

**INVER GROVE HEIGHTS
PLANNING COMMISSION AGENDA**

Tuesday, April 20, 2010 – 7:00 p.m.
City Council Chambers - 8150 Barbara Avenue

1. **CALL TO ORDER**

2. **APPROVAL OF PLANNING COMMISSION MINUTES FOR April 6, 2010**

3. **APPLICANT REQUESTS AND PUBLIC HEARINGS**

3.01 **CITY OF INVER GROVE HEIGHTS – CASE NO. 10-07ZA**

Consider an **Ordinance Amendment** to the Floodplain regulations adding required language from FEMA and the DNR and approval of new Flood Rate Insurance Maps (FIRM).

Planning Commission Action _____

4. **OTHER BUSINESS**

5. **ADJOURN**

PLANNING COMMISSION MINUTES - CITY OF INVER GROVE HEIGHTS

Tuesday, April 6, 2010 – 7:00 p.m.
City Hall Chambers - 8150 Barbara Avenue

Chair Bartholomew called the Planning Commission meeting to order at 7:00 p.m.

Commissioners Present: Tom Bartholomew
Paul Hark
Mike Schaeffer
Pat Simon
Dennis Wippermann
Harold Gooch
Tony Scales
Christine Koch

Commissioners Absent: Damon Roth (excused)

Others Present: Tom Link, Community Development Director
Allan Hunting, City Planner

APPROVAL OF MINUTES

The minutes from the March 16, 2010 meeting were approved as submitted.

INVERSON – CASE NO. 10-10PA

Reading of Notice

Commissioner Simon read the public hearing notice to consider the request for a Comprehensive Plan Amendment to change the land use designation from MDR, Medium Density Residential to HDR, High Density Residential for the property located north of 80th Street, and west of the golf course. 3 notices were mailed.

Presentation of Request

Allan Hunting, City Planner, explained the request as detailed in the report. He advised that the applicant is proposing a future multiple family development with an anticipated density of 19 units per acre whereas only 12 units per acre is allowed under the current designation. He stated that the project site consists of three different parcels, with a total of 24 net developable acres, which is bounded on the north and west by the Malensek property. He noted that Mr. Malensek has been in discussion with the County for a number of years regarding the possibility of designating his 49 acre parcel as permanent open space. If this should occur the subject parcels would be set up as an island which would allow more density flexibility to the subject site. Mr. Hunting noted that the project would meet the County's access spacing requirements for 80th Street and staff feels it would be consistent with the surrounding residential land uses and the industrial office park to the south. He added that the additional density from an HDR designation would help support the commercial properties in the area as well. Mr. Hunting stated that one could argue, however, that it was not a good fit to have High Density Residential next to Low Density Residential. Mr. Hunting stated the land layout limited the applicant's ability to have a second access, especially if the Malensek property was designated as permanent open space. He advised the applicant would then have to create an emergency access in addition to the public access. Staff finds that the change to High Density Residential is compatible with the proposed and existing surrounding land uses and they recommend approval of the request.

Chair Bartholomew asked for clarification of details regarding an emergency access.

Mr. Hunting replied it would be a paved surface with a gate and would be used strictly for emergency access.

Commissioner Wippermann asked if there was any effort made to include the lot in the southeast corner of the proposed project, to which Mr. Hunting replied it was not as it was owned by the City and would be utilized as part of the City's regional stormwater basin.

Commissioner Simon noted that the proposed emergency access would be placed over existing wetlands, and asked if either of the ponds would be utilized as stormwater overflows for the Northwest Area.

Mr. Hunting stated he was not sure, but added that the Engineering staff reviewed the request and did not point out any issues with the paved road shown on the plan.

Commissioner Simon asked if the paved emergency access would be figured into the impervious surface total, to which Mr. Hunting replied in the affirmative.

Commissioner Simon asked if there was any specific timeline yet for designating Mr. Malensek's property as permanent open space, to which Mr. Hunting replied none that he was aware of.

Commissioner Simon asked if Mr. Malensek was mailed a notification of the public hearing, to which Mr. Hunting replied in the affirmative.

Commissioner Simon asked if the Malenseks owned a second parcel in the area, to which Mr. Hunting replied in the affirmative, stating that parcel, however, was outside the 350 foot notification area.

Commissioner Simon asked if staff heard from any of the neighbors, to which Mr. Hunting replied he did not.

Commissioner Simon asked if the 80th Street right-of-way had already been removed from the sketch plan, to which Mr. Hunting replied it had not.

Commissioner Simon asked if the applicants could submit their preliminary and final plat at the same time, to which Mr. Hunting replied they could not.

Commissioner Hark asked if there were any areas in the City where there was only one public access and a smaller emergency access, to which Mr. Hunting replied he could not think of any offhand.

Commissioner Simon stated she believed there was a senior housing development on Babcock Trail with only one public access.

Commissioner Gooch asked which drawing was correct, the sketch plan showing 11 buildings or the other drawing showing only 7 buildings.

Mr. Hunting replied that the layout and design were strictly conceptual, and only the land use was being reviewed at this point.

Opening of Public Hearing

Joel West, Yaggy Colby Associates, advised he was representing the owners and would address

some of the previous questions. Mr. West advised that the two plans were conceptual at this point, and the exact size, shape, and number of buildings may vary. He added that the plans were meant to show building size, how the project would look in 3D, and to demonstrate that all the buildings could comfortably fit on the site. Mr. West advised that the proposal meets all the Northwest Area requirements for infiltration and stormwater, and the owners are proposing to install a buffer area along the northwest property line which would help buffer the property from any future uses on the Malensek property. Mr. West advised that they calculated traffic projections for the area with development and determined that the existing transportation infrastructure would be sufficient for the existing two-lane roadway, even though it is proposed for a four-lane roadway. He then displayed the County's proposed realignment of 80th Street, indicating a short connecting road between the subject property and 80th Street through the Malensek property. He noted that if the Malensek property became permanent open space there would be two competing public interests (road connectivity vs. open space) at work which hopefully the County would resolve.

Chair Bartholomew asked if staff was in agreement with the two conditions listed in the report, to which Mr. West replied in the affirmative.

Commissioner Wippermann asked if consideration had been given to developing the site using the densities allowed for the current designation of Medium Density Residential.

Mr. West replied in the affirmative, but stated that in order to meet the stormwater infiltration requirements of the Northwest Area Ordinance they needed to add more units in order to achieve the right balance of density and price point.

Commissioner Wippermann asked if the proposed units would be owner-occupied or rental, to which Mr. West replied that had not yet been determined.

Commissioner Wippermann asked when the applicants anticipated starting construction, to which Mr. West replied he was unsure but that it could be yet this year.

Kurt Rechtzigel, 1407 E. 80th Street, advised he was one of the three property owners and was pleased to see development being proposed, especially in the current economic times.

Planning Commission Discussion

Commissioner Wippermann stated he did not see any overriding reason why the recently updated Comprehensive Plan should be changed and therefore he would likely be voting against the request. He stated this was the first major project to be proposed since the completion of the 2030 Comprehensive Plan and he did not want to send a signal to developers that it was easy to change the long-range plan for the City.

Chair Bartholomew stated that while he agreed with Commissioner Wippermann, it was anticipated that the Northwest Area would be challenging and that some flexibility would be needed. He stated he felt the proposed density was appropriate for the area and he supported the request.

Commissioner Schaeffer stated there was considerable discussion when developing the Comprehensive Plan regarding potential difficulty in getting the proper density in the Northwest Area due to topography issues. He stated he was in favor of the request and felt that certain areas would end up being less dense than anticipated which would offset these numbers and result in a density balance for the area as a whole.

Commissioner Simon stated she did not see any overriding reason to change the density and was concerned about isolating this property should Mr. Malensek's property be turned into permanent open space.

Commissioner Scales stated he was in favor of the request and did not want to disallow the project because of something that may or may not happen with the Malensek property.

Commissioner Hark stated he was concerned about there being only one public access as well as having high density residential surrounded by low density.

Planning Commission Recommendation

Motion by Commissioner Schaeffer, second by Commissioner Scales, to approve the Comprehensive Plan Amendment to change the land use designation from MDR, Medium Density Residential to HDR, High Density Residential for property located north of 80th Street and west of the golf course, with the two conditions listed in the report.

Motion carried (6/2 – Simon, Wippermann). This item goes to City Council on April 26, 2010.

CITY OF INVER GROVE HEIGHTS – CASE NO. 10-13X

Reading of Notice

There was no public hearing notice for this request.

Presentation of Request

Allan Hunting, City Planner, advised that the City Council is in the process of reviewing a purchase agreement for the purchase of property located at 8485 Courthouse Boulevard Court and have asked the Planning Commission to make a recommendation as to whether or not the capital expenditure is consistent with the City's Comprehensive Plan. Mr. Hunting advised that the 2030 Comprehensive Plan identifies a future trail segment along one side of Courthouse Boulevard Court. If this property was acquired the City would have more room to accommodate a potential trail on the south side of the road. Mr. Hunting advised that the Planning Commission could recommend that the capital expenditure 1) **is** consistent with the City's Comprehensive Plan, 2) **is not** consistent with the Comprehensive Plan, or 3) has no relationship to the Comprehensive Plan.

Chair Bartholomew asked why there was no staff recommendation.

Mr. Hunting advised that staff does not always provide a recommendation when an item has been directed down from City Council. He added that in this instance the statute is looking for an action by the Planning Commission.

Chair Bartholomew questioned why additional right-of-way (ROW) was needed as it appeared there was ample existing space for a trail.

Mr. Hunting advised there was an existing 80 foot half right-of-way from the centerline on the south side of Courthouse Boulevard Court.

Chair Bartholomew asked if some of Mr. Lethert's property was in the existing ROW.

Mr. Hunting replied that some of the driveway appeared to be in the ROW but he was unsure of the history regarding that.

Chair Bartholomew asked if there was a recommendation from Park and Recreation, to which Mr. Hunting replied none that he was aware of.

Commissioner Hark asked if the 80 foot half ROW ran the entire length of the south side of

Courthouse Boulevard Court, to which Mr. Hunting replied in the affirmative.

Chair Bartholomew stated that a portion of the Lethert property appeared to have more than 80 feet of ROW.

Commissioner Schaeffer asked for history of the potential future trail and the construction timeframe.

Mr. Hunting stated that City Council would make a determination on whether or not a trail would be constructed once 200,000 square feet of the United Properties site was built out. If Council determined a trail would go in it would need to be constructed within a year.

Commissioner Schaeffer asked whether or not the residents supported the trail, to which Mr. Hunting replied there were residents on both sides of the issue.

Commissioner Gooch asked what the purchase price was for the subject property, to which Mr. Hunting replied the cost should not have a bearing on the Commission's decision.

Commissioner Gooch stated he would be more likely to support the request if the land was being sold at a reasonable price and there was a potential use for it in the future.

Mr. Hunting stated that regardless of the cost, the Planning Commission was to determine whether or not the capital expenditure was consistent with the Comprehensive Plan or whether there was no relationship.

Chair Bartholomew asked Mr. Link what the purchase price was, to which Mr. Link replied at this point that information was confidential.

Commissioner Wippermann stated the question still remained as to what the need was for this property.

Mr. Link stated the question before the Planning Commission was not whether there was a need but rather whether or not it was consistent with the Comprehensive Plan.

Chair Bartholomew stated he felt the expenditure was contrary to the Comprehensive Plan as a tax paying parcel which was not needed would now be taken off the tax roll.

Commissioner Koch asked how the potential purchase was initiated, to which Mr. Hunting replied he was unsure.

