

Pursuant to due call and notice thereof, a Planning Commission meeting was held on Tuesday, October 19, 2010 at 6:30 p.m.

PRESENT: Rick Fischbach, Doug Millaway, Katie Reiling, Jeff Meyer, Josh Thieschaefer

ABSENT: None

The meeting was called to order at 6:30 p.m.

MINUTES OF SEPTEMBER 21, 2010

Motion by Jeff Meyer to approve the minutes as written, second by Rick Fischbach, all in favor and carried.

FLOODPLAIN ORDINANCE

Marshall Deters from the DNR was present at the meeting to explain how this floodplain ordinance works. There was a lot of information that he needed to get for us yet, as we are one of the first communities to actually start working on this ordinance.

Incompatible uses in a flood plain—that is what we are trying to accomplish by adopting this ordinance. This ordinance would cover the 1% flood chance area. There are very few if not zero structures that fall within the blue line (flood line). If there are homes in this area, those people would need to have flood insurance. The maps that we received from Marshall Deters are draft maps and are not fully updated. Middle and Upper Spunk are not included in this flood area. The Spunk Creek watershed was started at Lower Spunk. Existing, non-conforming uses for the homes would possibly be in the new area if we decide to extend the area. For example driveways wouldn't need to be fixed because they are preexisting.

The City needs to decide how do we want to deal with the areas that are not on the draft map? According to law, we only need to adopt what is in the blue (flood) area. 3' above the ordinary high water level is the general regulation if there is no detailed study. Middle and Upper Spunk are not included in this flood area but we can choose to apply the same restrictions to these other lakes that are not mapped. The city has time to make a request to FEMA to have them delineate the other two lakes. Marshall Deters said FEMA does not charge to have this study completed and he would recommend having it done.

High water issues to look into would be on Barracuda and Stratford—Stratford is now in the process of setting up rain gardens. There may be different standards for Lower Spunk and different elevations for Upper Spunk Lake. Lower Spunk may be at the elevation of the flood fringe area. Marshall Deters will get this information to us as soon as he find out. The Planning Commission questions whether we really need to be adopting this ordinance. They want to know if this will affect our future ability to obtain any grants from FEMA in the future. Marshall Deters will check into this and get back to us.

Insurance companies are saying if any part of a property owners yard touches the flood plain area that the property owners will be required to have flood insurance. The landowner would need to provide proof that they are not within the flood plain area by sending a photo to the mortgage company or the insurance company showing that their house is out of the blue line and send that photo to the mortgage company. This photo will come from the flood plain maps that will be adopted by the City. Also, if a property owner would tear down their home they would need to meet the new standards. So they wouldn't be able to use the current foundation if it is below the ordinary high water level. The Planning Commission believes that the standard is if they are replacing 50% or more they would need to meet the new standards. Property owners will not be able to refinance mortgages in they are within the flood plain.

Procedure:

- ❑ Get all needed information from the DNR (maps, .dbf files) and review maps.
- ❑ Take time to go through the sample ordinance and revise-- The "uses" section of the ordinance is where the city has the most flexibility with regard to making changes.
- ❑ Report conclusions and present to the city council—Once the Stearns County maps come out, we will have 6 months to adopt the ordinance.

Once the city is finished with the ordinance we will send it to Marshall Deters at the DNR who will review the ordinance and then the DNR will adopt the ordinance. The DNR wants to work with us early before the final draft is stamped by the city council so changes do not need to be made.

Meeting adjourned at 7:35 p.m.

NOTES

- ❑ Start collecting certificates on the basement elevation on new homes in the shoreland area.
- ❑ Make sure Hugh Knox has copies of everything that has been exchanged back and forth from the DNR and invite him to the next meeting.
- ❑ Get the .dbf file and put it into the arc reader program. May need to contact S.E.H. to find out how to upload this file. Send .pdf map to everyone. These will be able to be blown up to see if there are any houses in the blue area.

Respectfully submitted,
Amy Pogatchnik