

**Department of Community Planning and Economic Development – Planning Division  
Zoning Code Text Amendment**

**Date:** September 27, 2004

**Initiator Of Amendment:** Council Member Gary Schiff

**Specific Site:** Citywide

**Ward:** Citywide      **Neighborhood Organization:** Citywide

**Planning Staff And Phone:** Steve Weckman 612-673-5849

**Intent of the Ordinance:** The purpose of the ordinance revision is to comply with Federal Emergency Management Agency (FEMA) requirements for the City to remain eligible for the National Flood Insurance Program (NFIP).

**Affected Section(s) of the Zoning Code:** Section 551.540 through 551.650.

**Background:** Chapter 551, Overlay Districts, was last amended in 1999. The Floodplain Overlay District (FP) was established to minimize damage to property due to flooding and promote health, safety, and welfare. The ordinance allows residents of Minneapolis to remain eligible for the NFIP. FEMA is now requiring adoption of new flood zone maps and amendments to the floodplain ordinance in order to remain eligible for the NFIP.

**Purpose For The Amendment:**

**What is the reason for the amendment?** The City has been notified by FEMA that the requested amendment is mandatory to remain eligible for the NFIP. Residents of a suspended community are unable to renew insurance policies, purchase a new policy, or qualify for many forms of disaster aid that may be made available after a presidential disaster declaration.

**What problem is the Amendment designed to solve?** This amendment would incorporate new technical standards regarding floodproofing methods, clarify development standards within floodplains, and add or alter some definitions to make the ordinance easier to apply.

**What public purpose will be served by the amendment?** The amendment will allow residents of the City access to flood insurance through the NFIP and flood relief after a presidential disaster determination.

**What problems might the amendment create?** No problems are foreseen. The amendment would increase disclosure requirements by the City of Minneapolis to FEMA and other local government agencies regarding proposed changes to effected water courses and the 100 year floodplain. The City would also be required to more closely regulate nonconformities within the Floodplain Overlay District.

## **Timeliness:**

**Is the amendment timely?** The amendment is needed now because FEMA required revision by September 2, 2004. A moratorium is in effect until November 25, 2004 to allow the City to additional time to approve a permanent amendment to the floodplain ordinance.

**Is the amendment consistent with practices in surrounding areas?** All communities within the State are required to adopt the same basic standards.

**Are there consequences in denying this amendment?** The City has been notified by FEMA that the requested amendment is mandatory to remain eligible for the NFIP. Residents of a suspended community are unable to renew insurance policies, purchase a new policy, or qualify for many forms of disaster aid that may be made available after a presidential disaster declaration.

## **Comprehensive Plan:**

### **How will this amendment implement the Comprehensive Plan?**

The Minneapolis Plan has the following relevant policies:

#### **7.5 Minneapolis will protect and sustain its water resources.**

##### **Implementation Steps**

Develop and adopt a municipal Water Plan in conformance with local watershed groups and regional, state and federal agencies, in order to properly manage water resources and to help all citizens be stewards of irreplaceable natural resources such as clean water.

Undertake community-based and citywide measures to protect lake water quality by managing storm runoff, employing erosion control measures and other best management practices.

Encourage practices that result in either reduced overall amounts of impervious surfaces, or disconnect impervious surfaces and allow water to be slowed or detained in vegetated areas where it will do no harm to homes or property.

Preserve and restore wetlands for their irreplaceable contributions to water quality, control of floodwater rates and volumes, wildlife habitat and aesthetic purposes.

Develop and adopt a stormwater management ordinance for projects that will result in sizable land disturbance activity, with design standards for appropriate "best management practices" in order to reduce both runoff volume and contaminant loading from surface water runoff.

### **Recommendation of the Community Planning and Economic Development - Planning Division:**

The Department of Community Planning and Economic Development - Planning Division recommends that the City Planning Commission and City Council adopt the above findings and **approve** the text amendment.