



Department of City Development
City Plan Commission
Redevelopment Authority of the City of Milwaukee
Neighborhood Improvement Development Corporation

Lafayette L. Crump
Commissioner

Vanessa L. Koster
Deputy Commissioner

CITY PLAN COMMISSION ZONING REPORT

Ordinance File No. [210880](#)

Proposal: A substitute ordinance relating to floodplain zoning regulations. This ordinance makes various revisions to the city's floodplain zoning regulations necessary to bring the city's regulations into conformity with the Wisconsin Department of Natural Resources (WI-DNR) model floodplain ordinance.

To do so, several changes are proposed for s. 295-1107-53 of the zoning code, including definitions, areas to be regulated, annexed areas, abrogation and greater restrictions, procedures, standards applicable to all Floodplain Overlay Zones, and standards for development in the Floodway Overlay Zone (FW), Flood Fringe Overlay Zone (FF), General Floodplain Overlay Zone (GF), and Coastal Floodplain Overlay Zone (CFP), and required permits. Further revisions relate to Certificates of Completion, floodproofing, nonconformities, administration, government agencies regulated, removal of lands from floodplain, Board of Zoning Appeals procedures, compliance and severability.

The City of Milwaukee overhauled its floodplain ordinance in 2014 (File No. 130955) to align with the WI-DNR floodplain ordinance requirements. The WI-DNR notified the City in September 2021 that the Wisconsin Dept. of Natural Resources Model Floodplain Ordinance for Wisconsin Communities has been updated and that Milwaukee's local floodplain zoning ordinance must be updated to comply with the updated standards. During that time period, DCD has worked with DPW, WI-DNR, and Legislative Reference Bureau (LRB) staff to draft the needed technical adjustments and confirm with WI-DNR staff that the proposed substitute complies with their requirements. The deadline to have this ordinance adopted by the Common Council is October 19, 2023 in order to remain in compliance with DNR and FEMA regulations. However, given the final ordinance needs to be submitted to FEMA by that date, it is advised that this file is approved by the Common Council in July 2023.

The current version of the ordinance at the time this staff report was drafted is Proposed Substitute signed by LRB on July 14, 2023.

Zoning Code

Technical Committee: The Zoning Code Technical Committee met on July 13, 2023. It determined that the file met the criteria with respect to legality and enforceability, administrative efficiency, and consistency with the format of the zoning code.

Staff

Recommendation:

Since the proposed amendment meets the standards of legality, enforceability, administrative efficiency, and consistency with the zoning code, staff suggests that the City Plan Commission recommends approval of the Proposed Substitute signed by LRB on July 14, 2023.