Chair Bartholomew recommended tabling the item until hearing from Park and Recreation as to whether or not this property was important to them.

Opening of Public Hearing

David Lethert, 8485 Courthouse Boulevard Court, stated he felt the property purchase was consistent with the Comprehensive Plan and would allow the trail to be constructed a safe distance from Courthouse Boulevard. He stated that once the United Properties site was developed his family would be negatively impacted by the significant traffic, noise, and pollution. He stated that City Council originally turned down the United Properties application because of problems such as the traffic. Mr. Lethert stated there was currently no existing trail on Courthouse Boulevard West, just a tentative blacktop addition on the south side that ran to the end of his property and did not connect to anything. Mr. Lethert advised that if the City purchased his property they could put in a walking trail to a park, adding that a park was needed in that area and was supposed to be put in

as part of the Manley development. Mr. Lethert stated that if his home remained the steep slopes would require retaining walls in order to accommodate a walking trail. Mr. Lethert showed a diagram which would incorporate his property and reroute the United Properties traffic away from the residents to the west of his property. He advised that the purchase price being discussed was well below the appraised value.

Commissioner Hark asked if the easements were in effect when he purchased his property.

Mr. Lethert replied that the easements were in effect, however, the City Attorney has stated there were substantial problems with the easements as they were written. Mr. Lethert stated if the purchase was not approved the City could end up in court fighting for easements. Mr. Lethert advised that for unknown reasons one part of his house was built within five feet of the property line; he believes the original survey was incorrect. When Manley developed Orchard Trail, however, they gave the Lethert's a 20' x 150' strip of property on the south side so they would be in compliance with setback requirements. He stated that strip of property would go to the City if they proceeded with the purchase his property. Mr. Lethert asked if this strip of property was included in the drawing provided by staff.

Mr. Hunting replied it was not as he was unaware that was part of Mr. Lethert's property.

Chair Bartholomew asked if the alternate road configuration suggested earlier by Mr. Lethert was in the City's plans.

Mr. Hunting stated to his knowledge there was nothing in the works; however, it was something that could be considered in the future.

Commissioner Gooch asked if staff felt the United Properties development would ever take place, to which Mr. Hunting replied he was confident it would be built once the economy recovered.

Commissioner Hark suggested the item be tabled until they received more information from the Parks Department to alleviate the lack of clarity.

Commissioner Schaeffer stated this item was scheduled to go to Council on 4/12/10, and asked if they absolutely needed a recommendation by then.

Mr. Link stated he did not know if there was a deadline as he was not involved in the negotiation of the purchase agreement.

Chair Bartholomew stated there seemed to be a complete lack of clarity regarding this request.

In regards to the timetable, Mr. Lethert stated he put money down on a townhome and if this purchase was not approved by April 30 he would lose the opportunity to purchase it.

Chair Bartholomew stated it was frustrating that the Commissioners were not provided this information and had to learn it from a citizen.

Mr. Lethert stated he would prefer the Commission make a recommendation tonight, one way or the other, rather than tabling it.

Commissioner Wippermann asked for clarification regarding a statement in the staff report discussing a 2/3 vote by Council.

Mr. Hunting explained that according to State Statute the Council could make a capital expenditure

without a Planning Commission recommendation with a supermajority vote (4/5). However, if the Planning Commission made a positive recommendation it would require only a simple majority (2/3).

Commissioner Gooch suggested the item be passed along without a recommendation.

Chair Bartholomew stated he was uncomfortable making a recommendation without more information, and asked staff if they could pass the request on without a recommendation.

Mr. Link stated he was unsure, and that the statutory language would have to be reviewed with the City Attorney. He advised that passing it on without a recommendation could be considered a negative recommendation.

Commissioner Simon asked if it was accurate to say that whether they sent it on without a recommendation or with a negative recommendation the item would still be considered at the April 12 Council meeting; it would only change whether a 2/3 vote or a 4/5 vote was needed.

Mr. Link replied in the affirmative.

Planning Recommendation

Motion by Chair Bartholomew, second by Commissioner Simon, that the purchase of the property located at 8485 Courthouse Boulevard Court is not consistent with the Comprehensive Plan.

Commissioner Koch asked for clarification of why Chair Bartholomew felt this was not consistent with the City's Comprehensive Plan.

Chair Bartholomew stated he felt the expenditure was contrary to the Comprehensive Plan as a tax paying parcel which was not needed would now be taken off the tax roll and no longer be a revenue source for the City. He stated the Comprehensive Plan specifically states that density is needed to pay for infrastructure.

Motion carried (6/2 – Koch, Wippermann). This item goes to the City Council on April 12, 2010.

OTHER BUSINESS

Mr. Hunting advised that the Planning Commission's annual joint meeting with City Council is scheduled for May 10 at 5:30 p.m. in Council Chambers.

Commissioner Schaeffer and Mr. Link announced the dates for the City's upcoming Town Hall meetings.

Commissioner Simon asked if the County had scheduled an open house yet for Inver Grove Heights residents regarding the Argenta interchange, to which Mr. Link replied an exact date had not been set but it would likely take place in early May.

ADJOURNMENT

Chair Bartholomew adjourned the meeting at 8:08 p.m.

Respectfully submitted,

Kim Fox
Recording Secretary

ANALYSIS

Changes to the Flood Insurance Rate Maps

The proposed floodplain boundary is shown on a series of maps. There are a total of five maps that show the floodplain boundary in the city. The planning commission is being presented with reduced size versions of the map to minimize printing and paper usage. Unfortunately much of the fine detail is difficult to read. All of the maps are printed and scaled on 28"x 44" sheets of paper. The City has the ability to print this size map to produce official size maps.

The nomenclature for the flood insurance rate maps (FIRM) have changed from the 1980 version. In 1980, the different zones were labeled Zone A, B or C depending upon proximity to the river and flood potential. Zones A (100 year flood) and B (500 year flood) were in the floodplain. Zone C was outside the floodplain. The proposed maps now utilize a zone AE and X for the flood categories. Zone AE represent areas subject to inundation by the 1% annual chance flood. Zone X represents areas subject to the .2% annual chance flood.

The overall floodplain boundary for the most part stayed the same. There were many areas in the Concord area where the floodplain area actually was reduced. There were also minor changes to the different zones within the floodplain used for flood insurance information (zones AE and X). The new floodplain boundary does not include any properties that were not in the floodplain per the 1980 maps.

For planning purposes, the floodplain is divided into two land use categories; Floodway and Flood Fringe districts. This boundary did not change with the new maps. The Floodway is the most restrictive district and only allows minor grading and some open sided structures. For the most part, this is the area closest to any river and is very susceptible to flooding and therefore structures are not allowed. The Flood Fringe does allow development including grading and structures provided they do not increase flood damage potential to other properties.

Proposed Ordinance Language. As part of the mapping update, FEMA and the DNR require all cities to update their existing floodplain ordinances to bring them up to date with the new maps and to add some additional language required by FEMA. FEMA and the DNR have prepare a model ordinance for all local governments to utilize that contains all the required language that must be included in all floodplain regulations. The city's current ordinance is very similar to the model ordinance and contains all but the new language. Nearly all of the proposed changes to the city's floodplain regulations involve the new required language.

The following summarizes the proposed changes with reference to the specific main section title being changed. The attached ordinance is in legislative format, meaning any deletions are shown with a strikethrough and new wording is shown in bold and underline.

10-13D-1: STATUE AUTHORITY

No changes.

10-13D-2: FINDINGS OF FACT

No changes

10-13D-3: PURPOSE

No changes

10-13D-4: METHOD OF ANALYZING FLOOD HAZARDS

No changes

10-13D-5: NATIONAL FLOOD INSURANCE PROGRAM COMPLIANCE

New language. Added per FEMA requirements.

1013D-6: GENERAL PROVISIONS

Majority of changes are updated language required by FEMA addressing boundaries, name change from travel trailers to recreational vehicles, referencing new map numbers, including historic structures.

Modifies the language on improvements to non-conforming structures. Old language required alterations or additions could not exceed 50% of accumulated value over life of structure. This is very difficult, if not impossible to know and tally the cost of improvements. New language requires a substantial improvement of an addition to meet current flood proofing regulations and existing structure to meet flood proofing regulations also if there is more alterations from the existing structure to the new addition other than a doorway to connect. This is much easier to regulate and to know when the full flood proofing regulations are required for existing structures.

Substantial improvements (as defined) require flood proofing of new plus old portions of structure. New language required by FEMA.

Language on annexations and clause that balance of code is not invalid if a portion of code is found invalid by a court of law. Both new language required by FEMA.

10-13D-7: DISTRICT BOUNDARIES

Floodway District. No changes to permitted or conditional uses. Only significant change is to add language that requires automatic openings in buildings to equalize water pressure at times of flooding. Language required by FEMA.

Flood Fringe District. No changes to permitted or conditional uses. Changes made to requirements of flood proofing buildings requiring automatic openings in walls to equalize water pressure. Language required by FEMA.

10-13D-8: SUBDIVISIONS

One minor change requiring all new created lots to be able to contain a building pad outside the floodway.

10-13D-9: REMOVAL OF SPECIAL FLOOD HAZARD AREA DESIGNATION

No changes.

10-13D-10: PUBLIC UTILITIES AND TRANSPORTATION FACILITIES

No changes.

10-13D-11: ON SITE SEWAGE TREATMENT AND WATER SYSTEMS

No changes.

10-13D-12: MANUFACTURED HOMES AND PARKS; RECREATIONAL VEHICLES

Primary change is removing the term “travel trailer and travel vehicle” and replace with recreational vehicle.

Requires any additions to be easily removed in case home needs to be moved due to flooding.

10-13D-13: ADMINISTRATION AND ENFORCEMENT

Expands on language when a building permit is required.

Added language requiring city to notify the DNR of applications for conditional use permits and variances at least 10 days prior to meeting in order to let DNR comment on application. This is similar to existing requirement in Shoreland and Critical Area overlay districts. The notice of decision must be mailed to the DNR within 10 days of decision.

The City must notify the DNR of any watercourse alterations and notify FEMA when physical changes increase or decrease the 100-year flood elevation.

Added additional variance criteria that must be analyzed when reviewing a variance. Required language by FEMA.

Definitions:

Also added four definitions of terms not currently in city code and making two minor modifications to two existing definitions.

Staff has been working with the DNR on the required revisions. The DNR has presented to the city a letter granting conditional approval of the floodplain ordinance amendments pending final city council approval and pending final FEMA approval.

ALTERNATIVES

The Planning Commission has the following actions available on the following requests:

A. Approval.

- Approval of an **Ordinance Amendment** to the Floodplain regulations adding required language from FEMA and the DNR and approval of new Flood Rate Insurance Maps (FIRM).

B. Denial. If the Planning Commission does not favor the proposed application the above request should be recommended for denial. With a recommendation for denial, findings or the basis for the denial should be given.

RECOMMENDATION

Staff recommends approval of the new FIRM maps and amendments to the Floodplain maps as proposed.

Attachment: Proposed Ordinance
FEMA FIRM Maps
Map showing 1980 and 2010 floodplain boundaries

CHAPTER 13

SPECIAL USE DISTRICTS

ARTICLE D. FLOODPLAIN MANAGEMENT DISTRICT

SECTION:

- 10-13D- 1: Statute Authority
- 10-13D- 2: Findings Of Fact
- 10-13D- 3: Purpose
- 10-13D- 4: Method of Analyzing Flood Hazards
- 10-13D- 5: National Flood Insurance Program Compliance
- 10-13D- 6: General Provisions
- 10-13D- 7: Districts Established
- 10-13D- 7-1: FW Floodway District
- 10-13D- 7-2: FF Flood Fringe District
- 10-13D- 8: Subdivisions
- 10-13D- 9: Removal Of Special Flood Hazard Area Designation
- 10-13D-10: Public Utilities And Transportation Facilities
- 10-13D-11: On Site Sewage Treatment and Water Systems
- 10-13D-12: Manufactured Homes And Parks; Recreational Vehicles
- 10-13D-13: Administration And Enforcement

10-13D-1: **STATUTE AUTHORITY:** The legislature of the state has, in Minnesota statutes chapter 103F and section 462.357, delegated the responsibility to local governmental units to adopt regulations designed to minimize flood losses. Therefore, the city council has adopted the provisions of this article.

