

AGENDA  
CITY PLAN COMMISSION

May 4, 2015 – 6:00 PM  
Lincoln Center – 1519 Water Street, Stevens Point, WI 54481

(A Quorum of the City Council May Attend This Meeting)

Discussion and possible action on the following:

1. Report of the April 6, 2015 Plan Commission meeting.
2. **Public Hearing** - Request from Dale O'Kray, Representing the Portage County Sheriff's Office, for a conditional use permit for the purposes of installing additional communication equipment to the existing wireless communication tower, constructing a small building to house equipment, and to replace the generator at **2442 Sims Avenue / 1000 Minnesota Avenue (Parcel ID 2408-33-2001-05)**.
3. Action on the above.
4. Repeal and recreation of Chapter 23.08 B (Floodplain ordinance) of the Revised Municipal Code of the City of Stevens Point to adopt a new Wisconsin Department of Natural Resources model and include a letter of map revision, Case Number 14-05-4844. *(The public hearing for this item will be held at the Common Council meeting on May 18, 2015)*
5. Adjourn.

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Maps further defining the above area(s) may be obtained from the City of Stevens Point Department of Community Development, 1515 Strongs Avenue, Stevens Point, WI 54481, or by calling 715-346-1567, during normal business hours.

Any person who has special needs while attending these meetings or needs agenda materials for these meetings should contact the City Clerk as soon as possible to ensure that a reasonable accommodation can be made. The City Clerk can be reached by telephone at (715)346-1569 or by mail at 1515 Strongs Avenue, Stevens Point, WI 54481.

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PUBLISH: April 17, 2015 and April 24, 2015

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Plan Commission of the City of Stevens Point, Portage County, Wisconsin, will hold a Public Hearing on Monday, May 4, 2015 at 6:00 PM in the multi-purpose room of the Lincoln Center, 1519 Water Street, Stevens Point, Wisconsin, to hear the following:

1. Request from Dale O'Kray, Representing the Portage County Sheriff's Office, for a conditional use permit for the purposes of installing additional communication equipment to the existing wireless communication tower, constructing a small building to house equipment, and to replace the generator at 2442 Sims Avenue / 1000 Minnesota Avenue (Parcel ID 2408-33-2001-05). This property being zoned "R-2" Single Family Residence District and described as PRT NE NW S33 T24 R8 COM NE COR MAIN & MICH TH N250' FOR POB N884' M/L E1257.7' TO WL MINN S1134.5' TO NL MAIN W ALG NL MAIN 847.1' N 350' W230' N40' W 100' S140' W70' TO POB (GOERKE PARK) 123/344 147/36 452/428-89 649/901 773023ESMT 801723-RES, City of Stevens Point, Portage County, Wisconsin.

Maps further defining the above area(s) may be obtained from the City of Stevens Point Department of Community Development, 1515 Strongs Avenue, Stevens Point, WI 54481, or by calling 715-346-1567, during normal business hours.

All interested parties are invited to attend.

BY ORDER OF THE COMMON COUNCIL  
OF THE CITY OF STEVENS POINT, WISCONSIN

John Moe, City Clerk

PUBLISH: May 1, 2015 and May 8, 2015

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Common Council of the City of Stevens Point, Portage County, Wisconsin, will hold a Public Hearing on Monday, May 18, 2015 at 7:00 PM in the Council Chambers of the County-City Building, 1516 Church Street, Stevens Point, Wisconsin, to hear the following:

1. Repeal and recreation of Chapter 23.08 B (Floodplain ordinance) of the Revised Municipal Code of the City of Stevens Point to adopt a new Wisconsin Department of Natural Resources model and include a letter of map revision, Case Number 14-05-4844.

Maps further defining the above area(s) may be obtained from the City of Stevens Point Department of Community Development, 1515 Strongs Avenue, Stevens Point, WI 54481, or by calling 715-346-1567, during normal business hours.

All interested parties are invited to attend.

BY ORDER OF THE COMMON COUNCIL  
OF THE CITY OF STEVENS POINT, WISCONSIN

John Moe, City Clerk

REPORT OF CITY PLAN COMMISSION  
 April 6, 2015 – 6:00 PM  
 Lincoln Center – 1519 Water Street

PRESENT: Mayor Gary Wescott, Alderperson Jerry Moore, Commissioner Tony Patton, Commissioner Anna Haines, Commissioner Daniel Hoppe, Commissioner Garry Curless, and Commissioner Dave Cooper.

ALSO PRESENT: Community Development Director Michael Ostrowski, Economic Development Specialist Kyle Kearns, City Attorney Beveridge, Director Joel Lemke, Alderperson Wiza, Alderperson Mary Stroik, Alderperson Slowinski, Alderperson Trzebiatowski, Alderperson Randy Stroik, Alderperson Phillips, MyKayla Hilgart, Nate Enwald, Mary Kneebone, Mark Mauternach, Galen Mauternach, Corrine Formella, Arthur Zagrzebski, Janet Asplin, Tom Wood, Norman Strojny, John Strojny, Andrew Delforge, Yvonne Stroik, Norbert Stroik, Bob Woehr, Rey Vega, Karen Fadner, Susan Hansen, Bill Wallner, Tari Wallner, Fritz Schierl, Cathy Dugan, David Pray, Joan Enright, Bob Enright, Mike Kubley, Sue Kubley, Jerry Fahrner, and Meryl Nelson.

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INDEX:

1. Report of the March 2, 2015 Plan Commission meeting.
  2. **Public Hearing** - Request from Central Wisconsin Habitat for Humanity for a conditional use permit for the purposes of constructing a residence using the "R-TND" Traditional Neighborhood Development Overlay District reduced setback requirements at **225 West Cornell Avenue (Parcel ID 2408-31-1012-02)**.
  3. Action on the above.
  4. **Public Hearing** - Request from Premier Real Estate for a conditional use permit amendment to construct an approximate 300 square foot office building at **3901-41 Doolittle Drive (Parcel ID 2408-27-2300-30)**.
  5. Action on the above.
  6. **Public Hearing** - Request from Twenty Second Street LLC for a conditional use permit amendment to construct an approximate 6,400 square foot airplane hangar at **the City of Stevens Point Municipal Airport / Mattson Field, 4401-4501 Highway 66 (Parcel ID 2408-23-2300-01)**.
  7. Action on the above.
  8. **Public Hearing** - Request from the City of Stevens Point for a conditional use permit amendment to add additional conditions to the gas station use to protect the groundwater supply within Groundwater (Wellhead) Protection Overlay District B at **1201 Badger Avenue (Parcel ID 2408-36-1200-01)**.
  9. Action on the above.
  10. **Public Hearing** - Request from the Rettler Corporation for a subdivision plat amendment of Carol's Lane Subdivision, located on the southwest corner of the intersection at **Carol's Lane and Mary's Drive (Parcel ID's 2408-35-3000-19 to 2408-35-3000-27)**.
  11. Action on the above.
  12. Adjourn.
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1. Report of the March 2, 2015 Plan Commission meeting.

**Motion by Alderperson Moore to approve the report of the March 2, 2015 Plan Commission; seconded by Commissioner Patton. Motion carried 7-0.**

2. **Public Hearing** - Request from Central Wisconsin Habitat for Humanity for a conditional use permit for the purposes of constructing a residence using the "R-TND" Traditional Neighborhood Development Overlay District reduced setback requirements at **225 West Cornell Avenue (Parcel ID 2408-31-1012-02)**.

Director Ostrowski explained that the request from Habitat for Humanity is for a reduced front, street yard setback from 25 feet to 12 feet. Staff has reviewed the request and found that it meets the standards of review. Furthermore, it is consistent with other properties in the vicinity. Staff would recommend approval with the conditions outlined in the staff report.

Commissioner Patton pointed out that West Cornell is a quiet street.

Commissioner Curless asked if traffic flow was one way on that block to which Director Ostrowski stated it was.

Mayor Wescott declared the public hearing open.

Bob Woehr, 727 Second Street, representing Habitat for Humanity, emphasized the staff report findings that all the conditions have been met for a conditional use permit.

Randy Stroik, 433 West Trillium Court, stated he is not opposed to the reduced setback, but wanted the Commission to know that the area by the ballpark and community gardens can get congested during baseball season. Furthermore, he stated any city plans to move West Cornell over to accommodate the ball field, may be jeopardized.

Bob Woehr, 727 Second Street, explained that Habitat for Humanity is aware of the congestion in the area, and preferred to place the house closer to the street to give the family a larger, safer back yard for the children to play.

Mayor Wescott declared the public hearing closed.

3. Action on the above.

**Motion by Commissioner Cooper to approve the request from Central Wisconsin Habitat for Humanity for a conditional use permit for the purposes of constructing a residence using the "R-TND" Traditional Neighborhood Development Overlay District reduced setback requirements at 225 West Cornell Avenue (Parcel ID 2408-31-1012-02) with the following conditions:**

- **The minimum street yard setback shall be 12 feet.**
- **Uncovered steps which are necessary for access to the home may be located in all yards within the required setbacks. A covered porch or deck does not constitute steps.**
- **All necessary building permits shall be obtained for the proposed work.**
- **All other applicable ordinance requirements shall be met.**
- **Staff shall have the right to make minor modifications to the plans.**

**seconded by Commissioner Haines. Motion carried 7-0.**

4. **Public Hearing** - Request from Premier Real Estate for a conditional use permit amendment to construct an approximate 300 square foot office building at **3901-41 Doolittle Drive (Parcel ID 2408-27-2300-30)**.

Director Ostrowski explained the request is for a 300 square foot office building in the southern end of the property. Because there is a change to the original site plan, they are required to get a conditional use permit amendment. Staff recommends approval of this amendment with conditions listed in the staff report.

Mayor Wescott declared the public hearing open.

Tom Wood, 2718 N. Main St, Appleton, WI, identified that the building would be 14 feet by 22 feet and be used primarily for office space relating to the multi-family use. Currently, a rental unit is being used for office purposes, but the owners would like to free up that space and use it for a tenant.

Mayor Wescott declared the public hearing closed.

5. Action on the above.

**Motion by Commissioner Curless to approve the request from Premier Real Estate for a conditional use permit amendment to construct an approximate 300 square foot office building at 3901-41 Doolittle Drive (Parcel ID 2408-27-2300-30) with the following conditions:**

- **At least 25% of the façade of the building shall be covered with masonry or decorative stone or block.**
- **At least one plant for each 30 inches of building facing the street/internal parking lot shall be planted. The size of the plants shall be a minimum of 18 inches at the time of planting.**
- **All necessary building permits shall be obtained for the proposed work.**
- **All other applicable ordinance requirements shall be met.**
- **Staff shall have the right to make minor modifications to the plans.**

**seconded by Alderperson Moore. Motion carried 7-0.**

6. **Public Hearing** - Request from Twenty Second Street LLC for a conditional use permit amendment to construct an approximate 6,400 square foot airplane hangar at **the City of Stevens Point Municipal Airport / Mattson Field, 4401-4501 Highway 66 (Parcel ID 2408-23-2300-01).**

Director Ostrowski explained that the proposed private hangar is approximately 6,400 square feet. Since the airport is a conditional use within the R-2 Single Family Residential District, the conditional use permit must be amended to allow the construction.

Commissioner Patton asked if the office area by the maintenance hangar will be removed to which Director Ostrowski stated yes. Commissioner Patton also asked if there would be enough room for emergency vehicles to get through and if water retention by the solar hangar will be an issue. Director Lemke explained that the hangar would be parallel with the driveway as it would continue inwards from Highway 66, and the swale for the hangar would be on the roadside, not causing an issue.

Mayor Wescott declared the public hearing open.

Mike Wiza, 717 Franklin Street, questioned if the proximity to the solar hangar would cause interference, to which Director Ostrowski not that he is aware.

Mayor Wescott declared the public hearing closed.

7. Action on the above.

**Motion by Commissioner Patton to approve the request from Twenty Second Street LLC for a conditional use permit amendment to construct an approximate 6,400 square foot airplane hangar at the City of Stevens Point Municipal Airport / Mattson Field, 4401-4501 Highway 66 (Parcel ID 2408-23-2300-01) with the following conditions:**

- **All applicable building permits shall be obtained.**
- **Approvals and or permits from the FAA and any other agencies shall be obtained.**

**seconded by Commissioner Haines. Motion carried 7-0.**

8. **Public Hearing** - Request from the City of Stevens Point for a conditional use permit amendment to add additional conditions to the gas station use to protect the groundwater supply within Groundwater (Wellhead) Protection Overlay District B at **1201 Badger Avenue (Parcel ID 2408-36-1200-01)**.

Director Ostrowski explained that back in 2012 the Commission and Council approved a Conditional Use Permit for "The Store" gas station at 1201 Badger Avenue which is in the B-5 Highway Commercial Zoning District and Zone B of the Wellhead Protection area. Due to a spill that occurred either during construction or after the station opened, the city would like to place two additional conditions on the Conditional Use Permit, as well as modifying the expiration date.

Commissioner Curless asked if the spill occurred on the service or during construction, to which Director Ostrowski stated it had not been determined.

Mayor Wescott declared the public hearing open.

Bill Schierl, 2201 Madison Street, explained that the spill was an isolated event which occurred during construction. The spill is in the process of being cleaned up.

Mary Kneebone, 5718 Sandpiper Drive, stated she was opposed to the gas station use originally, and also suggested that Town of Hull be notified of all spills.

Andrew Delforge, 4081 N. 20<sup>th</sup> Avenue, Wausau, WI, stated he is working with the Schierl Company regarding the spill. He explained the spill study discovered that the leak occurred during construction, and since, there has been an installation of a recovery well. He also identified the leak as less than five gallons, contained within the confines of the property.

Bob Enright, 5753 Algoma Street, wanted to re-emphasize that the Town of Hull should be notified if there is a spill, as well as supplying protections for Hull residents.

Mayor Wescott declared the public hearing closed.

9. Action on the above.

Mayor Wescott explained that there have been continuous conversations with Town of Hull Chairman Holdridge regarding this event. Commissioner Patton asked if a courtesy call would be placed to which Mayor Wescott stated they have already added them to the check list of calls for persons and agencies notified.

**Motion by Mayor Wescott to approve the request from the City of Stevens Point for a conditional use permit amendment to add additional conditions to the gas station use to protect the groundwater supply within Groundwater (Wellhead) Protection Overlay District B at 1201 Badger Avenue (Parcel ID 2408-36-1200-01) of the following:**

- **Any spills, releases, leaks, or discharges shall be remediated by the owner, at the owner's expense, to a "non-detect" level. If a "non-detect" level is not reasonably and financially achievable, then any spills, releases, leaks, or discharges shall be remediated to a level agreed to by a groundwater professional representing the City that poses no risk to the groundwater supply.**
- **Any known spills, releases, leaks, or discharges shall be reported to the Director of Utilities and Transportation within twenty four (24) hours of detection.**
- **The conditional use permit shall expire April 30, 2016, and may be renewed by staff for subsequent one year approvals if all conditions are met.**

**seconded by Commissioner Patton. Motion carried 7-0.**

10. **Public Hearing** - Request from the Rettler Corporation for a subdivision plat amendment of Carol's Lane Subdivision, located on the southwest corner of the intersection at **Carol's Lane and Mary's Drive (Parcel ID's 2408-35-3000-19 to 2408-35-3000-27)**.

Director Ostrowski explained that the final plat was approved for ten (10) lots, and now the owner wants to split to make 18 lots in order to sell duplexes as zero lot line homes. One of the original lots had already been split with a CSM and that is why it is not a 20-lot subdivision. Staff recommends approval of this request as no significant changes to the original development plan have occurred.

Commissioner Curless asked for clarification that the request is truly for zero lot line homes, and not condo properties, to which Director Ostrowski confirmed.

Commissioner Haines asked how big the proposed lots would be and if they would be big enough for construction of a single family home or duplex. Director Ostrowski clarified that the proposed lots do not meet the lot requirements for single family homes. If a single family home was to be constructed, lots would have to be combined.

Mayor Wescott summarized that the request was just for lot spits, to which Director Ostrowski confirmed.

Mayor Wescott declared the public hearing open.

Mayor Wescott declared the public hearing closed.

11. Action on the above.

**Motion by Alderperson Moore to approve the request from the Rettler Corporation for a subdivision plat amendment of Carol's Lane Subdivision, located on the southwest corner of the intersection at Carol's Lane and Mary's Drive (Parcel ID's 2408-35-3000-19 to 2408-35-3000-27); seconded by Commissioner Curless. Motion carried 7-0.**

12. Adjourn.

Meeting Adjourned at 6:35pm.

# Administrative Staff Report

Portage County Sheriff's Office  
 Conditional Use Request  
 2442 Sims Ave. / 1000 Minnesota Ave.  
 May 4, 2015



Department of Community Development  
 1515 Strongs Avenue, Stevens Point, WI 54481  
 Ph: (715) 346-1568 - Fax: (715) 346-1498

<p><b>Applicant(s):</b></p> <ul style="list-style-type: none"> <li>Portage County Sheriff's Office</li> </ul> <p><b>Staff:</b></p> <ul style="list-style-type: none"> <li>Michael Ostrowski, Director  <a href="mailto:mostrowski@stevenspoint.com">mostrowski@stevenspoint.com</a></li> <li>Kyle Kearns, Associate Planner  <a href="mailto:kkearns@stevenspoint.com">kkearns@stevenspoint.com</a></li> </ul> <p><b>Parcel Number(s):</b></p> <ul style="list-style-type: none"> <li>2408-33-2001-05</li> </ul> <p><b>Zone(s):</b></p> <ul style="list-style-type: none"> <li>"R-2" Single Family Residence District</li> </ul> <p><b>Master Plan:</b></p> <ul style="list-style-type: none"> <li>Institutional / Government</li> </ul> <p><b>Council District:</b></p> <ul style="list-style-type: none"> <li>District 2 – Mrozek</li> </ul> <p><b>Lot Information:</b></p> <ul style="list-style-type: none"> <li>Actual Frontage: 2,872 feet</li> <li>Effective Frontage: 2,872 feet</li> <li>Effective Depth: 1,256 feet</li> <li>Square Footage: 1,287,312</li> <li>Acreage: 29.55</li> </ul> <p><b>Current Use:</b></p> <ul style="list-style-type: none"> <li>Mixed Use; office, recreation and education</li> </ul> <p><b>Applicable Regulations:</b></p> <ul style="list-style-type: none"> <li>23.01(16), 23.02(4)(d), and 23.02(1)(d)</li> </ul>	<p><b>Request</b></p> <p>Request from Dale O'Kray, representing the Portage County Sheriff's Office, for a conditional use permit for the purposes of installing additional communication equipment to the existing wireless communication tower, constructing a small building to house equipment, and to replace the generator at <b>2442 Sims Avenue / 1000 Minnesota Avenue (Parcel ID 2408-33-2001-05)</b>.</p> <p><b>Attachment(s)</b></p> <ul style="list-style-type: none"> <li>Property Data</li> <li>Exhibit Map</li> <li>Application</li> <li>Plans</li> <li>Rendering</li> </ul> <p><b>Findings of Fact</b></p> <ul style="list-style-type: none"> <li>The property is 29.55 acres.</li> <li>The property is zoned "R-2" Single Family Residence District.</li> <li>The request is to install additional communication equipment on an existing tower, construct a small building, and replace a generator.</li> <li>The tower is approximately 7.5 feet wide at the base.</li> </ul> <p><b>Staff Recommendation</b></p> <p>Approve, subject to the following conditions:</p> <ul style="list-style-type: none"> <li>Any other pertinent requirements from the Federal Aviation Administration (FAA) shall be met.</li> <li>Any and all mechanical equipment located on the ground shall be completely concealed or screened, except generators.</li> <li>The main exterior material for the building shall be the "Arizona Sandstone" masonry.</li> </ul>
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## Vicinity Map



## Background



The Portage County Sheriff's Office is requesting to add additional radio equipment to the existing tower, a new radio equipment building, and replace the existing generator. The request is primarily to upgrade equipment and improve radio communications within the Stevens Point area. Further details regarding the request are below.

