the developer.

Because this was the 1 where they were supposed to put a sidewalk in on Rob's lane. So that people living there at the apartments could get to a bus stop easily. They could get to virtually.

Everything in need that they needed there would be a pharmacy. There's a grocery, there's several grocery stores.

There's restaurants, there's just everything that they could walk, but they don't have any connectivity because if you walk on old shepherds, Bill road, you're walking in the street at the ditch where the little. Bridges and it's just very dangerous.

So if I could call on the assistant county attorney Travis speech here, if you will read.

Our amendment into the record I would sure appreciate it.

"Travis Fiechter"

Everybody Travis Fiechter again. This one's a little bit longer than the last 1. so you're going to hear me speak for a bit my apologies. So this will start with the 6th, whereas clause with existing ordinance, whereas the Council, it would strike the phrase concurs and and adopts and substitute.

Disagrees with the findings of the planning commission, denying the alternate plan for access in denying the revised district development plan in case 22. 0. 0. 0. 1.

Then strike all remaining language in that, whereas clause, other than the final end at the end. And here's the new language.

Whereas the planning commission has previously approved an alternate plan for access on this site.

As part of case number 16 zone 10, 2007.

Which was eventually confirmed by the metro Council, the ordinance number 239 series 2018.

And whereas there were additional binding elements created relating to the original alternate plan for access.

Which are still applicable to the property and whereas the currently proposed alternate plan for access is substantially similar to what is currently approved with the same justification applying.

And whereas the alternate plan for access is the main reason why the planning commission recommended a denial of the revised district development plan.

And whereas the staff report was generally in favor of the revised district development plan.

With the exception of the alternate plan for access, and whereas the applicant has agreed to make an emergency only connection to Seabrook drive in response to some of the concerns raised by members of the planning commission.

And whereas the applicant will still need to go before the board of Zoning adjustment to seek a variance related to the revised district development plan.

And whereas the council now wishes to approve both the alternate plan for access.

And the revised district development plan, including the binding elements contained in the planning commission staff report.

With some additions and amendments now therefore, be it ordained by the legislative council of the local Jefferson County metro government, as follows section 1 that the alternate plan for access, and they revised district development plan for the property located at 8,016 shepherds road. road

Containing approximately 18.09 acres and being in global metro as more particularly described in the minutes and records of the planning commission.

In case 22 0 0. 0 1.

Strike is are here by.

Strike denied approved, including the binding elements contained in the planning commission.

Staff report for case number 22. 0. 0 1.

And the following additional and amended binding elements. Number 16, the plan on file shall be amended under the current case number and resubmitted for staff approval.

To planning and design services, showing an emergency, only gated connection from the development.

Cedar Brooke drive, preliminary approvals shall be obtained from and transportation planning.

Prior to staff approval, 17, all gauge comply with the safety requirements for gated connections as determined by local metro public works.

And the relevant emergency authorities, police fire and DMs.

Happy to answer any questions

"Chair Flood"

and I move that amendment by substitution.

Like, an article properly moved and 2nd by Committee Member Arthur, any questions or comments about that.

Seeing then all those in favor of the amendment by substitutions. Signify by saying, aye, aye.

Those opposed nay hearing none, the motion passes.

Okay, so the only thing left will be for us to work out the sidewalk issue and I feel confident we can work something out between now. And Thursday.

If not, we'll bring it back to committee again. Okay. I think we're ready to vote Cheryl.

"Vice Chair Reed"

Yes.

Without objection body is closing, there are 70 s votes on this will go to our business at our next meeting. Council meeting.

"Chair Flood"

Real quickly, we're going to take up the truck ordinance next, and then we're going to move on to Councilman Piagentini's flood, plain ordinance.

That's okay. If you're not in a hurry to.

"Council Member Piagentini"

I am not, but Council Member Chambers Armstrong who's a CO sponsor does have a time commitment at 2 o'clock. So we were hoping to get it done before then if possible just. So she had the opportunity comment.

"Council Member Chambers Armstrong"

I'm good either way Madam chair if you need to call the other. 2nd. Uh, and I can't participate in this. I know councilman Piagentini handle it on his own if need be. So, um, whatever order you want to call them in is fine by me.

"Council Member Piagentini"

And if you don't mind Madam Chair, I would like the vote of confidence of councilwoman Chambers Armstrong of my abilities to defend this, uh, on the record and think of memorialize that in any way. That would be terrific.

"Chair Flood"

Thank you. Let's schedule a debate later on at the end of the meeting. Okay, let me find.

This item number 3, an ordinance, amending the metro land development code, relating to truck parking requirements case number 21, LDC 0010 as amended.

