MUSCATINE

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COMMUNITY DEVELOPMENT

Planning,
Zoning,
Building Safety,
Construction Inspection Services,
Public Health,
Housing Inspections,
Code Enforcement

MEMORANDUM

To: Mayor and City Council Members

Cc: Gregg Mandsager, City Administrator

From: Andrew Fangman, Assistant Community Development Director

Date: July 18, 2019

Re: An Ordinance Amending Title 10, Chapter 4, Section 11, the City Code, Floodplain Regulations Definitions

INTRODUCTION: The Iowa Department of Natural Resources has requested that the City of Muscatine add six definitions to the City's floodplain management regulations.

BACKGROUND: The City of Muscatine's current floodplain management regulations can be found in Chapters 4 and 5 of Title 10 of the City Code of Muscatine. In order for City of Muscatine residents and businesses to be able to continue to participate in the National Flood Insurance Program, the City of Muscatine must have legally enforceable floodplain management regulations that are compliant with Title 44 Code of Federal Regulations 60.3.

Periodically, the Iowa Department of Natural Resources (DNR) periodically reviews the City's adopted floodplain management regulations to determine compliance with Title 44 Code of Federal Regulations 60.3. The DNR has recently completed another such review and is requesting that following definitions be added to the City's floodplain management regulations, in Section 10-4-11 (Definitions)

Appurtenant Structure - *A structure which is on the same parcel of the 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 - *The elevation floodwaters would reach at a particular site during the occurrence of a base flood event.*

Flood Insurance Study *- An examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations.*

Highest Adjacent Grade *- The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.*

Minor Project – *Small development activities (except for, filling, grading, and excavating) valued at less than $500.*

Routine Maintenance of Existing Buildings and Facilities *- Repairs necessary to keep a structure in a safe and habitable condition that do not trigger a building permit, provided they are not associated with a general improvement of the structure or repair of a damaged structure. Such repairs include:*

- ***A.*** *Normal maintenance of structures such as re-roofing, replacing roofing tiles and replacing siding;*
- ***B.*** *Exterior and interior painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work;*
- ***C.*** *Basement sealing;*
- ***D.*** *Repairing or replacing damaged or broken window panes;*
- ***E.*** *Repairing plumbing systems, electrical systems, heating or air conditioning systems and repairing wells or septic systems*

RECOMMENDATION/RATIONALE: The Planning and Zoning Commission and Staff recommends that requested definitions be added to Section 10-4-11 of City Code, which contains definitions specifically relating to floodplain management. Such action is required for the City of Muscatine to remain compliant with Title 44 Code of Federal Regulations 60.3 and for residents and businesses to remain eligible to participate in the National Flood Insurance Program.

Prior to City Council action on the proposed ordinance, a public hearing is required. It is recommended that the attached resolution setting a public hearing, for August 1st, on the proposed ordinance revising the Zoning Ordinance.

Prepared by Andrew Fangman – City Hall - 215 Sycamore St. – Muscatine, IA 52761- (563) 262-4141

RESOLUTION NO. _____

A RESOLUTION SETTING THE TIME AND PLACE TO CONDUCT A PUBLIC HEARING ON AN ORDINANCE AMENDING TITLE 10, CHAPTER 4, SECTION 11 OF THE CITY CODE, FLOODPLAIN REGULATIONS DEFINITIONS

WHEREAS, The City of Muscatine's current floodplain management regulations can be found in Chapters 4 and 5 of Title 10 of the City Code of Muscatine; and

WHEREAS, In order for City of Muscatine residents and businesses to be able to continue to participate in the National Flood Insurance Program, the City of Muscatine must have legally enforceable floodplain management regulations that are compliant with Title 44 Code of Federal Regulations 60.3; and

WHEREAS, Periodically, the Iowa Department of Natural Resources (DNR) periodically reviews the City's adopted floodplain management regulations to determine compliance with Title 44 Code of Federal Regulations 60.3; and

WHEREAS, The DNR has recently completed another such review and is requesting that definitions of appurtenant structure, base flood elevation, flood insurance study, highest adjacent grade, minor project, and routine maintenance of existing buildings and facilities, be added to the City's floodplain management regulations, in Section 10-4-11; and

WHEREAS, the Planning and Zoning Commission on July 9, 2019 voted to recommend approval the revisions to the floodplain regulation defintions; and

WHEREAS, a public hearing must be conducted by the City Council of Muscatine prior to the adoption changes to the zoning ordinance;

NOW, THEREFORE, BE IT RESOLVED, by the City Council for the City of Muscatine, that a Public Hearing is hereby established to review to allow the public to comments on the proposed ordinance amending Title 10, Chapter 4, Section 11, the City Code, Floodplain Regulations Definitions. Said hearing to be conducted at 7:00 P.M. on Thursday, August 1, 2019, in the City Hall Council Chambers.

PASSED, APPROVED, AND ADOPTED by the City Council for the City of Muscatine, Iowa, on this, the 7th day of December 2017.

Diana L. Broderson, Mayor

ATTEST:

Gregg Mandsager, City Clerk

PUBLIC NOTICE

NOTICE OF TIME AND PLACE FOR A PUBLIC HEARING ON AN ORDINANCE AMENDING TITLE 10, CHAPTER 21, AND TITLE 5, CHAPTER 11, OF THE CITY CODE, FLOODPLAIN REGULATIONS DEFINITIONS

The City of Muscatine's current floodplain management regulations can be found in Chapters 4 and 5 of Title 10 of the City Code of Muscatine. In order for City of Muscatine residents and businesses to be able to continue to participate in the National Flood Insurance Program, the City of Muscatine must have legally enforceable floodplain management regulations that are compliant with Title 44 Code of Federal Regulations 60.3. Periodically, the Iowa Department of Natural Resources (DNR) periodically reviews the City's adopted floodplain management regulations to determine compliance with Title 44 Code of Federal Regulations 60.3. The DNR has recently completed another such review and is requesting that definitions of appurtenant structure, base flood elevation, flood insurance study, highest adjacent grade, minor project, and routine maintenance of existing buildings and facilities, be added to the City's floodplain management regulations, in Section 10-4-11. Notice is further given that the City council of the City of Muscatine, Iowa, will conduct a public hearing on said change to City Code on Thursday, August 1, 2019, at 7:00 p.m. in the City Hall Council Chambers, at which time all interested parties are invited to comment.

Gregg Mandsager, City Clerk