

AGENDA
VALLEY CITY COUNCIL
Monday, March 24, 2025
City Hall
203 North Spruce
Valley, NE 68064
7:00 PM

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Proof of Publication**
5. **Visitors/Correspondence**

Anyone desiring to speak on any item or issue not on the agenda or any item on the agenda that does not include a public hearing may do so; but shall be limited to three (3) minutes. Persons should identify themselves by name and address. Persons speaking should not expect the Council to engage in back-and-forth dialogue regarding their comments. Unless an agenda item includes a public hearing, no person may speak during the business portion of the meeting; provided, however, persons speaking during a public hearing are limited to between five (5) and twenty (20) minutes. The public is advised that a copy of the Open Meetings Act is located on the north wall of the Council Chamber, and one copy of all reproducible written material to be discussed at this meeting is available for examination or copying.

6. **Approval of Agenda**
7. **Consider an ordinance change to amend floodplain management regulations.**
 - **Review**
 - **Open Public Hearing**
 - **Close Public Hearing**
 - **Ordinance 835**
8. **Adjourn**

The City Council reserves the right to enter into an executive session at any time during the meeting, in accordance with the Nebraska Open Meetings Act, even though the closed session may not be indicated on the agenda.

It is the intention of the City Council to take up the items on the agenda in sequential order. However, the City Council reserves the right to take up matters in a different order to accommodate the schedules of the City Council members, persons having items on the agenda, and the public.

**NOTICE OF SPECIAL MEETING
CITY OF VALLEY
Monday, March 24, 2025
7:00 p.m.
Valley City Hall
203 N. Spruce Street, Valley, NE**

The City Council of the City of Valley, Nebraska will hold a Special Meeting on Monday, March 24, 2025 at 7:00 p.m. An agenda kept continually current shall be available for public inspection at the principal office of this governing body. The object of the Special Meeting is:

- 1. Consider ordinance change to amend floodplain management regulations. A public hearing will be held to allow the public an opportunity to provide testimony and comments on this matter.

Christie Donnermeyer,
City Clerk

3/21 ZNEZ



Proof of Publication

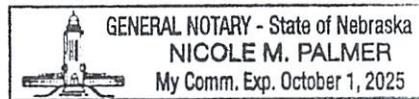
JASON W. HUFF, Publisher

UNITED STATES OF AMERICA,
The State of Nebraska,
District of Nebraska,
County of Douglas,
City of Omaha } ss.

JASON W. HUFF, being duly sworn, deposes and say that they are the PUBLISHER and/or MANAGING EDITOR of THE DAILY RECORD, of Omaha, a legal newspaper, printed and published daily in the English language, having a bona fide paid circulation in Douglas County in excess of 300 copies, and a general circulation in Sarpy, Lancaster, Cass and Dodge Counties, printed in Omaha, in said County of Douglas, Nebraska for more than fifty-two weeks last past; that the printed notice here-to attached was published in THE DAILY RECORD, of Omaha, for 1 consecutive weeks on:

3/21/25

That said Newspaper during that time was regularly published and in general circulation in the County of Douglas, and State of Nebraska.



Publisher's Fee \$26.67 Jason W. Huff
Additional Copies \$ _____ Subscribed in my presence and sworn to before
me this MARCH 21 2025
Filing Fee \$ _____
Total \$26.67 Nicole M. Palmer
Notary Public in and for
Douglas County, State of Nebraska

The Daily Record

RECEIVED
MAR 24 2025

BY: _____

OFFICE OF THE CLERK OF SUPERIOR COURT
COUNTY OF WISCONSIN
JANUARY 1, 1900
TO THE CLERK OF SUPERIOR COURT
COUNTY OF WISCONSIN
AT MILWAUKEE, WISCONSIN
FOR THE DEPOSIT OF A COPY OF THE
DAILY RECORD, PUBLISHED AT
MILWAUKEE, WISCONSIN, BY
THE WISCONSIN PUBLISHING COMPANY
FOR THE YEAR 1900

GENERAL NOTARY - State of Wisconsin
ROBERT M. PALMER
1111 Wisconsin Street, Milwaukee, Wis.

[Signature]

MAR 24 1905

[Signature]
Notary Public for the State of Wisconsin

ORDINANCE NO. 835

AN ORDINANCE TO AMEND EXISTING SECTIONS OF THE CITY OF VALLEY ZONING REGULATIONS RELATING TO FLOODPLAIN REGULATIONS; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE, PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF VALLEY, DOUGLAS COUNTY, NEBRASKA, AS FOLLOWS:

Section 1. That existing Section 5.21.04(1) of the City of Valley Zoning Regulations is hereby repealed.

Section 2. That a new Section 5.21.04(1) of the City of Valley Zoning Regulations shall be inserted and shall read as follows:

1. Lands to which ordinance applies.

This ordinance shall apply to all lands within the jurisdiction of the City of Valley, Nebraska identified on the Flood Insurance Rate Map (FIRM) 31055C0135H, 31055C0145H, 31055C0153H, 31055C0161H, 31055C0165H dated December 2, 2005; 31055C0154J, 31055C0155J, 31055C0160J, 31055C0162J dated May 19, 2014; 31055C0170L dated March 25, 2025, and any revisions thereto, as numbered and unnumbered A Zones (including AE, AO and AH Zones) and within the Zoning Districts FW and FF established in Sections 5.21.05 of this ordinance. In all areas covered by this ordinance no development shall be permitted except upon the issuance of a floodplain permit to develop, granted by the governing body or its duly designated representative under such safeguards and restrictions as the governing body or the designated representative may reasonably impose for the promotion and maintenance of the general welfare, health of the inhabitants of the community and where specifically noted in Sections 5.21.06 through 5.21.08.