10-13D-2: **FINDINGS OF FACT:** The flood hazard areas of the city are subject to periodic inundation which results in potential loss of life, loss of property, health and safety hazards, disruption of commerce and government services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.

10-13D-3: **PURPOSE:** It is the purpose of this article to promote the public health, safety, and general welfare and to minimize those losses described in section 10-13D-2 of this article by provisions contained in this article.

10-13D-4: **METHODS OF ANALYZING FLOOD HAZARDS:** This article is based upon a reasonable method of analyzing flood hazards, which is consistent with the standards established by the Minnesota department of natural resources.

10-13D-5: NATIONAL FLOOD INSURANCE PROGRAM COMPLIANCE: This article is adopted to comply with the rules and regulations of the National Flood Insurance Program codified as 44 Code of Federal Regulations Parts 59-78, as amended, so as to maintain the community's eligibility in the National Flood Insurance Program.

10-13D-5 6: **GENERAL PROVISIONS:**

A. Application And Interpretation:

1. Application Of Provisions: This article shall apply to all lands within the jurisdiction of the city as shown on the official zoning map as being within the boundaries of the floodway or flood fringe district.

2. Minimum Requirements: In their interpretation and application, the provisions of this article shall be held to be minimum requirements, and this article shall be liberally construed in favor of the city council and shall not be deemed a limitation or repeal of any other powers granted by state statutes.

3. District Boundaries: The boundaries of the zoning districts shall be determined by scaling distances on the official zoning map. Where interpretation ins needed as to the exact location of the boundaries of the districts as shown on the official zoning map, as for example, where there appears to be a conflict between a mapped boundary and actual field conditions and there is a formal appeal of the decision of the zoning administrator, the board of adjustments and appeals shall make the necessary interpretation. All decisions will be based on elevations on the regional (100-year) flood profile, the ground elevations that existed on the site at the time the Community adopted its initial floodplain ordinance or on the date of the first National Flood Insurance Program map showing the area within the 100-year floodplain if earlier, and other available technical data,. Persons contesting the location of the district boundaries shall be given a reasonable opportunity to present their case to the board and to submit technical evidence.

4. Abrogation And Greater Restrictions: It is not intended by this article to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this article imposes greater restrictions, the provisions of this article shall prevail.

B. Compliance Required: No new structure or land shall hereafter be used and no new or existing structure shall be constructed, located, extended,

converted, or structurally altered without full compliance with the terms of this article and other applicable regulations which apply to uses within the jurisdiction of this article. Within the floodway and flood fringe district, all uses not listed as permitted uses or conditional uses within sections 10-13D-7-1 and 10-13D-7-2 of this article, respectively, shall be prohibited. In addition, a caution is provided herein that:

1. New manufactured homes, replacement manufactured homes and certain ~~travel trailers and travel vehicles~~ recreational vehicles are subject to the general provisions on this article and, specifically, section 10-13D-12;

2. Modifications, additions, structural alterations normal maintenance and repair, or repair after damage to existing nonconforming structures and nonconforming uses of structures or land are regulated by the general provisions of this article and, specifically, subsection D of this section; and

3. As built elevations for elevated or flood proofed structures must be certified by ground surveys, and flood proofing techniques must be designed and certified by a registered professional engineer or architect as specified in the general provisions of this article and, specifically, as stated in subsection 10-13D-13B5 of this article.

C. Zoning Map Adopted: The official zoning map, together with all materials attached thereto, is hereby adopted by reference and declared to be a part of this article. The attached material shall include the flood insurance study for the city, prepared by the federal insurance administration, dated February 1980, and the flood boundary and floodway maps, dated August 1, 1980, and flood insurance rate maps therein. Dakota County, Minnesota and Incorporated Areas, Flood Insurance Rate Map panels therein numbered 27037C0043E, 27037C0107E, 27037C0109E, 27037C0117E and 27037C0119E and the Flood Insurance Rate Map Index (Map Number 27037CIND4B), all dated June 18, 2010 and prepared by the Federal Emergency Management Agency. The official zoning map shall be on file in the office of the city clerk and the zoning administrator.

D. Nonconforming Uses: A structure or the use of a structure or premises which was lawful before the effective date hereof but which is not in conformity with the provisions of this article may be continued subject to the following conditions. Historic structures as defined in 44 Code of Federal Regulations, Part 59.1, shall be subject to the provisions of 1-6 below:

1. No such use shall be expanded, changed, enlarged, or altered in a way which increases its nonconformity.

2. Any structural alteration or addition to a nonconforming structure or nonconforming use which would result in increasing the flood damage

potential of that structure or use shall be protected to the regulatory flood protection elevation in accordance with any of the elevation on fill or flood proofing techniques (i.e., FP-1 through FP-4 flood proofing classifications) allowable in the state building code, except as further restricted in subsection D3 of this section.

~~3. The cost of any structural alterations or additions to any nonconforming structure over the life of the structure shall not exceed fifty percent (50%) of the market value of the structure unless the conditions of this article are satisfied. The cost of all structural alterations and additions constructed since the adoption of the city's initial floodplain controls (July 14, 1980) must be calculated into today's current cost which will include all costs such as construction materials and a reasonable cost placed on all manpower or labor. If the current cost of all previous and proposed alterations and additions exceeds fifty percent (50%) of the current market value of the structure, then the structure must meet the standards of sections 10-13D-7-1 and 10-13D-7-2 of this article for new structures, depending upon whether the structure is in the floodway or flood fringe, respectively.~~

If a substantial improvement occurs only from a building addition, then the building addition must meet the elevation on fill or FP-1 or FP-2 dry floodproofing requirements of section 10-13D-7-1 or 10-13D-7-1 of this Ordinance for new structures and the existing structure must also meet the elevation on fill or FP-1 or FP-2 dry floodproofing requirements of section 13-D-7-1 or 13-D-7-2 of this article for new structures if any alteration is made to the common wall in excess of installing a standard doorway.

4. If any nonconforming use is discontinued for twelve (12) consecutive months, any future use of the building premises shall conform to this article. The assessor shall notify the zoning administrator in writing of instances of nonconforming uses that have been discontinued for a period of twelve (12) months.

~~5. If any nonconforming use or structure is destroyed by any means, including floods, to an extent of fifty percent (50%) or more of its market value at the time of destruction, it shall not be reconstructed except in conformity with the provisions of this article. substantially damaged, as defined in section 10-2-2 of this title, it shall not be reconstructed except in conformity with the provisions of this title. The applicable provisions for establishing new uses or structures in sections 10-13D-7-1 and 10-13D-7-2 of this article will apply, depending upon whether the use or structure is in the floodway or flood fringe, respectively.~~

6. If a substantial improvement occurs, as defined in section 10-2-2 of this title, from any combination of a building addition to the outside

dimensions of the existing building or a rehabilitation, reconstruction, alteration or other improvement to the inside dimensions of an existing nonconforming building, then the building addition and the existing nonconforming building must meet the requirements of section 10-13D-7-1&2 for new structures, depending upon whether the structure is in the Floodway or Flood Fringe District, respectively.

E. **Warning And Disclaimer Of Liability:** This article does not imply that areas outside the floodplain districts, or land uses permitted within such districts, will be free from flooding or flood damages. This article shall not create liability on the part of the city or any officer or employee thereof for any flood damages that result from reliance on this article or any administrative decision lawfully made hereunder.

F. **Annexations:** The Flood Insurance rate Map panels adopted by reference into section 10-13D-6 C of this article above may include floodplain areas that lie outside of the corporate boundaries of the City of Inver Grove Heights at the time of adoption of this ordinance. If any of these floodplain land areas are annexed into the City of Inver Grove Heights after the date of adoption of this ordinance, the newly annexed floodplain lands shall be subject to the provisions of this ordinance immediately upon the date of annexation in to the City of Inver Grove Heights.

G. **Severability:** If any section, clause, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

10-13D-6 7: **DISTRICTS ESTABLISHED:** The floodplain areas within the jurisdiction of this article are hereby divided into two (2) districts: Floodway District (FW) and Flood Fringe District (FF).

A. **Floodway District:** The floodway district shall include those areas designated as floodway on the ~~flood boundary and floodway map~~ Flood Insurance Rate Maps adopted in subsection 10-13D-6C of this article.

B. **Flood Fringe District:** The flood fringe district shall include those areas designated as floodway fringe on the ~~flood boundary and floodway map~~ Flood Insurance Rate Maps adopted in subsection 10-13D-6C of this article.

10-13D-6 7-1: FW FLOODWAY DISTRICT:

A. **Permitted Uses:**

1. **Enumerated:**

General farming, pasture, grazing, outdoor plant nurseries, horticulture, truck farming, forestry, sod farming, and wild crop harvesting.

Industrial-commercial loading areas, parking areas, and airport landing strips.

Private and public golf courses, tennis courts, driving ranges, archery ranges, picnic grounds, boat launching ramps, swimming areas, parks, wildlife and nature preserves, game farms, fish hatcheries, shooting preserves, target ranges, trap and skeet ranges, hunting and fishing areas, and single or multiple purpose recreational trails.

Residential lawns, gardens, parking areas and play areas.

Other uses listed as permitted uses by the underlying zoning district but not permitted by this subsection shall be prohibited in the floodway district.

2. Standards:

- a. The use shall have a low flood damage potential.
- b. The use shall be permissible in the underlying zoning district if one exists.
- c. The use shall not obstruct flood flows or increase flood elevation and shall not involve structures, fill, obstructions, excavations or storage of materials or equipment.

B. Conditional Uses:

1. Enumerated:

Extractions and storage of sand, gravel, and other materials.

Marinas, boat rentals, docks, piers, wharves, and water control structures.

Placement of fill or construction of fences.

Railroads, streets, bridges, utility transmission lines, and pipelines.

Storage yards for equipment, machinery or materials.

Structural works for flood control such as levees, dikes and floodwalls, constructed to any height where the intent is to protect individual structures and levees or dikes where the intent is to protect agricultural crops for a

frequency flood event equal to or less than the 10-year frequency flood event.

~~Travel trailers and travel vehicles~~ Recreational vehicles either on individual lots of record or in existing or new subdivisions or commercial or condominium type campgrounds, subject to the exemptions and provisions of section 10-13D-12 of this article.

Structures accessory to the uses listed in subsection A of this section and in the above entries in this subsection B1.

Other uses listed as conditional uses by the underlying zoning district but not allowed by this subsection B1 shall be prohibited in the floodway district.

2. Standards:

a. No structure (temporary or permanent), fill (including fill for roads and levees), deposit, obstruction, storage of materials or equipment, or other uses may be allowed as a conditional use that will cause any increase in the stage of the 100-year or regional flood or cause an increase in flood damages in the reach or reaches affected.

b. All floodway conditional uses shall be subject to the procedures and standards contained in subsection 10-13D-13B4 of this article.

c. The conditional use shall be permissible in the underlying zoning district.

d. Fill

(1) Fill, dredge spoil and all other similar materials deposited or stored in the floodplain shall be protected from erosion by vegetative cover, mulching, riprap or other acceptable method.