Motion Arthur, secondary, properly moved by Councilman Arthur 2nd, by Council Engel we're ready for discussion.

"Joe Haberman"

Joe Haberman, planning and design services. We already presented this so we're just here to answer any questions.

I know that there were some preliminary questions that I have some potential answers, but there might be some more research I need to do to answer those in full.

"Chair Flood"

Okay, Council Woman Nicole George.

"Committee Member George"

Thank you, so as a reminder, this did pass out of committee unanimously. And at the full Council, there were several questions, and I sent questions to Joe in advance. So if it's okay with the committee, I'll just kind of piece through those and we'll see what we can come to.

The 1st question that I know we heard from council members was really around how we came to the 200 foot parking prohibition as related to an array of uses and specifically daycares and so do if you could share with us a little bit about the rationale of how we came to 200 feet, that would be helpful. be helpful

"Joe Haberman"

So the 200 foot separation requirement was based on an existing separation requirement and our easy 1 zoning that is used when you have. Our uses and it's a separation from residential so.

We modeled it after that we didn't.

Base it off any additional facts, we just kind of used it on that because it's been in place and it seems to work in easy 1 zoning, keeping.

Intense industrial uses away from residential.

"Committee Member George"

Thank you. And while I'm air pollution, control district. I don't believe spoke to this group. I know they did speak to several of us as we worked on this. Joe do you want to mention a little bit about what their level of support?

Whether I should say what their level of comfort was.

With with what we came to, in the in the proposal.

"Joe Haberman"

I don't know if I would characterize them as supporting the ordinance, because they didn't say whether they support it or not. But they were okay with the final language that we were able to put together. Their main concern was with idling and having trucks stored near residential. So, by adding the 200 foot separation requirement. requirement And strengthening the already planning commission recommendation that there shall be no idling and adding.

Additional prohibitions that would help discourage, like, not allowing. Drivers to stay in the vehicles in the cabs while they're on site, that kind of strengthens that and adding a provision.

That would prohibit refrigerated trailers from having.

You know, being in operation, why they're being stored at such a site.

"Committee Member George"

Thank you the next question we heard involved the impact of potentially removing and.

I guess it maybe was less clear. I think the overall concern for a lot of council members is that you're going to have a lot of trucks.

And see, 2 zoned areas, then, I guess, get into the truck storage business.

And so maybe if you could share a little bit about how we came to a group together with the intended impact was and if we know what it would look like, if we excluded.

"Joe Haberman"

So, this 1, we could put together some more data. They kind of give the council a better idea that the impact in terms of numbers. But the idea behind adding and there's not a lot of outside of the downtown. And that wouldn't be impacted by this ordinance.

Because we prohibited in the downtown form district, but.

Looking at that, just added a lot of more opportunity.

A lot more land that would be available for the use on a case by case basis with the conditional use permit. So.

We could get the amount of acreage that would bring versus just adding to.

But the other part of that was, when we prepared the maps that we shared with Council, what we noticed is, we're trying to solve a problem.

And this is 1 part of solving that problem where we have mostly independent truck drivers, storing their trucks at home.

Or on the street near where they live.

And when you look at maps and 1 and 2, and 3 properties are more isolated and.

Further away from some of these neighborhoods, so.

Tends to be along some of our more major corridors and might present a more practical option for some of these drivers.

To have like a smaller scales truck storage nearer to their home.

"Committee Member George"

Thank you the next question that we collected really involved. Um, I guess what.

Perhaps seem to be the need for a better understanding of the problem we're trying to solve.

So, the question was, do we know how many existing truck spots there are in metro and how does that align with the number of cdl's that are, you know, existing within the county.

I think during the council meeting we discussed, that is somewhat problematic to answer. Do you want to maybe step out what we do know, and then discuss how we have come to that?

"Joe Haberman"

So, we have looked into this as we drafted this ordinance to kind of get an idea of what's out there and.

We have not been able to find any information as to the number of spaces available because a lot of the places that allow for truck storage.

Aren't spaces they have storage lots where they'll give you a certain amount of square footage and if you can fit your heavy truck into that, it will work. So it's not technically a space.

The other we tried to find out how many trucks.

Are in Jefferson County, and we haven't asked a trucking Association, the Kentucky trucking association that question, and they were unable to answer.

So, after thinking about it more, we can try to look into how many heavy trucks are registered in Jefferson County.

If they have that information, and we can try to bring that back to the council to kind of consider that.

Keeping in mind that a lot of trucks aren't registered necessarily where they're stored. I don't know how reliable that information would be to use.

