

City of Delano
County of Wright
State of Minnesota

Ordinance O-24-05

Table 1. Summary of Permitting Requirements for Structures Structure Type	Floodway	Flood Fringe One FF-1	Flood Fringe Two FF-2	Standards* *Note - many of these standards are cross-referenced
Accessory Structures – on fill	Only specific uses and types allowed – with CUP	Allowed with Permit Per section 6.23.D(2)	Prohibited	6.23.D(2)
Accessory Structures – Alt. Elevation Methods	Only specific uses and types allowed – with CUP	Allowed with Permit Per section 6.23.D(3)	Prohibited	6.23.D(3)
Accessory Structures – Wet Floodproofing	Only specific uses and types allowed – with CUP	Allowed with Permit Per section 6.23.D(1)	Prohibited	6.23.D(1)
Accessory Structures – Dry (watertight) Floodproofing	Only specific uses and types allowed – with CUP	Allowed with Permit Per section 6.23.D(4)	Prohibited	6.23.D(4)
Residential – on fill	Not allowed	Allowed with Permit Per section 6.21.A	Prohibited	6.21.A
Residential – Alt. Elevation Methods	Not allowed	Allowed with CUP Per section 6.41	Prohibited	6.41
Residential – Dry (watertight) Floodproofing and/or Basement Construction below RFPE	Not allowed	Not allowed	Prohibited	N/A
Non-Residential – on fill	Not allowed	Allowed with Permit Per Section 6.22.A	Prohibited	6.22.A
Non-Residential – Alt. Elevation Methods	Not allowed	Allowed with Permit Per section 6.22.B	Prohibited	6.22.B
Non-Residential – Dry (watertight) Floodproofing and/or Basement Construction below RFPE	Not allowed	Allowed with Permit Per Section 6.22.C	Prohibited	6.22.C

SECTION 5.0 FLOODWAY DISTRICT

5.1 Permitted Uses in Floodway. Development allowed in the floodway district is limited to that which has low flood damage potential and will not obstruct flood flows, increase velocities, or increase the water surface elevations of the one-percent annual chance flood. The following uses and activities may be allowed with a permit, subject to the standards in Section 5.2:

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5.11 Agricultural uses, recreational uses, parking lots, loading areas, airport landing strips, water control structures, navigational facilities, as well as public open space uses.

5.12 Roads, driveways, railroads, trails, bridges, and culverts.

5.13 Public utility facilities and water-oriented industries which must be in or adjacent to watercourses.

5.14 Grading, filling, land alterations, and shoreline stabilization projects.

5.15 No structures, as defined in Section 2.0, are allowed in the Floodway District, except structures accessory to the uses detailed in Sections 5.11 and 5.31, which require a CUP under Section 5.32.

5.16 Levees or dikes intended to protect agricultural crops, provided the top of the dike does not exceed the 10-percent annual chance flood event.

5.2 **Standards for Permitted Uses in Floodway.** In addition to the applicable standards detailed in Section 4.0:

5.21 The applicant must demonstrate that the development will not result in any of the following during the one-percent annual chance flood: cause a stage increase of 0.00 feet or greater, obstruct flood flows, or increase velocities. This shall be demonstrated through hydrologic and hydraulic analysis performed by a professional engineer or using other standard engineering practices (e.g. projects that restore the site to the previous cross-sectional area). This is commonly documented through a “no-rise certification.”

5.22 Any development that would result in a stage increases greater than 0.00 feet may only be allowed with a permit if the applicant has applied for and received approval for a Conditional Letter of Map Revision (CLOMR) in accordance with 44 CFR § 65.12. Map revisions must follow the procedures in Sections 12.15 and 15.0.

5.23 Any development resulting in decreases to the water surface elevation of the base flood identified in the Flood Insurance Study requires a Letter of Map Revision (LOMR) following the procedures in Sections 12.15 and 15.0.

5.24 Any development in the beds of public waters that will change the course, current or cross section is required to obtain a public waters work permit in accordance with Minnesota Statutes, section 103G.245 or a utility crossing license in accordance with Minnesota Statutes, section 84.415, from the Department of Natural Resources, or demonstrate that no permit is required, before applying for a local permit.

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5.25 Any facility used by employees, or the general public must be designed with a flood warning system acceptable to the Zoning Administrator that provides adequate time for evacuation or be designed to ensure that within the area inundated during the base flood event, the depth (in feet) multiplied by the velocity (in feet per second) is less than four.

5.26 Fill and other land alteration activities must offer minimal obstruction to the flow of flood waters and be protected from erosion and sediment entering surface waters by the use of vegetative cover, riprap or other methods as soon as possible.

5.3 **Conditional Uses in Floodway.** The following uses and activities may be permitted as conditional uses, subject to the standards detailed in Sections 5.4:

5.31 Commercial extractive uses, and storage and stockpiling yards.

5.32 Structures accessory to uses detailed in Sections 5.11 and 5.31.

5.4 **Standards for Conditional Uses in Floodway.** In addition to the applicable standards detailed in Sections 4.0, 5.2 and 12.2:

5.41 Extractive uses and storage of materials require the completion of a site development and restoration plan, to be approved by the City of Delano.

5.42 Accessory Structures. Structures accessory to the uses detailed in Sections 5.11 and 5.31 must be constructed and placed so as to offer a minimal obstruction of flood waters and are subject to the standards in Section 6.23 of this ordinance.

SECTION 6.0 FF-1 FLOOD FRINGE DISTRICT ONE DISTRICT.

6.1 **Permitted Uses in Flood Fringe One District.** Any uses or activities allowed in any applicable underlying zoning districts may be allowed with a permit, subject to the standards set forth in Section 6.2.

6.2 **Standards for Permitted Uses in FF-1 Flood Fringe One District.** In addition to the applicable standards detailed in Section 4.0:

6.21 Residential Structures.

A. Elevation on Fill. Structures erected, constructed, reconstructed, altered, or moved on fill within the Flood Fringe District shall be placed so that the lowest floor, as defined in Section 2.0 of this ordinance, is elevated at or above the Regulatory Flood Protection Elevation (RFPE). The finished fill elevation shall be at