

## ARTICLE H

### Amendments

#### **SEC. 13-3-72 AMENDMENTS GENERALLY.**

The Common Council may supplement or change the boundaries of the floodplain zoning districts and the regulations contained in this Chapter in the manner provided by law. Actions which require an amendment include, but are not limited to, the following:

- (a) Any change to the official floodplain zoning map including the floodway line or boundary of any floodplain area;
- (b) Correction of significant discrepancies between the water surface profiles and floodplain zoning maps;
- (c) Any fill in the floodplain which raises the elevation of the filled area to a height at or above the flood protection elevation and is contiguous to land lying outside the floodplain;
- (d) Any fill or encroachment into the floodplain that will obstruct flow causing an increase of 0.01 foot or more in regional flood height;
- (e) Any upgrading of floodplain zoning ordinances required by Section NR 116.05(4), Wisconsin Administrative Code, or otherwise required by law;
- (f) *All channel relocations and changes to the maps to alter floodway lines or to remove an area from the floodway or in the floodfringe that is based on a base flood elevation FIRM acquires prior approval by FEMA.*

#### **SEC. 13-3-73 AMENDMENT PROCEDURES.**

- (a) Amendments to this Chapter may be made upon petition of any interested party in accordance with the provisions of Section 62.23, Wis. Stats. Such petitions shall include any necessary data required by Sections 13-3-43 and 13-3-61(a).
- (b) Copies of any amendment proposed to the Common Council shall be referred to the zoning agency, described in Section 13-3-62, for a public hearing and recommendation to the Common Council. Copies of the proposed amendment and notice of the public hearing shall be submitted to the appropriate District office of the Department of Natural Resources for review prior to the meeting. The amendment procedure shall comply with the provisions of Section 62.23, Wis. Stats.
- (c) No amendment to the maps or text of this Chapter shall become effective until reviewed and approved by the Department of Natural Resources.
- (d) All persons petitioning for a map amendment which involves an obstruction to flow causing an increase of 0.01 foot or more in the height of the regional flood shall obtain flooding easements, or other appropriate legal arrangements, from all adversely affected property owners and local units of government before the amendment can be approved by a governing body.
- (e) When considering amendments to the official floodplain zoning map, in areas where no water surface profiles exist, the zoning agency shall consider data submitted by the Department, the Zoning Administrator's visual on-site inspections and other available information.

#### **SEC. 13-3-74 THROUGH SEC. 13-3-81 RESERVED FOR FUTURE USE.**