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**ITEM 2 & 3**  
**6:13 p.m.**

**CASE:** PL2016-142 and PL2016-144

**APPLICANT:** City of Bloomington

**REQUEST:**

- 1) Amending and reorganizing sections of Chapters 19 and 21 of the Bloomington City Code pertaining to the Flood Hazard Overlay District. The proposed changes update City Code language to be consistent with Federal Emergency Management Agency (FEMA) requirements and move the current Flood Hazard Overlay District section from Chapter 19 to Chapter 21
- 2) A Zoning Map amendment modifying the boundaries of the Flood Hazard (FH) Overlay District to match the updated Flood Insurance Rate Maps (FIRMs)

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**SPEAKING FROM THE PUBLIC:**

Duane Filipek, 9621 Upton Rd

**PUBLIC HEARING DISCUSSION:**

Bryan Gruidl noted the FEMA maps are used for floodplain management. The last update to the maps was in 2004. The National Flood Insurance Program (NFIP) was created in 1968 to help property owners protect themselves and to reduce the risk of flooding. In order to participate, communities must incorporate floodplain management standards in the codes. The Code is being updated to incorporate the updated maps effective November 4, 2016. Staff submitted a draft ordinance to MnDNR which updated FIRM map references and various standards for continued compliance with the NFIP.

The rezoning ordinance is to update the flood hazard overlay map to incorporate the updated changes to the Flood Insurance Rate Maps (FIRMs). He displayed a map showing a sample area of the floodplain, highlighting areas retracted from the floodplain and areas added to the floodplain. To illustrate how the updated maps affect Bloomington, Staff divided the properties in 3 categories: out of floodplain but within 500 feet so notice was required -3,000 properties; property intersects floodplain – 313 properties; and principal structure within floodplain - 22 properties. Federal law requires principal structures in the Flood Hazard area with a loan to carry flood insurance. Lenders will likely send letters to the homeowners within those areas to provide information on insurance. Staff sent 3,300 notices and is most concerned with the 22 principal structures identified within the Special Flood Hazard Area (SFHA). There are 3 parcels with a flood insurance policy, 13 within the SFHA with no record of flood insurance and 6 parcels with a Letter of Map Amendment (LOMA) that will carry over.

Goodrum asked how the proposed updates will affect zoning standards.

Gruidl said the changes are to update definitions and standards, and adopt the new maps.

Batterson asked how many new homeowners are now within a floodplain.

Gruidl noted there are 13 properties, three of which are not impacted by the elevation.

Batterson asked if there are properties in the floodplain that are below the elevation.

Gruidl said the homes affected by the floodplain have historically been affected by the floodplain so their low floor elevations continues to be within the floodplain.

Batterson asked if there are any programs to help homeowners raise the base elevation in order to reduce premium rates.

Gruidl said there are ways floodproofing can be done to help lower insurance rates, but staff has not explored it further. Many properties are located close to Nine Mile Creek. There are floodproofing resources available on the MnDNR website.

Solberg asked if there are restrictions for properties located within the flood hazard. How many are affected?

Gruidl said staff identified 313 properties located within the flood hazard. Fences are allowed, but staff must review the plan in order to avoid the occurrence of dams.

Solberg asked how many of the 313 properties were added to the floodplain?

Gruidl stated he did not have the number on hand but can provide the number.

Solberg stated it is important for the new properties to be aware of the floodplain standards and regulations.

Duane Filipek lives along Nine Mile Creek. He noticed the creek has changed, especially this year, as the water has gone over the banks much more frequently than in the past. He recommended the City look at water runoff from blacktop parking lots and wondered if there is funding to preserve the banks along Nine Mile Creek.

The public hearing was closed via a motion.

Batterson appreciated the work and noted the City is fortunate that flooding has had a modest impact on homeowners.

Swanson said there are municipalities that require stormwater runoff to be held within the property. He suggested the City should look at stormwater runoff procedures for future construction.

Markegard noted the first motion is for the ordinance amendment and the second motion for the rezoning.

The item moves to City Council on October 3<sup>rd</sup>, 2016.

**ACTIONS OF THE COMMISSION:**

**M/Batterson, S/Bennett:** To close the public hearing. Motion carried 6-0.

**M/Solberg, S/Goodrum:** In Case PL2016-142, I move to recommend City Council approve an ordinance as attached to the staff report amending sections of Chapters 19 and 21 of the Bloomington City Code pertaining to the Flood Hazard Overlay District.  
Motion carried 6-0

**M/Solberg, S/Goodrum:** In Case PL2016-144, I move to recommend City Council approve a rezoning ordinance modifying the boundaries of the Flood Hazard (FH) Overlay District to be consistent with updated Flood Insurance Rate Maps (FIRMs) prepared by the Federal Emergency Management Agency.  
Motion carried 6-0.