

Borrow Pit (Detention Pond)

ZONING ORDINANCE

CHAPTER 30

OTHER PERMITS

[Ordinance 3393, 6/10/85]

10-30-1 PERMITS.

B. Flood Plain Development Permit.

A Flood Plain Development Permit issued by the City Planner or designee shall be secured prior to initiation of any flood plain development (any manmade change to improved and unimproved real estate, including but not limited to buildings or other structures, mining, filling, grading, paving, excavation or drilling operations), including the placement of factory-built homes. [Ordinance 5049, 6/20/11]

1. Application for a Flood Plain Development Permit shall be made on forms supplied by the City Planner or designee and shall include the following information: [Ordinance 3973, 9/27/93]

- a. Description of the work to be covered by the permit for which application is to be made.
- b. Description of the land on which the proposed work is to be done (i.e., lot, block, tract, street address or similar description) that will readily identify and locate the work to be done.
- c. Indication of the use or occupancy for which the proposed work is intended.
- d. Elevation of the 100-year flood.
- e. Elevation (in relation to North American Vertical Datum 1988) of the lowest floor (including basement) of buildings or of the level to which a building is to be flood-proofed.
- f. For buildings being improved or rebuilt, the estimated cost of improvements and market value of the building prior to the improvements.
- g. Such other information as the City Planner or designee deems reasonably necessary for the purpose of this Ordinance.

2. Flood Plain Development Permits issued on the basis of approved plans and applications authorize only the use, arrangement and construction set forth in such approved plans and applications and no other use, arrangement or construction. Any use, arrangement, or construction at variance with that authorized shall be deemed a violation of this Ordinance and shall be punishable as provided within this Ordinance. The applicant shall be required to submit certification by a professional engineer or land surveyor, as appropriate, registered in the State of Iowa, that the finished fill, building floor elevations, flood-proofing, or other flood protection measures were accomplished in compliance with the provisions of this Ordinance prior to the use or occupancy of any structure.

3. All uses or structures in the Floodway, Floodway Fringe, General Flood Plain, and Shallow Flooding Districts requiring Special Permits shall be allowed only upon application to the City Planner or designee, with issuance of the Special Permit by the Board of Adjustment. Petitioners shall include information ordinarily submitted with

applications as well as any additional information deemed necessary by the Board of Adjustment.

Where required, approval of the Iowa Department of Natural Resources shall precede issuance of the Special Permit by the Board of Adjustment. [Ordinance 3973, 9/27/93]

D. Iowa Department of Natural Resources - Required Developmental Approval.

In addition to the Variance and Special Permit (Conditional Uses), approval by the Iowa Department of Natural Resources (IDNR) is required for, but not limited to, the following types of projects: [Ordinance 3973, 9/27/93]

1. Bridges, culverts, temporary stream crossings, road embankments in or on floodway of any river or stream draining more than two (2) square miles.
2. Construction, operation and maintenance of channel alterations on any river or stream draining more than two (2) square miles.
3. Construction, operation and maintenance of dams and impounding structures in the following instances:
 - a. Any dam designed to provide permanent storage in excess of eighteen (18) acre-feet.
 - b. Any dam which has a height of ten (10) feet or more and is designed to temporarily store more than five (5) acre-feet at the top of dam elevation, or impounds a stream draining two (2) or more square miles.
4. Construction, operation and maintenance of any levee or dike along any stream or river draining more than two (2) square miles.
5. Waste or water treatment facilities on the flood plains of any river or stream draining more than two (2) square miles.
6. Construction, operation and maintenance of any sanitary landfill located on a flood plain or floodway of any river or stream draining more than two (2) square miles at the landfill site.
7. Construction, operation and maintenance of any pipeline crossings on any river or stream draining more than two (2) square miles.
8. Stream bank protective devices as follows:
 - a. Stream bank protective devices along any river or stream draining more than one hundred (100) square miles.
 - b. Stream bank protective devices along any river or stream draining between two (2) and one hundred (100) square miles where the cross sectional area of the river or stream channel is reduced more than three percent (3%).
9. Excavation on the floodway of any stream draining more than two (2) square miles.
10. Boat docks located on any river or stream (other than a lake) other than exempted non-floating boat dock.

**DUTIES AND RESPONSIBILITIES OF THE CITY PLANNER OR OFFICIAL
DESIGNEE**

[Ordinance 3393, 6/10/85]

10-33-1 INFORMATION TO BE OBTAINED OR MAINTAINED.

A. It shall be the responsibility of the City Planner or his or her official designee to:

[Ordinance 3973, 9/27/93]

1. Review all flood plain development permit applications to ensure that the provisions of this Ordinance will be satisfied.
2. Review all flood plain development permit applications to ensure that all necessary permits have been obtained from Federal, State or local governmental agencies.