(2) Dredge spoil sites and sand and gravel operations shall not be allowed in the floodway unless a long term site development plan is submitted which includes an erosion/sedimentation prevention element to the plan.

(3) As an alternative, and consistent with subsection B2d(2) of this section, dredge spoil disposal and sand and gravel operations may allow temporary, on site storage of fill or other materials which would have caused an increase to the stage of the 100-year or regional flood but only after the city council has received an appropriate plan which assures the removal of the materials from the floodway based upon the flood warning time available. The conditional use permit

must be title registered with the property in the office of the county recorder.

(4) Title 9, chapter 4 of this code shall apply to all fill and excavation activities within the floodway district.

e. Accessory Structures

(1) Accessory structures shall not be designed for human habitation.

(2) Accessory structures, if permitted, shall be constructed and placed on the building site so as to offer the minimum obstruction to the flow of floodwaters.

(A) Whenever possible, structures shall be constructed with the longitudinal axis parallel to the direction of flood flow; and

(B) As far as practicable, structures shall be placed approximately on the same flood flow lines as those of adjoining structures.

(3) Accessory structures shall be elevated on fill or structurally dry flood proofed in accordance with the FP-1 or FP-2 flood proofing classifications in the state building code. As an alternative, an accessory structure may be flood proofed to the FP-3 or FP-4 flood proofing classification in the state building code, provided the accessory structure constitutes a minimal investment, does not exceed five hundred (500) square feet in size at its largest projection, and for a detached garage, the detached garage must be used solely for parking of vehicles and limited storage. All flood proofed accessory structures must meet the following additional standards: ~~as appropriate:~~

(A) The structure must be adequately anchored to prevent flotation, collapse or lateral movement of the structure and shall be designed to equalize hydrostatic flood forces on exterior walls; and

(B) Any mechanical and utility equipment in a structure must be elevated to or above the regulatory flood protection elevation or properly flood proofed.

(C) To allow for the equalization of hydrostatic pressure, there must be a minimum of two "automatic" openings in the outside walls of the structure having a total net area of not less than one

square inch for every square foot of enclosed area subject to flooding. There must be openings on at least two sides of the structure and the bottom of all openings must be no higher than one foot above the lowest adjacent grade to the structure. Using human intervention to open a garage door prior to flooding will not satisfy this requirement for automatic openings.

f. Storage of Materials and Equipment

(1) The storage or processing of materials that are, in time of flooding, flammable, explosive, or potentially injurious to human, animal or plant life is prohibited.

(2) Storage of other materials or equipment may be allowed if readily removable from the area within the time available after a flood warning and in accordance with a plan approved by the city council as part of the conditional use permit.

g. Structural works for flood control that will change the course, current or cross section of a protected wetlands or public waters shall be subject to the provisions of Minnesota statutes chapters 103A, 103B, 103C, 103D, 103E, 103F and 103G. Communitywide structural works for flood control intended to remove areas from the regulatory floodplain shall not be allowed in the floodway.

h. A levee, dike or floodwall constructed in the floodway shall not cause an increase to the 100-year or regional flood, and the technical analysis must assume equal conveyance or storage loss on both sides of a stream.

10-13D-6 7-2: FF FLOOD FRINGE DISTRICT:

A. Permitted Uses:

1. Enumerated: Permitted uses shall be those uses or structures listed as permitted uses in the underlying zoning district(s). All permitted uses shall comply with the standards for Flood Fringe District permitted uses and the standards for all Flood Fringe Uses listed below.

2. Standards:

a. All structures, including accessory structures, must be elevated on fill so that the lowest floor including basement floor is at or above the regulatory flood protection elevation. The finished fill elevation for structures shall be no lower than one foot (1') below the regulatory flood protection elevation and the fill (maximum 4:1 slope) shall extend such

elevation at least fifteen feet (15') beyond the outside limits of the structure erected thereon.

b. As an alternative to elevation on fill, accessory structures that constitute a minimal investment and that do not exceed five hundred (500) square feet ~~for the outside dimension at ground level~~ at its largest projection may be internally flood proofed in accordance with subsection 10-13D-7-1B.2.e(3) of this article.

c. The cumulative placement of fill where at any one time in excess of one thousand (1,000) cubic yards of fill is located on the parcel shall be allowable only as a conditional use unless said fill is specifically intended to elevate a structure in accordance with subsection 10-13D-7-2 A.2.a of this article. Title 9, chapter 4 of this code shall also apply to all fill and excavation activities regardless of the quantitative amount of material.

d. The storage of any materials or equipment shall be elevated on fill to the regulatory flood protection elevation.

e. The provisions of subsection 10-13D-7-2 C of this article shall apply.

B. Conditional Uses:

1. Enumerated: Conditional uses shall be those uses of land or structures listed as conditional uses in the underlying zoning district(s) or other applicable zoning overlay district(s).

a. Any structure not elevated on fill or flood proofed in accordance with subsection 7-2.A.2.a,b and or any use of land that does not comply with the standards in subsection 7-2.A.2.c,d shall only be allowed as a conditional use. An application for a conditional use shall be subject to the standards and criteria and evaluation procedures specified in subsections 7-2.B.2 and 13.B.4 of this article.

2. Standards:

a. Alternative elevation methods other than the use of fill may be utilized to elevate a structure's lowest floor above the regulatory flood protection elevation. These alternative methods may include the use of stilts, pilings, parallel walls, etc., or above grade, enclosed areas such as crawl spaces or tuck under garages. The base or floor of an enclosed area shall be considered above grade and not a structure's basement or lowest floor, if: 1) the enclosed area is above grade on at least one side of the structure; 2) it is designed to internally flood and is constructed with flood resistant materials; and 3) it is used solely for parking of vehicles, building

access or storage. These alternative elevation methods are subject to the following additional standards:

(1) Design and Certification: A structure's design and as built condition must be certified by a registered professional engineer or architect as being in compliance with the general design standards of the state building code and, specifically, that all electric, plumbing and air conditioning equipment and other service facilities must be at or above the regulatory flood protection elevation or be designed to prevent floodwater from accumulating within these components during times of flooding.

(2) Specific Standards For Above Grade, Enclosed Areas: Above grade, fully enclosed areas such as crawl spaces or tuck-under garages must be designed to internally flood, and design plans must stipulate:

~~(A) The minimum area of openings in the walls where internal flooding is to be used as a flood proofing technique. When openings are placed in a structure's walls to provide for entry of floodwaters to equalize pressures, the bottom of all openings shall be no higher than one foot (1') above grade. Openings shall be equipped with screens, louvers, valves or other coverings or devices, provided that they permit the automatic entry and exit of floodwaters.~~

(A) A minimum area of openings in the walls where internal flooding is to be used as a flood proofing technique. There shall be a minimum of two openings on at least two sides of the structure and the bottom of all openings shall be no higher than one-foot above grade. The automatic openings shall have a minimum net area of not less than one square inch for every square foot of enclosed area subject to flooding unless a registered professional engineer or architect certifies that a smaller net area would suffice. The automatic openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of flood waters without any form of human intervention; and

(B) That the enclosed area will be designed of flood resistant materials in accordance with the FP-3 or FP-4 classifications in the state building code and shall be used solely for building access, parking of vehicles or storage.

b. Basements, as defined by section 10-2-2 of this article, shall be subject to the following:

(1) Residential basement construction shall not be allowed below the regulatory flood protection elevation.

(2) Nonresidential basements may be allowed below the regulatory flood protection elevation, provided the basement is structurally dry roofed in accordance with subsection 10-13D-5B3 of this article.

c. All areas on nonresidential structures including basements to be placed below the regulatory flood protection elevation shall be flood proofed in accordance with the structurally dry flood proofing classification in the state building code. Structurally dry flood proofing must meet the FP-1 or FP-2 flood proofing classifications in the state building code, and this shall require making the structure watertight with the walls substantially impermeable to the passage of water and structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. Structures flood proofed to the FP-3 or FP-4 classification shall not be permitted.

d. When at any one time more than one thousand (1,000) cubic yards of fill or other similar material is located on a parcel for such activities as on site storage, landscaping, sand and gravel operations, landfills, road, dredge spoil disposal or construction of flood control works, an erosion/sedimentation control plan must be submitted unless the city is enforcing a state approved shoreland management ordinance. In the absence of a state approved shoreland ordinance, the plan must clearly specify methods to be used to stabilize the fill on site for a flood event at a minimum of the 100-year or regional flood event. The plan must be prepared and certified by a registered professional engineer or other qualified individual acceptable to the city council. The plan may incorporate alternative procedures for removal of the material from the floodplain if adequate flood warning time exists.

e. Storage of Materials and Equipment

(1) The storage or processing of materials that are, in time of flooding, flammable, explosive, or potentially injurious to human, animal or plant life is prohibited.

(2) Storage of other materials or equipment may be allowed if readily removable from the area within the time available after a flood warning and in accordance with a plan approved by the city council as part of the conditional use permit.

f. The provisions of subsection C of this section shall also apply.

C. Standards For all Flood Fringe Uses:

1. All new principal structures must have vehicular access at or above an elevation not more than two feet (2') below the regulatory flood protection elevation.

2. Accessory land uses, such as yards, railroad tracks, and parking lots, may be at elevations lower than the regulatory flood protection elevation. However, a permit for such facilities to be used by the employees or the general public shall not be granted in the absence of a flood warning system that provides adequate time for evacuation if the area would be inundated to a depth ~~greater than two feet (2')~~ or be subject to flood velocities greater than four feet (4') per second and velocity such that when multiplying the depth (in feet) times velocity (in feet per second) the product number exceeds four (4) upon occurrence of the regional flood.

3. Measures shall be taken to minimize interference with normal plant operations especially along streams having protracted flood durations. Certain accessory land uses such as yards and parking lots may be at lower elevations subject to requirements set out in subsection C2 of this section. In considering permit applications, due consideration shall be given to needs of an industry whose business requires that it be located in floodplain areas.

4. Fill shall be properly compacted, and the slopes shall be properly protected by the use of riprap, vegetative cover or other acceptable method. The federal emergency management agency (FEMA) has established criteria for removing the special flood hazard area designation for certain structures properly elevated on fill above the 100-year flood elevation. FEMA requirements incorporate specific fill compaction and side slope protection standards for multi-structure or multi-lot developments. These standards should be investigated prior to the initiation of site preparation if a change of special flood hazard area designation will be requested.

5. Floodplain developments shall not adversely affect the hydraulic capacity of the channel and adjoining floodplain of any tributary watercourse or drainage system where a floodway or other encroachment limit has not been specified on the official zoning map.

6. Standards for ~~travel trailers and travel vehicles~~ recreational vehicles are contained in section 10-13D-12 of this article.

7. All manufactured homes must be securely anchored to an adequately anchored foundation system that resists flotation, collapse and lateral movement. Methods of anchoring may include, but are not limited to, use of over the top or frame ties to ground anchors. This requirement is in addition to applicable state or local anchoring requirements for resisting wind forces.

10-13D-8: SUBDIVISIONS:

- A. No land shall be subdivided which is unsuitable for the reason of flooding, inadequate drainage, water supply or sewage treatment facilities.
- B. All lots within the floodplain districts shall be able to contain a building site outside of the Floodway District at or above the regulatory flood protection elevation.
- C. All subdivisions shall have water and sewage treatment facilities that comply with the provisions of this article and have road access both to the subdivision and to the individual building sites no lower than two feet (2') below the regulatory flood protection elevation.
- D. For all subdivisions, the floodway and flood fringe boundaries, the regulatory flood protection elevation and the required elevation of all access roads shall be clearly labeled on all required subdivision drawings and platting documents.
- E. All subdivisions shall be in conformance with title 11 of this code and other applicable zoning and zoning overlay districts.