### Equipment Building

Size: 10 feet by 12 feet (120 square feet)

Materials: Pre-Fabricated, stone façade (match existing building)

Fence: 6 foot chain link fence surrounding generator.

It is important to note that the co-location of wireless communication equipment on existing towers is permitted within the district. The conditional use is required as a change of use is occurring on the property with the proposed construction of a small building to house communication equipment. Therefore, review of the conditional use permit will pertain to this aspect of the request.

## Standards of Review

- 1) **The establishment, maintenance, or operation of the use will not be detrimental to, or endanger the public health, safety, morals, comfort, or general welfare.**

**Analysis:** The tower exists, with existing equipment. Furthermore, an existing building exists to house equipment related to the tower use. A backup generator is also situated in a fenced area outside of the existing building. The proposal involves installing a second building north of the existing, replacing the existing generator with a larger model to be repositioned on site, and to install radio equipment on the tower. The tower and equipment exist in the center of a nearly 30 acre square parcel. Recreational equipment, trees, and other facilities surround the tower. Fencing is proposed to ensure security. Residential homes surround the property however are separated by hundreds of feet.

**Findings:** Although residential homes exist within the vicinity, a large distance exists separated by other buildings, trees, and shrubs. Therefore, the use should not be detrimental to, or endanger the public health, safety, morals, comfort, or general welfare.

- 2) **The use will not be injurious to the use and for the purpose already permitted;**

**Analysis:** The tower currently exists for which an equipment building currently serves. The request is to add an additional equipment building.

**Findings:** The proposed use is should not be injurious to the existing uses on or around the property, as much will remain the same.

- 3) **The establishment of the use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;**

**Analysis:** The respective area is an established area of the city. Very little vacant land exists within the vicinity.

**Findings:** The proposed use should not impede the orderly development and improvement of the surrounding properties.

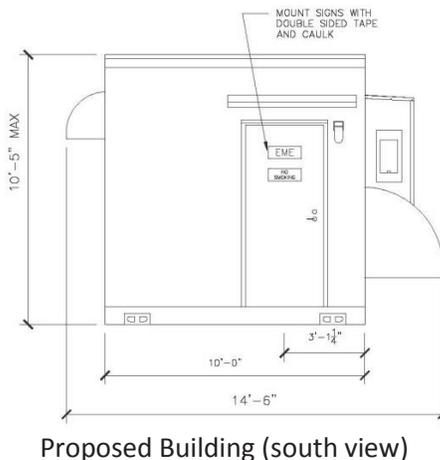
- 4) **The exterior architectural appeal and functional plan of any proposed structure will not be at variance with either the exterior architectural appeal and functional plan, and scale of the structures already constructed or in the course of construction in the immediate neighborhood or in the character of the applicable district so as to result in a substantial or undue adverse effect on the neighborhood;**

**Analysis:** Several poles, antennas, and tall structures exist on site or within the area. The proposed exterior material of the structure will be masonry in looks and similar to other buildings on the site

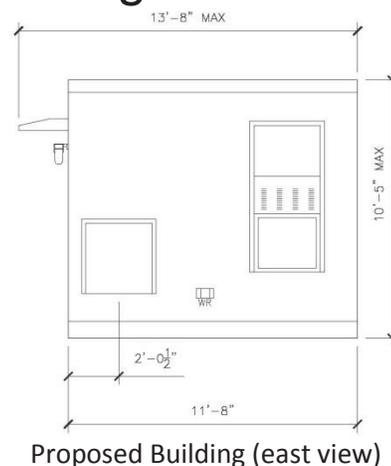




Existing Building



Proposed Building (south view)



Proposed Building (east view)

**Findings:** The architectural appeal and functional plan of the proposed tower should be consistent with other similar structures within the vicinity. Therefore, the exterior architectural appeal and functional plan of the tower should not be in variance with any existing tower or facility design and appeal.

**5) Adequate utilities, access roads, drainage and/or necessary facilities have been, or are being, provided;**

**Analysis:** The respective area is an established area of the city.

**Findings:** Utilities currently exist in this area. This standard is met.

**6) Adequate measures have been, or will be, taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets;**

**Analysis:** Primary access will occur via Sims Avenue which eventually terminates on the property, before continuing east of the property. The tower is accessible via paved paths existing west and south of the tower location.

**Findings:** This standard is met.

**7) The proposed use is not contrary to the objectives of any duly adopted land use plan for the City of Stevens Point, any of its components, and/or its environs.**

**Analysis:** The proposed use is within the "R-2" Single Family Residence District. This district is established to provide the population density and used primarily for single family living, which is expected to accommodate the numerous residential developments already at the density of this district and this district would accommodate other housing not on City sewer. This district is to be located consistent with the City's Comprehensive Plan.

**Findings:** The property is centrally located in a residential and mixed use area that is buffered by other fitting uses mentioned previously; therefore, the proposed use is a supporting use within this district. Furthermore, the existing tower and proposed building are located in the middle of the nearly 30 acre site and should not negatively impact surrounding land uses.

**8) The use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified pursuant to the recommendations of the Plan Commission.**

**Analysis:** Co-location of antennas on existing towers is permitted within all zoning districts per state statute 66.0404. The proposed equipment building however, is a change in use which triggers the conditional use review process.

**Findings:** All pertinent and enforceable zoning regulations are met. This standard is met.

- 9) **The proposal will not result in an over-concentration of high density living facilities in one area so as to result in a substantial or undue adverse effect on the neighborhood, on the school system, and the social and protective services systems of the community.**

N/A

- 10) **Principal - Applications for exclusive multifamily residential uses: The view from the street should maintain a residential character. The view should be dominated by the building and not by garages, parking, mechanical equipment, garbage containers, or other storage.**

N/A

- 11) **Access to the site shall be safe.**

See standard 6 above.

- 12) **There shall be adequate utilities to serve the site.**

- a. **The Public Works Director, Police Chief, and Fire Chief shall determine whether there is adequate sanitary sewer, potable water, storm drainage, street capacity, emergency access, public protection services, and other utilities to serve the proposed development. They shall review the plan to ensure safety and access for safety vehicles.**

**Analysis:** The property currently exists, and adequate utilities exist at the site.

**Findings:** This standard is met.

- 13) **The privacy of the neighboring development and the proposed development shall be maintained as much as practical. Guidelines:**

- a. **Mechanical equipment including refuse storage shall be screened from neighboring properties.**

**Analysis:** An upgrade to the existing generator is proposed. A new, larger generator will replace the existing generator and will be completely enclosed with a 6 foot high chain link fence. Existing trees and shrubs set back from the building aid in screening the generator.

**Findings:** This standard is met.

- b. **Lighting shall be located to minimize intrusion onto the neighboring properties.**

**Analysis:** The building will likely have a dim signal light which shouldn't greatly affect light intensity on the site.

**Findings:** This standard is met.

- c. Sources of noise shall be located in a manner that minimizes impact to neighboring properties.

**Analysis:** No sources of noise are anticipated during the regular operation of the building and tower, unless power is lost, in which the generator will start.

**Findings:** This standard is met.

- 14) Principal - Applications for exclusive multifamily residential uses. Landscaping shall be provided or existing landscape elements shall be preserved to maintain a sense of residential character, define boundaries, and to enhance the sense of enclosure and privacy.

N/A

Based on the findings above, staff would recommend approving the conditional use permit for the purposes of installing additional communication equipment to the existing wireless communication tower, constructing a small building to house equipment, and to replace the generator at 2442 Sims Avenue / 1000 Minnesota Avenue.

### Photos

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Name and Address	Parcel #	Alt Parcel #
City Of Stevens Point Goerke Field 1515 Strongs Ave Stevens Point, WI 54481	240833200105	240833200105
	Property Address	
	2442 Sims/1000 Minnesota	
Display Note		

**OWNERSHIP HISTORY**

Owner	Sale Date	Amount	Conveyance	Volume	Page	Sale Type

**PERMITS**

Date	Number	Amount	Purpose	Note
8/1/2013	13-0367	\$13,750	090 Roof/Strip & re-roof	warming house/ice rink
5/22/2012	12-0270	\$3,500	066 Plumbing	hot water storage tank - pool
9/19/2011	11-631	\$2,750	066 Plumbing	replace hwh
7/7/2011	11-436	\$50,978	090 Roof/Strip & re-roof	coating roof
8/20/2010	37291	\$2,353	066 Plumbing	urinal flush value repair
5/26/2010	37042	\$2,100	110 Storage Bldg/Shed/Gazebo	8' x 8' storage bldg

**2014 ASSESSED VALUE**

Class	Land	Improvements	Total
X4-Local Exempt	\$0	\$0	\$0
<b>Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

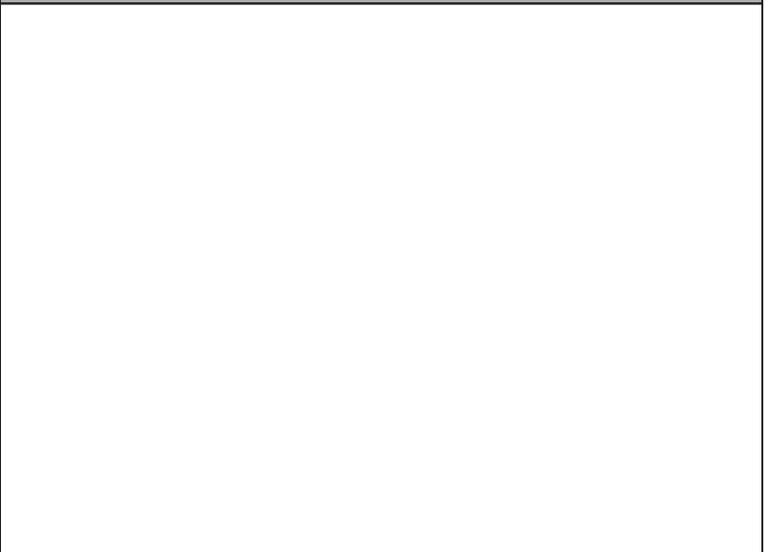
**LEGAL DESCRIPTION**

PRT NE NW S33 T24 R8 COM NE COR MAIN & MICH TH N250' FOR POB N884' M/L E1257.7' TO WL MINN S1134.5' TO NL MAIN W ALG NL MAIN 847.1' N 350' W230' N40' W 100' S140' W70' TO POB (GOERKE PARK) 123/344 147/36 452/428-89 649/901 773023ESMT 801723-RES

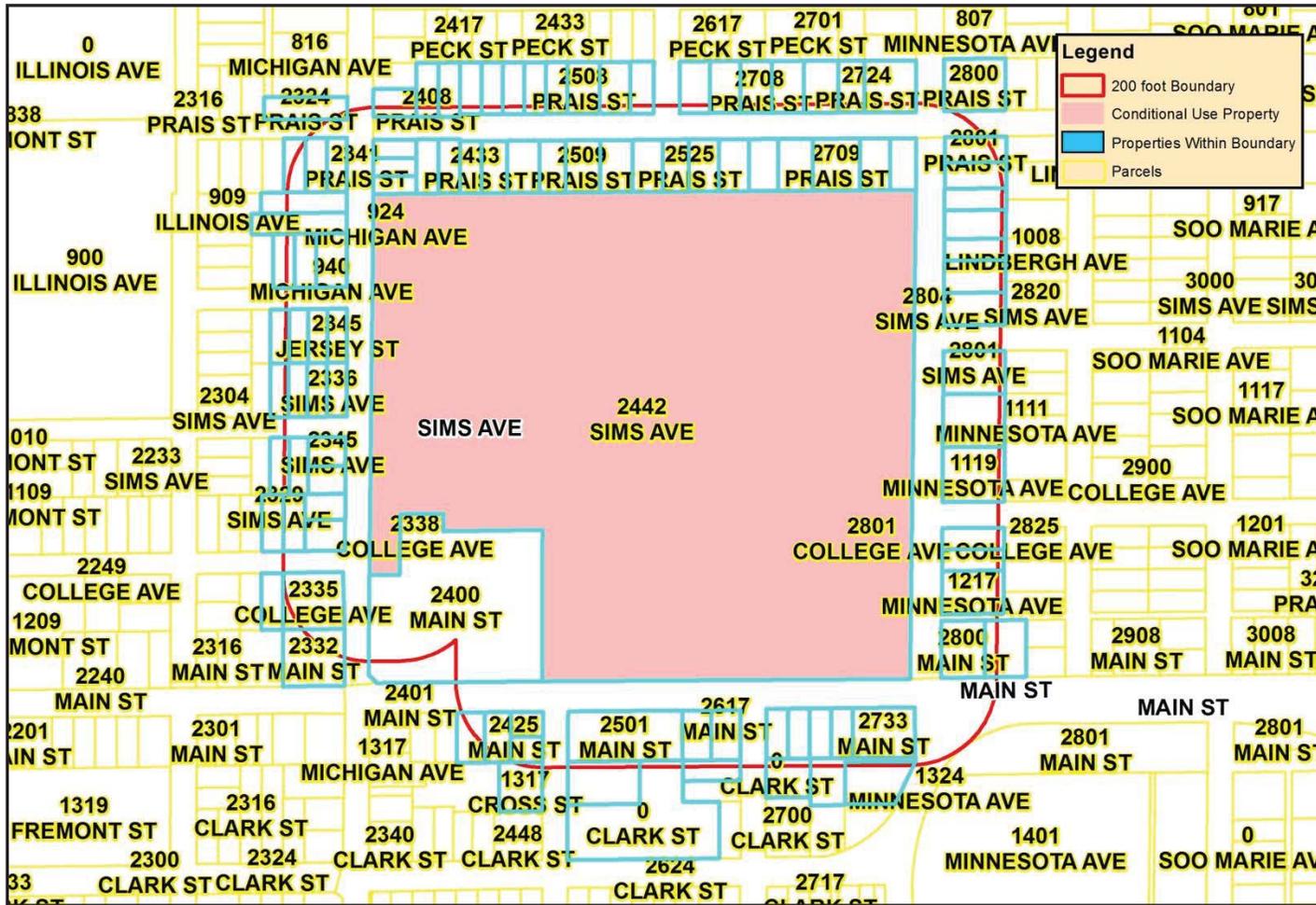
**PROPERTY IMAGE**



**PROPERTY SKETCH**



Conditional Use Permit – Install Additional Communication Equipment and Replace Generator – 2442 Sims Avenue / 1000 Minnesota Avenue (Parcel ID 2408-33-2001-05) – Exhibit Map (200 Feet Boundary)



Tax Key	Name	Mailing Address	City, State	Zip	Property Address
281240828400908	THOMAS T & SHARON A FLUGAUR	2800 Prais St	Stevens Point WI	54481	2800 Prais St.
281240828301814	NEIL S & S LEWIS	2724 Prais St	Stevens Point WI	54481	2724 Prais St.
281240828301813	SANDRA LITCHFIELD	2617 Simonis St	Stevens Point WI	54481	2716 Prais St.
281240828301812	FREDERICK LITTMANN SURVTRST	2708 Prais St	Stevens Point WI	54481	2708 Prais St.
281240828301811	MICHAEL J & DEBRA B DISHER	2616 Prais St	Stevens Point WI	54481	0 Prais St.
281240828301810	MICHAEL J & DEBRA B DISHER	2616 Prais St	Stevens Point WI	54481	2616 Prais St.
281240828301809	KAREN R BLAHA	2608 Prais St	Stevens Point WI	54481	2608 Prais St.
281240828301808	NORBERT R & L GUZMAN	2600 Prais St	Stevens Point WI	54481	2600 Prais St.
281240828301724	EUGENE F & P BUDELIER	2524 Prais St	Stevens Point WI	54481	2524 Prais St.
281240828301723	DONALD E & MARY ANN FABISIAK	2516 Prais St	Stevens Point WI	54481	2516 Prais St.
281240828301722	MARY BRILOWSKI	2508 Prais St	Stevens Point WI	54481	2508 Prais St.
281240828301721	CORY WOYTASIK	2500 PRAIS ST	Stevens Point WI	54481	2500 Prais St.
281240828301720	TRISHA S LAMERS	2440 PRAIS ST	Stevens Point WI	54481	2440 Prais St.
281240828301719	JIA LU	4272 OAK FOREST DR	Valdosta GA	31602	2432 Prais St.
281240828301718	JASON O MEEKS	2428 Prais St	Stevens Point WI	54481	2428 Prais St.
281240828301717	ERNEST K & SHARON G SALIBI	4375 OAKRIDGE CT	Stevens Point WI	54482	2424 Prais St.
281240828301716	PAUL M & SHARON MRISKE	2416 Prais St	Stevens Point WI	54481	2416 Prais St.
281240828301715	JOSEPH & M KORBAL	2408 Prais St	Stevens Point WI	54481	2408 Prais St.

