File #: 141357, **Version:** 1

141357
SUBSTITUTE 1

THE CHAIR
A substitute ordinance relating to floodplain zoning regulations.
295-107-2 am
295-107-2 (table) am
295-1117-5-c rn
295-1117-5-c cr
295-1117-5-d rn
295-1117-5-d am
295-1119-3 am
295-1121-3-e am
295-1121-6-h cr
295-1127-4-0 am
295-1127-4-a am
295-1127-4-b-3 cr
This ordinance adopts a floodplains map and a dam failure analysis for the Northridge Lakes Dam area. In addition, the ordinance makes various minor corrections to the city's floodplain zoning regulations.
The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 295-107-2 of the code is amended to read:

295-107. Zoning Districts.

2. ESTABLISHMENT OF DISTRICTS. For the purposes of this code, all land and water areas in the city are divided into the zoning districts listed in table 295-107-2. The purposes of the districts are described in ss. 295-501, 295-601, 295-701, 295-801, 295-901 [[and]] >>,<< 295-1001 >>and 295-1105<< .

Part 2. Table 295-107-2 of the code is amended to read:

TABLE 295-107-2 ZONING DISTRICTS			
District	Map Indicator	Most Similar District Under the Previous	Subchapter Reference
Residential Districts			

Single-Family	RS1, RS2, RS3, RS4, RS5 and RS6	R/F-1/40, R/F-2/40, 3/40, R/F-4/40 and I	5
Two-Family	RT1, RT2, RT3 and RT4	R/D-1/40, R/C-1/40 R/E/40	5
Multi-Family	RM1	R/D/40	5
Multi-Family	RM2	R/C/40	5
Multi-Family	RM3	R/D/40, R/D/60 and	5
Multi-Family	RM4	R/C/40, R/C/60, R/C R/C/125	5
Multi-Family	RM5	R/B/40	5
Multi-Family	RM6	R/B/60	5
Multi-Family	RM7	R/B/85, R/A/85 and	5
Residential and Office	RO1, RO2	all O and RO district	5
Commercial Districts			
Neighborhood Shopping	NS1, NS2	all S districts	6
Local Business	LB1, LB2	all L districts	6
Commercial Service	CS	all CS districts	6
Regional Business	RB1, RB2	all RS districts	6
Central Business	C9A-C9H	C9A-C9H	7
Industrial Districts			
Industrial-Office	IO	M/D/40, M/C/60, I/D I/E/40	8
Industrial- Light	IL	M/B/85, M/A/125, I/C I/D/40, I/D/60 and I/	8
Industrial-Mixed	IM	none	8
Industrial-Heavy	IH	I/A/125 and I/B/85	8
Special Districts and Overlay Zones			
Parks	PK	none	9
Institutional	TL	all T districts	9
Planned Development	PD and DPD	GPD and DPD	9
Redevelopment	RED	none	9
Neighborhood Conservation	NC	none	10

Interim Study	IS	none	10
Development Incentive	DIZ	DIZ	10
Site Plan Review	SP	SPROD	10
[[Floodplain	~~FW, FF and SD~~	~~FP1 and FP2~~	~~10~~]]
Shoreland-Wetland	WL	Shoreland-Wetland	10
Lakefront	LF	LF/C/60	10
Master Sign Program	MSP	none	10
>>Floodplain	FW, FF, FSD and GF	FP1 and FP2	11<<

Part 3. Section 295-1117-5-c and d of the code is renumbered 295-1117-5-d and e.

Part 4. Section 295-1117-5-c of the code is created to read:

295-1117. Procedures.

5. OFFICIAL MAPS AND REVISIONS.

c. Maps Based on Other Studies. Any map referenced in this paragraph shall be approved by the Wisconsin department of natural resources and be more restrictive than the map based on the flood insurance study at the site of the proposed development. The city adopts the following:

c-1. The Northridge Lakes dam floodplains map (dam failure floodplain boundary) dated October 28, 2010, prepared by R. A. Smith National.

c-2. The Northridge Lakes dam failure analysis prepared by R.A. Smith National dated July 2, 2010 and approved by the department of natural resources on November 2, 2010.

Part 5. Section 295-1117-5-d of the code is amended to read:

d. Location of Maps. The maps listed in [[par. a]] >>pars. a and c<< are on file in the office of the commissioner.

Part 6. Section 295-1119-3 of the code is amended to read:

295-1119. Standards Applicable to All Floodplain Overlay Zones.

3. Obstructions >>,<< or >>any<< increases [[equal to or greater than 0.01 foot with respect]] to base flood elevations shown on the officially adopted flood insurance rate map or other adopted map >>,<< may only be permitted if amendments are made to this subchapter, the official floodplain zoning map, floodway lines and water surface profiles, in accordance with s. 295-1117. Any such

alterations shall be reviewed and approved by the federal emergency management agency and the Wisconsin department of natural resources.

Part 7. Section 295-1121-3-e of the code is amended to read:

295-1121. Standards for Development in the Floodway Overlay Zone (FW).

3. STRUCTURES.

e. Mechanical and utility equipment will be elevated to or above, or floodproofed to or above, the [[regional]] flood >>protection<< elevation.

Part 8. Section 295-1121-6-h of the code is created to read:

6. PROHIBITED USES.

h. Habitable structures, structures with high flood damage potential, those not associated with permanent open-space uses, and uses not in harmony with or detrimental to uses permitted in the adjoining districts.

Part 9. Section 295-1127-4-0 and a of the code is amended to read:

295-1127. Standards for Development in the General Floodplain Overlay Zone (GF).

4. DETERMINING FLOODWAY AND FLOOD FRINGE LIMITS. Upon receiving an application for development within the [[flood storage]] >>general floodplain<< overlay zone, the commissioner shall:

a. Require the applicant to submit 2 copies of an aerial photograph of a plan which shows the proposed development with respect to the [[flood storage]] >>general floodplain<< overlay zone limits, stream channel and existing floodplain developments, along with a legal description of the property, fill limits and elevations, building floor elevations and floodproofing measures, and the flood zone as shown on the flood insurance rate map.

Part 10. Section 295-1127-4-b-3 of the code is created to read:

b-3. A hydrologic and hydraulic study as specified in s. 295-1129-4.

APPROVED AS TO FORM

_____
Legislative Reference Bureau
Date:_____
IT IS OUR OPINION THAT THE ORDINANCE
IS LEGAL AND ENFORCEABLE

_____
Office of the City Attorney
Date:_____
Department of City Development
LRB156280-2
Jeff Osterman
01/16/2015