"Committee Member George"

And you and I, just to underscore, it's interesting because just today I received notice from an open records request that there were 28 citations issued for illegal parking of some as along Southland Boulevard in the month of July. July

So, 28, so this is an example of where enforcement has occurred and it's quite frankly not enough and of those 28 it looks like only 2 have an address relating back to Metro.

Okay, the only other question that I collected and I welcome others obviously is the question around the impact, impervious service. I think there's concerns that by opening up more truck parking we're gonna open up ourselves to more pavement.

And I'd like to hear a little bit about your perspective.

"Joe Haberman"

I don't know how to forecast impacted this. I know that when we thought about it, where this would likely go if we're talking strictly about we imagined that a lot of people would be using existing sites that perhaps are already paved. It's possible that somebody could acquire a site. That's just a vacant.

A lot, but we don't know. There's no prohibition on that.

So, all I can tell you is, if they did acquire a site that had already been developed, we added a number of criteria for landscaping and things like that that could improve impervious surface.

The pervious surface ratios on those properties basically improving open space.

But, but we don't know. So, I don't know if I can give you an answer to that question, because it's going to depend on the people that come forward.

"Committee Member George"

Thank you except to say that it makes economic sense that people would be looking at it.

Areas that already exist. Um, those are all the questions that I collected, but I would welcome others or if maybe there was something else on this from the full Council.

"Chair Flood"

I just wanted to reiterate that there are 2 even get a CP there are things that are not valuable. Right?

"Joe Haberman"

We added a number of criteria that cannot be waived by the board Zoning adjustment, or in some circumstances, the planning commission, when they grant us and those were the ones that were.

Basically, the ones that were. More to control these uses around residential uses, so that no, it can't be waved the separation from residential and other group uses cannot be waive. So we added.

A number of them to where they are firm, and they'll have to meet those, or otherwise they won't qualify for the conditional use permit.

"Chair Flood"

Yeah, I mean, because we even we even took out collector rows, they can't access.

The parking area from a collector road, it's going to have to be a major or minor arterial arterial road and I think that takes out the connectors take out a lot of your.

To me less why like your 2 lane roads that may may a collector that may connect to a major arterial.

It's still you can't use that collector road or put anything on there. For parking, and the 1000, the 1000 feet closer to the property means, even if it's by. Right? You still can't get a if you're 950. Feet away from it. The answer is just flat. No.

It's not waivable. Correct

"Joe Haberman"

I don't have the new language in front of me, but I'm almost positive. That's correct.

"Chair Flood"

I'm reading it from your notes. You sent me.

I just want to make sure that people understand that it's not I have property, so I'm going to open up a tracking firm. It doesn't doesn't flow that way. I think there's about 6, maybe 7 things that are not available in that just.

Takes that property completely out of out of the picture.

I actually like the idea that it's not on a collector because, um.

We had someone trying to do that in our area, and it created a disaster when someone got their truck stuck and they can't because they can't maneuver at some of these people are good truck drivers just like hardware.

1st, there's people that are good at people that are not so good. And when you have.

A truck block and a collector route, and people can't get home from work at 5 or 6 o'clock. It's kind of frustrating councilman Hollander.

"Committee Member Hollander"

Let's make sure I just wanted to thank you and the sponsor for having this session. I know.

You've also sent out email Madam Chair to members asking them if they have any questions to please present them. I was not here at the council meeting last week. I had a family Medical situation, I did watch the meeting later, though, and I have to say, I was sort of happy that I wasn't here. I don't, you know, this is the way to get these kinds of questions answered not on the floor of the council.

Obviously, we can't have these kind of discussions, and I just pointed out that this has been pending before this committee. Since before I was on this committee.

I was actually filed in October of last year so I think there's been a lot of work on here and then we shouldn't rush anything, but, you know, I hope people will respond to your email.

I asked their questions, so they can get answered in committee.

So, that we can move this forward, thank you.

"Chair Flood"

I haven't heard anything from anyone and I routinely announced, even in committee of the whole that we and the Democratic Congress, too, that this was coming up we're discussing it. Please please please look at it. If you have questions, let us hear about it. So I've tried the best. I can.

To get questions, I haven't asked them to call Mr. haberman. If it was something they thought that he could answer better than myself or councilwoman George. So councilwoman Armstrong.

"Council Member Chambers Armstrong"

Thank you Madam chair. I just have a couple of questions, because I'm still sort of struggling with the idea and I don't think any of us want to over incentivize more parking, lots and more paving.

And so, I guess I'm struggling to understand really the core of my concern is, is this about sort of a supply demand economic problem that we're trying to solve or is this more of a human behavior problem where there's plenty of parking but it's more convenient for folks to park somewhere else, and it's like, you know.