281240828301714	ROBERT W & BARBARA J OLSEN	825 Michigan Ave	Stevens Point WI	54481	825 Michigan Ave.
281240828301415	AGA S & FIZZA H RAZVI	5 TEWKESBURY LN	SOUTH BARRINGTON IL	60010	2324 Prais St.
281240833100402	DEBRA M COLEMAN	2801 Prais St	Stevens Point WI	54481	2801 Prais St.
281240828301601	CHARLES L STANLEY & CHERYL A LANGRECK	900 Minnesota Ave	Stevens Point WI	54481	900 Minnesota Ave.
281240828301602	RICHARD B & KAREN S RUDIGER	2717 Prais St	Stevens Point WI	54481	2717 Prais St.
281240828301603	RICHARD L SPREDA	2709 Prais St	Stevens Point WI	54481	2709 Prais St.
281240828301604	ANNE M BRUNNER	2701 Prais St	Stevens Point WI	54481	2701 Prais St.
281240828301605	DAVID & CATHY BOSSELAIT	2617 Prais St	Stevens Point WI	54481	2617 Prais St.
281240828301606	CHRISTOPHER D LEFEBVRE	2609 Prais St	Stevens Point WI	54481	2609 Prais St.
281240828301607	JEFFREY G MOFFAT	2601 Prais St	Stevens Point WI	54481	2601 Prais St.
281240828301622	THOMAS J FINK	2533 Prais St	Stevens Point WI	54481	2533 Prais St.
281240828301610	STEPHEN D & CATHLEEN M CHIZZO	2525 Prais St	Stevens Point WI	54481	2525 Prais St.
281240828301611	FRANCESCO SCIARRONE	2517 Prais St	Stevens Point WI	54481	2517 Prais St.
281240828301617	CHARLES A JULIN & KATHLEEN STUMPF JULIN	2417 Prais St	Stevens Point WI	54481	2417 Prais St.
281240828301618	ROBERT A & ROBYN J SISKOFF	2150 BIRCH DR	PLOVER WI	54467	2409 Prais St.
281240828301612	BRIDGET R STAFFORD	2509 Prais St	Stevens Point WI	54481	2509 Prais St.
281240828301619	SUSAN A MEYER	901 Michigan Ave	Stevens Point WI	54481	901 Michigan Ave.
281240828301613	CASSANDRA J ROBEL	2501 PRAIS ST	Stevens Point WI	54481	2501 Prais St.
281240828301614	PHILIP A & JOANNE K HOLZER	840 S Colfax	Elmhurst IL	60126	2433 Prais St.
281240828301501	JAMES & DOROTHY A CZYSEN	2090 COUNTY ROAD Y N	Stevens Point WI	54481	908 Michigan Ave.
281240828301615	WAYNE P VREELAND & AMY J MONTGOMERY	2425 Prais St	Stevens Point WI	54481	2425 Prais St.
281240828301502	MATTHEW GILE	2341 PRAIS ST	Stevens Point WI	54481	2341 Prais St.
281240828301616	MARIANNE E SCHIEFER	2421 Prais St	Stevens Point WI	54481	2421 Prais St.
281240828301503	MARY ANN POWELL	2333 Prais St	Stevens Point WI	54481	2333 Prais St.
281240828301620	DAN R & ALICE E WILLIAMS	3948 County Rd T	Amherst WI	54406	909 Michigan Ave.
281240833100403	JACOB G BRENEMAN	907 Minnesota Ave	Stevens Point WI	54481	907 Minnesota Ave.
281240828301621	INA POGAINIS	917 Michigan Ave	Stevens Point WI	54481	917 Michigan Ave.
281240833100404	BETTY J ALLAR	911 Minnesota Ave	Stevens Point WI	54481	911 Minnesota Ave.
281240833200105	CITY OF STEVENS POINT	GOERKE FIELD	Stevens Point WI	54481	2442 Sims Ave.
281240833200201	MARK GLEN HOLOUBEK	237 Broadway #101	River Falls WI	54022	916 Michigan Ave.
281240833100405	BEVERLY A LOPEZ	4100 Main St	Stevens Point WI	54481	915 Minnesota Ave.
281240833200211	RAYMOND F & NEESIE CIESLAK	924 MICHIGAN AVE	Stevens Point WI	54481	924 Michigan Ave.
281240833200210	KEITH F & BARBARA A IRIS	940 Michigan Ave	Stevens Point WI	54481	940 Michigan Ave.
281240833200208	RICHARD CONLON	P O Box 645	Stevens Point WI	54481	2332 Jersey St.
281240833200207	JEAN AGLENNON	2324 Jersey St	Stevens Point WI	54481	2324 Jersey St.
281240833100406	NAPIWOCKI PG & BL & SARE E NAPIWOCKI	1001 MINNESOTA AVE	Stevens Point WI	54481	1001 Minnesota Ave.
281240833100407	LORRAINE M FALKAVAGE	2000 Roberts Dr	Stevens Point WI	54481	1009 Minnesota Ave.
281240833100408	MARILYN M MASTERTON REVTRST	2804 Sims Ave	Stevens Point WI	54481	2804 Sims Ave.
281240833201401	CHESTER & L BRILOWSKI	2345 Jersey St	Stevens Point WI	54481	2345 Jersey St.
281240833201402	BRADLEY M & TRACIE A HINAUS	2337 Jersey St	Stevens Point WI	54481	2337 Jersey St.
281240833201403	JASON J CZECH & MEGHANN E MILLER	2329 Jersey St	Stevens Point WI	54481	2329 Jersey St.

281240833201404	GREGG H WARREN & LAURA DI SALVO	2321 Jersey St	Stevens Point WI	54481	2321 Jersey St.
281240833100502	MARY M KIRSCH	2801 Sims Ave	Stevens Point WI	54481	2801 Sims Ave.
281240833201415	DAVID E & JANET E ESCHENBAUCH	10353 Krogwold Rd	Amherst Junction WI	54407	2344 Sims Ave.
281240833201414	VICKI M KOLODZIEJ	2336 Sims Ave	Stevens Point WI	54481	2336 Sims Ave.
281240833201413	PATRICIA K LARSON	2328 Sims Ave	Stevens Point WI	54481	2328 Sims Ave.
281240833201412	DAVID G FOX & ANN MARIE CAHAK	2320 Sims Ave	Stevens Point WI	54481	2320 Sims Ave.
281240833100518	ANA L RUNNION	1777 Mary's Dr	Stevens Point WI	54481	1111 Minnesota Ave.
281240833201501	WILLIAM J ST JOHN WILLIAM & MARY M FULLER	2345 SIMS AVE	Stevens Point WI	54481	2345 Sims Ave.
281240833201502	BRYAN S OLSON & JESSICA SJOBERG JESSICA	2337 SIMS AVE	Stevens Point WI	54481	2337 Sims Ave.
281240833201503	RAYMOND K SPIELMAN	2329 Sims Ave	Stevens Point WI	54481	2329 Sims Ave.
281240833100517	JOSHUA OSTROWSKI & JOLYNE CHECK OSTROWSKI	1119 Minnesota Ave	Stevens Point WI	54481	1119 Minnesota Ave.
281240833201515	BETTY J HARKNESS	1108 Michigan Ave	Stevens Point WI	54481	1108 Michigan Ave.
281240833201514	JUSTIN JCLARK	1116 MICHIGAN AVE	Stevens Point WI	54481	1116 Michigan Ave.
281240833201512	DIANA BLACK	2330 College Ave	Stevens Point WI	54481	2330 COLLEGE
281240833201511	RICHARD R & CYNTHIA A TIELENS	1321 Robin Lane	Stevens Point WI	54481	2322 COLLEGE
281240833200104	STEVENS POINT AREA SCHOOL DISTRICT	1900 POLK ST	Stevens Point WI	54481	2400 Main St.
281240833201513	DAVID R BISHOFF	2338 College Ave	Stevens Point WI	54481	2338 COLLEGE
281240833100602	GEORGE & E GARD	2801 College Ave	Stevens Point WI	54481	2801 College Ave.
281240833100603	JOSEPH J KOTLOWSKI	1209 Minnesota Ave	Stevens Point WI	54481	1209 Minnesota Ave.
281240833100604	THOMAS A & SANDRA M OMERNIK	1217 Minnesota Ave	Stevens Point WI	54481	1217 Minnesota Ave.
281240833201601	DANIEL J SCHOMMER	N4729 Elm Valley Rd	Waupaca WI	54981	2335 COLLEGE
281240833201602	JOSEPH D PFISTER	2325 College Ave	Stevens Point WI	54481	2325 COLLEGE
281240833100606	MICHAEL G BURNS	2808 Main St	Stevens Point WI	54481	2808 Main St.
281240833100605	FIRST CHURCH OF CHRIST SCIENTIST	2800 Main St	Stevens Point WI	54481	2800 Main St.
281240833201609	COMM 2332 LLC	405 OAK RD	CUSTER WI	54423	2332 Main St.
281240833203014	CAROLINE E BIENVENUE	2733 Main St	Stevens Point WI	54481	2733 Main St.
281240833203004	TRINA M DORN	2725 Main St	Stevens Point WI	54481	2725 Main St.
281240833203005	JOSHUA H KRIESEL	2717 Main St	Stevens Point WI	54481	2717 Main St.
281240833203006	ANNETTE S WHELIHAN	2709 Main St	Stevens Point WI	54481	2709 Main St.
281240833203007	BARBOZA HERRERA & HERRERA I GONZALEZ	2701 MAIN ST	Stevens Point WI	54481	2701 Main St.
281240833202501	ST MICHAEL'S HOSPITAL OF ST PT INC	900 Illinois Avenue	Stevens Point WI	54481	2617 Main St.
281240833202502	ST MICHAEL'S HOSPITAL OF ST PT INC	900 Illinois Ave	Stevens Point WI	54481	2601 Main St.
281240833202504	ST MICHAEL'S HOSPITAL OF ST PT INC	900 Illinois Ave	Stevens Point WI	54481	2501 Main St.
281240833202401	ST MICHAEL'S HOSPITAL OF ST PT INC	900 Illinois Ave	Stevens Point WI	54481	2449 Main St.
281240833202402	ST MICHAEL'S HOSPITAL OF ST PT INC	900 Illinois Ave	Stevens Point WI	54481	0 Main St.
281240833202403	SHOP PROP LLC	405 OAK RD	CUSTER WI	54423	2425 Main St.
281240833202418	ST MICHAEL'S HOSPITAL OF ST PT INC	900 Illinois Ave	Stevens Point WI	54481	1308 Cross St.
281240833203013	JOSHUA H KRIESEL	2717 Main St	Stevens Point WI	54481	0 Clark St.
281240833203008	CHRISTOPHER P NATIONS	1313 Chase St	Stevens Point WI	54481	1313 Chase St.

281240833202514	ST MICHAEL'S HOSPITAL OF ST PT INC	900 Illinois Ave	Stevens Point WI	54481	1310 Chase St.
281240833202515	ST MICHAEL'S HOSPITAL OF ST PT INC	900 Illinois Ave	Stevens Point WI	54481	0 Clark St.
281240833202505	ST MICHAEL'S HOSPITAL OF ST PT INC	900 Illinois Ave	Stevens Point WI	54481	1317 Cross St.
281240833202416	ST MICHAEL'S HOSPITAL OF ST PT INC	900 Illinois Ave	Stevens Point WI	54481	1316 Cross St.
281240833203012	JOHN L ET AL OKONEK	2916 Dixon St	Stevens Point WI	54481	1324 Minnesota Ave.



City of Stevens Point  
Community Development Department

1515 Strongs Avenue, Stevens Point, WI 54481  
(715) 346-1567  
(715) 346-1498  
communitydevelopment@stevenspoint.com  
http://stevenspoint.com

**APPLICATION FOR A CONDITIONAL USE PERMIT**

(Pre-Application Conference Required)

4-13-15  
R#1-60943

**ADMINISTRATIVE SUMMARY (Staff Use Only)**

Application #	-	Date Submitted	4/9/15	Fee Required	250.00	Fee Paid	250.00
Associated Applications if Any	-	Assigned Case Manager	Kyle Kearns				
Pre-Application Conference Date	-	Conditional Use Permit Request	Use <input checked="" type="checkbox"/> Amend <input type="checkbox"/>				

**APPLICANT/CONTACT INFORMATION**

APPLICANT INFORMATION		CONTACT INFORMATION (Same as Applicant? <input type="checkbox"/> )	
Applicant Name	Portage County Sheriff's Office	Contact Name	Captain Dale O'Kray
Address	1500 Strongs Ave.	Address	1500 Strongs Ave.
City, State, Zip	Stevens Point, WI 54481	City, State, Zip	Stevens Point, WI 54481
Telephone	715-346-1400	Telephone	715-346-1620
Fax	715-346-1666	Fax	715-346-1666
Email		Email	okrayd@co.portage.wi.us

**OWNERSHIP INFORMATION**

PROPERTY OWNER 1 INFORMATION (Same as Applicant? <input type="checkbox"/> )		PROPERTY OWNER 2 INFORMATION (If Needed)	
Owner's Name	City of Stevens Point - Parks and Rec Dept.	Owner's Name	
Address	2442 Sims Ave.	Address	
City, State, Zip	Stevens Point, WI 54481	City, State, Zip	
Telephone	715-346-1531	Telephone	
Fax		Fax	
Email	TSchrader@stevenspoint.com	Email	

**PROJECT SUMMARY**

Subject Property Location [Please Include Address and Assessor's Identification Number(s)]		
Parcel 1	Parcel 2	Parcel 3
2442 Sims Ave.		
Legal Description of Subject Property		
PRT NE NW S33 T24 R8 COM NE COR MAIN & MICH TH N250' FOR POB N884' M/L E1257.7' TO WL MINN S1134.5' TO NL MAIN W ALG NL MAIN 847.1' N 350' W230' N40' W 100' S140' W70' TO POB (GOERKE PARK) 123/344 147/36 452/428-89 649/901 773023ESMT		
Designated Future Land Use Category		Current Use of Property
Recreation		Recreation
Explain the land use and the development proposed for the subject property. Include the time schedule (if any) for development. (Use additional pages if necessary)		
Will be adding equipment to the existing tower and an addition of a radio equipment building, near the existing building near the base of the tower. The work would take approximately a week and could begin shortly after the approval process, if approved.		

**How will the proposed development reinforce the existing or planned character of the neighborhood? (Use additional pages if necessary)**

The use of this tower is part of a county wide radio project, to upgrade the emergency radio system, and due to it's location, it will cover the Stevens Point area for radio coverage. A new generator will replace the generator that is currently in place.

**Outline steps that will be taken to reduce any negative impacts on adjacent property. (Use additional pages if necessary)**

The building will match existing buildings with the required stone look. This siding has been approved by the Parks Director. Changes on the tower will include stick antennas and dishes.

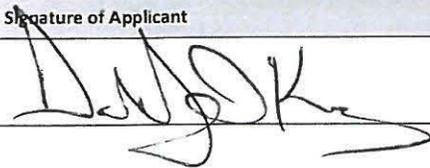
Current Zoning Surrounding Subject Property			
North:	R-2 Single Family District	South:	R-2 Single Family District, B-4 Commercial District, and R-5 Multiple Family 2 District
East:	R-2 Single Family District	West:	R-2 Single Family District, & R-3 Single and Two Family District
Current Land Use Surrounding Subject Property			
North:		South:	
East:		West:	

**EXHIBITS**

	<input type="checkbox"/>	Additional Exhibits if Any:
Owner Information Sheet	<input type="checkbox"/>	
Letter to District Alderperson	<input type="checkbox"/>	
Maps (vicinity, zoning, floodplains, wetlands others as requested by staff)	<input type="checkbox"/>	
Site Plan (designating primary, side, and service street frontages)	<input checked="" type="checkbox"/>	
Building Elevations	<input type="checkbox"/>	
Parking Plan (Location, number of spaces, reductions, and design and landscaping)	<input type="checkbox"/>	
Street Plan with Cross-sections	<input type="checkbox"/>	
Utility Plan	<input type="checkbox"/>	
Landscape Plan (including any equivalent alternative landscaping requests)	<input checked="" type="checkbox"/>	
Stormwater Plan	<input type="checkbox"/>	
Outdoor Lighting Plan (location of fixtures, illumination levels)	<input type="checkbox"/>	

**CERTIFICATION AND SIGNATURE**

By my signature below, I certify that the information contained in this application is true and correct to the best of my knowledge at the time of the application. I acknowledge that I understand and have complied with all of the submittal requirements and procedures and that this application is a complete application submittal. I further understand that an incomplete application submittal may cause my application to be deferred to the next posted deadline date.

Signature of Applicant	Date	Signature of Property Owner(s)	Date
	4/8/15		



# OFFICE OF SHERIFF • PORTAGE COUNTY, WISCONSIN

LAW ENFORCEMENT CENTER • 1500 STRONGS AVE., STEVENS POINT, WI 54481 • 715-346-1400 • FAX 715-346-1591

MIKE LUKAS  
*Sheriff*

April 8, 2015

Alderson Hans Walther  
2424 Ellis St.  
Stevens Point, WI 54481

Mr. Walther,

This letter is to notify you that the Portage County Sheriff's Office is applying to the Stevens Point Planning Commission to add equipment to the radio tower that is already located at Goerke Park. This is the radio tower that is near the west entrance to the football stadium. In addition to the radio equipment that will be added to the tower, a small building will be placed near the base of the tower to house added equipment. A new generator will replace the current generator that is used for the current equipment.

The additional equipment at this location will be part of the new radio simulcast project that will upgrade the county wide radio system used by emergency services. Six other towers around the county will be upgraded/erected as part of this project. The Goerke tower will enable us to cover the Stevens Point area.

If you have any questions regarding this request, please feel free to contact me at 715-346-1620.

Thank you

Sincerely,

A handwritten signature in black ink, appearing to read "Dale O'Kray". The signature is stylized with a long, sweeping underline.

Dale O'Kray  
Operations Captain

**PROJECT INFORMATION**

SITE ADDRESS: 1100 MINNESOTA AVENUE  
STEVENS POINT, WI 53132  
COUNTY: PORTAGE  
SITE NAME: GOERKE  
LATITUDE: N/A  
LONGITUDE: N/A



**MOTOROLA SOLUTIONS**  
1301 E. ALGONQUIN RD  
SCHAUJMBURG, IL 60196

**SCOPE OF WORK**

THIS IS NOT AN ALL INCLUSIVE LIST. CONTRACTOR SHALL UTILIZE SPECIFIED EQUIPMENT PART OR ENGINEER APPROVED EQUIVALENT. CONTRACTOR SHALL VERIFY ALL NEEDED EQUIPMENT TO PROVIDE A FUNCTIONAL SITE.  
THE PROJECT GENERALLY CONSISTS OF THE FOLLOWING:  
INSTALL (2) STICK ANTENNAS & 6" DISHES  
INSTALL (1) 25KW GENERATOR, AS PER DRAWINGS  
INSTALL (1) 10'X12' EQUIPMENT SHELTER  
INSTALL (1) ICEBRIDGE W/ SUPPORT POSTS  
INSTALL (1) CHAINLINK FENCE, AS PER DRAWINGS  
INSTALL (1) EQUIPMENT CONC. PADS, AS PER DRAWINGS

**DISCLAIMER**

THESE DRAWINGS REPRESENT AN EXISTING TELECOMMUNICATIONS COMPOUND AND ARE NOT PRODUCED WITH INTENT TO PROVIDE A LOCATION FOR THE PROPOSED EASEMENTS AND SETBACKS. CONTRACTOR SHALL BE VERIFIED PRIOR TO START OF CONSTRUCTION. SAC WIRELESS DOES NOT GUARANTEE THE ACCURACY OF SAID PROPERTY LINES, EASEMENTS AND SETBACKS.

