

CHAPTER XII

FP FLOODPLAIN DISTRICT

SECTION 12.01 DESCRIPTION AND PURPOSE. This zoning district is intended to control the placement of BUILDINGS and STRUCTURES and the use of land in areas subject to periodic inundation. The district is located as designated on the Flood Insurance Rate Map (FIRM) as prepared by the Federal Insurance Administration. As the density of the population in the township increases and the rural area develops, the importance of preserving drainage basins and areas around drainage streams for their intended purpose becomes acutely obvious. When the land is developed, a greatly increased amount of water runoff results from the replacement of open land with streets and BUILDINGS. The purpose of this zoning district is to preserve drainage basins in the township and to prevent BUILDING in areas subject to flooding and upon land which exhibits unstable soil characteristics.

SECTION 12.02 USE REGULATIONS. In the FP District, no land or BUILDINGS shall be used, and no BUILDINGS or STRUCTURES shall be erected or converted for any use, or under any condition other than the foregoing:

- (a) Agricultural uses permitted in the AG Agricultural District.
- (b) Residential supportive uses such as lawns, gardens, parking areas, or play areas.
- (c) Boat landings or docks for pleasure use.
- (d) Parks and playgrounds.
- (e) Parking lots, loading areas, and storage areas for equipment and machinery easily moved or not subject to flood damage.
- (f) Golf courses, if the site plan is reviewed by the Planning Commission in accordance with Chapter XV.
- (g) STRUCTURES designed and constructed to accommodate a 100-year flood which might occur in the area as shown on the FIRM or calculated from other available official

data without material damage to the STRUCTURE and without material obstruction of the floodplain to the detriment of other properties. Permissible construction hereunder shall include, among others, STRUCTURES in which the lowest habitable FLOOR AREA (including basement floors, MOBILE HOME floors and attached garage floor, but excluding detached garages or storage BUILDINGS when constructed and designed in a floodproof manner) is above the documented base 100-year flood elevation. The BUILDING and Zoning Inspector of the township is authorized and directed to determine the acceptability of any proposed construction hereunder, subject to appeal to the Zoning Board of Appeals by an aggrieved applicant, which Board shall be governed in its decision by the criteria that the proposed construction complies with the spirit and intent of the poses of the FP Floodplain District, is not contrary to public health and safety, and would afford substantial justice to all parties involved, including the general public. Any such proposed STRUCTURE shall also be subject to site plan review by the Planning Commission of the township in accordance with Chapter XV of the Ordinance.

SECTION 12.03 HEIGHT REGULATIONS. No BUILDING or STRUCTURE shall exceed thirty-five (35) feet in height. (Amendment Ordinance No.89, 03-12-97)

SECTION 12.04 AREA REGULATIONS. YARD and lot requirements in the FP District shall be the same as set forth in Section 6.04 of this Ordinance pertaining to the R-1 Rural Estate District, except as may be specifically modified in this Chapter XII.

SECTION 12.05 STATE COMPLIANCE. No new construction in the FP District shall be permitted until the same has received approval from the pertinent state agency or official under the provisions, where applicable, of the Shore Lines Management and Protection Act (1970 PA 245), the Subdivision Control Act (1967 PA 288), the Water Resources Commission Act (1929 PA 245), or other applicable state statutes and any and all amendments thereto.