At the University of Louisville all the time people are parking, even though they have a permit to park somewhere else, something more convenient comes up and they park there. And those in my mind are 2 different problems that we would be trying to solve and require 2 different solutions.

Um, and I'm wondering if, uh, the sponsor could remind me, I believe, uh, councilman George, was it, like you said, 10 dollars a day for truck parking.

"Committee Member George"

So, in 2019, and I would invite Joe Haberman to speak to this, because he's also done some research around what existing lots there are in metro and what the pricing of those are.

And so, in 2019, I can share that we did an informal survey of the landscape and what we found were 2 locations in metro that were available. They were around bishops, lane, popular level 1 was 150 dollars a month.

And 1 was 10 dollars a day, so again, I'm not, I'm not the expert in all things truck parking,

but I can assure you that for the the community that I serve while there's always opportunities for behavior change and for enforcement there is also the lack of available options, which has.

Brought about the solution and I would welcome Joe to chime in. If he knows something different.

"Joe Haberman"

I can't really add to the cost other than what I heard from the truck drivers that we often issue citations to and their argument.

They don't really get into to supply. They, it's more to supply around where they live and they argue that.

It's, there's not enough opportunities to store their truck at a reasonable price near their homes.

So that was 1 of the ideas behind this ordinance would be to wide and kind of the land where.

They could store their truck near their homes.

"Council Member Chambers Armstrong"

Just so I can understand the logistics of this. So it's my understanding.

There are like, independent owner operators that, like, own their own truck and contract with companies and their folks that are employed by actual companies to drive.

I imagine that for folks who are employed by an actual company that this is like 1 of the covered expenses. Um.
And I'm assuming that for, like, independent owner operators. This is like a deductible business expense for parking. Is that how do folks actually pay for this? I guess is 1 of my questions.

"Joe Haberman"

I, I can only speak to what the people share with us. It seems like most of the citations and the people that are having issues with this RD, independent truck drivers and some of the stats I've seen with independent truck drivers, as they represent 30% of the trucks in the area that's an not a confirmed number that's just what I've read.
So, I think they have to cover the cost on their own, is how they explain it to us because when we issued the citation and tell them that they can't store a heavy truck into residential zoning.
They often will bring up the fact that they have to pay for the parking somewhere else and they don't imply that it's going to be a company expense.
I wouldn't know what percentage that is that's just based on.
Anecdotally, what people are telling me when we're involved in enforcement.

"Chair Flood"

I just know if you go out to suburbia.
I have an area and I think Joe Reverend probably knows about this, too, over there near the cinemas where it's a constant battle with truckers parking to where there's like.
In excess of 10 semis parked along this roadway. And then what happens then then you have other people parking on that roadway then now we have the fire marshal and the state police, or even involved in it and there's there is help for that situation coming, but they're already parking at your Walmart. If you have any bookstores you need to look around at those parking lots, because they're already parking at in the 2.
Near myself, not only that between Louisville and Shepherdsville on any given evening after 6 o'clock, you can go down the expressway and go to any off ramp.
And see parked at the off ramps and in between brook's exit and the last Shepherdsville exit there are 2 huge truck stops that are full to full to capacity almost every day.
After 6 o'clock yes, let me know.

"Council Member Chambers Armstrong"

Oh, yes, Madam chair. I had lost connectivity but, um, yeah

"Chair Flood"

did you hear me?

"Council Member Chambers Armstrong"

Yes.

Yeah, I caught the end of it. Um, and, uh, can I just ask 1 more question? Yes.

So, I guess here's 1 of my concerns is that, um, you know, to.

At 10 dollars a day I'm not sure what level we have to drop the cost of parking to make it more affordable than that. Is it a dollar a day? Is it

3 dollars a day and just thinking about from an economic supply and demand perspective?

If the issue is that 10 dollars a day, it's too expensive.

How many parking lots do we have to build to get it lower and how much more of a supply do we have to create? And that just makes me really nervous given how much we talk about Um, you know, the problems around impervious surfaces and how we'd like to reclaim some of our parking lots to turn them into to green spaces and parks. Um, and so.

Not having a good handle on sort of the supply and demand issue and I know that there are all kinds of data issues is just really what makes me, um, sort of nervous about all of this. But I do recognize all of the hard work that everyone has put into this and particularly councilwoman George.

And so, um, what our knowledge that I really appreciate.

All of the effort and all of the, and the problem that that you all are trying to solve and acknowledge it's a problem. Um, I just want to make sure that we are unintentionally creating other problems in the process. And so I'm looking forward to hearing, um, the rest of the discussion.

"Committee Member George"

Thank you, Madam chair.

I want to be very clear that I mentioned there being 2 options.

1 of which charges? 10 dollars a day the other charges 150 dollars a month. And so.