**VICINITY MAP**



**LOCATION MAP**



**MOTOROLA SOLUTIONS, INC.**

**PRELIMINARY CONSTRUCTION DOCUMENTS**

**SITE NAME: GOERKE**  
**1100 MINNESOTA AVENUE**  
**STEVENS POINT, WI 54481**

**GENERAL CONTRACTOR NOTES**

DO NOT SCALE DRAWINGS IF NOT FULL-SIZE (11X17).  
CONTRACTOR SHALL VERIFY ALL PLANS AND EXISTING DIMENSIONS AND CONDITIONS ON THE JOB SITE AND REPORT ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR THE SAME.  
SUBCONTRACTOR'S WORK SHALL COMPLY WITH ALL APPLICABLE NATIONAL, STATE AND LOCAL CODES AS ADOPTED BY THE LOCAL AUTHORITY HAVING JURISDICTION (AHJ) FOR THE LOCATION. THE EDITION OF THE AHJ ADOPTED CODES AND STANDARDS IN EFFECT ON THE DATE OF CONTRACT AWARD SHALL GOVERN THE DESIGN.  
SUBCONTRACTOR'S WORK SHALL COMPLY WITH THE LATEST EDITION OF THE FOLLOWING STANDARDS: AMERICAN CONCRETE INSTITUTE (ACI) 308, BUILDING CODE REQUIREMENTS FOR STRUCTURAL STEEL (AISC) MANUAL OF STEEL CONSTRUCTION, 13TH EDITION, TELECOMMUNICATIONS INDUSTRY ASSOCIATION TIA 222-G, STRUCTURAL STANDARDS FOR STEEL ANTENNA TOWER AND ANTENNA SUPPORTING STRUCTURES: TIA 607 AND COUNTY STANDARDS WHERE MORE STRINGENT.  
INSTITUTE FOR ELECTRICAL AND ELECTRONICS ENGINEERS (IEEE) 81, GUIDE FOR MEASURING EARTH RESISTIVITY, GROUND IMPEDANCE, AND EARTH SURFACE POTENTIALS OF A GROUND SYSTEM.

**PROJECT TEAM**

**ARCHITECT/ENGINEER:**  
SAC WIRELESS, LLC  
NESTOR POPOWYCH, AIA  
PRINCIPAL ARCHITECT  
MARCIN ISKRA  
TELEPHONE: 847.468.3493  
EMAIL: mpopow@goerke.com  
2720 S. RIVER ROAD  
DES PLAINES, IL 60018  
TELEPHONE: (847) 944-1801  
WWW.SACW.COM  
  
**MOTOROLA PROGRAM MANAGER:**  
MOTOROLA SOLUTIONS, INC.  
1301 E. ALGONQUIN ROAD  
SCHAUJMBURG, IL 60196  
CONTACT: GREGORY R. PERCHATSCH  
PROGRAM MANAGER  
  
**INSTALLATION SERVICES INC. CONTRACTOR/PROJECT MANAGER:**  
INSTALLATION SERVICES INC.  
10406 CHERRY VALLEY ROAD  
GENOA, IL 60135  
CONTACT: JIM VOGEL  
TELEPHONE: (815) 784-5133  
FACSIMILE: (815) 784-5134  
EMAIL: jvogel@installationservices.com

**DRAWING INDEX:**

TITLE SHEET	DESCRIPTION
T1	TITLE SHEET
A1	SITE PLAN & LEGEND
A2	COMPOUND PLAN & LEGEND
A3	TOWER ELEVATIONS
A4	ANTENNA LAYOUT
A5	FENCE DETAILS & MATERIAL NOTES
A6	SHELTER FOUNDATION DETAILS
A7	SHELTER DETAILS
A8	GENERATOR CONCRETE SLAB DETAILS

**EXCAVATION**



ONE CALL CENTER:  
ANY QUESTIONS PERTAINING TO A DIG  
TICKET SHOULD BE DIRECTED TO THE  
STATE ONE CALL:  
WISCONSIN DIGGER: (800) 242-8511  
WWW.DIGGERSHOTLINE.COM



**DIGGER**

84671 / 84671  
**T1**

SHEET TITLE

SHEET NAME  
**GOERKE**  
1100 MINNESOTA  
STEVENS POINT, WI 54481

#	DATE	DESCRIPTION	BY
5	03/12/16	PRELIMINARY COB	MI
4	03/04/16	PRELIMINARY COB	MI
3	10/29/14	PRELIMINARY COB	DS
2	07/28/14	PRELIMINARY COB	DS
1	06/26/14	PRELIMINARY COB	RM

A/E:  
**SAC WIRELESS**  
ENGINEERING GROUP  
2720 S. RIVER ROAD  
DES PLAINES, IL 60018  
WWW.SACW.COM  
847.944.1801

**ISI**  
CONCRETE SOLUTIONS, INC.  
1000 CHERRY VALLEY RD.  
GENOA, IL 60135  
PH: (815) 784-5133 FAX: (815) 784-5204



**MOTOROLA SOLUTIONS**  
1301 E. ALGONQUIN RD  
SCHAUJMBURG, IL 60196



**MOTOROLA SOLUTIONS**  
 1311 E. ALCONBURG RD.  
 SCHMIDT, ILL. 60194



**CSI**  
 Custom Solutions & Our Fit Today  
 10400 CHEVY VALLEY RD.  
 GAITHERSBURG, MD 20878  
 PH: (301) 764-4100 FAX: (301) 764-4104



**S&S WIRELESS ENGINEERING GROUP**  
 2720 S. BUCKER ROAD  
 DES PLAINES, IL 60018  
 www.sandswireless.com  
 847.844.1601

#	DATE	DESCRIPTION	BY
5	03/12/15	PRELIMINARY CDS	MI
4	03/04/15	PRELIMINARY CDS	MI
3	10/28/14	PRELIMINARY CDS	DS
2	07/28/14	PRELIMINARY CDS	DS
1	06/26/14	PRELIMINARY CDS	RM

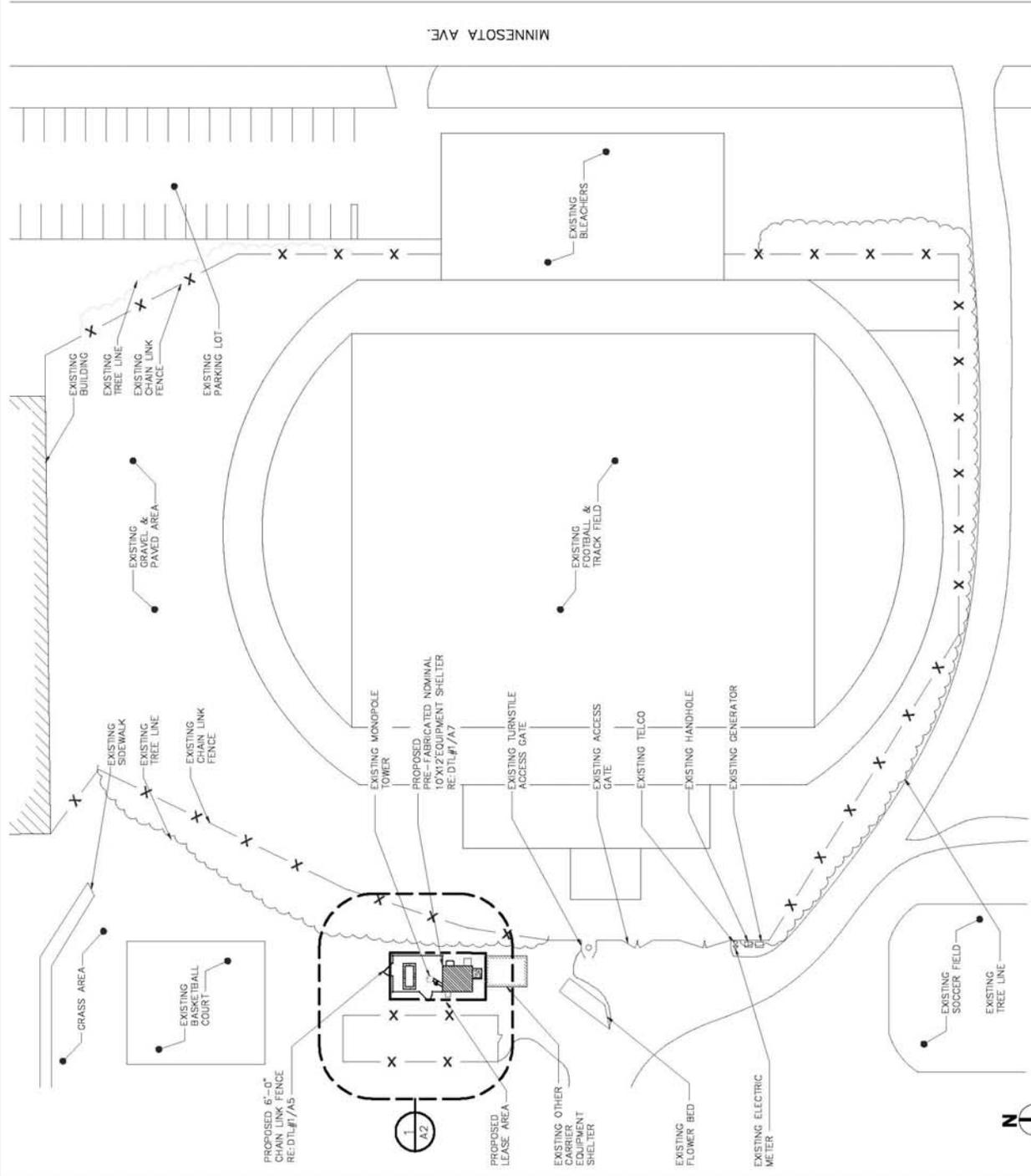
**SITE NAME**  
**GOERKE**  
 1100 MINNESOTA  
 STEVENS POINT, WI 54481

**SHEET TITLE**  
**SITE PLAN**

**SHEET NUMBER**  
**A1**

**NOTE:**

EXISTING	NEW
SAS	SANITARY SIGN
SAS	SANITARY SIGN
SIS	SEWER
W	WATER
MANHOLE	MANHOLE
STORM	STORM
ELEVATION	ELEVATION
PROTRUSION	PROTRUSION
SURFACE	SURFACE
SPRINKLER	SPRINKLER
STREET LIGHT	STREET LIGHT
SPOT ELEVATION	SPOT ELEVATION
CONTOUR	CONTOUR
CONTOUR TO BE REGRADED	CONTOUR TO BE REGRADED
GAS MAIN	GAS MAIN
MANHOLE	MANHOLE
CATCH BASIN	CATCH BASIN
FIRE HYDRANT	FIRE HYDRANT
EASEMENT LINE	EASEMENT LINE
BURIED UTILITY LINE	BURIED UTILITY LINE
UTILITY POLE	UTILITY POLE
OVERHEAD UTILITY	OVERHEAD UTILITY
BUILDING	BUILDING



**SITE PLAN**  
**SCALE: 1" = 40'-0"**





#	DATE	DESCRIPTION	BY
5	03/12/15	PRELIMINARY CDS	MI
4	03/04/15	PRELIMINARY CDS	MI
3	10/28/14	PRELIMINARY CDS	DS
2	07/28/14	PRELIMINARY CDS	DS
1	06/26/14	PRELIMINARY CDS	RM

BY DATE DESCRIPTION  
 MI 03/12/15 PRELIMINARY CDS  
 MI 03/04/15 PRELIMINARY CDS  
 DS 10/28/14 PRELIMINARY CDS  
 DS 07/28/14 PRELIMINARY CDS  
 RM 06/26/14 PRELIMINARY CDS

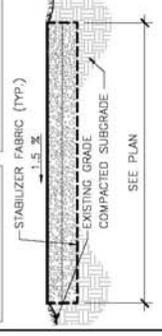
SITE NAME  
**GOERKE**  
 1100 MINNESOTA  
 STEVENS POINT, WI 54481

SHEET TITLE  
**COMPOUND PLAN**

SHEET NUMBER  
**A2**

**LEASE AREA**  
 BASE COURSE: 4" MIN. OF COMPACTED CA-6 COARSE AGGREGATE.  
 TOP COURSE: 4" MIN. OF COMPACTED CA-7 COARSE AGGREGATE.

**ACCESS DRIVE**  
 BASE COURSE: 6" MIN. OF COMPACTED CA-3 COARSE AGGREGATE.  
 TOP COURSE: 3" MIN. OF COMPACTED CA-6 COARSE AGGREGATE.

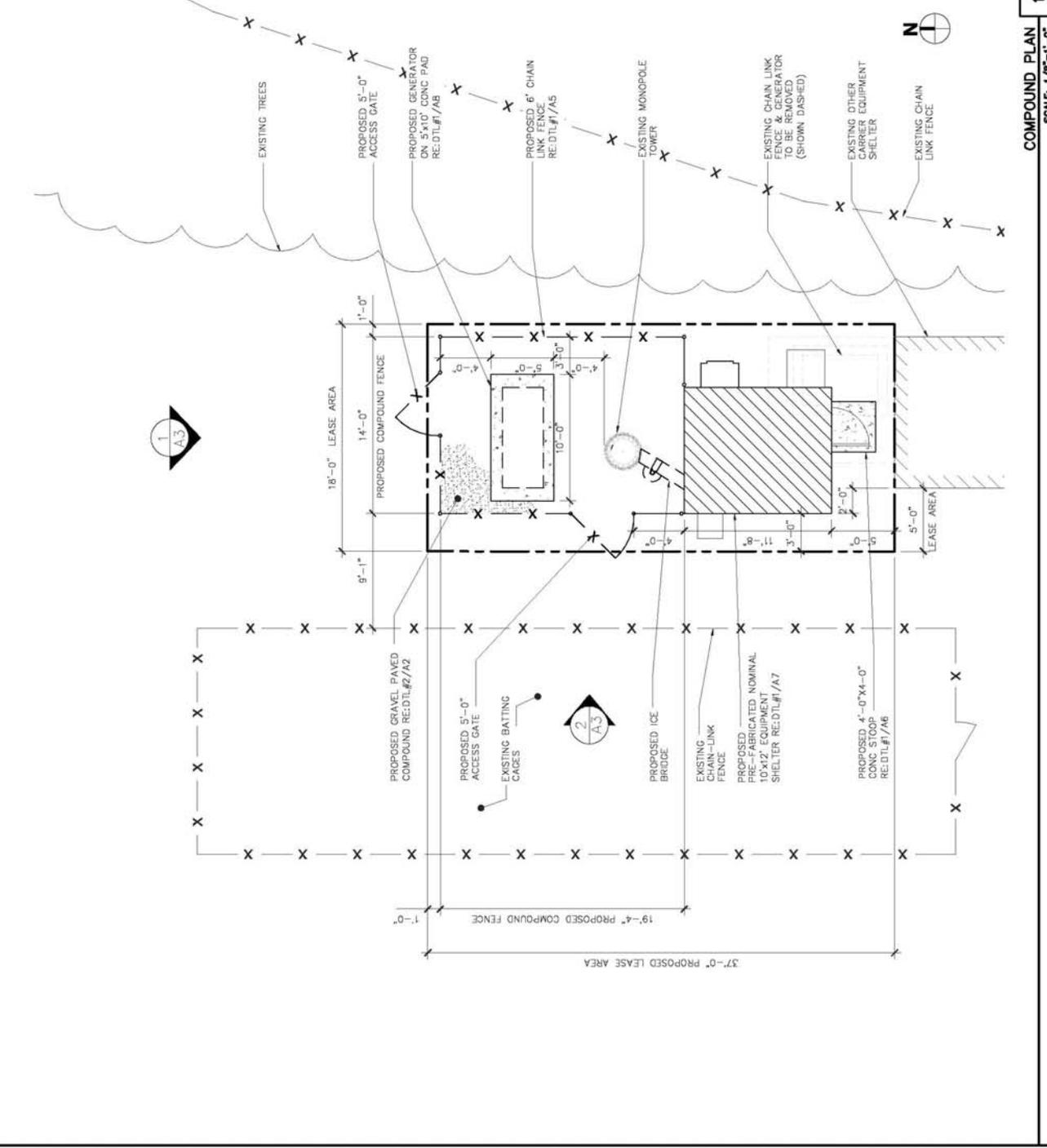


**GRAVEL PAVING DETAIL 2**  
 NOT TO SCALE

- GENERAL NOTES:
- ELEVATIONS ARE ABOVE MEAN SEA LEVEL.
  - DO NOT SCALE DIMENSIONS FROM THIS DRAWING.
  - ALL EXISTING RECORDED EASEMENTS ARE INDICATED ON THIS DRAWING TO THE BEST OF THE ARCHITECT'S KNOWLEDGE PER VISUAL INSPECTION. ANY UNRECORDED EASEMENTS OR INFORMATION RECEIVED FROM (S) INSTALLATION SERVICES INC.