10-13D-9: REMOVAL OF SPECIAL FLOOD HAZARD AREA DESIGNATION: The federal emergency management agency (FEMA) has established criteria for removing the special flood hazard area designation for certain structures properly elevated on fill above the 100-year flood elevation. FEMA requirements incorporate specific fill compaction and side slope protection standards for multi-structure or multi-lot developments. These standards should be investigated prior to the initiation of site preparation if a change of special flood hazard area designation will be required.

10-13D-10: PUBLIC UTILITIES AND TRANSPORTATION FACILITIES:

- A. Public Utilities: All public utilities and facilities such as gas, electrical, sewer, and water supply systems to be located in the floodplain shall be flood proofed in accordance with the state building code or elevated to above the regulatory flood protection elevation.
- B. Public Transportation Facilities: Railroad tracks, roads and bridges to be located within the floodplain shall comply with sections 10-13D-7-1 and 10-

13D-7-2 of this article. Elevation to the regulatory flood protection elevation shall be provided where failure or interruption of these transportation facilities would result in danger to the public health or safety or where such facilities are essential to the orderly functioning of the area. Minor or auxiliary railroads may be constructed at a lower elevation where failure or interruption of transportation services would not endanger the public health or safety.

10-13D-11: ON SITE SEWAGE TREATMENT AND WATER SYSTEMS: Where public utilities are not provided: a) on site water supply systems must be designed to minimize or eliminate infiltration of floodwaters into the systems; and b) new or replacement on site sewage treatment systems must be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into the floodwaters, and they shall not be subject to impairment or contamination during times of flooding. Any sewage treatment system designed in accordance with the state's current statewide standards for on site sewage treatment systems shall be determined to be in compliance with this article.

10-13d-12: MANUFACTURED HOMES AND PARKS; ~~TRAVEL TRAILERS AND TRAVEL VEHICLES~~ RECREATIONAL VEHICLES:

A. Manufactured Homes and Parks:

1. Manufactured homes and manufactured home parks shall only be permitted in the flood fringe district as regulated by the underlying zoning district and section 10-13D-7-2 of this article.

2. New manufactured home parks and expansions to existing manufactured home parks shall be subject to section 10-13D-7-2 of this article, chapter 9, article D of this title and chapter 15, article H of this title.

3. The placement of new or replacement manufactured homes in existing manufactured home parks or on individual lots of record that are located in the floodplain districts will be treated as a new structure and may be placed only if elevated in compliance with subsection 10-13D-6-2C of this article. If vehicular road access for preexisting manufactured home parks is not provided in accordance with subsection 10-13D-6-2C1 of this article, then replacement manufactured homes will not be allowed until the property owner(s) develops a flood warning emergency plan acceptable to the city council.

4. All manufactured homes must be securely anchored to an adequately anchored foundation system that resists flotation, collapse and lateral movement. Methods of anchoring may include, but are not limited to: use of over the top or frame ties to ground anchors. This requirement is in addition to applicable state or local anchoring requirements for resisting wind forces.

B. ~~Travel Trailers and Travel Vehicles~~ Recreational Vehicles:

1. ~~Travel trailers and travel vehicles~~ Recreational Vehicles that do not meet the exemption criteria specified in subsection B2 of this section shall be subject to the provisions of this subsection.

2. ~~Travel trailers and travel vehicles~~ Recreational Vehicles are exempt from the provisions of this article if they are placed in any of the areas listed in subsection B3 of this section and if they further meet the following additional criteria:

a. Have current licenses required for highway use.

b. Are “highway ready”, meaning on wheels or the internal jacking system, are attached to the site by quick disconnect type utilities commonly used in campgrounds and trailer parks, and the ~~trailer/travel vehicle~~ recreational vehicle has no permanent structural type additions attached to it.

c. The ~~travel trailer or travel vehicle~~ recreational vehicle and associated use must be permissible in any preexisting underlying zoning district.

3. The following are areas exempted for placement of ~~travel/recreational vehicles~~ recreational vehicles:

a. Individual lots or parcels of record.

b. Existing condominium type associations.

c. Existing commercial recreational vehicle parks or campgrounds.

4. ~~Travel trailers and travel vehicles~~ Recreational vehicles exempted from this article lose this exemption when development occurs on the parcel exceeding five hundred dollars (\$500.00) for a structural addition to the ~~travel trailer/travel vehicle~~ recreational vehicle or the construction of an accessory structure such as a garage or storage building. The ~~travel trailer/travel vehicle~~ recreational vehicle and all additions and accessory structures will then be treated as a new structure and shall be subject to the elevation/flood proofing requirements and use of land restrictions specified in sections 10-13D-7-1 and 10-13D-7-2 of this article. There shall be no development or improvement on the parcel or attachment to the recreational vehicle that hinders the removal of the recreational vehicle to a flood free location should flooding occur.

5. New commercial ~~travel trailer or travel vehicle~~ recreational vehicle parks or campgrounds and new residential type subdivisions and condominium associations and the expansion of any existing similar use exceeding five (5) units or dwelling sites shall be subject to the following:

a. Any new or replacement ~~travel trailer or travel vehicle~~ recreational vehicle will be allowed in the floodway or flood fringe district, provided said trailer or vehicle and its contents are placed on fill above the regulatory flood protection elevation and proper elevated road access to the site exists in accordance with subsection 10-13D-7-2C1 of this article. Any fill placed in a floodway for the purpose of elevating a travel trailer shall be subject to the requirements of section 10-13D-6 of this article.

b. All new or replacement ~~travel trailers or travel vehicles~~ recreational vehicles not meeting the criteria of subsection B5a of this section, may, as an alternative, be allowed as a conditional use if in accordance with the following provisions and the provisions of subsection 10-13D-7-2B2 of this article. The applicant must submit an emergency plan for the safe evacuation of all vehicles and people during the 100-year flood. Said plan shall be prepared by a registered engineer or other qualified individual and shall demonstrate that adequate time and personnel exist to carry out the evacuation, and shall demonstrate the provisions of section 10-13d-12 B 2 of this title will be met. All attendant sewage and water facilities for new or replacement ~~travel trailers or other recreational vehicles~~ recreational vehicles must be protected or constructed so as to not be impaired or contaminated during times of flooding in accordance with section 10-13D-11 of this article.

10-13D-13: ADMINISTRATION AND ENFORCEMENT:

A. Administration And Enforcement Officials:

1. Zoning Administrator: The city planner, or other person so designated by the city council, shall be the zoning administrator for the purposes of the administration of this article.

2. Board of Adjustments And Appeals: The city council shall serve as the board of adjustments and appeals. Its authority and governing procedure shall be as stipulated in section 10-3-7 of this title.

B. Permits:

1. Building Permits: A building permit in conformance with the provisions of this article shall be required prior to the erection, addition modification, rehabilitation (including normal maintenance and repair) or alteration of any building, structure, or portion thereof; prior to the use or change of use of a building, structure, or land; prior to the construction of a dam, fence, or on-site septic system; prior to the change or extension of a nonconforming use; prior to the repair of a sstructure that has been damaged by flood, fire, tornado, or any other source; and prior to the placement of fill, excavation materials, or the storage of materials or equipment within the flood plain. ~~where said structure is~~

~~located within the floodplain.~~ Said permit must be approved by the chief building official only after review by the zoning administrator. A building permit must also be approved in the same manner prior to the change of use of a building or land.

2. Fill/Excavation Permits: Prior to the placement of fill or the excavation of material within the floodplain, an excavation permit pursuant to title 9, chapter 4 of this code must be approved by the director of public works only after review by the zoning administrator. Said permit must be found to be in conformance with the provisions of this article.

3. State And Federal Permits: Prior to granting a building permit, excavation permit, conditional use permit, variance or subdivision approval, the applicant shall provide verification to the zoning administrator that all necessary state and federal permits have been obtained.

4. Conditional Use Permits:

a. Conditional use permits, as required by this article, shall be processed according to the provisions of chapter 3, article A of this title. Conditional use permits shall be reviewed for consistency with the general criteria contained in said chapter 3, article A. Conditional use permits shall also satisfy the applicable conditional use criteria listed in this article.

b. The zoning administrator shall submit by mail to the Commissioner of Natural Resources a copy of the application for proposed conditional use permits sufficiently in advance so that the Commissioner will receive at least ten days notice of hearing.

b. c. The city council may also consider the following relevant factors in review of a conditional use permit application:

(1) The danger to life and property due to increased flood heights or velocities caused by encroachments.

(2) The danger to life and property may be swept onto other lands or downstream to the injury of others.

(3) The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination and unsanitary conditions.

(4) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.

- (5) The importance of the services provided by the proposed facility to the community.
- (6) The requirements of the facility for a waterfront location.
- (7) The availability of alternative locations not subject to flooding for the proposed use.
- (8) The compatibility of the proposed use with existing development and development anticipated in the foreseeable future.
- (9) The relationship of the proposed use to the comprehensive plan and floodplain management program for the area.
- (10) The safety of access to the property in times of flood for ordinary and emergency vehicles.
- (11) The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters expected at the site.
- (12) Such other factors, which are relevant to the purposes of this article.

~~e.~~ d. Upon consideration of the factors listed above and the purposes of this article, the city council may attach such conditions to the granting of conditional use permits as it deems necessary to fulfill the purposes of this article. Such conditions may include, but are not limited to, the following:

- (1) Modification of waste disposal and water supply facilities.
- (2) Limitations of period of use, occupancy and operation.
- (3) Imposition of operational controls, sureties and deed restrictions.
- (4) Requirements for construction of channel modifications, dikes, levees, and other protective measures.
- (5) Flood proofing measures in accordance with the state building code. The applicant shall submit a plan or document certified by a registered professional engineer or architect that the flood proofing measures are consistent with the regulatory flood protection elevation and associated flood factors for the particular area.

5. Requirements For All Permits:

a. Certificate Of Zoning Compliance: It shall be unlawful to use, occupy, or permit the use or occupancy of any building or premises or part thereof hereafter

created, erected, changed, converted, altered, or enlarged in its use or structure until a certificate of zoning compliance shall have been issued by the zoning administrator stating that the use of the building or land conforms to the requirements of this article.

b. Compliance With Approved Plans: All building permits, excavation permits, conditional use permits, or certificates of zoning compliance issued on the basis of approved plans and applications only authorize the use, arrangement, and construction set forth in such approved plans and applications. Any use, arrangement or construction at variance with that authorized shall be deemed a violation of this article and punishable as provided by subsection E of this section.

c. Certification: the applicant shall be required to submit certification by a registered professional engineer, registered architect, or registered land surveyor that the finished fill and building elevations were accomplished in compliance with the provisions of this article. Flood proofing measures shall be certified by a registered professional engineer or registered architect.

d. Record Of First Floor Elevation: The zoning administrator shall maintain a record of the elevation of the lowest floor (including basement) of all new structures and alterations or additions to existing structures in the floodplain. The zoning administrator shall also maintain a record of the elevation to which structures and alterations or additions to structures are flood proofed.

e. Notifications for Watercourse Alterations. The zoning administrator shall notify in riverine situations, adjacent communities and the Commissioner of the Department of Natural Resources prior to the community authorizing any alteration or relocation of a watercourse. If the applicant has applied for a permit to work in the beds of public waters pursuant to Minnesota Statute, Chapter 103G, this shall suffice as adequate notice to the Commissioner of Natural Resources. A copy of said notification shall also be submitted to the Chicago Regional Office of the Federal Emergency Management Agency (FEMA).

f. Notification to FEMA When Physical Changes Increase or Decrease the 100-year Flood Elevation. As soon as is practical, but not later than six (6) months after the date such supporting information becomes available, the zoning administrator shall notify the Chicago Regional Office of FEMA of the changes by submitting a copy of said technical or scientific data.