I think the overall consensus, whether we're speaking with truck drivers, or for those of us in our communities that have a lot of heavy truck parking and experiences daily and speak to drivers, is that there are not enough locations in the community.

That this is not just an economics issue around 1 lot the charges 10 dollars a month. I mean, 10 dollars a day we see this and it's evidence by the data which shows that on 1 street alone in district 21 there been 28 citations.

In the month of July, if it were so easy as they were all going to go to the 1 lot for 10 dollars a 10 dollars a day, they would have done that. And I think that alone illustrates that we have a challenge in the way of supply and that they're quite frankly aren't enough locations in metro for trucks, particularly are independent drivers.

"Council Member Fowler"

Ms.chair Madam chair

Joe Haberman, the question was put to you back has the Council Member George concerning on the, that.

That was mine and, um, uh, councilman, uh, concern. So, let me understand that we are allowing this in C2 and C1 as ell as M.

And as well as.

Is that correct? Um, no.

"Joe Haberman"

Someone would not be eligible for the.

"Council Member Fowler"

Okay, good. So, um.

So, our, the question was, can we not do this.

Um, we'll see 3 and not.

Because opens it up along Dixie hallway in my district to a whole lot of. Problematic areas that are already source. So, could you explain why we can't do it just with.

"Joe Haberman"

We could the reason why we included is because typically all uses are permitted, but practically speaking.

There's not a lot of and Jefferson County most of it is downtown, and there's a couple of other isolated spots of it. And again.

We have several form districts that we prohibit this use and those are downtown.

Neighborhood and traditional, which typically don't align with commercial and traditional marketplace corridor. So.

When you clip by those form districts.

There's just not a lot left so leaving without.

Probably not be of any benefit.

"Council Member Fowler"

Okay, so does that mean that.

Say a long Dixie highway where I have, um, marketplace.

Or or neighborhoods form districts, that this is not going to be allowed.

Is that what I understand you to say,

"Joe Haberman"

In suburban marketplace cord, or? It would be permitted but again, they would need that, uh, conditional use permit.

And then we placed a series of unbelievable standards, the most important being those separation requirements. So those would disqualify quite a number of sites. Mm. Hmm.

And the big 2 separation requirements that I'll note, are the 200 feet from residential in a series of other um.

Uses like, daycares and schools that we didn't feel that this use would be appropriate around and a 1000 feet from any other.

Trucking storage facilities, so that we could.

Discourage just a disproportionate amount of this type of use in 1 particular area.

"Council Member Fowler"

Okay.

As, as still, this is gonna be problematic on Dixie highway. So so you're saying neighborhood form districts.

And, um, suburban marketplace is allowed with a.

But neighborhood form districts and marketplace form districts are those allowed with the, or? No.

"Joe Haberman"

Suburban marketplace corridor would be permitted with the.

But neighborhood, which is in our suburban forms, it would not be permitted in.

And then in our more traditional forms, traditional marketplace and traditional neighborhood in downtown, it would not be permitted in.

But it would be permitted as written.

And the suburban marketplace, if it met those separation requirements.

"Council Member Fowler"

Okay, well, I I don't think 200 feet is enough.
Um, so it's 2, it's,

"Chair Flood"

it's 1000 feet between each 1 of them. Not 20,200

"Council Member Fowler"

is 2200feetfrom a residential area and that what I heard no. residential
area and that what i heard no

"Chair Flood"

Yes, but a 1000 feet between each each 1 and the, em, classifications is
by right?

Only, the C2 and C3 is by conditional use permit and then again there's 7
criteria that are not.

And that Joe, it might be helpful if you would send Council woman Fowler
a copy of a of her map.

The show where C2 actually is because a lot of times we think that
because it's a strip center, or if it's a.

Big box store that it's automatically and it's that's not.

"Council Member Fowler"

I know that that would be helpful. If you want to send that to me, Joe, I
still have an issue with 200 feet from a, um, a residential area.

Cause that's not far enough. Course that's just my opinion.

Thank you.

"Chair Flood"

Any other questions or comments.

Guess we should table this till you get back with us for the rest of the.

The answers is that.

Any other questions then.

Did you get back with us with those? Um.

"Joe Haberman"

Yeah, I'll look into the things the questions that were brought up at
today's meeting as well as some of the other things I was unable to
answer and the questions that councilman and George sent earlier this
week.

"Chair Flood"

And when you send that email, send the answers back, would you just send
it to the full council?

Yes, the questions and the questions and your answers to the full
Council.

Sure, that way they haven't. Okay. Then I think we're any questions or
comments.

1, once twice, 3 times we're ready to go.

Yes, without objection voting is closing That'll go to old business at
our next council meeting.

