City of Carroll

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MEMO TO: Mike Pogge-Weaver, City Manager MSP-W

FROM: Randall M. Krauel, Director of Public Works RMK

DATE: June 6, 2017

SUBJECT: Flood Plain Regulations Amendment

The Federal Emergency Management Agency, through the Iowa Department of Natural Resources, has re-evaluated flood hazards in the City and issued updated Flood Insurance Rate Maps (FIRM) and the Flood Insurance Study (FIS). The FIRM panels for the City are a part of a county-wide FIS and FIRM. The proposed Flood Hazard Determinations were published in the Daily Times Herald on August 18, 2016, and August 25, 2016, and in the Federal Register on June 10, 2016. The statutory appeal period has ended and the FIRM will become effective September 15, 2017.

As a condition of continued participation in the National Flood Insurance Program the City is required to adopt floodplain management regulations meeting current standards by September 15, 2017. The attached Ordinance is prepared to modify the City's current floodplain regulations to bring them into compliance with current standards.

The provisions of the floodplain management regulations are detailed in the Ordinance and summarized as follows:

- Additions to definitions of terms used in the regulations.
- Adoption of the FIRM panels.
- Modification of some general floodplain management standards related to residential accessory structures.
- Addition of penalties for violation.

The FIS and FIRM panels related to the City are available for review at www.cityofcarroll.com/engineering.

RECOMMENDATION: Mayor and City Council consideration and passage and approval of the Ordinance Amending Flood Plain Regulations.

RMK:ds

attachment

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CARROLL, IOWA, BY AMENDING PROVISIONS PERTAINING TO FLOOD PLAIN REGULATIONS.

BE IT ENACTED by the City Council of the City of Carroll, Iowa:

SECTION 1. SECTION MODIFIED. Section 165.02 DEFINITIONS of the Code of Ordinances of the City of Carroll, Iowa, is modified by adding the following definitions:

"Appurtenant Structure" means a structure which is on the same parcel of property as the principal structure to be insured and the use of which is incidental to the use of the principal structure.

"Base Flood Elevation" means the elevation floodwaters would reach at a particular site during the occurrence of a base flood event.

"Flood Insurance Study" means an examination, evaluation and determination of flood hazards and corresponding water surface elevations.

"Highest Adjacent Grade" means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

SECTION 2. SECTION MODIFIED. Section 165.03 LANDS TO WHICH CHAPTER APPLIES of the Code of Ordinances of the City of Carroll, Iowa, is repealed and the following adopted in lieu thereof:

> **165.03 LANDS TO WHICH CHAPTER APPLIES.** The provisions of this chapter shall apply to all lands and uses which have significant flood hazards. The Flood Insurance Rate Maps (FIRM) for Carroll County and Incorporated Areas, City of Carroll, Panels 19027C0134C, 0142C, 0151C, 0153C, 0161C, 0162C, dated September 15, 2017, which were prepared as part of the Carroll County Flood Insurance Study, shall be used to identify such flood hazard areas and all areas shown thereon to be within the boundaries of the 100-year flood shall be considered as having significant flood hazards. Where uncertainty exists with respect to the precise location of the 100-year flood boundary, the location shall be determined on the basis of the 100-year flood elevation at the particular site in question. The Flood Insurance Study is hereby adopted by reference and is made a part of this chapter for the purpose of administering flood plain management regulations.

SECTION 3. SECTION MODIFIED. Section 165.08 GENERAL FLOOD PLAIN MANAGEMENT STANDARDS paragraph 11 of the Code of Ordinances of the City of Carroll, Iowa, is repealed and the following adopted in lieu of thereof;

11. Accessory Structures to Residential Uses

SECTION 6. SEVERABILITY CLAUSE. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

SECTION 7. WHEN EFFECTIVE. This ordinance shall be in effect September 15, 2017, after its final passage, approval, and publication as provided by law.

Passed by the Council the _____ day of _____, 20 ___, and approved this ___ day of _____, 20 ___.

_____
Eric P. Jensen, Mayor

ATTEST:

_____
Laura A. Schaefer, City Clerk

First Reading: _____

Second Reading: _____

Third Reading: _____

I certify that the foregoing was published as Ordinance No. _____ on the _____ day of _____, 20 ___.

_____
Laura A. Schaefer, City Clerk