LEGEND

EXISTING	NEW
SAS	SANITARY
STS	STORM
W	WATER
MAN	MAIN
SA	SAVING MANHOLE ELEVATION
ST	STORM STRUCTURE ELEVATION
PR	PROPOSED UTILITY LINE
PR	PROPOSED T.R.A.W. LINE
PR	PROPOSED SURFACE DRAINAGE
○	LIGHT STANDARD
○	STREET LIGHT
○	SPOT ELEVATION
---	CONTOUR
---	CONTOUR TO BE DEGRADED
○	GAS MAIN
○	MANHOLE
○	CATCH BASIN
○	FIRE HYDRANT
---	EASEMENT LINE
---	FENCE
---	BURIED UTILITY LINE
---	UTILITY POLE
---	OVERHEAD UTILITY
---	BUILDING



COMPOUND PLAN  
 SCALE: 1/8"=1'-0"



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 SCHAMUNBURG, IL 60194



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 GROUND, IL 60138  
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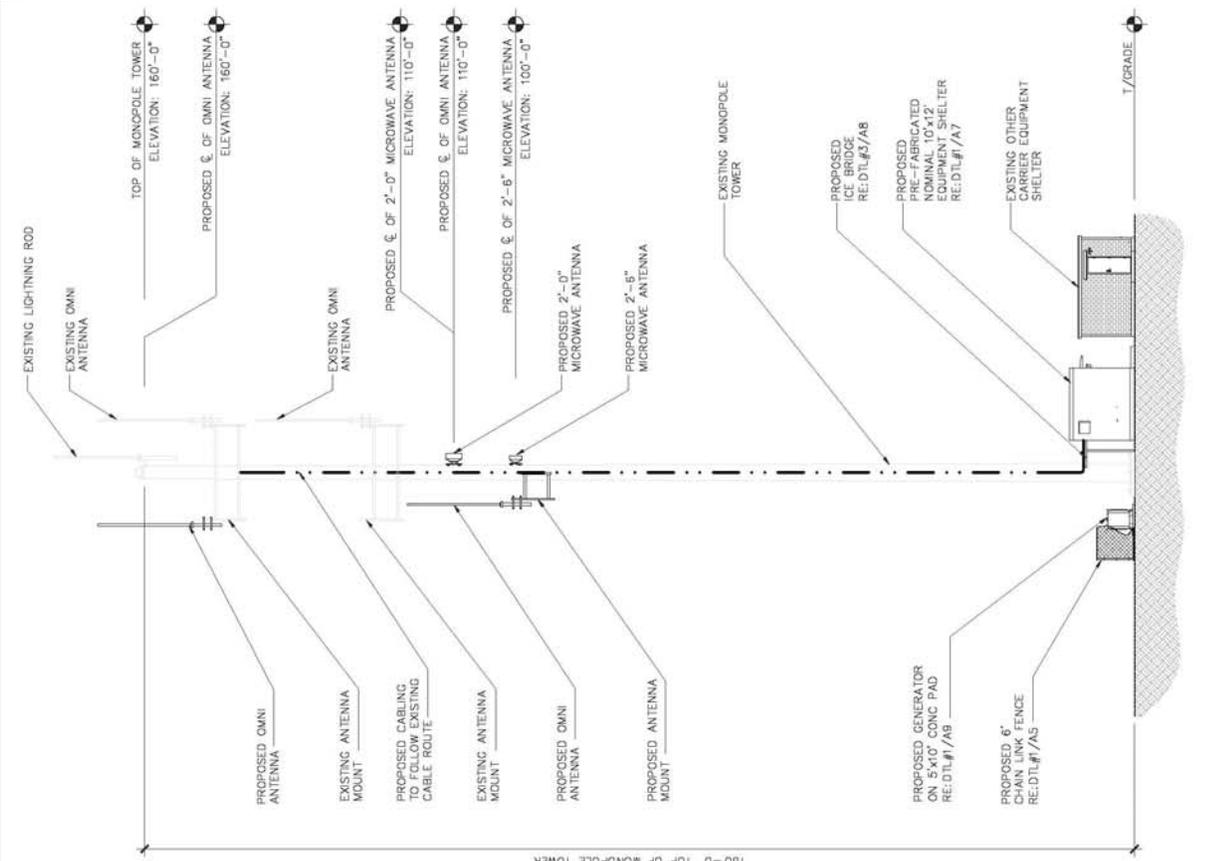
**S&S WIRELESS ENGINEERING GROUP**  
 2720 S. BICKER ROAD  
 DES PLAINES, IL 60018  
 WWW.S&S.COM  
 847.841.1601

#	DATE	DESCRIPTION	BY
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3	10/28/14	PRELIMINARY DCS	DS
2	07/28/14	PRELIMINARY DCS	DS
1	06/26/14	PRELIMINARY DCS	RM

**GOERKE**  
 1100 MINNESOTA  
 STEVENS POINT, WI 54481

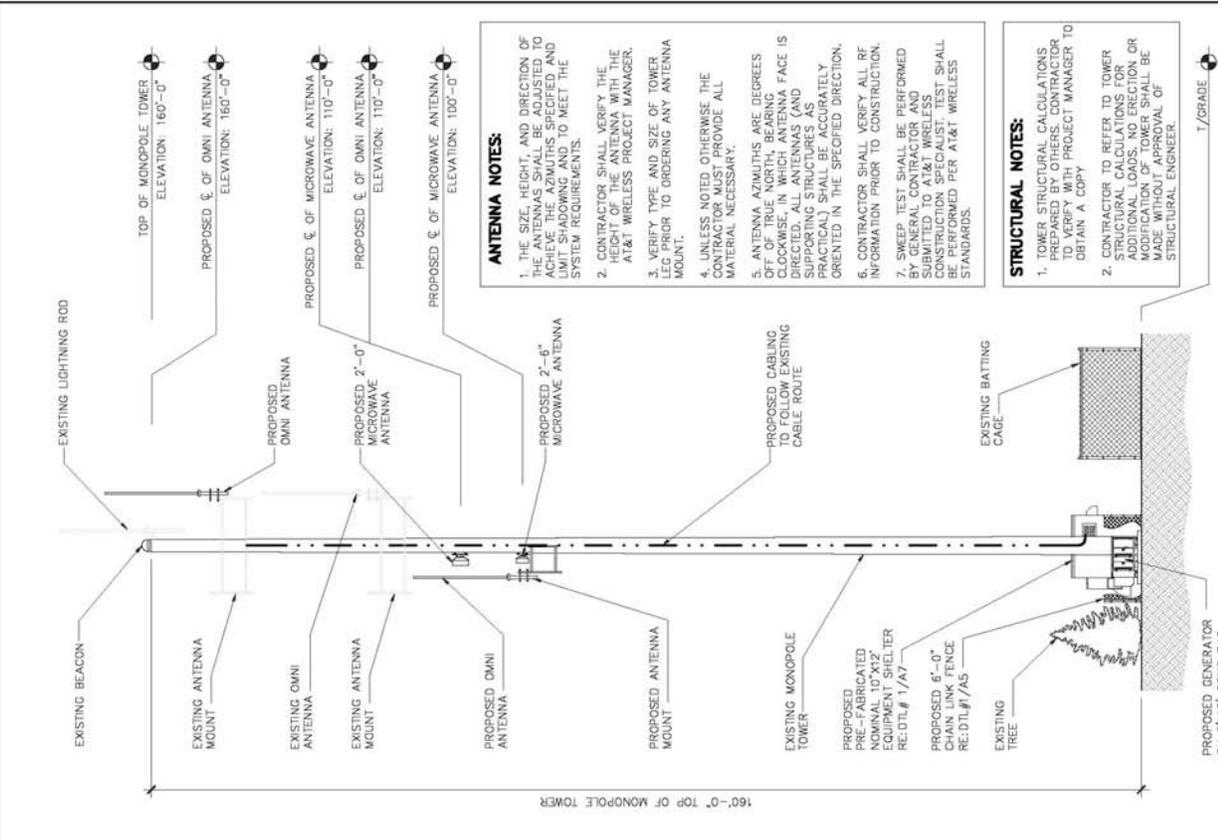
**TOWER ELEVATIONS**

**A3**



**EAST ELEVATION**  
 SCALE: 1"-20'-0"

2



**ANTENNA NOTES:**

1. THE SIZE, HEIGHT, AND DIRECTION OF THE ANTENNAS SHALL BE ADJUSTED TO ACHIEVE THE AZIMUTHS SPECIFIED AND LIMIT SHADOWING AND TO MEET THE SYSTEM REQUIREMENTS.
2. CONTRACTOR SHALL VERIFY THE HEIGHT OF THE ANTENNA WITH THE AT&T WIRELESS PROJECT MANAGER.
3. VERIFY TYPE AND SIZE OF TOWER MOUNT.
4. UNLESS NOTED OTHERWISE THE CONTRACTOR MUST PROVIDE ALL MATERIAL NECESSARY.
5. ANTENNA AZIMUTHS ARE DEGREES OFF OF TRUE NORTH, BEARING CLOCKWISE, IN WHICH ANTENNA FACE IS DIRECTED. ALL ANTENNAS (AND SUPPORT STRUCTURES) SHALL BE ACCURATELY ORIENTED IN THE SPECIFIED DIRECTION.
6. CONTRACTOR SHALL VERIFY ALL RF INFORMATION PRIOR TO CONSTRUCTION.
7. SWEEP TEST SHALL BE PERFORMED BY GENERAL CONTRACTOR AND SUBMITTED TO AT&T WIRELESS CONSTRUCTION SPECIALIST TEST SHALL CONFORM PER AT&T WIRELESS STANDARDS.

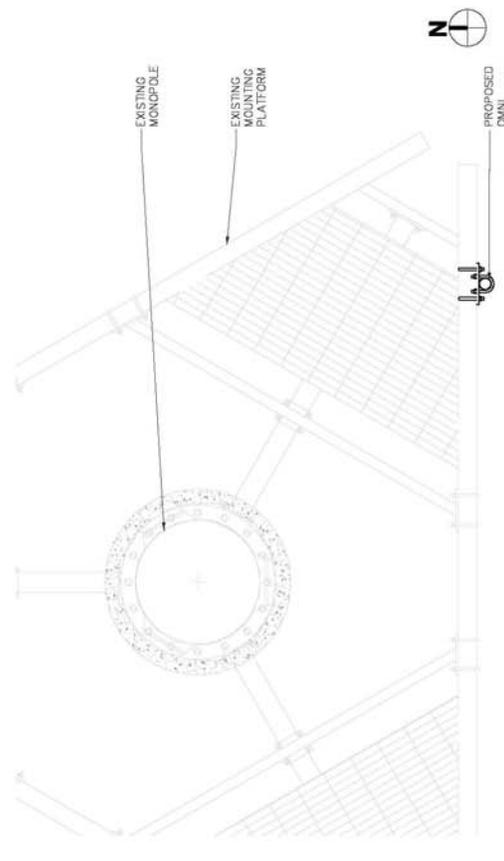
**STRUCTURAL NOTES:**

1. TOWER STRUCTURAL CALCULATIONS PREPARED BY OTHERS. CONTRACTOR TO VERIFY WITH PROJECT MANAGER TO OBTAIN A COPY
2. CONTRACTOR TO REFER TO TOWER STRUCTURAL CALCULATIONS FOR ADDITIONAL LOADS. NO ERECTION OR ALTERATION SHALL BE MADE WITHOUT APPROVAL OF STRUCTURAL ENGINEER.

**SOUTH ELEVATION**  
 SCALE: 1"-20'-0"

1

**NOTE:**  
SOME EXISTING EQUIPMENT NOT SHOWN FOR CLARITY.



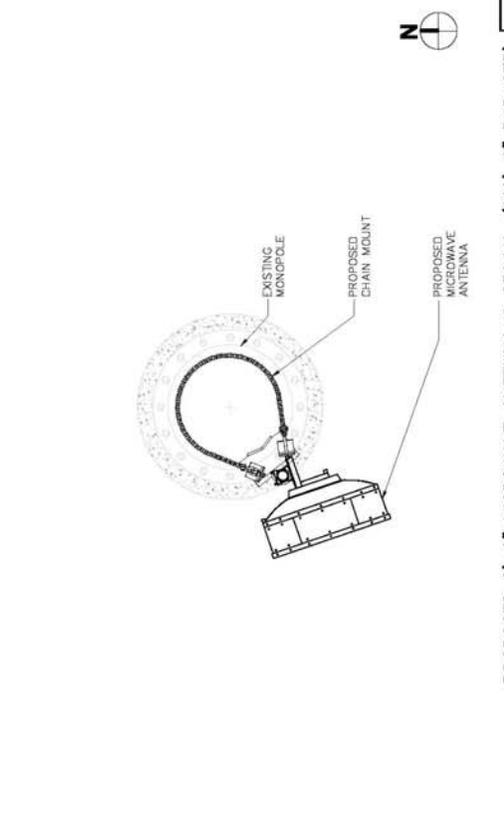
**PROPOSED OMNI SFI ANTENNA (160'-0" RAD CTR)**  
SCALE: 3/16" = 1'-0"  
2

**NOTE:**  
SOME EXISTING EQUIPMENT NOT SHOWN FOR CLARITY.



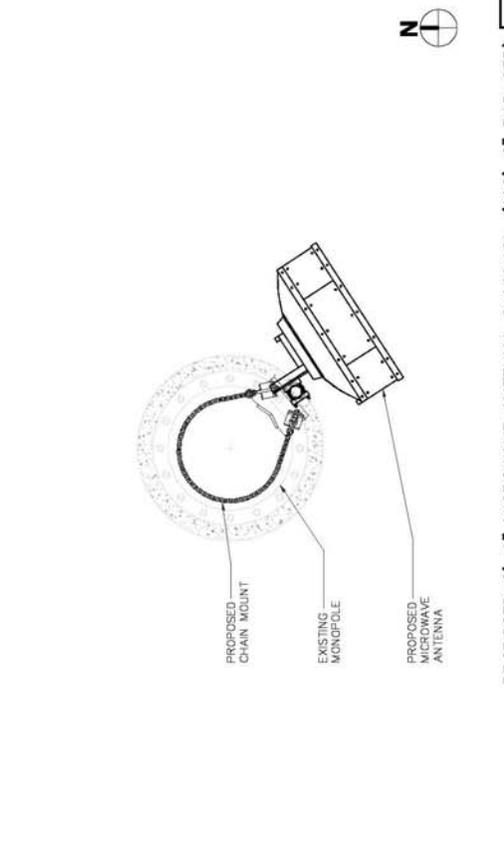
**PROPOSED OMNI RFI ANTENNA (110'-0" RAD CTR)**  
SCALE: 3/16" = 1'-0"  
1

**NOTE:**  
SOME EXISTING EQUIPMENT NOT SHOWN FOR CLARITY.



**PROPOSED 2'-0" MICROWAVE ANTENNA @ 251.11' (110'-0" RAD CTR)**  
SCALE: 1/8" = 1'-0"  
4

**NOTE:**  
SOME EXISTING EQUIPMENT NOT SHOWN FOR CLARITY.



**PROPOSED 2'-6" MICROWAVE ANTENNA @ 149.16' (100'-0" RAD CTR)**  
SCALE: 1/8" = 1'-0"  
3

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SCHAUMBURG, IL 60196

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GRAND, IL 60142  
PH: (618) 754-4133 FAX: (618) 754-4134

**SJC WIRELESS ENGINEERING GROUP**  
2720 S. BUCKER ROAD  
DES PLAINES, IL 60018  
www.sjcwg.com  
847.841.1601

#	DATE	DESCRIPTION	BY
5	03/12/15	PRELIMINARY CDS	MI
4	03/04/15	PRELIMINARY CDS	MI
3	10/28/14	PRELIMINARY CDS	DS
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1	06/26/14	PRELIMINARY CDS	RM

**GOERKE**  
1100 MINNESOTA  
STEVENS POINT, WI 54481

**ANTENNA LAYOUT**

**A4**

SHEET NUMBER



#	DATE	DESCRIPTION	BY
5	03/12/15	PRELIMINARY CDS	MI
4	03/04/15	PRELIMINARY CDS	MI
3	10/28/14	PRELIMINARY CDS	DS
2	07/28/14	PRELIMINARY CDS	DS
1	06/26/14	PRELIMINARY CDS	RM

SUBMITTALS

SHEET TITLE  
**FENCE DETAILS & MATERIAL NOTES**

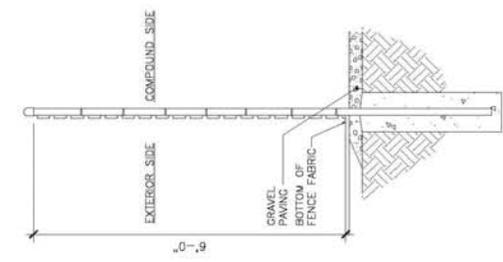
PROJECT NAME  
**GOERKE**  
 1100 MINNESOTA  
 STEVENS POINT, WI 54481

SHEET NUMBER  
**A5**

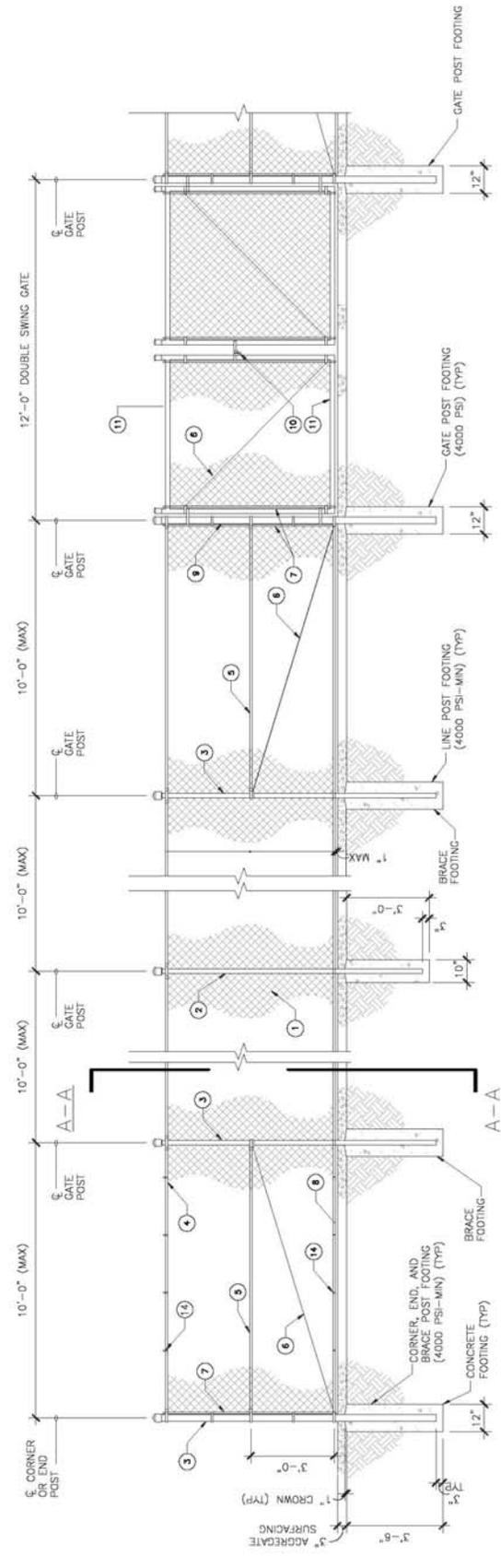
**MATERIAL DESCRIPTION**

- 1 N/A
- 2 LINE POSTS: 2-1/2" O.D. PIPE, 16 GAUGE (GALVANIZED) PER ASTM-F1083.
- 3 CORNER, END AND BRACE POSTS: 2-7/8" O.D. PIPE, SCHEDULE 40 (GALVANIZED).
- 4 TOP RAIL: 1-5/8" O.D. 17 GAUGE PIPE (GALVANIZED) PER ASTM-F1083.
- 5 BRACE RAIL: 1-5/8" O.D. 17 GAUGE PIPE (GALVANIZED).
- 6 DIAGONAL TRUSS ROD: 3/8" GALVANIZED ROD WITH TURNBUCKLE.
- 7 TENSION BAR: 3/16" X 3/4" GALVANIZED FLAT BAR.
- 8 BOTTOM TENSION WIRE: GALVANIZED OR ALUMINUM COATED COIL SPRING WIRE, 7 GAUGE.
- 9 GATE POSTS: 2-7/8" O.D. SCHEDULE 40 PIPE (GALVANIZED).
- 10 COMBINATION PADLOCK ACCORDING TO A&T REQUIREMENTS.
- 11 GATE FRAMES: 1-7/8" O.D. SCHEDULE 40 PIPE (GALVANIZED).
- 12 BARBED WIRE SUPPORT ARM: SINGLE ARM TYPE (GALVANIZED), ARM SHALL BE INCLINED OUTWARD AT AN ANGLE OF 45 DEGREES.
- 13 BARBED WIRE: GALVANIZED, ASTM A121 CLASS 3; THREE 14 GAUGE MINIMUM STEEL WIRES WITH 4 POINT ROUND 14 GAUGE BARBS SPACED 4" APART.
- 14 FABRIC TIES: ALUMINUM BANDS OR WIRES. FABRIC SHALL BE ATTACHED TO THE TOP RAIL AND BOTTOM TENSION WIRE AT 24" CENTERS AND TO THE POSTS AT 15" CENTERS, ALL ON THE COMPOUND SIDE OF THE FENCE.