Thank you Joe Joe government and Joe haberman. Thank you. Both.

Okay, now we're going to move to.

"Chair Flood"

Item number 6.

An ordinance amending the Louisville, Jefferson County, Metro government code of ordinances, chapter 107 related to flood plain regulations motion. 2nd.

Motion by Councilman Author 2nd by councilman Triplett

And we are ready for discussion.

Go ahead, Councilman

"Council Member Piagentini"

Thank you. Madam chair.

So, this is a, this is an ordinance Co sponsor between myself and Council Member Cassie Chambers Armstrong

the little background in history and then I'll tee up what the change is it's not a big language change, but I think this does.

Address a strange not to use the word in equity and how we apply the floodplain ordinance. So.

We all remember there was some discussion related to a particular, uh. 1 related to,

and resolution that I proposed a while back related to some concerns about development in and around the fluids for which if you get close enough to Floyd's fork, you're now talking about the floodplains.

So, the, to be clear is a larger swath of land that surrounds Floyd's fork. The flood plain is much closer. Obviously the areas that.

That have documented flooding instances and are designated as flood plain area.

Once we got through that, you know, we still have the question, right?

The issue of the balancing development and environmental protection, particularly around Floyd's fork.

So, in talking to constituents, and then some who knew councilman Cassie chambers Armstrong, we sort of found out that 1 of this generated 2 things. 1 was something we've already voted on, which is a review of the fluids.

Part of the land development code appreciate everybody's support on that.

And this was the other 1 that came out of it and I want to thank, um, develop global who actually pointed this out.

Frankly I was ignorant to this fact, which is in the current floodplain ordinance.

That's dated 2017, which for my colleagues is attached under for reference in the documents here in that ordinance it was amended to detail. amended to detail

How much you must compensate for development build up in a flood plain.

So.

To to help everybody out for those that haven't, uh, that they're new to this idea.

Once you get into a floodplain, if a developer fills in land inside the flood plain.

That creates 2 environmental issues and creates more than that, but the 2 major environmental issues, it creates flooding upstream because you're essentially damming the river on both or the waterway on both sides you on 1 of the sides.

So you're restricting how the water can flow. If it starts to flood.

The 2nd problem you get is that the water that is moving through, once you've built up in that flood plane is moving through at a much faster pace. So, downstream you get increased erosion.

I've seen this myself in both people who are existing landowners, downstream on Floyd's fork as well, as in other areas such as the Valhalla golf course, right for its fork runs around it. Right?

So, I've been able to tour some of these areas and these private owners of businesses and residential neighborhoods and it's quite obvious that we're seeing an increased erosion problem downstream from this development.

So, what the original floodplain flood plain orders for the current flood plain ordinance creates, is that for any body of water, and it actually details them in the current ordinance.

It requires developers to offset for every 1 acre of build up. They must offset it by 1. and a half acres.

Okay, so if for some, you know, legitimate development reason, they have to put in and I'm using 1 acre as an example. But if they need to fill in 1 acre or floodplain, they need to offset that by an acre and a half, a flood plain.

It's a 1 and a half to 1 offset ratio.

There was only 1 body of water that, uh, in the ordinance.

That doesn't have that same ratio and that is Floyd's fork. It has a 1 to 1 ratio.

So, I found that out from develop globally, brought this to my attention, started doing some research into it met with met with the building Association, met with people who were around when this was originally passed.

And part of the reason this has been held for a little bit. I filed this actually, right before the break held it for the past 2 meetings part of the reason I held it was I asked the question of many of these organizations.

If somebody could get me a scientific reason, or other environmental or expert opinion on why Floyd's fork should have a 1 to 1 ratio and all other.

Uh, flooding bodies of water in this city should have a 1 and a half to 1 ratio I would entertain it right? And potentially withdraw this amendment to date. We have gotten no responses. Right?

Even from those who were in the original are involved in the original discussions related to the floodplain again, this is what I'll call a 2nd, step of multiple steps to.

Balance development and environmental sensitivities, but, you know, if I were to throw a map of all of the development that's going on in the in the flood plain and in the, you would see why many of my constituents, including myself have serious concerns about insuring that we have the proper regulations in place, and this is 1 of them.

I do want to ask the county Attorney's office to clarify 1 thing on the record, which was asked of me.

Uh, and then I'll take any questions from anyone here about this, but just to be clear about what the ordinance does, it's simply amends. If you scroll down on the sheet right now it's under section 1. 107.03. hundred and seven point zero three Sub C4 B, uh, takes out.

All of the specific, you know, it actually said shall provide flood plain storage compensation 1, and a half times to display storage capacity. And then it said in the following watersheds named aircraft, chatted with Ron goose Creek, et cetera and then said, um.

