

**ORDINANCE
ROCK COUNTY BOARD OF SUPERVISORS**

PLANNING &
DEVELOPMENT
COMMITTEE
INITIATED BY



ANDREW BAKER, SENIOR PLANNER
DRAFTED BY

PLANNING &
DEVELOPMENT
COMMITTEE
SUBMITTED BY

AUGUST 28, 2018
DATE DRAFTED

**AMENDING VARIOUS SECTIONS OF THE ROCK COUNTY FLOODPLAIN ZONING
ORDINANCE (CHAPTER 4 PART 4)**

1 The County Board of Supervisors of the County of Rock does ordain as follows:
2

3 I. Chapter 4, Part 4, of the Rock County Ordinances shall be amended to read as follows (new
4 language underscored, ~~deleted language crossed out~~):
5

6 **4.401 Statutory Authorization, Finding of Fact, Statement of Purpose, Title and General**
7 **Provisions**

8

9
10 (5) General Provisions

11
12 (A) Areas To Be Regulated

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14 This ordinance regulates all areas that would be covered by the regional flood or base
15 flood as shown on the Flood Insurance Rate Map (FIRM) or other maps approved by
16 DNR. Base flood elevations are derived from the flood profiles in the Flood Insurance
17 Study (FIS) and are shown as AE, A1-30, and AH Zones on the FIRM. Other regulatory
18 zones are displayed as A and AO zones. Regional Flood Elevations (RFE) may be derived
19 from other studies. If more than one map or revision is referenced, the most restrictive
20 information shall apply.
21

22 (B) Official Maps & Revisions

23
24 The boundaries of all floodplain districts are designated as A, AE, AH, AO or A1-30 on
25 the maps based on the Flood Insurance Study (FIS) listed below. Any change to the base
26 flood elevations (BFE) or any changes to the boundaries of the floodplain or floodway FIS
27 or on the Flood Insurance Rate Map (FIRM) must be reviewed and approved by the DNR
28 and FEMA through the Letter of Map Change process (see sec. 4.408 *Amendments*) before
29 it is effective. No changes to regional flood elevations (RFE's) on non-FEMA maps shall
30 be effective until approved by the DNR. These maps and revisions are on file in the office
31 of the Planning, Economic and Community Development Agency, County of Rock. If
32 more than one map or revision is referenced, the most current approved information shall
33 apply.
34

35 OFFICIAL MAPS: Flood Insurance Rate Map (FIRM), Map Number 55105C0005E, 55105C0010E,
36 55105C0012E, 55105C0014E, 55105C0015E, 55105C0016E, 55105C0017E, 55105C0018E,
37 55105C0019E, 55105C0030E, 55105C0031E, 55105C0033E, 55105C0034E, 55105C0040E,
38 55105C0042E, 55105C0044E, 55105C0045E, 55105C0052E, 55105C0053E, 55105C0054E,
39 55105C0057E, 55105C0058E, 55105C0059E, 55105C0061E, 55105C0062E, 55105C0063E,
40 55105C0066E, 55105C0070E, 55105C0076E, 55105C0077E, 55105C0078E, 55105C0079E,
41 55105C0081E, 55105C0083E, 55105C0084E, 55105C0090E, 55105C0091E, 55105C0092E,
42 55015C0095E, 55105C0105E, 55105C0110E, 55105C0115E, 55105C0120E, 55105C0130E,
43 55105C0131E, 55105C0135E, 55105C0140E, 55105C0145E, 55105C0155E, 55105C0157E,
44 55105C0160E, 55105C0161E, 55105C0162E, 55105C0164E, 55105C0166E, 55105C0168E,
45 55105C0169E, 55105C0176E, 55105C0177E, 55105C0178E, 55105C0179E, 55105C0181E,

46 55105C0183E, 55105C0184E, 55105C0186E, 55105C0187E, 55105C0188E, 55105C0189E,
47 55105C0191E, 55105C0192E, 55105C0193E, 55105C0201E, 55105C0202E, 55105C0203E,
48 55105C0204E, 55105C0208E, 55105C0209E, 55105C0211E, 55105C0212E, 55105C0216E,
49 55105C0240E, 55105C0243E, 55105C0244E, 55105C0255E, 55105C0260E, 55105C0261E,
50 55105C0262E, 55105C0263E, 55105C0264E, 55105C0266E, 55105C0267E, 55105C0268E,
51 55105C0269E, 55105C0280E, 55105C0282E, 55105C0285E, 55105C0286E, 55105C0287E,
52 55105C0288E, 55105C0289E, 55105C0291E, 55105C0292E, 55105C0293E, 55105C0294E,
53 55105C0301E, 55105C0302E, 55105C0305E, 55105C0306E, 55105C0307E, 55105C0308E,
54 55105C0309E, 55105C0312E, 55105C0313E, 55105C0314E, 55105C0316E, 55105C0318E,
55 55105C0319E, 55105C0328E, 55105C0329E, 55105C0331E, 55105C0332E, 55105C0333E,
56 55105C0334E, 55105C0336E, 55105C0337E, 55105C0338E, 55105C0339E, 55105C0341E,
57 55105C0342E, 55105C0343E, 55105C0344E, 55105C0351E, 55105C0352E, 55105C0353E,
58 55105C0354E, 55105C0356E, 55105C0357E, 55105C0358E, 55105C0359E, 55105C0361E,
59 55105C0365E, 55105C0369E, 55105C0370E, 55105C0377E, 55105C0381E, 55105C0382E,
60 55105C0406E, 55105C0407E, 55105C0426E, 55105C0431E, 55105C0432E, 55105C0452E,
61 55105C0460E, 55105C0485E, 55105CIND0B, 55105CV001B, 55105CV002B, 55105C_20150916,
62 dated September 16, 2015 with corresponding profiles that are based on the Flood Insurance Study
63 (FIS) Number 55105CV001B and 55105CV002B