- 15 MISCELLANEOUS:
  - A. RAIL COUPLINGS: SLEEVE TYPE, 6" LONG EXPANSION SPRING EVERY FIFTH COUPLING.
  - B. POST TOPS: PRESSED STEEL, MALLEABLE IRON WITH PRESSED STEEL EXTENSION ARM, OR ONE-PIECE ALUMINUM CASTING; WITH HOLE FOR TOP, ALL DESIGNED TO FIT OVER THE OUTSIDE OF THE POSTS AND TO PREVENT ENTRY OF MOISTURE INTO TUBULAR POSTS.
  - C. LATCHES SHALL BE FORKED TYPE AND SHALL BE ARRANGED FOR PADLOCKING WITH THE PADLOCK ACCESSIBLE FROM BOTH SIDES OF THE GATE.
  - D. KEEPERS SHALL CONSIST OF MECHANICAL DEVICES FOR SECURING AND SUPPORTING THE FREE END OF THE GATES WHEN IN THE FULL OPEN POSITION. KEEPERS SHALL BE MOUNTED ON 2-7/8" O.D. PIPE POSTS FILLED WITH CONCRETE AND SET IN CONCRETE FOUNDATIONS.
  - E. INSTALL FENCING PER ASTM-F367.
  - F. INSTALL SWING GATES PER ASTM-F900.
  - G. LOCAL ORDINANCE OF BARBED WIRE PERMIT REQUIREMENT SHALL BE COMPLETED IF REQUIRED.
  - H. USE GALVANIZED HIG-RING WIRE TO MOUNT ALL SIGNS.
  - I. ALL SIGNS MUST BE MOUNTED ON INSIDE OF FENCE.
  - J. ALL POSTS SHALL HAVE "MUSHROOM" SLEEVE EMBEDDED IN CONCRETE.



**SECTION A-A**



GENERIC CHAIN LINK FENCE DETAILS  
 SCALE: N.T.S.  
 1



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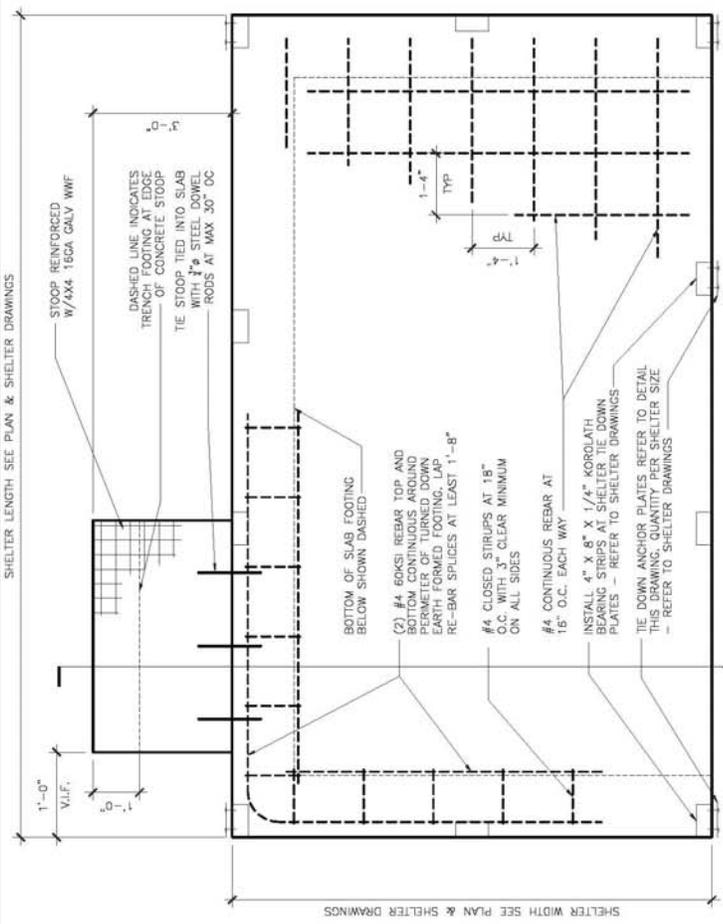
**S&S WIRELESS ENGINEERING GROUP**  
2720 S. BUCKER ROAD  
DES PLAINES, IL 60018  
WWW.S&S.COM  
847.844.1601

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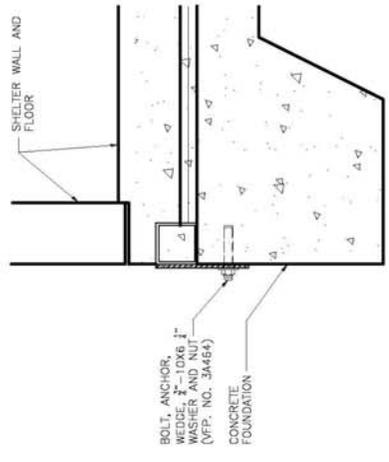
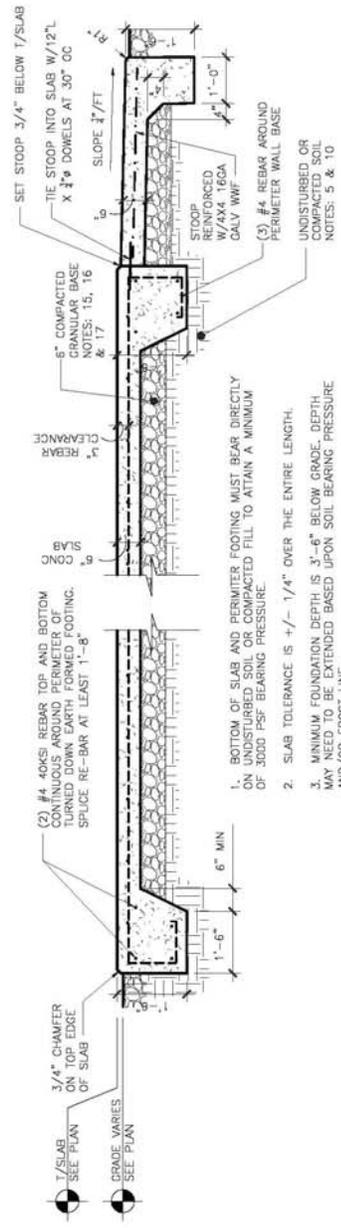
**SITE NAME**  
GOERKE  
1100 MINNESOTA  
STEVENS POINT, WI 54481

**SHEET TITLE**  
SHELTER  
FOUNDATION  
DETAILS

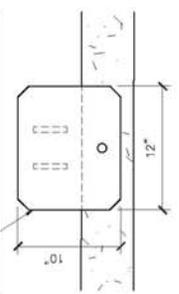
**SHEET NUMBER**  
**A6**



**A-A**



PLATE, STRAIGHT, GALVANIZED, 1/2" X 10" X 12" (LOCATED AT 4" EACH) (4 EACH) (SIDE LIFT PLATES) (VFP. NO. 2B6053-1)



**SECTION A-A**

SHELTER FOUNDATION DETAILS

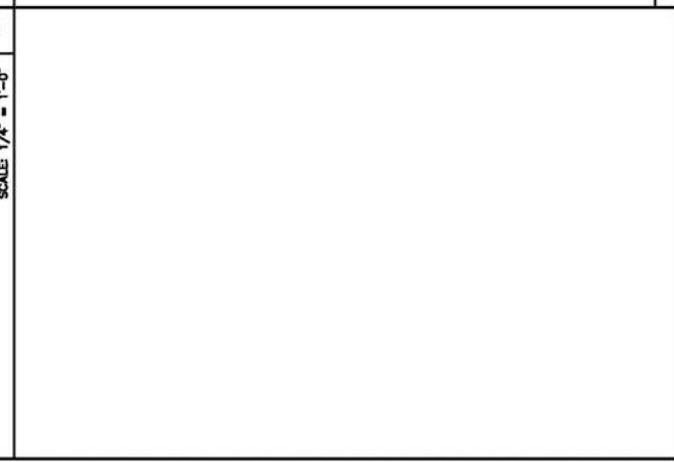
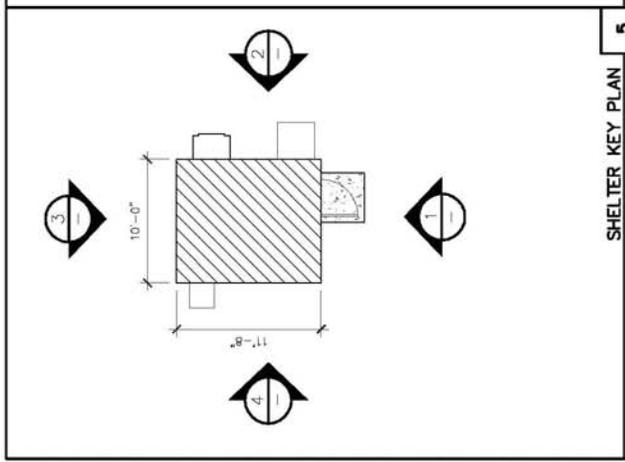
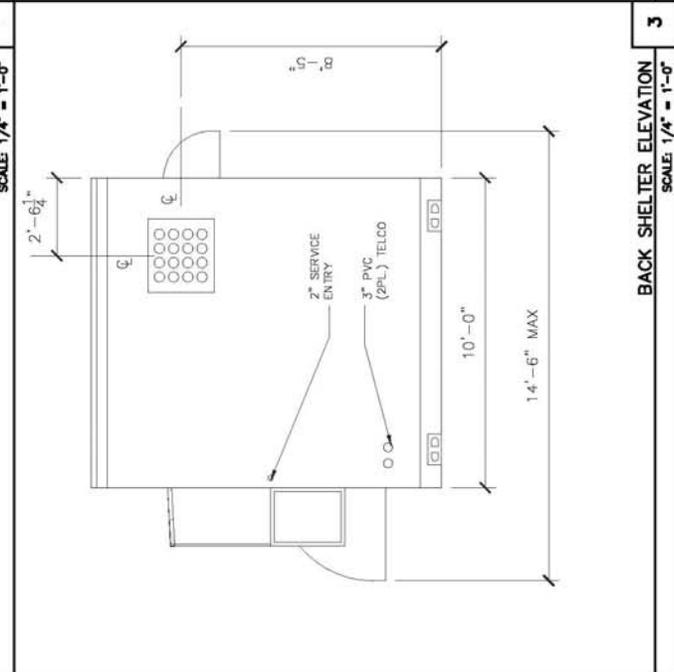
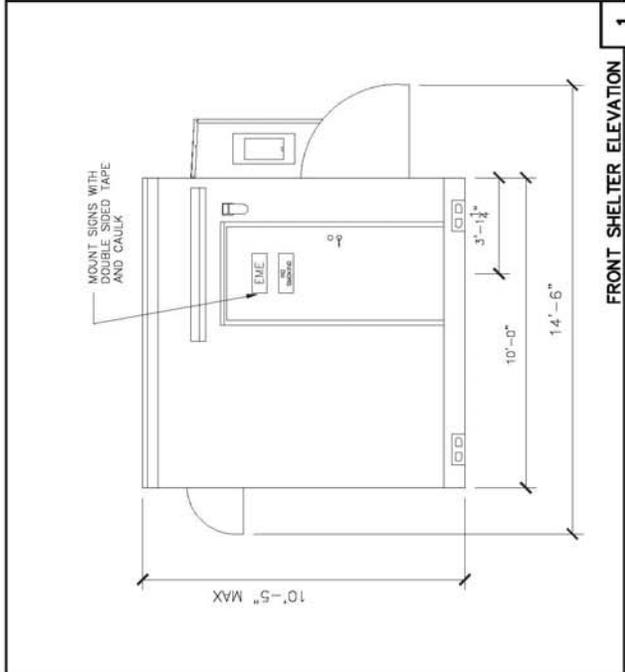
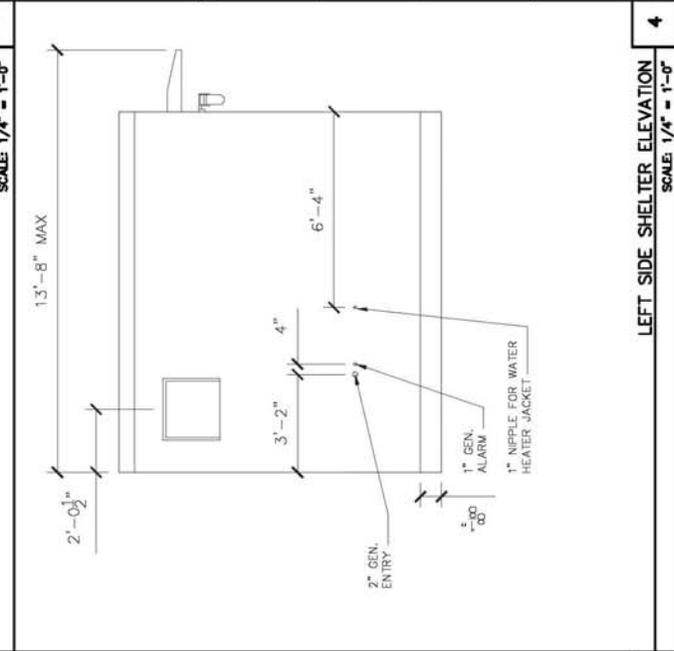
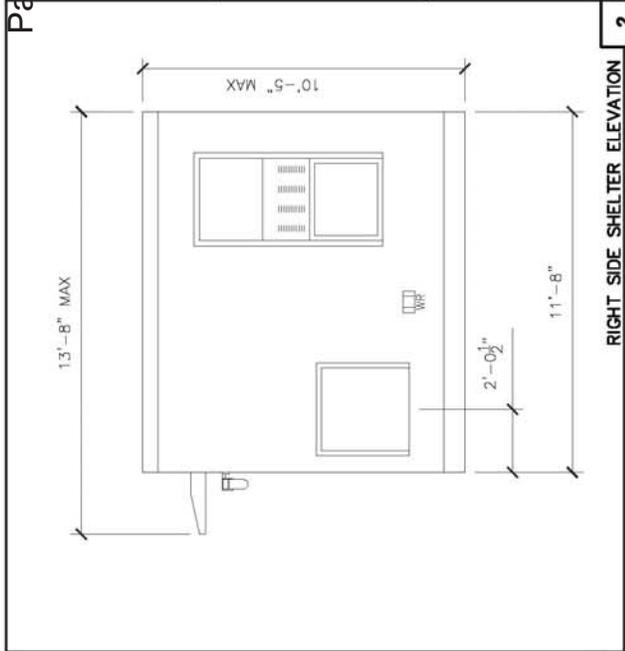


SUBMITTALS	
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 RM 06/26/14 PRELIMINARY CDS

SHEET TITLE  
**SHELTER DETAILS**

SHEET NUMBER  
**A7**





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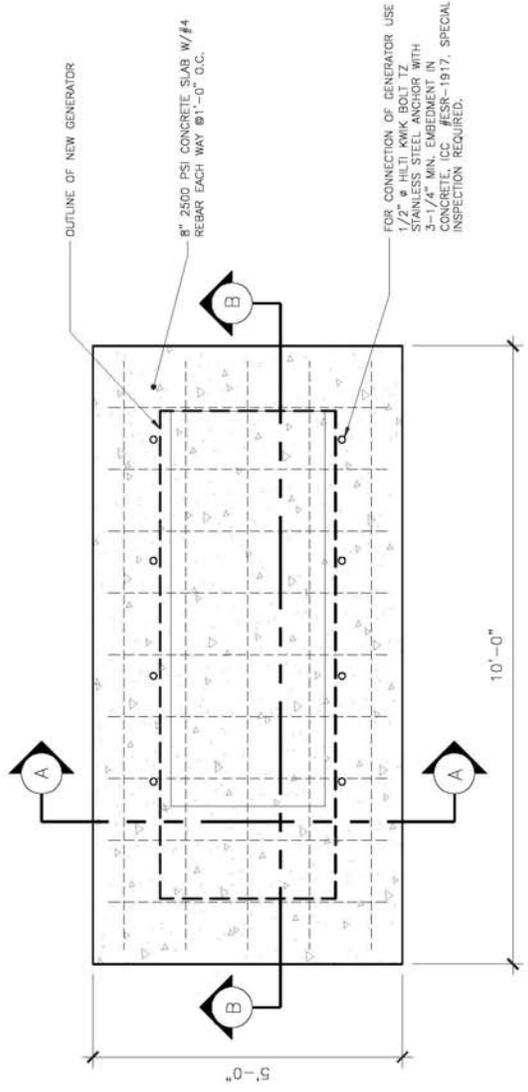
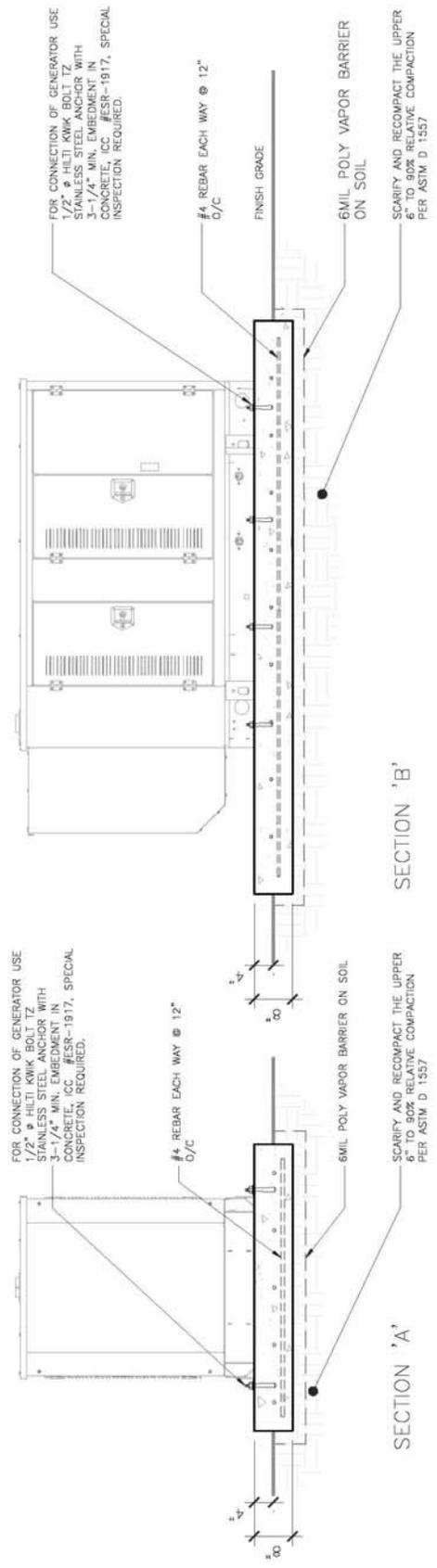
**S&S WIRELESS ENGINEERING GROUP**  
 2720 S. BUCKER ROAD  
 DES PLAINES, IL 60018  
 WWW.S&S-ENG.COM  
 847.844.1601

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**GOERKE**  
 1100 MINNESOTA  
 STEVENS POINT, WI 54481

**GENERATOR CONCRETE PAD DETAILS**

**A8**



**NOTES:**  
 1. CONCRETE SHALL ATTAIN A COMPRESSIVE STRENGTH OF 2500 PSI.  
 2. ALL REINFORCING STEEL SHALL COMPLY WITH ASTM A615, GRADE 40.