And then finally said, floodplain storage compensation. So I'll be provided 1 times 1.0 times to display storage capacity the fluids fork watershed with the exception of Ron, which was already mentioned. So we're striking that whole section.

So it'll simply read. simply read

Um, any development, which displaces any storage capacity for floodwaters, and the local regulatory floodplain shall provide flood plain storage compensation 1, and a half times the display displaced storage capacity.

Period in the Ohio River cord or a flood plain compensation fee, et cetera, et cetera that was existing language. So now it's just going to simply apply to all of the applicable watersheds.

Uh, 1 thing I did want to clarify is that this will only apply to new applications and if the county attorney could clarify this, that applications that are already approved.

Well, well, the existing law will apply to them and this new law will not. Is that correct?

"Travis Fiechter"

So the sort of a 2 part answer here, 1, there's a kind of a general doctrine known as vested rights and there's probably a pretty strong argument under that doctrine that yes, it would 2, though. If you look at the original, um.

The previous ordinance, the 107 32017theyhadsome very specific language about when, and what would kick in and.

Of how that would apply so, if you'd like to be, you know, crystal clear on some dates, we could adopt that. Um.

I don't know if that's of interest or not, but it's pretty straightforward. They, they laid out that, you know, not apply to any detailed development plans, subdivision plans that have been.

Uh, received preliminary approvals required for documenting for the planning commission.

Prior to the effective date, so it'd be easy enough to insert that language. If you'd like to be crystal clear.

"Council Member Piagentini"

Um, I'm not on the committee, but I would not be against adopting the lab. I think the language is clarifies. What I think you're saying is probably.

620

Uh, Pre from existing law, but we could clarify it by adding it as that what you're saying.

"Travis Fiechter"

Yes, that's correct. Yeah. Uh, I'm certainly not against it.

"Council Member Piagentini"

Uh, but I would I would leave that up to the committee members if they would want to, uh, make that amendment, but I, I would support it.

"Vice Chair Reed"

Madam Chair, I would like that amendment.

"Chair Flood"

I ask a question before, uh.

Before we vote on that. Absolutely. Okay. And this is just going to apply to to the change.

When you put that effective language in there, it's not going to affect the ordinances.

As a whole yeah,

"Travis Fiechter"

that's correct. So, that would just it would just apply to this present change. So practically speaking, it would only affect.

That language just mentioned, and it would be any of those projects that are in the voice for a watershed would be the only potential developments impacted by this.

"Chair Flood"

Okay, so you want to move that language.

Councilman Reed

"Vice Chair Reed"

yes, ma'am.

"Travis Fiechter"

And just to clarify this would be the new section 2 and the existing section 2 will be bumped down to section 3.

Okay, I mean, properly moved by Councilman Reed 2ndd, by Councilman Engel all those in favor of that additional language for effective date. Please signify by saying, aye.

Aye, those opposed by my likes on hearing none, the motion passes.

I'd like to ask a is here. If I could ask a question from I don't know which 1 of you.

I would like to take the questions, but if you both want to come down to the podium that's good too.

Just to introduce yourself to the record, if you go ahead and do that, while we start throwing out questions, that would be a lot easier.

Hello, I'm Lori Rafferty. I'm with on the flip line manager for.

Good afternoon. I'm David Johnson. Chief engineer with him as D.

"Chair Flood"

I know that I was on the task force when we started working on this, the original 1 I don't recall why Floyd's fork was treated differently. Do you have any enlightenment to share about that? What the reasoning was.

"Lori Rafferty"

Sure, so, when we did the changes, there were a lot of changes that were made. And I suggested a lot of things that other communities do throughout the country, and 1 of them was changing it to 1 and a half to 1, just because it's a little bit more restrictive.

I originally proposed that it'd be the whole county, and the developers that were on the committee had asked.

If we could exclude that 1 piece, but they had agreed to a lot of other amendments. And so it was kind of a Back and forth and negotiation it was also kind of thought that most of the county has been developed long before we have regulations in the floodplain woods work wasn't most of it is pretty undeveloped at this point. And so the thought was. Because all these things have been done before there were regulations of compensation that that 1 and a half to 1 would kind of make up for those previous projects. Whereas employees were kind of starting from scratch. Do you all have this?

"Chair Flood"

Do you have any objection to making it county wides? Well, since, you know, it was originally suggested that we at 1.5. Does anyone oh, Councilman Hollander.

"Committee Member Hollander"

Just had a question about the new language that we just put in since I don't have it in front of me again. What was the effective date on this?

"Travis Fiechter"

So, it's currently listed as on package and approval if we'd like to set a date in the future we certainly could.

