

ARTICLE D

Flood Fringe District (FF)

SEC. 13-3-32 APPLICABILITY.

The provisions of this Article shall apply to all areas within the Flood Fringe District, as shown on the official floodplain zoning maps, and to those portions of the General Floodplain District that are determined to be in the flood fringe area pursuant to Section 13-3-64 of this Chapter.

SEC. 13-3-33 PERMITTED USES.

Any structures, land use or development, including accessory structures and uses, are allowed within the Flood Fringe District and flood fringe portions of the General Floodplain District, provided that the standards contained in Section 13-3-32 are met, that the use is not prohibited by this or any other ordinance or any other local, state or federal regulation and that all permits or certificates required by Article G have been issued.

SEC. 13-3-34 STANDARDS FOR DEVELOPMENT IN FLOOD FRINGE AREAS.

- (a) **STANDARDS.** All of the provisions of Section 13-3-18 shall apply hereto.
- (b) **RESIDENTIAL USES.** Any structure or building used for human habitation *including a manufactured home*, which is to be erected, constructed, reconstructed, altered or moved into the flood fringe area shall meet or exceed the following standards:
 - (1) The elevation of the lowest flood excluding the basement or crawl-way shall be at or above the flood protection elevation (which is a point two [2] feet above the regional flood elevation) except where Subsection (2) below is applicable. The fill elevation shall be one (1) foot or more above the regional flood elevation extending at least fifteen (15) feet beyond the limits of the structure. The Department may authorize other flood-proofing measures where existing streets or sewer lines are at elevations which make compliance impractical provided the Board of Appeals grants a variance due to dimensional restrictions.
 - (2) The basement or crawl-way floor may be placed at the regional flood elevation providing it is flood-proofed to the flood protection elevation. No permit or variance shall allow any floor, basement or crawl-way below the regional flood elevation.
 - (3) Contiguous dry land access, defined in Sec. 13-3-90, as a vehicle access route above regional flood elevation shall be provided from a structure or building to land which is outside of the floodplain, except as provided in Subsection (4).
 - (4) In existing developments where existing streets or sewer lines are at elevations which make compliance with Subsection (3) impractical, the City may permit new development and substantial improvements where access roads are at or below the regional flood elevation, provided:
 - a. The City has written assurance from the appropriate local units of police, fire and emergency services that rescue and relief will be provided to the structure(s) by wheeled vehicles, considering the anticipated depth, duration and velocity of the regional flood event; or

- b. The City has an adequate natural disaster plan *approved by* the Division of Emergency Government and the Department.
- (c) **ACCESSORY STRUCTURES OR USES.** An accessory structure or use (not connected to a principal structure, including nonresidential agricultural structures), shall meet all the applicable provisions of Section 13-3-22(a), (b) and (d) and 13-3-23. A lesser degree of protection, compatible with these criteria and the criteria in Subsection (d) may be permissible for an accessory structure or use providing that the site is not inundated to a depth greater than two (2) feet or subjected to flood velocities greater than two (2) feet per second upon the occurrence of the regional flood.
- (d) **COMMERCIAL USES.** Any commercial structure or building which is to be erected, constructed, reconstructed, altered or moved into the flood fringe area shall meet the requirements of Section 13-3-32(b) above. Storage yards, parking lots and other accessory land uses may be at lower elevations, subject to the requirements of Subsection (f). However, no such area in general use by the public shall be inundated to a depth greater than two (2) feet or subjected to flood velocities greater than two (2) feet per second upon the occurrence of the regional flood. Inundation of such yards or parking areas exceeding two (2) feet may be allowed provided an adequate warning system exists to protect life and property.
- (e) **MANUFACTURING, AGRICULTURAL AND INDUSTRIAL USES.** Any manufacturing, agricultural or industrial structure or building which is to be erected, constructed, reconstructed, altered or moved into the flood fringe area shall be protected to the flood protection elevation utilizing fill, levees, floodwalls, adequate floodproofing measures in accordance with Section 13-3-65, or any combination thereof. On streams or rivers having prolonged flood durations, greater protection may be required to minimize interference with normal plant operations. A lesser degree of protection, compatible with the criteria in Subsections (d) and (f) may be permissible for storage yards, parking lots and accessory structures or uses.
- (f) **STORAGE OR PROCESSING OF MATERIALS.** The storage or processing of materials that are buoyant, flammable, explosive or which, in times of flooding, could be injurious to property, water quality or human, animal, fish, plant or aquatic life shall be at or above the flood protection elevation for the particular area or floodproofed in compliance with Section 13-3-65. Adequate measures shall be taken to assure that said materials will not enter the river or stream during flooding.
- (g) **PUBLIC UTILITIES, STREETS AND BRIDGES.** All utilities, streets and bridges should be designed to be compatible with the local comprehensive floodplain development plans; and
- (1) When failure or interruption of public utilities, streets and bridges would result in danger to the public health or safety or where such facilities are essential to the orderly functioning of the area, construction of and substantial improvements to such facilities may only be permitted if they are floodproofed in compliance with Section 13-3-65 to the flood protection elevation;
- (2) Minor or auxiliary roads or nonessential utilities may be constructed at lower elevations providing they withstand flood forces to the regional flood elevation.
- (h) **SEWAGE SYSTEMS.** All on-site sewage disposal systems shall be floodproofed to the flood protection elevation and shall meet the applicable provisions of all local ordinances and Chapter *COMM* 83, Wisconsin Administrative Code.
- (i) **WELLS.** All wells, whether public or private, shall be floodproofed to the flood protection elevation, pursuant to Section 13-3-65, and shall meet the applicable provisions of Chapters NR 111 and NR 112, Wis. Adm. Code.

- (j) **SOLID WASTE DISPOSAL SITES.** All solid or hazardous waste disposal sites, whether public or private, are prohibited in flood fringe areas.
- (k) **DEPOSITION OF MATERIALS.** Any materials deposited for any purpose may only be allowed if all the provisions of this Chapter are met.
- (l) **MANUFACTURED HOMES.**
 - (1) *Owners or operators of all manufactured home parks and subdivisions shall provide adequate surface drainage to minimize flood damage, and prepare, secure approval and file an evacuation plan, indicating vehicular access and escape routes, with local emergency management authorities.*
 - (2) *In existing manufactured home parks, all new homes, replacement homes on existing pads, and substantially improved homes shall:*
 - (a) *have the lowest floor elevated to the flood protection elevation; and*
 - (b) *be anchored so they do not float, collapse or move laterally during a flood.*
 - (3) *Outside of existing manufactured home parks, including new manufactured home parks and all single units outside of existing parks, all new, replacement and substantially improved manufactured homes shall meet the residential development standards for the floodfringe in s. 4.3(1).*
- (m) **MOBILE RECREATIONAL VEHICLES.** *All mobile recreational vehicles that are on site for 180 consecutive days or more are not fully licensed and ready for highway use shall meet the elevation and anchoring requirements in s. 4.3(11)(b) and (c). A mobile recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to a site only by quick-disconnect utilities and security devices and has no permanently attached additions.*

SEC. 13-3-35 THROUGH SEC. 13-3-41 RESERVED FOR FUTURE USE.