**GENERATOR CONCRETE SLAB DETAILS**  
 SCALE: 1/2" = 1'-0"

Proposed Building Facade Stone Material (Arizona Sandstone)



**MEMORANDUM OF UNDERSTANDING**

**Goerke Tower Radio Equipment**

**RECITALS**

WHEREAS, Portage County (“County”) wishes to install, operate, and maintain radio equipment and associated facilities within Goerke Park (“Goerke”), a recreational area within the City of Stevens Point owned by the City with an antenna for this purpose, for the general improvement of law enforcement, fire service, emergency medical, and overall public safety; and

WHEREAS, the City of Stevens Point (“City”) has previously agreed to partner with the County to improve radio performance within the City of Stevens Point, by providing the necessary space on the radio tower at Goerke Park at no cost to the County and grant a license to the County for the space as a consideration for a previous grant of radio equipment, and now wishes to permit the County and/or its agent to undertake the installation, operation, and maintenance of such equipment within Goerke Park; and

NOW THEREFORE, the City and County hereby enter into this Memorandum of Understanding (“MOU”) and agree as follows:

**AGREEMENT**

- A) The City hereby grants the County a revocable license to install, operate, and maintain the equipment (“County Equipment”) described in the attached “Goerke Tower Equipment List for Portage County, Wisconsin” (Exhibit A) on and near the City’s monopole tower (“Tower”) within Goerke. Such equipment shall be installed in accordance with the attached preliminary construction documents (Exhibit B).
- B) The natural gas generator installed in accordance with this MOU for County Equipment shall be independently metered for natural gas consumption. The County shall reimburse the City for all costs incurred by the City related to natural gas usage associated with such generator.
- C) Following installation of the County Equipment, the County shall be responsible for all costs associated with the maintenance of said equipment. The County shall notify the City at least three days prior to accessing the Tower for maintenance purposes, except during exigent circumstances.
- D) Following installation of the County Equipment, any costs associated with maintenance of the Tower shall be divided evenly between the County and City. Such maintenance shall be mutually agreed to by each party prior to incurring and such costs, except during exigent circumstances.

- E) The license granted under this MOU shall be revocable at the City’s option in the event that the County ceases operation of the County Equipment for a period of more than six months. The County may remove any or all of its equipment from the tower after giving sixty days’ notice, and shall incur all costs associated with such removal.
- F) The County agrees to allow the City to operate on the County’s licensed county-wide fire, EMS, Public Safety, and Law Enforcement frequencies at no cost to the City so long as this agreement shall remain in effect.
- G) The County agrees that the County Equipment shall not cause interference with the radio frequency licensed to and used by the City as its primary channel. In the event the County Equipment causes such interference, the City shall notify the County in writing that interference is occurring. Upon receiving notice, the County shall either cause the interference to cease within 48 hours or discontinue the use of the County Equipment indefinitely until the same can be operated without causing interference with the City’s primary radio channel.

IN WITNESS WHEREOF, the terms and conditions of this Agreement are accepted by the undersigned and the parties have signed this Agreement effective the 30<sup>th</sup> day of December, 2014.

**CITY OF STEVENS POINT**

By: \_\_\_\_\_

Date: \_\_\_\_\_

**Gary W. Wescott, Mayor**

Attest: \_\_\_\_\_

Date: \_\_\_\_\_

**John V. Moe, City Clerk**

**PORTAGE COUNTY**

By: \_\_\_\_\_

Date: \_\_\_\_\_

**John E. Charewicz, Sheriff**



# Memo

**Michael Ostrowski, Director**

Community Development

City of Stevens Point

1515 Strongs Avenue

Stevens Point, WI 54481

Ph: (715) 346-1567 • Fax: (715) 346-1498

mostrowski@stevenspoint.com

To: Plan Commission  
From: Plan Staff  
CC:  
Date: 5/4/2015  
Subject: Repeal and recreation of Chapter 23.08 B (Floodplain ordinance) of the Revised Municipal Code of the City of Stevens Point to adopt a new Wisconsin Department of Natural Resources model and include a letter of map revision, Case Number 14-05-4844. (*The public hearing for this item will be held at the Common Council meeting on May 18, 2015*)

It is anticipated that the Letter of Map Revision (LOMR) to remove approximately 200 properties out of the standard 100-year floodplain will become effective for FEMA on May 15, 2015. Therefore, in order for it to become effective for the City, meaning adopted into our floodplain ordinance, the Plan Commission will need to make a recommendation to the Common Council on the modification. In addition, we are looking to adopt the latest floodplain zoning model from the Wisconsin Department of Natural Resources (WDNR). Enclosed you will find the latest model, which include the proposed LOMR.

Following this, the following steps will be needed prior to the ordinance becoming effective:

- Common Council holds a public hearing on the proposed ordinance (anticipated May 18, 2015).
- Common Council adopts the proposed ordinance (anticipated May 18, 2015).
- Ordinance is published in the City's Official Paper (anticipated May 22, 2015).
- Wisconsin Department of Natural Resources certifies the proposed ordinance (anticipated late May / early June).

SECTION 23.08 B.  
FLOODPLAIN ORDINANCE

Amended : \_\_\_\_\_

## TABLE OF CONTENTS

1.0	STATUTORY AUTHORIZATION, FINDING OF FACT, STATEMENT OF PURPOSE, TITLE AND GENERAL PROVISIONS	2
	1.1 Statutory Authorization	2
	1.2 Finding of Fact	2
	1.3 Statement of Purpose	2
	1.4 Title	2
	1.5 General Provisions	2
	(1) Areas to be Regulated	2
	(2) Official Maps and Revisions	2
	(3) Establishment of Districts	3
	(4) Locating Floodplain Boundaries	3
	(5) Removal of Lands from Floodplain	4
	(6) Compliance	4
	(7) Municipalities and State Agencies Regulated	4
	(8) Abrogation and Greater Restrictions	4
	(9) Interpretation	4
	(10) Warning and Disclaimer of Liability	5
	(11) Severability	5
	(12) Annexed Areas for Cities	5
2.0	GENERAL STANDARDS APPLICABLE TO ALL FLOODPLAIN	5
	2.1 Hydraulic and Hydrologic Analyses	5
	2.2 Watercourse Alterations	6
	2.3 Chapter 30, 31, Wis. Stats., Development	6
	2.4 Public or Private Campgrounds	6
3.0	FLOODWAY DISTRICT (FW)	7
	3.1 Applicability	7
	3.2 Permitted Uses	7
	3.3 Standards for Development	8
	3.4 Prohibited Uses	9
4.0	FLOODFRINGE DISTRICT (FF)	10
	4.1 Applicability	10
	4.2 Permitted Uses	10
	4.3 Standards for Development	10
5.0	GENERAL FLOODPLAIN DISTRICT (GFP)	12
	5.1 Applicability	12
	5.2 Permitted Uses	12
	5.3 Standards for Development	12
	5.4 Determining Floodway/Floodfringe Limits	12
6.0	NONCONFORMING USES	13
	6.1 General	13
	6.2 Floodway Districts	15
	6.3 Floodfringe Districts	16
7.0	ADMINISTRATION	17
	7.1 Zoning Administrator	17
	7.2 Zoning Agency	22
	7.3 Board of Adjustment/Appeals	22
	7.4 To Review Appeals of Permit Denials	25
	7.5 Floodproofing	25
	7.6 Public Information	26
8.0	AMENDMENTS	26
	8.1 General	26
	8.2 Procedures	27
9.0	ENFORCEMENT AND PENALTIES	27
10.0	DEFINITIONS	28

**1.0 STATUTORY AUTHORIZATION, FINDING OF FACT, STATEMENT OF PURPOSE, TITLE, AND GENERAL PROVISIONS**

**1.1 STATUTORY AUTHORIZATION**

This ordinance is adopted pursuant to the authorization in ss. 61.35 and 62.23, for cities; and the requirements in s. 87.30, Stats.

**1.2 FINDING OF FACT**

Uncontrolled development and use of the floodplains and rivers of this municipality would impair the public health, safety, convenience, general welfare, and tax base.

**1.3 STATEMENT OF PURPOSE**

This ordinance is intended to regulate floodplain development to:

- (1) Protect life, health, and property;
- (2) Minimize expenditures of public funds for flood control projects;
- (3) Minimize rescue and relief efforts undertaken at the expense of the taxpayers;
- (4) Minimize business interruptions and other economic disruptions;
- (5) Minimize damage to public facilities in the floodplain;
- (6) Minimize the occurrence of future flood blight areas in the floodplain;
- (7) Discourage the victimization of unwary land and homebuyers;
- (8) Prevent increases in flood heights that could increase flood damage and result in conflicts between property owners; and
- (9) Discourage development in a floodplain if there is any practicable alternative to locate the activity, use, or structure outside of the floodplain.

**1.4 TITLE**

This ordinance shall be known as the Floodplain Zoning Ordinance for the City of Stevens Point, Wisconsin.

**1.5 GENERAL PROVISIONS**

**(1) AREAS TO BE REGULATED**

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

**(2) OFFICIAL MAPS & REVISIONS**

The boundaries of all floodplain districts are designated as A, AE, AH, AO or A1-30 on the maps based on the Flood Insurance Study (FIS) listed below. Any change to the base flood elevations (BFE) or any changes to the boundaries of the floodplain or floodway in the FIS or on the Flood Insurance Rate Map (FIRM) must be reviewed and approved by the DNR and FEMA through the Letter of

Map Change process (see s. 8.0 *Amendments*) before it is effective. No changes to RFE's on non-FEMA maps shall be effective until approved by the DNR. These maps and revisions are on file in the office of Community Development Department for the City of Stevens Point. If more than one map or revision is referenced, the most restrictive information shall apply.

(a) OFFICIAL MAPS : Based on the FIS:

1. Flood Insurance Rate Map (FIRM), panel numbers 55097C0211D, 55097C0212D, 55097C0220D, 55097C0213D, 55097C0214D, 55097C0326D, 55097C0327D, 55097C0331D, 55097C0335D, 55097C0375D, 55097C0250D, and 55097C0210D, dated July 20, 2009; with corresponding profiles that are based on the Flood Insurance Study (FIS) dated July 20, 2009, volume number 55097CV00A.  
Approved by: The DNR and FEMA

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

1. Letter of Map Revision(s): 55097C0214D FIRM map panel revision, Case number 14-05-4844, performed by AECOM Engineering Services, and approved by FEMA on December 29, 2014, effective May 15, 2015.

(3) ESTABLISHMENT OF FLOODPLAIN ZONING DISTRICTS

The regional floodplain areas are divided into three districts as follows:

- (a) The Floodway District (FW), is the channel of a river or stream and those portions of the floodplain adjoining the channel required to carry the regional floodwaters and are contained within AE Zones as shown on the FIRM.
- (b) The Floodfringe District (FF) is that portion between the regional flood limits and the floodway and displayed as AE Zones on the FIRM.
- (c) The General Floodplain District (GFP) is those areas that may be covered by floodwater during the regional flood and does not have a BFE or floodway boundary determined, including A, AH and AO zones on the FIRM.

(4) LOCATING FLOODPLAIN BOUNDARIES

Discrepancies between boundaries on the official floodplain zoning map and actual field conditions shall be resolved using the criteria in subd (a) or (b) below.

If a significant difference exists, the map shall be amended according to s. 8.0 *Amendments*. The zoning administrator can rely on a boundary derived from a profile elevation to grant or deny a land use permit, whether or not a map amendment is required. The zoning administrator shall be responsible for documenting actual pre-development field conditions and the basis upon which the district boundary was determined and for initiating any map amendments required under this section. Disputes between the zoning administrator and an applicant over the district boundary line shall be settled according to s. 7.3(3) and the criteria in (a) and (b) below. Where the flood profiles are based on established base flood elevations from a FIRM, FEMA must approve any map amendment or revision pursuant to s. 8.0 *Amendments*.

(a) If flood profiles exist, the map scale and the profile elevations shall determine

the district boundary. The regional or base flood elevations shall govern if there are any discrepancies.

(b) Where flood profiles do not exist for projects, the location of the boundary shall be determined by the map scale.

(5) REMOVAL OF LANDS FROM FLOODPLAIN

Compliance with the provisions of this ordinance shall not be grounds for removing land from the floodplain unless it is filled at least two feet above the regional or base flood elevation, the fill is contiguous to land outside the floodplain, and the map is amended pursuant to s. 8.0 *Amendments*.

(6) COMPLIANCE

Any development or use within the areas regulated by this ordinance shall be in compliance with the terms of this ordinance, and other applicable local, state, and federal regulations.

(7) MUNICIPALITIES AND STATE AGENCIES REGULATED

Unless specifically exempted by law, all cities are required to comply with this ordinance and obtain all necessary permits. State agencies are required to comply if s. 13.48(13), Stats., applies. The construction, reconstruction, maintenance, and repair of state highways and bridges by the Wisconsin Department of Transportation is exempt when s. 30.2022, Stats., applies.

(8) ABROGATION AND GREATER RESTRICTIONS

(a) This ordinance supersedes all the provisions of any municipal zoning ordinance enacted under ss. 62.23 for cities; or s. 87.30, Stats., which relate to floodplains. A more restrictive ordinance shall continue in full force and effect to the extent of the greater restrictions, but not otherwise.

(b) This ordinance is not intended to repeal, abrogate, or impair any existing deed restrictions, covenants, or easements. If this ordinance imposes greater restrictions, the provisions of this ordinance shall prevail.

(9) INTERPRETATION

In their interpretation and application, the provisions of this ordinance are the minimum requirements liberally construed in favor of the governing body and are not a limitation on or repeal of any other powers granted by the Wisconsin Statutes. If a provision of this ordinance, required by ch. NR 116, Wis. Adm. Code, is unclear, the provision shall be interpreted in light of the standards in effect on the date of the adoption of this ordinance or in effect on the date of the most recent text amendment to this ordinance.

(10) WARNING AND DISCLAIMER OF LIABILITY

The flood protection standards in this ordinance are based on engineering experience and research. Larger floods may occur or the flood height may be increased by man-made or natural causes. This ordinance does not imply or guarantee that non-floodplain areas or permitted floodplain uses will be free from flooding and flood damages. This ordinance does not create liability on the part of, or a cause of action against, the municipality or any officer or employee thereof for any flood damage that may result from reliance on this ordinance.

(11) SEVERABILITY

Should any portion of this ordinance be declared unconstitutional or invalid by a

court of competent jurisdiction, the remainder of this ordinance shall not be affected.

(12) **ANNEXED AREAS FOR CITIES**

The Portage County floodplain zoning provisions in effect on the date of annexation shall remain in effect and shall be enforced by the municipality for all annexed areas until the municipality adopts and enforces an ordinance which meets the requirements of ch. NR 116, Wis. Adm. Code and 44 CFR 59-72, *National Flood Insurance Program* (NFIP). These annexed lands are described on the municipality's official zoning map. County floodplain zoning provisions are incorporated by reference for the purpose of administering this section and are on file in the office of the municipal zoning administrator. All plats or maps of annexation shall show the regional flood elevation and the floodway location.

**2.0 GENERAL STANDARDS APPLICABLE TO ALL FLOODPLAIN DISTRICTS**

The community shall review all permit applications to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is in a flood-prone area, all new construction and substantial improvements shall be designed and anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads; be constructed with flood-resistant materials; be constructed to minimize flood damages and to ensure that utility and mechanical equipment is designed and/or located so as to prevent water from entering or accumulating within the equipment during conditions of flooding.

Subdivisions shall be reviewed for compliance with the above standards. All subdivision proposals (including manufactured home parks) shall include regional flood elevation and floodway data for any development that meets the subdivision definition of this ordinance and all other requirements in s. 7.1(2). Adequate drainage shall be provided to reduce exposure to flood hazards and all public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damages.

**2.1 HYDRAULIC AND HYDROLOGIC ANALYSES**

(1) No floodplain development shall:

- (a) Obstruct flow, defined as development which blocks the conveyance of floodwaters by itself or with other development, causing any increase in the regional flood height; or
- (b) Cause any increase in the regional flood height due to floodplain storage area lost.

(2) The zoning administrator shall deny permits if it is determined the proposed development will obstruct flow or cause any increase in the regional flood height, based on the officially adopted FIRM or other adopted map, unless the provisions of s. 8.0 *Amendments* are met.

**2.2 WATERCOURSE ALTERATIONS**

No land use permit to alter or relocate a watercourse in a mapped floodplain shall be issued until the local official has notified in writing all adjacent municipalities, the Department and FEMA regional offices, and required the applicant to secure all necessary state and federal permits. The standards of s. 2.1 must be met and the flood carrying capacity of any altered or relocated watercourse shall be maintained.