C. Variances:

1. Variances from the strict provisions of this article may be approved by the board of adjustments and appeals pursuant to section 10-3-4 of this title.
2. The board of adjustments and appeals may prescribe appropriate conditions such as those specified in subsection B4c of this section.

3. No variance shall have the effect of allowing in any district uses prohibited in that district, permit a lower degree of flood protection than the regulatory flood protection elevation for the particular area, or permit standards slower than those required by state law.

4. The zoning administrator shall submit by mail to the Commissioner of Natural Resources a copy of the application for proposed variances sufficiently in advance so that the Commissioner will receive at least ten days notice of hearing.

~~4.~~ 5. A copy of all decisions granting variances shall be forwarded by mail to the commissioner of natural resources within ten (10) days of such action.

~~5.~~ 6. The zoning administrator shall notify the applicant for a variance that: a) the issuance of a variance to construct a structure below the base flood level will result in an increased premium rate for flood insurance up to amounts as high as twenty five dollars (\$25.00) for one hundred dollars (\$100.00) of insurance coverage; and b) such construction below the 100-year or regional flood level increases risks to life and property. Such notification shall be maintained with a record of all variance actions.

~~6.~~ 7. The zoning administrator shall submit an annual report of all variance actions during that year to the administrator of the national flood insurance program.

8. The following additional variance criteria of the Federal Emergency Management Agency must be satisfied:

a. Variances shall not be issued within any designated regulatory floodway if any increase in flood levels during the base flood discharge would result.

b. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

c. Variances shall only be issued by a community upon (i) showing a good and sufficient cause, (ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant, and (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

D. Amendments:

1. The floodplain designation on the official zoning map shall not be removed from floodplain areas unless it can be shown that the designation is in error or that the area has been filled to or above the elevation of the regional flood regulatory flood protection elevation and is contiguous to lands outside the floodplain. Special exceptions to this rule may be permitted by the commissioner of natural resources if he determines that, through other measures, lands are adequately protected for the intended use.
2. All amendments to this article, including amendments to the official zoning map, must be submitted to and approved by the commissioner of natural resources prior to adoption.
3. Changes in the official zoning map must meet the federal emergency management agency's (FEMA) technical conditions and criteria and must receive prior FEMA approval before adoption. The commissioner of natural resources must be given ten (10) days' written notice of all hearings to consider an amendment to this article, and said notice shall include a draft of the amendment or technical study under consideration.

E. Violations And Enforcement:

1. Violation of the provisions of this article or failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with grants of variances or conditional use permits) shall constitute a misdemeanor and shall be punishable as defined by law.
2. Nothing contained herein shall prevent the city council from taking such other lawful action as is necessary to prevent or remedy any violation. Such actions may include, but are not limited to:
 - a. In responding to a suspected violation of this article, the zoning administrator and city council may utilize the full array of enforcement actions available to it including, but not limited to, prosecution and fines, injunctions, after the fact permits, orders for corrective measures or a request to the national flood insurance program for denial of flood insurance availability to the guilty party. The community must act in good faith to enforce these official controls and to correct ordinance violations to the extent possible so as not to jeopardize its eligibility in the national flood insurance program.
 - b. When violation of this article is either discovered by or brought to the attention of the zoning administrator, the zoning administrator shall immediately investigate the situation and document the nature and extent of the violation of the official control. As soon as is reasonably possible, this information will be submitted to the appropriate department of natural resources and federal

emergency management agency regional office along with the city's plan of action to correct the violation to the degree possible.

c. The zoning administrator shall notify the suspected party of the requirements of this article and all other official controls and the nature and the extent of the suspected violation of these controls. If the structure and/or use is under construction or development, the zoning administrator may order the construction or development immediately halted until a proper permit or approval is granted by the city council. If construction or development is already completed, then the zoning administrator may either: 1) issue an order identifying the corrective actions that must be made within a specified time period to bring the use or structure into compliance with the official controls; or 2) notify the responsible party to apply for an after the fact permit/development approval within a specified period of time not to exceed thirty (30) days.

d. If the responsible party does not appropriately respond to the zoning administrator within the specified period of time, each additional day that lapses shall constitute an additional violation of this article and shall be prosecuted accordingly. The zoning administrator shall also, upon the lapse of the specified response period, notify the landowner to restore the land to the condition that existed prior to the violation of this article.

2.821 Lowest Floor – the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, used solely for parking of vehicles, building access, or storage in an area other than a basement area, is not considered a building's lowest floor.

2.826 Recreational Vehicle – a vehicle that is built on a single chassis, is 400 square feet or less when measured at the largest horizontal projection, is designed to be self-propelled or permanently towable by a light duty truck, and is designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use. For the purposes of this Ordinance, the term recreational vehicle shall be synonymous with the term travel trailer/travel vehicle.

2.830 Substantial Damage – means damage of any origin sustained by a structure where the cost of restoring the structure to it's before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

2.831 Substantial Improvement – within any consecutive 365-day period, any reconstruction, rehabilitation (including normal maintenance and repair), repair after damage, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure

before the “start of construction” of the improvement. This term includes structures that have incurred “substantial damage,” regardless of the actual repair work performed. The term does not, however, include either:

(a) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions.

(b) Any alteration of an “historic structure,” provided that the alteration will not preclude the structure’s continued designation as an “historic structure.” For the purpose of this Ordinance, “historic structure” shall be as defined in 44 Code of Federal Regulations, Part 59.1.

Existing definitions to be amended:

MANUFACTURED/MODULAR HOME: A structure, transportable in one or more sections, which, in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length, or, when erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein; except that the term includes any structure which meets all the requirements and with respect to which the manufacturer voluntarily files a certification required by the secretary and complies with the standards established under this title. In the Flood Plain District the term “manufactured home” does not include the term “recreational vehicle”.

STRUCTURE: A. Anything constructed, the uses of which require permanent location on the ground, or attached to something having a permanent location on the ground.

C. In a floodplain, a structure is anything constructed or erected on the ground or attached to the ground or on site utilities, including, but not limited to, buildings, factories, sheds, detached garages, cabins, manufactured homes, ~~travel trailers/vehicles~~ recreational vehicles not meeting the exemption criteria specified in subsection 10-13D-11B of this title and other similar items.

NOTES TO USERS

This map is for use in administering the National Flood Insurance Program. It does not necessarily identify all areas subject to flooding, particularly from local drainage sources of small size. The community map repository should be consulted for possible updated or additional flood hazard information.

To obtain more detailed information in areas where **Base Flood Elevations (BFEs)** and/or floodways have been determined, users are encouraged to consult the Flood Profiles and Floodway Data and/or Summary of Stillwater Elevations tables contained within the Flood Insurance Study (FIS) Report that accompanies this FIRM. Users should be aware that BFEs shown on the FIRM represent rounded whole-foot elevations. These BFEs are intended for flood insurance rating purposes only and should not be used as the sole source of flood elevation information. Accordingly, flood elevation data presented in the FIS Report should be utilized in conjunction with the FIRM for purposes of construction and/or floodplain management.

Coastal Base Flood Elevations (BFEs) shown on this map apply only landward of 0' North American Vertical Datum of 1988. Users of this FIRM should be aware that coastal flood elevations are also provided in the Summary of Stillwater Elevations tables in the Flood Insurance Study report for this jurisdiction. Elevations shown in the Summary of Stillwater Elevations tables should be used for construction and/or floodplain management purposes when they are higher than the elevations shown on this FIRM.

Boundaries of the floodways were computed at cross sections and interpolated between cross sections. The floodways were based on hydraulic considerations with regard to requirements of the National Flood Insurance Program. Floodway widths and other pertinent floodway data are provided in the Flood Insurance Study Report for this jurisdiction.

Certain areas not in Special Flood Hazard Areas may be protected by flood control structures. Refer to Section 2.4 "Flood Protection Measures" of the Flood Insurance Study Report for information on flood control structures for this jurisdiction.

The projection used in the preparation of this map was Universal Transverse Mercator (UTM) zone 15. The horizontal datum was NAD 83, GRS80 spheroid. Differences in datum, spheroid, projection or UTM zones used in the production of FIRMs for adjacent jurisdictions may result in slight positional differences in map features across jurisdiction boundaries. These differences do not affect the accuracy of this FIRM.

Flood elevations on this map are referenced to the North American Vertical Datum of 1988. These flood elevations must be compared to structure and ground elevations referenced to the same vertical datum. For information regarding conversion between the National Geodetic Vertical Datum of 1929 and the North American Vertical Datum of 1988, visit the National Geodetic Survey website at <http://www.ngs.noaa.gov>, or contact the National Geodetic Survey at the following address:

Spatial Reference System Division
National Geodetic Survey, NOAA
Silver Spring Metro Center
1315 East-West Highway
Silver Spring, Maryland 20910
(301) 713-3191

To obtain current elevation, description, and/or location information for **bench marks** shown on this map, please contact the Information Services Branch of the National Geodetic Survey at (301) 713-3242, or visit its website at <http://www.ngs.noaa.gov>.

Base map information shown on this FIRM was derived from the National Agriculture Imagery Program, produced at a resolution of 1 meter per pixel, dated 2003 or later.

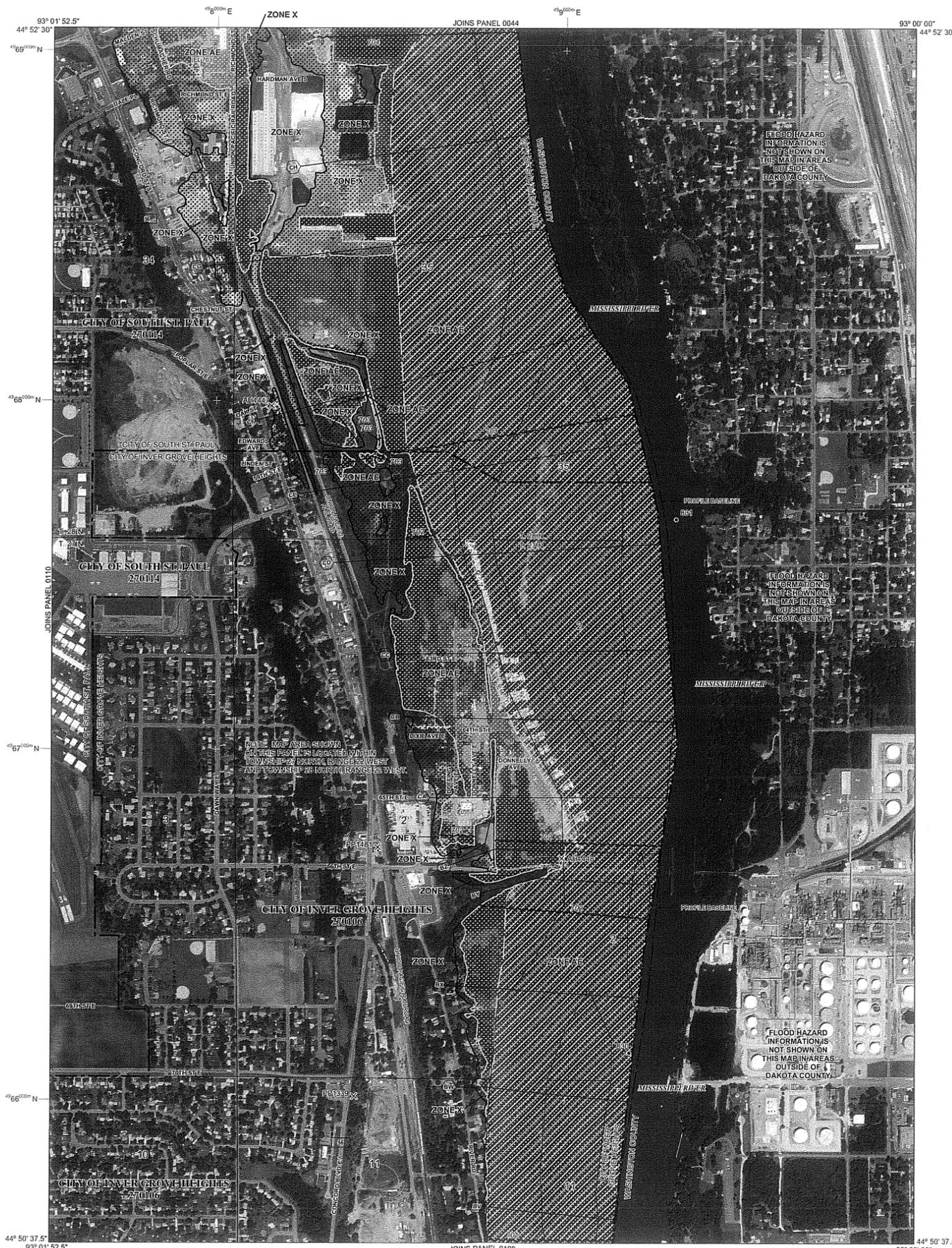
The **profile baselines** depicted on this map represent the hydraulic modeling baselines that match the flood profiles in the Flood Insurance Study report. As a result of improved topographic data, the profile baseline, in some cases, may deviate significantly from the channel centerline or appear outside the Special Flood Hazard Area.