64
65 Approved by: the DNR and FEMA

66
67 OFFICIAL MAPS: Based on other studies. Any maps referenced in this section must be approved by
68 the DNR and be more restrictive than those based on the FIS at the site of the proposed development.

- 69
70 1. Letter of Maps Revision: LOMR 16-05-6630P dated May 4, 2017
71
72 2. Rock County Flood Storage Maps, Panel Number 1-5, Dated September 16, 2015, Prepared by
73 the Wisconsin Department of Natural Resources

74
75 **4.406 Nonconforming Uses**

76
77 (1) General

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79 (A) Applicability

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81 ~~If these standards conform with Wis Stat. §§ 59.69(10), 87.30 and NR116.15 State~~
82 ~~Administrative Code, they~~ This section shall apply to all modifications or additions to any
83 nonconforming use or structure and to the use of any structure or premises which was
84 lawful before the passage of this ordinance or any amendment thereto.

85
86 II. The amendments to Chapter 4, Part 4, shall be effective upon publication.

Respectfully submitted:

PLANNING AND DEVELOPMENT COMMITTEE



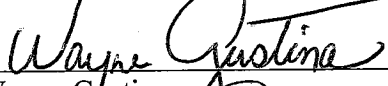
Alan Sweeney, Chair



Mary Mawhinney, Vice Chair



Wes Davis



Wayne Gustina



Phillip Owens

LEGAL NOTE:

The County Board is authorized to take this action
by Wisconsin Statutes sections 59.02(2).



Richard Greenlee
Corporation Counsel

FISCAL NOTE:

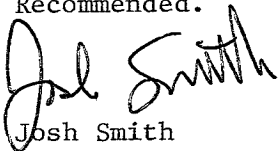
No fiscal impact.



Sherry Oja
Finance Director

ADMINISTRATIVE NOTE:

Recommended.



Josh Smith
County Administrator



Executive Summary

Amending Various Sections of the Rock County Floodplain Zoning Ordinance (Chapter 4 Part 4)

Revisions to the Rock County Floodplain Zoning Ordinance have been drafted to conform to Wisconsin Administrative Code NR 116, the most recent state model ordinance and the minimum standards of the National Flood Insurance Program (NFIP). All communities participating in the NFIP must comply with both federal and state requirements. The purpose of the Floodplain regulations are to: protect life, health and property; minimize public expenditures for costly flood control projects; minimize rescue and relief efforts; minimize business interruptions; minimize damage to public facilities; minimize the occurrence of future flood blight areas; discourage the victimization of unwary land and home buyers; and prevent increases in the regional flood from occurring.

In general, without an approved Floodplain Zoning Ordinance federal flood insurance would not be available in unincorporated Rock County. More specifically, failure to update the Ordinance when deemed necessary and maintain general compliance with the NFIP may prohibit federal officers or agencies from approving any form of loan, grant, guaranty, insurance, payment, rebate, subsidy, and disaster assistance loan or grant, for acquisition or construction purposes with Floodplain areas.

Through this action, various section 4.4 of the Rock County Code of Ordinances will be amended. The revisions include both substantive changes and what would be considered "clean up" type changes. The substantive changes include:

1. Six map panels are being removed because the areas are not within County jurisdiction. These panels were inadvertently included in the Rock County list since 2015 when the maps were last amended.
2. A Letter of Map Revision (LOMR) approved by FEMA is added to the list of official maps. This map revision was necessary due to a bridge project in the City of Evansville, the construction of which changed the Floodplain boundaries up and downstream.
3. Rock County Flood Storage Maps are added to the list of official maps. These maps only effect a small portion of the existing Floodplain Zoning District, primarily in the area around Lake Koshkonong and often in wetlands. The text for the Flood Storage District standards is already included in the Ordinance and does not require amendment. The Flood Storage District specifies certain portions of the area mapped as Floodfringe on the Flood Insurance Rate Maps (FIRMs) that were specially considered in the hydraulic modelling done when the maps were updated in 2015. As the name suggests, the flood water storage capacity in these areas allows for lower predicted Floodplain elevations downstream, which positively impacts property owners both in terms of potential for flood damage and the flood insurance rates. Therefore, the purpose of the Flood Storage District is to preserve and maintain that capacity to an extent that is more restrictive than other areas of the Floodplain.

The draft revisions have been reviewed and approved by the Wisconsin Department of Natural Resources.