

Passed March 5, 1979

Rose Creek

#59

Sample Flood Plain Management  
Ordinance Prohibiting Future Development

MAR 5 1979

### 1.0 Statutory Authorization

The Legislature of the State of Minnesota in Minnesota Statutes, Chapter 10 and Chapter 462 has delegated the responsibility to local government units to adopt regulations designed to minimize flood losses.

### 2.0 Statement of Purposes

The development of the flood hazard areas of the City of Rose Creek could result in the potential loss of life and property, create health and safety hazards and lead to extraordinary public expenditures for flood protection and relief. Since development of these areas is not essential to the orderly growth of the community and since these lands are suitable for open space uses that do not require structures or fill, the Council of the City of Rose Creek do<sup>e</sup> ordain as follows.

### 3.0 Designation of the Flood Plain District

The Flood Insurance Study for the City of Rose Creek prepared by the Federal Insurance Administration and dated 2/22/79 and the Flood Boundary and Floodway map and Flood Insurance Rate map contained therein are hereby adopted by reference and declared to be a part of this ordinance. The Flood Insurance Study shall be on file in the office of the City Clerk. The Flood Plain District for the City of Rose Creek shall include those areas which lie within the 100 year Flood Boundary on the Flood Boundary and Floodway map.

### 4.0 Permitted Uses in the Flood Plain District

The following uses have a low flood damage potential and do not obstruct flood flows. These uses shall be permitted within the Flood Plain District to the extent that they are not prohibited by any other ordinance and provided they do not require structures, fill, or storage of materials or equipment.

sod farming, and wild crop harvesting.

- 4.12 Industrial-Commercial uses such as parking areas and airport landing strips.
- 4.13 Private and public recreational uses such as golf courses, tennis courts, driving ranges, archery ranges, picnic grounds, boat launching ramps, swimming areas, parks, wildlife and nature preserves, game farms, shooting preserves, target ranges, trap and skeet ranges, hunting and fishing areas, and single or multiple purpose recreational trails.
- 4.14 Residential uses such as lawns, gardens, parking areas, and play areas.

All other uses and all uses that require structures, fill, or the storage of materials or equipment shall be prohibited.

## 5.0 Administration

### 5.1 Development Permits Required.

No person shall erect, construct, enlarge, alter, repair, improve, move, or demolish any building or structure without first obtaining a permit for each building or structure. No mining, dredging, filling, grading, paving, excavation, or drilling operations shall be commenced until a permit has been obtained from the City.

5.2 Duties of the Council. The council shall review all development permit applications to determine whether the proposed use lies in the Flood Plain District. Permit applications for uses to be located in the Flood Plain District shall not be granted unless they comply with provisions of Section 4.0.

### 5.3 Interpretation of District Boundaries.

Where interpretation is needed as to the exact location of the boundaries of the Flood Plain District as shown on the Flood Boundary and Floodway

maps, as for example where there appears to be a conflict between a mapped boundary and actual field conditions, the council shall make the necessary interpretation based on elevations on the regional (100 year) flood profile contained in the Flood Insurance Study and other available technical data.

#### 5.4 Variances.

Applications for variances to the provisions of this ordinance shall be evaluated in accordance with ~~procedures in the intent set forth~~ in Section 4.00. No variance shall have the effect of allowing any use prohibited in a Flood Plain District.

#### 5.5 Amendments.

All amendments to this ordinance must be submitted to and approved by the Commissioner of Natural Resources prior to adoption.

#### 6.0 Definitions

Unless specifically defined below, words or phrases used in this Ordinance shall be interpreted so as to give them the same meaning as they have in common usage and so as to give this Ordinance its most reasonable application.

Development - any man-made change to improved or unimproved real estate including, but not limited to, buildings and other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations.

Flood Plain - the areas adjoining a watercourse which have been or hereafter may be covered by the regional flood.

Regional Flood - a flood which is representative of large floods known to have occurred generally in Minnesota and reasonably characteristic of what can be expected to occur on an average frequency in the magnitude of the 100 year recurrence interval. Regional flood is synonymous with the term "base flood" used in the Flood Insurance Study.

- anything constructed or erected on the ground or attached to  
ground, including, but not limited to, buildings, factories, sheds,  
attached garages, cabins, mobile homes, and other similar items.

Passed this 6th day of March, 1979, with 4 ayes and 0 nays.

Ulmer Tracy  
Mayor

ATTEST:

Aileen Schramm