Corporate limits shown on this map are based on the best data available at the time of publication. Because changes due to annexations or de-annexations may have occurred after this map was published, map users should contact appropriate community officials to verify current corporate limit locations.

Please refer to the separately printed **Map Index** for an overview map of the county showing the layout of map panels; community map repository addresses; and a Listing of Communities table containing National Flood Insurance Program dates for each community as well as a listing of the panels on which each community is located.

Contact the **FEMA Map Service Center** at 1-800-358-9616 for information on available products associated with this FIRM. Available products may include previously issued Letters of Map Change, a Flood Insurance Study Report, and/or digital versions of this map. The FEMA Map Service Center may also be reached by Fax at 1-800-358-9620 and its website at <http://mssc.fema.gov/>.

If you have **questions about this map** or questions concerning the National Flood Insurance Program in general, please call 1-877-FEMA-MAP (1-877-336-2627) or visit the FEMA website at <http://www.fema.gov/business/info>.



LEGEND

SPECIAL FLOOD HAZARD AREAS (SFHAs) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD

The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zones A, AE, AH, AO, AR, A99, V, and VE. The Base Flood Elevation is the water surface elevation of the 1% annual chance flood.

- ZONE A** No Base Flood Elevations determined.
- ZONE AE** Base Flood Elevations determined.
- ZONE AH** Flood depths of 1 to 3 feet (usually areas of ponding); Base Flood Elevations determined.
- ZONE AO** Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of shallow fan flooding, velocities also determined.
- ZONE AR** Special Flood Hazard Areas formerly protected from the 1% annual chance flood by a flood control system that was subsequently decertified. Zone AR indicates that the former flood control system is being restored to provide protection from the 1% annual chance or greater flood.
- ZONE A99** Area to be protected from 1% annual chance flood by a Federal flood protection system under construction; no Base Flood Elevations determined.
- ZONE V** Coastal flood zone with velocity hazard (wave action); no Base Flood Elevations determined.
- ZONE VE** Coastal flood zone with velocity hazard (wave action); Base Flood Elevations determined.

FLOODWAY AREAS IN ZONE AE

The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.

OTHER FLOOD AREAS

- ZONE X** Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas of less than 1 square mile; and areas protected by levees from 1% annual chance flood.

OTHER AREAS

- ZONE X** Areas determined to be outside the 0.2% annual chance floodplain.
- ZONE D** Areas in which flood hazards are undetermined, but possible.

COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS

OTHERWISE PROTECTED AREAS (OPAs)

- CBRS areas and OPAs are normally located within or adjacent to Special Flood Hazard Areas.
- 1% annual chance floodplain boundary
- 0.2% annual chance floodplain boundary
- Floodway boundary
- Zone D boundary
- CBRS and OPA boundary
- Boundary dividing Special Flood Hazard Areas of different Base Flood Elevations, flood depths or flood velocities.
- Base Flood Elevation line and value: elevation in feet (EL 987)
- Base Flood Elevation value where uniform within zone; elevation in feet
- Referenced to the North American Vertical Datum of 1988
- Cross section line
- Transect line
- Geographic coordinates referenced to the North American Datum of 1983 (NAD 83), Western Hemisphere
- 1000-meter Universal Transverse Mercator grid values, zone 15
- Bench mark (see explanation in Notes to Users section of this FIRM panel)
- DX5516y
- M1.5
- River Mile

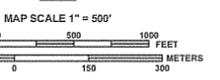
MAP REPOSITORIES
Refer to Map Repositories list on Map Index

EFFECTIVE DATE OF COUNTYWIDE FLOOD INSURANCE RATE MAP
JUNE 18, 2010

EFFECTIVE DATE(S) OF REVISION(S) TO THIS PANEL

For community map revision history prior to countywide mapping, refer to the Community Map History table located in the Flood Insurance Study report for this jurisdiction.

To determine if flood insurance is available in this community, contact your insurance agent or call the National Flood Insurance Program at 1-800-638-6620.



NFIP
NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0107E

FIRM
FLOOD INSURANCE RATE MAP

DAKOTA COUNTY, MINNESOTA AND INCORPORATED AREAS

PANEL 107 OF 525
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
RIVER GROVE HEIGHTS, CITY OF	270106	0107	E
CITY OF SOUTH ST. PAUL, CITY OF	270114	0107	E

Notice to User: The **Map Number** shown below should be used when placing map orders; the **Community Number** shown above should be used on insurance applications for the subject community.

MAP NUMBER
27037C0107E

EFFECTIVE DATE
JUNE 18, 2010

Federal Emergency Management Agency

NOTES TO USERS

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Coastal Base Flood Elevations (BFEs) shown on this map apply only landward of 0.0' North American Vertical Datum of 1988. Users of this FIRM should be aware that coastal flood elevations are also provided in the Summary of Stillwater Elevations tables in the Flood Insurance Study report for this jurisdiction. Elevations shown in the Summary of Stillwater Elevations tables should be used for construction and/or floodplain management purposes when they are higher than the elevations shown on this FIRM.

Boundaries of the floodways were computed at cross sections and interpolated between cross sections. The floodways were based on hydraulic considerations with regard to requirements of the National Flood Insurance Program. Floodway widths and other pertinent floodway data are provided in the Flood Insurance Study Report for this jurisdiction.

Certain areas not in Special Flood Hazard Areas may be protected by flood control structures. Refer to Section 2.4 "Flood Protection Measures" of the Flood Insurance Study Report for information on flood control structures for this jurisdiction.

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National Geodetic Survey, NOAA
Silver Spring Metro Center
1315 East-West Highway
Silver Spring, Maryland 20910
(301) 713-3191

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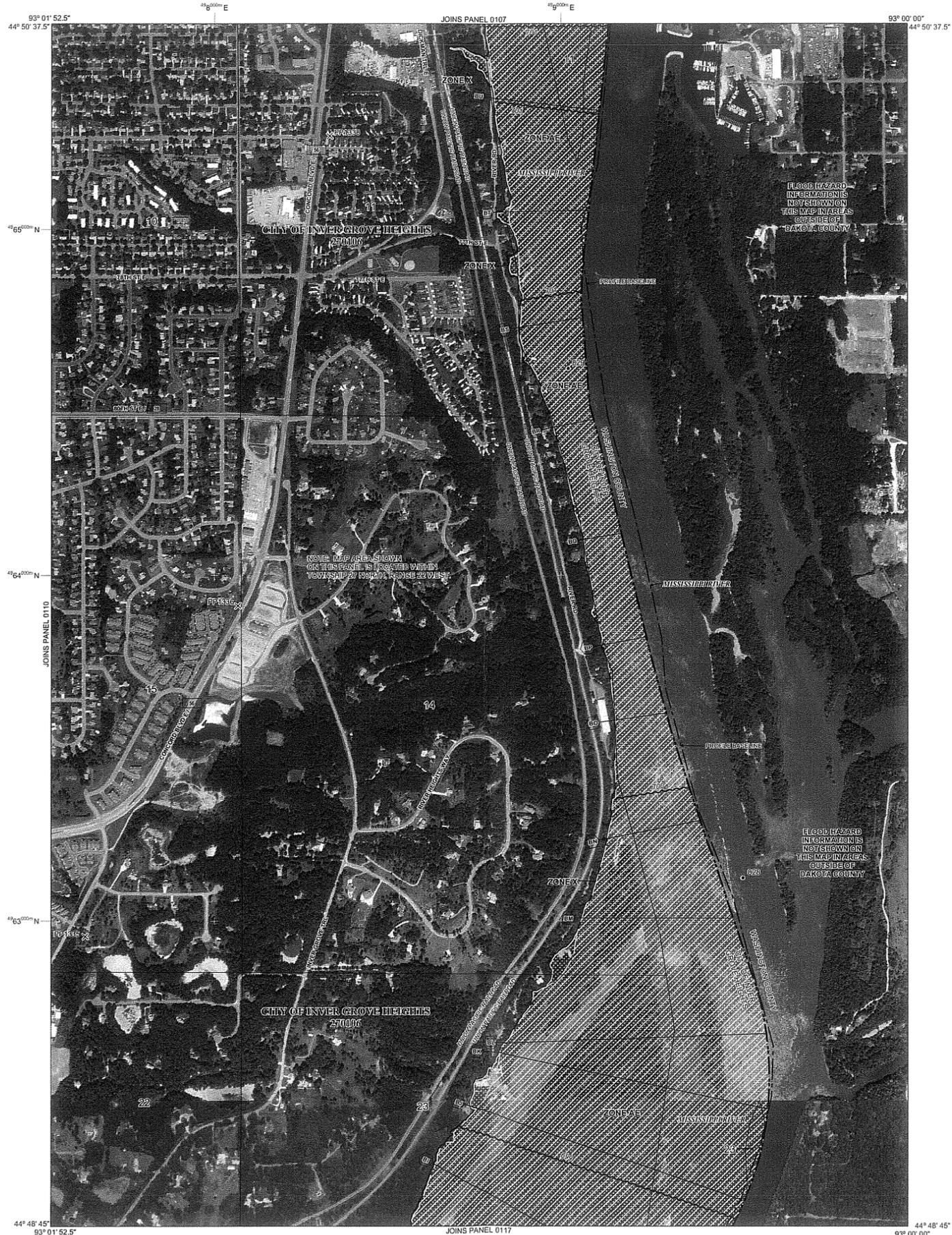
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LEGEND

SPECIAL FLOOD HAZARD AREAS (SFHAs) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD

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FLOODWAY AREAS IN ZONE AE

The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.

OTHER FLOOD AREAS

ZONE X Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.