Section 3. That existing Section 5.21.02(3)(a) of the City of Valley Zoning Regulations is hereby repealed.

Section 4. That a new Section 5.21.02(3)(a) of the City of Valley Zoning Regulations shall be inserted and shall read as follows:

- a. Selection of a regulatory flood which is based upon engineering calculations which permit a consideration of such flood factors as its expected frequency of occurrence, the area inundated, and the depth of inundation. The base flood is selected for this ordinance. It is representative of large floods which are reasonably characteristic of what can be expected to occur on the particular streams subject to this

ordinance. It is in the general order of a flood which could be expected to have a one percent (1%) chance of occurrence in any one year, as delineated on the Federal Insurance Administration's Flood Insurance Study 31055CV001E, 31055CV002E, 31055CV003E, and 31055CV004E dated 03/25/2025, as amended, and any future revisions thereto.

Section 5. That existing Section 5.21.07(4)(a) of the City of Valley Zoning Regulations is hereby repealed.

Section 6. That a new Section 5.21.07(4)(a) of the City of Valley Zoning Regulations shall be inserted and shall read as follows:

- a. Design **and** anchorage to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.

Section 7. That existing Section 5.21.08(2)(I)(1) and Section 5.21.08(2)(I)(2) of the City of Valley Zoning Regulations are hereby repealed.

Section 8. That anew Section 5.21.08(2)(I)(1) and a new Section 5.21.08(2)(I)(2) of the City of Valley Zoning Regulations shall be inserted and shall read as follows:

1. All new construction and substantial improvements of residential structures shall have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as one (1) foot above the depth number specified in feet on the community's FIRM or, if no depth number is specified on the FIRM, at least as high as three (3) feet.
2. All new construction and substantial improvements of non-residential structures shall:
 - a. Have the lowest floor elevated above the highest adjacent grade at least as high as one (1) foot above the depth number specified in feet on the community's FIRM or, if no depth number is specified on the FIRM, at least as high as three (3) feet.
 - b. Together with attendant utility and sanitary facilities be completely floodproofed to or above that level so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. Such certification shall be provided to the official as set forth in Section [5.21.05\(3\)\(G\)](#).

Adequate drainage paths around structures on slopes shall be required in order to guide floodwaters around and away from proposed structures.

Section 9. Section 5.21.14 (Definitions) of the City of Valley Zoning Regulations shall be amended to include the following:

- **Base Flood Elevation** means the elevation to which floodwaters are expected to rise during the base flood.
- **Expansion to an Existing Manufactured Home Park or Subdivision** means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).
- **Floodproofing** means any combination of structural and nonstructural additions, changes, or adjustments to structures that reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, and structures and their contents.
- **New Manufactured Home Park or Subdivision** means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.
- **Obstruction** means any wall, wharf, embankment, levee, dike, pile, abutment, projection, excavation (including the alteration or relocation of a watercourse or drainway), channel rectification, bridge, conduit, culvert, building, stored equipment or material, wire, fence, rock, gravel, refuse, fill, or other analogous structure or matter which may impede, retard, or change the direction of the flow of water, either in itself or by catching or collecting debris carried by such water, or that is placed where the natural flow of the water would carry such structure or matter downstream to the damage or detriment of either life or property. Dams designed to store or divert water are not obstructions if permission for the construction thereof is obtained from the Department of Natural Resources pursuant to the Safety of Dams and Reservoirs Act (Nebraska Revised Statutes 46-1601 to 46-1670 as amended).
- **Post-FIRM Structure** means a building that was constructed or substantially improved after December 31, 1974 or on or after the community's initial Flood Insurance Rate Map dated March 18th, 1980, whichever is later.
- **Pre-FIRM Structure** means a building that was constructed or substantially improved on or before December 31, 1974 or before the community's initial Flood Insurance Rate Map dated March 18th, 1980, whichever is later.
- **Regulatory Flood Elevation** means the base flood elevation (BFE) plus a freeboard factor as specified in this ordinance.
- **Violation** means a failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the Elevation Certificate, other certifications, or other evidence of compliance required in this ordinance is presumed to be in violation until such time as that documentation is provided.
- **Water Surface Elevation** means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, (or other datum, where specified)

of floods of various magnitudes and frequencies in the flood plains of coastal and riverine areas.

Section 10. This Ordinance shall take effect and be in force after its passage and approval, as provided by law.

Section 11. If any section, clause, provision or part or portion of any section, clause or provision of this ordinance or the application thereof to any person or circumstance is held unconstitutional, such invalidity or unconstitutionality shall not affect the validity or application of any other section, clause, provision or part or portion of this ordinance.

Section 12. All ordinances, sections, or parts thereof in conflict herewith are hereby repealed.

PASSED AND APPROVED THIS 24th DAY OF MARCH, 2025.

CITY OF VALLEY, DOUGLAS COUNTY, NEBRASKA

Cindy Grove, Mayor

ATTEST:

Christie Donnermeyer, City Clerk