"Committee Member Hollander"

But we just adopted an amendment that we deal with how this would affect future developments. Right? So, could you could you just tell me what we just voted on? What that language place? Yes. Um.

"Travis Fiechter"

So, I, the, the, let me clarify the. Previous ordinance on this for 2017 did have a specific effective date. Actually had to sort of running dates. Um, the, the. Simple language without amending the current effective date for this right was that, um, Jordan shall not applied to detailed district development plans, or subdivision plans. That have received preliminary approval required for documenting for the little metro planning commission review prior to the effective date. So, that phrase was, I thought what committee was looking for and can be hot swapped in. If we'd like to choose a more specific future, effective date, we certainly can. Um, and they also had a secondary date. Dealing with construction and building permits that had not yet been pulled running through 2020. I'm not entirely sure what the purpose of that provision is quite frankly, um, because it had a separate date than the initial effective date for that original ordinance. But, you know, if the committee would prefer to have that entire. have that entire Section adopted, we could pick 2 new dates, but otherwise I think that

"Committee Member Hollander"

was always really trying to clarify if there may be some applications that have been filed, but have not yet had preliminary approval from that would be affected by this.

"Travis Fiechter"

As of the effective date, assuming that's next Thursday. Yes. Now, there's lots of projects that are potentially in Pre application that could be affected. I don't know how many of those are. I'm sure planning design could pull that

"Committee Member Hollander"

Do we have any idea? How many of those are. Councilman Piagentini or anybody else I,

"Councilman Piagentini"

I do not Councilman Hollander

And and and to be clear, I will say that part of the reason I said I'm in support of this, and I gave the county attorney heads up.

The development community did reach out and ask their ask was to clarify on the record.

That no approved projects is what they asked about anything that was already through the planning and zoning process would be impacted by this as the county attorney said I think that there's very solid law already in place on that but glad to this amendment as I understood it and I want to speak for those that amended it and voted on it, but it's really to take effect when, when this goes into place, which there was, nobody asked for anything more than that. Let me put it that way.

"Committee Member Hollander"

Thank you thank you.

"Council Member Piagentini"

Councilman Piagentini, thank you, Madam chair a minute. Just 1 last comment I appreciate giving a little additional history in context and bluntly my point. And I think, uh.

Not to go too far out on a limb, but I think I'm speaking with Councilwoman Chambers Armstrong here and I know others on this committee have talked about how we have. Now in some cases it's related to pollution and not flooding.

So I want to be very careful about separating the 2 things. We are not talking about pollution necessarily. Here. We are talking about flooding and the impact that flooding and impacting the flood plain has, including erosion, but I have heard people.

General treatment.

Of our waterways in the city, and at the time that a lot of the impact was had, we didn't have things in place. I agree with certainly.

What is saying is that at the time this was passed, and even a few years before that, before it's work area was.

Very undeveloped, right but we have seen that trend change number 1 and and quickly. And number 2.

I think it would be a colossal mistake to adapt.

Sort of the process we've adopted in the past is we'll wait until it gets bad and then start passing some regulations. Right? So that that is just that is the intent. Here. It is to say.

If this regulation is good for these other ways, which I think it is, then it should be good for all of them, including Floyd's fork. So thank you very much. I appreciate everybody's questions and support.

"Chair Flood"

And I'm just going to I have seen some development plans that come over earlier that even was doing.

A greater number of Of remediation for this and.

Just a little bit off topic though, but is fema due to? Is it time for them to redo flood plain maps again? Is that coming down the pike?

Anytime soon?

"Lori Rafferty"

Now, we just received new maps on 2021, so we don't have any plans to update the maps right now, except for some small areas here and there.

"Chair Flood"

Yeah. Just, you know, everybody gets hysterical when we say floodplain and they think, you know, am I going to hit the flood plain insurance again?

You know, somebody's out somebody's in and. out somebody's in and I would imagine there's going to be yeah, because of the change in climate there's going to be some drastic changes. The next time. We had the big go around and not just local, but nationwide because of. The situation you might have any questions, any more questions, or comments about this.

Seeing that no one's in the queue. Thank you all for coming today. I guess you'll be back for.

Okay, be back shortly be back shortly. Okay. Thank you. No questions or comments we're ready for a vote.

Yes, without objection voting is closing, there are 7 years votes and since this was amended, it would go to old business that our next council meeting.

Cheryl I'm asking you for verification 1 more time. I think we've done everything, but the 2 items we were supposed to hold I see the not.

"Cheryl Woods"

You are correct

"Chair Flood"

Thank you. So without objection, we will be adjourned until our next committee meeting.

Thank You