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Summary of the Buffalo County Floodplain & Shoreland Ordinance

Floodplain Ordinance Summary:

- I. The general floodplain is divided into 2 sections.
 - i. The Floodway District
 - ii. The Floodfringe District
- II. The Floodway District
 - a. Open space uses allowed in this district include: Agricultural Uses, Non-structural industrial and commercial uses, non-structural private and public recreational uses. (Contact Zoning Office for Details).
 - b. Structures, in, on or over floodway areas which are designed for human habitation, associated with high flood damage potential, or not associated with permanent open-space uses are prohibited in the Floodway.
- III. The Floodfringe District
 - a. Standards for structures include:
 - i. The elevation of the lowest floor excluding the basement or crawlway, shall be at or above the flood protection elevation (which is a point two feet above the regional flood elevation) on fill except where par. (b) is applicable. The fill elevation shall be one foot or more above the regional flood elevation extending at least 15 feet beyond the limits of the structure. The department may authorize other floodproofing measures where existing streets or sewer lines are at elevations which make compliance impractical provided the Board of Adjustment grants a variance due to dimensional restrictions.
 - ii. The basement or crawlway floor may be placed at the regional flood elevation providing it is floodproofed to the flood protection elevation. No permit or variance shall allow any basement or crawlway below the regional flood elevation.
 - iii. Contiguous dryland access, shall be provided, from the structure to land outside the floodplain, except in existing developments where existing streets or sewer lines are at elevations which make dryland access impractical, the county may permit new development and substantial improvements where access roads are at or below the regional flood elevation, provided:
 1. The county 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
 2. The county has an adequate natural disaster plan concurred with the Division of Emergency Government and approved by the Department.

- iv. A VARIANCE SHALL NOT ALLOW ANY FLOOR OF A BASEMENT OR CRAWLWAY BELOW THE REGIONAL FLOOD ELEVATION FOR RESIDENTIAL OR COMMERCIAL STRUCTURES.**
- v. Accessory structures may be permitted if all the following apply:
1. The structure is not designed for human habitation or associated with high flood damage potential.
 2. The structure is firmly anchored to prevent it from floating away.
 3. All service facilities such as electrical and heating equipment are at or above the Flood Protection Elevation.
 4. The storage of materials that are buoyant, flammable, explosive, or which in times of flooding, could be injurious to property, water quality, or human, animal, plant, fish, or aquatic life, shall be at or above the flood protection elevation for the particular area or floodproofed in compliance with the terms of the Floodplain Ordinance. Adequate measures shall be taken to assure that said materials will not enter the river or stream during flooding.
- vi. Nonconforming Uses
1. No modification or addition to any nonconforming structure or any structure with a nonconforming use, which over the life of the structure would exceed fifty percent (50%) of its present equalized assessed value, shall be allowed unless the entire structure is permanently changed to a conforming structure with a conforming use, including providing dry land access.
 2. If any nonconforming structure or any structure with a nonconforming use is destroyed or is so badly damaged that it cannot be replaced, reconstructed or rebuilt unless the use and the structure meet the requirements of the floodplain ordinance. For the purpose of this subsection, restoration is deemed impractical where the total cost of such restoration would exceed 50% of the present equalized assessed value of the structure.
 3. No permit for an addition to or modification of a nonconforming structure or permit for a commercial, industrial, or manufacturing use until the applicant submits a plan or document certified by a registered professional engineer or architect that the floodproofing measures are adequately designed to protect the structure or development to the flood protection elevation.

Shoreland Ordinance Summary

- I. Areas regulated under the Buffalo County Shoreland Ordinance include:
 - a. The lands within 1000' of the Ordinary Highwater Mark (OHWM) of navigable lakes, ponds, or flowages, and
 - b. The lands within 300' of the OHWM of navigable rivers or streams, or to the landward side of the floodplain, whichever distance is greater.
- II. All buildings and structures, except piers, boat hoists, boathouses and open fences which may require a lesser setback, shall be set back at least 75 feet from the OHWM of navigable waters.

- a. Reduced setback may be permitted in some cases by setback averaging. This may be used when there is at least one main building, within 200' on either side of the proposed building that was constructed to less than the required setback. A reduced setback may also be sought by applying to the Board of Adjustment for a variance.
- III. Tree and shrubbery cutting is also regulated within 35' landward of the OHWM.
- IV. A Special Exception Permit is required for any filling or grading of any area which is within 300 feet landward of the OHWM of navigable water and which has surface drainage toward the water and on which there is either:
 - a. Any filling or grading on slopes of more than 20%.
 - b. Filling or grading of more than 1,000 sq ft on slopes of 12-20%.
 - c. Filling or grading of more than 2,000 sq ft on slopes less than 12%.
- V. Nonconforming Uses
 - a. No structural alteration, addition or repair to any building or structure with a nonconforming use or any nonconforming building or structure, over the life of the building or structure, shall exceed 50 percent of its current estimated fair market value unless it is permanently changed to conform to the requirements of this ordinance.

This summary of the Buffalo County Shoreland and Floodplain Ordinances only provides limited information and is not all-inclusive. This summary is meant to be a guide to some of the common questions regarding lands in the floodplain and Shoreland. For more information contact the Zoning Department at (608) 685-6218 or 685-6217 or direct all correspondence to Buffalo County Zoning, PO Box 492, Alma, WI 54610. Our email addresses are:

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or

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Administrative Fees:

1. Ordinance Copies	\$ 6.00
2. Zoning Permit	\$ 40.00
3. Uniform Address Number (\$60.00 for 2 nd sign)	\$ 45.00
4. Sanitary Permits (Mound, At-Grade, Conventional, etc)	\$250.00
5. Non-Plumbing Sanitary Permits (Privies, Comp Toilets, etc)	\$125.00
6. Variance, Special Exception, Conditional Use	\$200.00
7. Appeals to Board of Adjustment	\$200.00
8. Rezone Permit	\$300.00
9. Ordinance Amendment	\$300.00
10. Plat Review	\$300.00