OTHER AREAS

ZONE X Areas determined to be outside the 0.2% annual chance floodplain.
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- Boundary dividing Special Flood Hazard Areas of different Base Flood Elevations, flood depths or flood velocities
- Base Flood Elevation line and value, elevation in feet
- (EL 987) Base Flood Elevation value where uniform within zone; elevation in feet
- *Referenced to the North American Vertical Datum of 1988
- A ○ A Cross section line
- 23 ○ 23 Transsect line
- 45° 02' 08", 93° 02' 12" Geographic coordinates referenced to the North American Datum of 1983 (NAD 83), Western Hemisphere
- 1000-meter Universal Transverse Mercator grid values, zone 15
- DX55 10, Benchmark (see explanation in Notes to Users section of this FIRM panel)
- M 5 River Mile

MAP REPOSITORIES

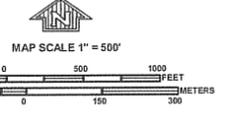
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JUNE 18, 2010

EFFECTIVE DATE(S) OF REVISION(S) TO THIS PANEL

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PANEL 0109E

FIRM
FLOOD INSURANCE RATE MAP
DAKOTA COUNTY,
MINNESOTA
AND INCORPORATED AREAS

PANEL 109 OF 525
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
INVER GROVE HEIGHTS, CITY OF	270105	0109	E

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.

MAP NUMBER
27037C0109E
EFFECTIVE DATE
JUNE 18, 2010
Federal Emergency Management Agency

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LEGEND

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- ZONE AO** Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding, velocities also determined.
- ZONE AR** Special Flood Hazard Areas formerly protected from the 1% annual chance flood by a flood control system that was subsequently determined. Zone AR indicates that the former flood control system is being restored to provide protection from the 1% annual chance or greater flood.
- ZONE A99** Area to be protected from 1% annual chance flood by a Federal flood protection system under construction; no Base Flood Elevations determined.
- ZONE V** Coastal flood zone with velocity hazard (wave action); no Base Flood Elevations determined.
- ZONE VE** Coastal flood zone with velocity hazard (wave action); Base Flood Elevations determined.

FLOODWAY AREAS IN ZONE AE
The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.

OTHER FLOOD AREAS
ZONE X Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.

OTHER AREAS
ZONE X Areas determined to be outside the 0.2% annual chance floodplain.
ZONE D Areas in which flood hazards are undetermined, but possible.

COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS
OTHERWISE PROTECTED AREAS (OPAs)

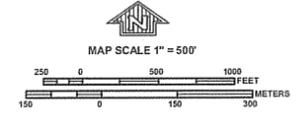
- CBRS areas and OPAs are normally located within or adjacent to Special Flood Hazard Areas.
- 1% annual chance floodplain boundary
- 0.2% annual chance floodplain boundary
- Floodway boundary
- Zone D boundary
- CBRS and OPA boundary
- Boundary dividing Special Flood Hazard Areas of different Base Flood Elevations, flood depths or flood velocities
- Base Flood Elevation line and value, elevation in feet' (EL 987)
- Base Flood Elevation value where uniform within zone; elevation in feet'
- *Referenced to the North American Vertical Datum of 1988
- Cross section line
- Transsect line
- 45° 02' 06", 93° 02' 12" Geographic coordinates referenced to the North American Datum of 1983 (NAD 83), Western Hemisphere
- 100-meter Universal Transverse Mercator grid values, zone 15
- Bench mark (see explanation in Notes to Users section of this FIRM panel)
- M 5 River Mile

MAP REPOSITORIES
Refer to Map Repositories list on Map Index

EFFECTIVE DATE OF COUNTYWIDE FLOOD INSURANCE RATE MAP
JUNE 18, 2010

EFFECTIVE DATE(S) OF REVISION(S) TO THIS PANEL

For community map revision history prior to countywide mapping, refer to the Community Map History table located in the Flood Insurance Study report for this jurisdiction.
To determine if flood insurance is available in this community, contact your insurance agent or call the National Flood Insurance Program at 1-800-638-6620.



NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0117E

FIRM
FLOOD INSURANCE RATE MAP
DAKOTA COUNTY,
MINNESOTA
AND INCORPORATED AREAS

PANEL 117 OF 525
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
RIVER GROVE HEIGHTS, CITY OF	270105	0117	E

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.

MAP NUMBER
27037C0117E

EFFECTIVE DATE
JUNE 18, 2010

Federal Emergency Management Agency

NOTES TO USERS

This map is for use in administering the National Flood Insurance Program. It does not necessarily identify all areas subject to flooding, particularly from local drainage sources of small size. The community map repository should be consulted for possible updated or additional flood hazard information.

To obtain more detailed information in areas where Base Flood Elevations (BFEs) and/or floodways have been determined, users are encouraged to consult the Flood Profiles and Floodway Data and/or Summary of Stillwater Elevations tables contained within the Flood Insurance Study (FIS) Report that accompanies this FIRM. Users should be aware that BFEs shown on the FIRM represent rounded whole-foot elevations. These BFEs are intended for flood insurance rating purposes only and should not be used as the sole source of flood elevation information. Accordingly, flood elevation data presented in the FIS Report should be utilized in conjunction with the FIRM for purposes of construction and/or floodplain management.

Coastal Base Flood Elevations (BFEs) shown on this map apply only to landward of 0.0' North American Vertical Datum of 1988. Users of this FIRM should be aware that coastal flood elevations are also provided in the Summary of Stillwater Elevations tables in the Flood Insurance Study report for this jurisdiction. Elevations shown in the Summary of Stillwater Elevations tables should be used for construction and/or floodplain management purposes when they are higher than the elevations shown on this FIRM.

Boundaries of the floodways were computed at cross sections and interpolated between cross sections. The floodways were based on hydraulic considerations with regard to requirements of the National Flood Insurance Program. Floodway widths and other pertinent floodway data are provided in the Flood Insurance Study Report for this jurisdiction.

Certain areas not in Special Flood Hazard Areas may be protected by flood control structures. Refer to Section 2.4 "Flood Protection Measures" of the Flood Insurance Study Report for information on flood control structures for this jurisdiction.

The projection used in the preparation of this map was Universal Transverse Mercator (UTM) zone 15. The horizontal datum was NAD 83, GRS80 spheroid. Differences in datum, spheroid, projection or UTM zones used in the production of FIRMs for adjacent jurisdictions may result in slight positional differences in map features across jurisdiction boundaries. These differences do not affect the accuracy of this FIRM.

Flood elevations on this map are referenced to the North American Vertical Datum of 1988. These flood elevations must be compared to structure and ground elevations referenced to the same vertical datum. For information regarding conversion between the National Geodetic Vertical Datum of 1929 and the North American Vertical Datum of 1988, visit the National Geodetic Survey website at <http://www.ngs.noaa.gov> or contact the National Geodetic Survey at the following address:

Spatial Reference System Division
National Geodetic Survey, NOAA
Silver Spring Metro Center
1315 East-West Highway
Silver Spring, Maryland 20910
(301) 713-3191

To obtain current elevation, description, and/or location information for bench marks shown on this map, please contact the Information Services Branch of the National Geodetic Survey at (301) 713-3242, or visit its website at <http://www.ngs.noaa.gov>.

Base map information shown on this FIRM was derived from the National Agriculture Imagery Program, produced at a resolution of 1 meter per pixel, dated 2003 or later.

The profile baselines depicted on this map represent the hydraulic modeling baselines that match the flood profiles in the Flood Insurance Study report. As a result of improved topographic data, the profile baseline, in some cases, may deviate significantly from the channel centerline or appear outside the Special Flood Hazard Area.

Corporate limits shown on this map are based on the best data available at the time of publication. Because changes due to annexations or de-annexations may have occurred after this map was published, map users should contact appropriate community officials to verify current corporate limit locations.

Please refer to the separately printed Map Index for an overview map of the county showing the layout of map panels; community map repository addresses; and a Listing of Communities table containing National Flood Insurance Program dates for each community as well as a listing of the panels on which each community is located.

Contact the FEMA Map Service Center at 1-800-358-8616 for information on available products associated with this FIRM. Available products may include previously issued Letters of Map Change, a Flood Insurance Study Report, and/or digital versions of this map. The FEMA Map Service Center may also be reached by Fax at 1-800-358-9620 and its website at <http://mfc.fema.gov/>.

If you have questions about this map or questions concerning the National Flood Insurance Program in general, please call 1-877-FEMA-MAP (1-877-336-2627) or visit the FEMA website at <http://www.fema.gov/business/dfs>.



LEGEND

SPECIAL FLOOD HAZARD AREAS (SFHAs) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD
The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zones A, AE, AH, AO, AR, A99, V, and VE. The Base Flood Elevation is the water-surface elevation of the 1% annual chance flood.

- ZONE A** No Base Flood Elevations determined.
- ZONE AE** Base Flood Elevations determined.
- ZONE AH** Flood depths of 1 to 3 feet (usually areas of ponding); Base Flood Elevations determined.
- ZONE AO** Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding, velocities also determined.
- ZONE AR** Special Flood Hazard Areas formerly protected from the 1% annual chance flood by a flood control system that was subsequently declassified. Zone AR indicates that the former flood control system is being restored to provide protection from the 1% annual chance or greater flood.
- ZONE A99** Area to be protected from 1% annual chance flood by a Federal flood protection system under construction; no Base Flood Elevations determined.
- ZONE V** Coastal flood zone with velocity hazard (wave action); no Base Flood Elevation determined.
- ZONE VE** Coastal flood zone with velocity hazard (wave action); Base Flood Elevation determined.

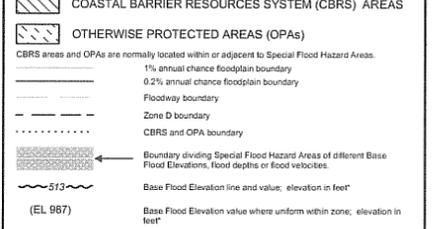
FLOODWAY AREAS IN ZONE AE
The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood height.

OTHER FLOOD AREAS
ZONE X Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile and areas protected by levees from 1% annual chance flood.

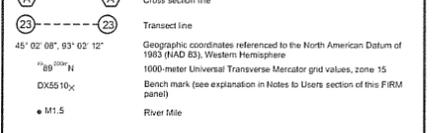
OTHER AREAS
ZONE X Areas determined to be outside the 0.2% annual chance floodplain.
ZONE D Areas in which flood hazards are undetermined, but possible.

COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS

OTHERWISE PROTECTED AREAS (OPAs)
CBRS areas and OPAs are normally located within or adjacent to Special Flood Hazard Areas.



*Referenced to the North American Vertical Datum of 1988



MAP REPOSITORIES
Refer to Map Repositories list on Map Index

EFFECTIVE DATE OF COUNTYWIDE FLOOD INSURANCE RATE MAP
JUNE 18, 2010

EFFECTIVE DATE(S) OF REVISION(S) TO THIS PANEL

For community map revision history prior to countywide mapping, refer to the Community Map History table located in the Flood Insurance Study report for this jurisdiction.

To determine if flood insurance is available in this community, contact your insurance agent or call the National Flood Insurance Program at 1-800-638-6620.



MAP SCALE 1" = 500'



NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0119E

FIRM
FLOOD INSURANCE RATE MAP

DAKOTA COUNTY, MINNESOTA AND INCORPORATED AREAS

PANEL 119 OF 525
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
INVER GROVE HEIGHTS, CITY OF	270106	0119	E
ROSEMOUNT, CITY OF	270113	0119	E

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.

MAP NUMBER
27037C0119E

EFFECTIVE DATE
JUNE 18, 2010
Federal Emergency Management Agency





Map Showing Difference Between 1980 and 2010 Flood Boundaries