As soon as is practicable, but not later than six months after the date of the watercourse alteration or relocation and pursuant to s. 8.0 *Amendments*, the community shall apply for a Letter of Map Revision (LOMR) from FEMA. Any such alterations must be reviewed and approved by FEMA and the DNR through the LOMC process.

### 2.3 **CHAPTER 30, 31, WIS. STATS., DEVELOPMENT**

Development which requires a permit from the Department, under chs. 30 and 31, Stats., such as docks, piers, wharves, bridges, culverts, dams and navigational aids, may be allowed if the necessary permits are obtained and amendments to the floodplain zoning ordinance are made according to s. 8.0 *Amendments*.

### 2.4 **PUBLIC OR PRIVATE CAMPGROUNDS**

Public or private campgrounds shall have a low flood damage potential and shall meet the following provisions:

- (1) The campground is approved by the Department of Health Services;
- (2) A land use permit for the campground is issued by the zoning administrator;
- (3) The character of the river system and the campground elevation are such that a 72-hour warning of an impending flood can be given to all campground occupants;
- (4) There is an adequate flood warning procedure for the campground that offers the minimum notice required under this section to all persons in the campground. This procedure shall include a written agreement between the campground owner, the municipal emergency government coordinator and the chief law enforcement official which specifies the flood elevation at which evacuation shall occur, personnel responsible for monitoring flood elevations, types of warning systems to be used and the procedures for notifying at-risk parties, and the methods and personnel responsible for conducting the evacuation;
- (5) This agreement shall be for no more than one calendar year, at which time the agreement shall be reviewed and updated - by the officials identified in sub. (4) - to remain in compliance with all applicable regulations, including those of the state Department of Health Services and all other applicable regulations;
- (6) Only camping units that are fully licensed, if required, and ready for highway use are allowed;
- (7) The camping units shall not occupy any site in the campground for more than 180 consecutive days, at which time the camping unit must be removed from the floodplain for a minimum of 24 hours;
- (8) All camping units that remain on site for more than 30 days shall be issued a limited authorization by the campground operator, a written copy of which is kept on file at the campground. Such authorization shall allow placement of a camping unit for a period not to exceed 180 days and shall ensure compliance with all the provisions of this section;
- (9) The municipality shall monitor the limited authorizations issued by the campground operator to assure compliance with the terms of this section;
- (10) All camping units that remain in place for more than 180 consecutive days must meet the applicable requirements in either s. 3.0, 4.0 or 5.0 for the floodplain district

in which the structure is located;

- (11) The campground shall have signs clearly posted at all entrances warning of the flood hazard and the procedures for evacuation when a flood warning is issued; and
- (12) All service facilities, including but not limited to refuse collection, electrical service, gas lines, propane tanks, sewage systems and wells shall be properly anchored and placed at or floodproofed to the flood protection elevation.

### **3.0 FLOODWAY DISTRICT (FW)**

#### **3.1 APPLICABILITY**

This section applies to all floodway areas on the floodplain zoning maps and those identified pursuant to s. 5.4.

#### **3.2 PERMITTED USES**

The following open space uses are allowed in the Floodway District and the floodway areas of the General Floodplain District, if:

- they are not prohibited by any other ordinance;
  - they meet the standards in s. 3.3 and 3.4; and
  - all permits or certificates have been issued according to s. 7.1.
- (1) Agricultural uses, such as: farming, outdoor plant nurseries, horticulture, viticulture, and wild crop harvesting.
- (2) Nonstructural industrial and commercial uses, such as loading areas, parking areas and airport landing strips.
- (3) Nonstructural recreational uses, such as golf courses, tennis courts, archery ranges, picnic grounds, boat ramps, swimming areas, parks, wildlife and nature preserves, game farms, fish hatcheries, shooting, trap and skeet activities, hunting and fishing areas and hiking and horseback riding trails, subject to the fill limitations of s. 3.3(4).
- (4) Uses or structures accessory to open space uses, or classified as historic structures that comply with ss. 3.3 and 3.4.
- (5) Extraction of sand, gravel or other materials that comply with s. 3.3(4).
- (6) Functionally water-dependent uses, such as docks, piers or wharves, dams, flowage areas, culverts, navigational aids and river crossings of transmission lines, and pipelines that comply with chs. 30 and 31, Stats.
- (7) Public utilities, streets, and bridges that comply with s. 3.3(3).

### **3.3 STANDARDS FOR DEVELOPMENTS IN THE FLOODWAY**

#### **(1) GENERAL**

- (a) Any development in the floodway shall comply with s. 2.0 and have a low flood damage potential.
- (b) Applicants shall provide the following data to determine the effects of the proposal according to s. 2.1 and 7.1(2(c):

1. A cross-section elevation view of the proposal, perpendicular to the watercourse, showing if the proposed development will obstruct flow; or
  2. An analysis calculating the effects of this proposal on regional flood height.
- (c) The zoning administrator shall deny the permit application if the project will cause any increase in the flood elevations upstream or downstream, based on the data submitted for subd. (b) above.

(2) STRUCTURES

Structures accessory to permanent open space uses or functionally dependent on a waterfront location may be allowed by permit if the structures comply with the following criteria:

- (a) Not designed for human habitation, does not have a high flood damage potential and is constructed to minimize flood damage;
- (b) Shall have a minimum of two openings on different walls having a total net area not less than one square inch for every square foot of enclosed area, and the bottom of all such openings being no higher than one foot above grade. The openings shall be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
- (c) Must be anchored to resist flotation, collapse, and lateral movement;
- (d) Mechanical and utility equipment must be elevated or flood proofed to or above the flood protection elevation; and
- (e) It must not obstruct flow of flood waters or cause any increase in flood levels during the occurrence of the regional flood.

(3) PUBLIC UTILITIES, STREETS, AND BRIDGES

Public utilities, streets, and bridges may be allowed by permit, if:

- (a) Adequate floodproofing measures are provided to the flood protection elevation; and
- (b) Construction meets the development standards of s. 2.1.

(4) FILLS OR DEPOSITION OF MATERIALS

Fills or deposition of materials may be allowed by permit, if:

- (a) The requirements of s. 2.1 are met;
- (b) No material is deposited in navigable waters unless a permit is issued by the Department pursuant to ch. 30, Stats., and a permit pursuant to s. 404 of the Federal Water Pollution Control Act, Amendments of 1972, 33 U.S.C. 1344 has been issued, if applicable, and all other requirements have been met;
- (c) The fill or other materials will be protected against erosion by riprap, vegetative cover, sheet piling or bulkheading; and
- (d) The fill is not classified as a solid or hazardous material.

**3.4 PROHIBITED USES**

All uses not listed as permitted uses in s. 3.2 are prohibited, including the following uses:

- (1) Habitable structures, structures with high flood damage potential, or those not associated with permanent open-space uses;
- (2) Storing materials that are buoyant, flammable, explosive, injurious to property, water quality, or human, animal, plant, fish or other aquatic life;
- (3) Uses not in harmony with or detrimental to uses permitted in the adjoining districts;
- (4) Any private or public sewage systems, except portable latrines that are removed prior to flooding and systems associated with recreational areas and Department-approved campgrounds that meet the applicable provisions of local ordinances and ch. SPS 383, Wis. Adm. Code;
- (5) Any public or private wells which are used to obtain potable water, except those for recreational areas that meet the requirements of local ordinances and chs. NR 811 and NR 812, Wis. Adm. Code;
- (6) Any solid or hazardous waste disposal sites;
- (7) Any wastewater treatment ponds or facilities, except those permitted under s. NR 110.15(3)(b), Wis. Adm. Code; and
- (8) Any sanitary sewer or water supply lines, except those to service existing or proposed development located outside the floodway which complies with the regulations for the floodplain area occupied.

**4.0 FLOODFRINGE DISTRICT (FF)****4.1 APPLICABILITY**

This section applies to all floodfringe areas shown on the floodplain zoning maps and those identified pursuant to s. 5.4.

**4.2 PERMITTED USES**

Any structure, land use, or development is allowed in the Floodfringe District if the standards in s. 4.3 are met, the use is not prohibited by this or any other ordinance or regulation and all permits or certificates specified in s. 7.1 have been issued.

**4.3 STANDARDS FOR DEVELOPMENT IN THE FLOODFRINGE**

S. 2.1 shall apply in addition to the following requirements according to the use requested. Any existing structure in the floodfringe must meet the requirements of s. 6.0 *Nonconforming Uses*;

**(1) RESIDENTIAL USES**

Any structure, including a manufactured home, which is to be newly constructed or moved into the floodfringe, shall meet or exceed the following standards. Any existing structure in the floodfringe must meet the requirements of s. 6.0 *Nonconforming Uses*;

- (a) The elevation of the lowest floor shall be at or above the flood protection elevation on fill unless the requirements of s 4.3 (1)(b) can be met. The fill shall be one foot or more above the regional flood elevation extending at least 15 feet

beyond the limits of the structure.

- (b) The basement or crawlway floor may be placed at the regional flood elevation if it is dry floodproofed to the flood protection elevation. No basement or crawlway floor is allowed below the regional flood elevation;
  - (c) Contiguous dryland access shall be provided from a structure to land outside of the floodplain, except as provided in subd. (d).
  - (d) In developments where existing street or sewer line elevations make compliance with subd. (c) impractical, the municipality may permit new development and substantial improvements where roads are below the regional flood elevation, if:
    - 1. The municipality has written assurance from police, fire and emergency services that rescue and relief will be provided to the structure(s) by wheeled vehicles during a regional flood event; or
    - 2. The municipality has a DNR-approved emergency evacuation plan.
- (2) ACCESSORY STRUCTURES OR USES  
 Accessory structures shall be constructed on fill with the lowest floor at or above the regional flood elevation.
- (3) COMMERCIAL USES  
 Any commercial structure which is erected, altered, or moved into the floodfringe shall meet the requirements of s. 4.3(1). Subject to the requirements of s. 4.3(5), storage yards, surface parking lots and other such uses may be placed at lower elevations if an adequate warning system exists to protect life and property.
- (4) MANUFACTURING AND INDUSTRIAL USES  
 Any manufacturing or industrial structure which is erected, altered or moved into the floodfringe shall have the lowest floor elevated to or above the flood protection elevation or meet the floodproofing standards in s 7.5. Subject to the requirements of s. 4.3(5), storage yards, surface parking lots and other such uses may be placed at lower elevations if an adequate warning system exists to protect life and property.
- (5) STORAGE OF MATERIALS  
 Materials that are buoyant, flammable, explosive, or injurious to property, water quality or human, animal, plant, fish or aquatic life shall be stored at or above the flood protection elevation or floodproofed in compliance with s. 7.5. Adequate measures shall be taken to ensure that such materials will not enter the water body during flooding.
- (6) PUBLIC UTILITIES, STREETS, AND BRIDGES  
 All utilities, streets and bridges shall be designed to be compatible with comprehensive floodplain development plans; and
- (a) When failure of public utilities, streets and bridges would endanger public health or safety, or where such facilities are deemed essential, construction or repair of such facilities shall only be permitted if they are designed to comply with s. 7.5.
  - (b) Minor roads or non-essential utilities may be constructed at lower elevations if they are designed to withstand flood forces to the regional flood elevation.

(7) SEWAGE SYSTEMS

All sewage disposal systems shall be designed to minimize or eliminate infiltration of flood water into the system, pursuant to s. 7.5(3), to the flood protection elevation and meet the provisions of all local ordinances and ch. SPS 383, Wis. Adm. Code.

(8) WELLS

All wells shall be designed to minimize or eliminate infiltration of flood waters into the system, pursuant to s. 7.5(3), to the flood protection elevation and shall meet the provisions of chs. NR 811 and NR 812, Wis. Adm. Code.

(9) SOLID WASTE DISPOSAL SITES

Disposal of solid or hazardous waste is prohibited in floodfringe areas.

(10) DEPOSITION OF MATERIALS

Any deposited material must meet all the provisions of this ordinance.

(11) MANUFACTURED HOMES

(a) Owners or operators of all manufactured home parks and subdivisions shall provide adequate surface drainage to minimize flood damage, and prepare, secure approval and file an evacuation plan, indicating vehicular access and escape routes, with local emergency management authorities.

(b) In existing manufactured home parks, all new homes, replacement homes on existing pads, and substantially improved homes shall:

1. have the lowest floor elevated to the flood protection elevation; and
2. be anchored so they do not float, collapse or move laterally during a flood

(c) Outside of existing manufactured home parks, including new manufactured home parks and all single units outside of existing parks, all new, replacement and substantially improved manufactured homes shall meet the residential development standards for the floodfringe in s. 4.3(1).

(12) MOBILE RECREATIONAL VEHICLES

All mobile recreational vehicles that are on site for 180 consecutive days or more or are not fully licensed and ready for highway use shall meet the elevation and anchoring requirements in s. 4.3 (11)(b) and (c). A mobile recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick-disconnect utilities and security devices and has no permanently attached additions.

**5.0 GENERAL FLOODPLAIN DISTRICT (GFP)****5.1 APPLICABILITY**

The provisions for this district shall apply to all floodplains mapped as A, AO or AH zones.

**5.2 PERMITTED USES**

Pursuant to s. 5.4, it shall be determined whether the proposed use is located within the floodway or floodfringe.

Those uses permitted in the Floodway (s. 3.2) and Floodfringe (s. 4.2) Districts are allowed within the General Floodplain District, according to the standards of s. 5.3, provided that all permits or certificates required under s. 7.1 have been issued.

**5.3 STANDARDS FOR DEVELOPMENT IN THE GENERAL FLOODPLAIN DISTRICT**

S. 3.0 applies to floodway areas, s. 4.0 applies to floodfringe areas. The rest of this ordinance applies to either district.

- (1) In AO/AH Zones the structure's lowest floor must meet one of the conditions listed below whichever is higher:
  - (a) at or above the flood protection elevation; or
  - (b) two (2) feet above the highest adjacent grade around the structure; or
  - (c) the depth as shown on the FIRM
- (2) In AO/AH zones, provide plans showing adequate drainage paths to guide floodwaters around structures.

**5.4 DETERMINING FLOODWAY AND FLOODFRINGE LIMITS**

Upon receiving an application for development within the general floodplain district, the zoning administrator shall:

- (1) Require the applicant to submit two copies of an aerial photograph or a plan which shows the proposed development with respect to the general floodplain district limits, stream channel, and existing floodplain developments, along with a legal description of the property, fill limits and elevations, building floor elevations and flood proofing measures; and the flood zone as shown on the FIRM.
- (2) Require the applicant to furnish any of the following information deemed necessary by the Department to evaluate the effects of the proposal upon flood height and flood flows, regional flood elevation and to determine floodway boundaries.
  - (a) A Hydrologic and Hydraulic Study as specified in s. 7.1(2)(c).
  - (b) Plan (surface view) showing elevations or contours of the ground; pertinent structure, fill or storage elevations; size, location and layout of all proposed and existing structures on the site; location and elevations of streets, water supply, and sanitary facilities; soil types and other pertinent information;
  - (c) Specifications for building construction and materials, floodproofing, filling, dredging, channel improvement, storage, water supply, and sanitary facilities.

**6.0 NONCONFORMING USES****6.1 GENERAL****(1) APPLICABILITY**

If these standards conform with 62.23(7)(h), Stats., for cities, they shall apply to all modifications or additions to any nonconforming use or structure and to the use of any structure or premises which was lawful before the passage of this ordinance or any amendment thereto.

- (2) The existing lawful use of a structure or its accessory use which is not in conformity with the provisions of this ordinance may continue subject to the following conditions:

- (a) No modifications or additions to a nonconforming use or structure shall be permitted unless they comply with this ordinance. The words "modification" and "addition" include, but are not limited to, any alteration, addition, modification, structural repair, rebuilding, or replacement of any such existing use, structure or accessory structure or use. Maintenance is not considered a modification; this includes painting, decorating, paneling and other nonstructural components and the maintenance, repair or replacement of existing private sewage or water supply systems or connections to public utilities. Any costs associated with the repair of a damaged structure are not considered maintenance.

The construction of a deck that does not exceed 200 square feet and that is adjacent to the exterior wall of a principal structure is not an extension, modification, or addition. The roof of the structure may extend over a portion of the deck in order to provide safe ingress and egress to the principal structure.

- (b) If a nonconforming use or the use of a nonconforming structure is discontinued for 12 consecutive months, it is no longer permitted and any future use of the property, and any structure or building thereon, shall conform to the applicable requirements of this ordinance;
- (c) The municipality shall keep a record which lists all nonconforming uses and nonconforming structures, their present equalized assessed value, the cost of all modifications or additions which have been permitted, and the percentage of the structure's total current value those modifications represent;
- (d) No modification or addition to any nonconforming structure or any structure with a nonconforming use, which over the life of the structure would equal or exceed 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 in compliance with the applicable requirements of this ordinance. Contiguous dry land access must be provided for residential and commercial uses in compliance with s. 4.3(1). The costs of elevating the lowest floor of a nonconforming building or a building with a nonconforming use to the flood protection elevation are excluded from the 50% provisions of this paragraph;
- (e) No maintenance to any nonconforming structure or any structure with a nonconforming use, the cost of which would equal or exceed 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 in compliance with the applicable requirements of this ordinance. Contiguous dry land access must be provided for residential and commercial uses in compliance with s. 4.3(1).
- (f) If on a per event basis the total value of the work being done under (d) and (e) equals or exceeds 50% of the present equalized assessed value the work shall not be permitted unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this ordinance. Contiguous dry land access must be provided for residential and commercial uses in compliance with s. 4.3(1).
- (g) Except as provided in subd. (h), if any nonconforming structure or any structure with a nonconforming use is destroyed or is substantially damaged, it cannot be replaced, reconstructed or rebuilt unless the use and the structure meet the current ordinance requirements. A structure is considered substantially damaged

if the total cost to restore the structure to its pre-damaged condition equals or exceeds 50% of the structure's present equalized assessed value.

- (h) For nonconforming buildings that are substantially damaged or destroyed by a nonflood disaster, the repair or reconstruction of any such nonconforming building shall be permitted in order to restore it to the size and use in effect prior to the damage event, provided that the minimum federal code requirements below are met and all required permits have been granted prior to the start of construction.

#### 1. Residential Structures

- a. Shall have the lowest floor, including basement, elevated to or above the base flood elevation using fill, pilings, columns, posts, or perimeter walls. Perimeter walls must meet the requirements of s. 7.5(2).
- b. Shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy and shall be constructed with methods and materials resistant to flood damage.
- c. Shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or elevated so as to prevent water from entering or accumulating within the components during conditions of flooding.
- d. In A Zones, obtain, review, and utilize any flood data available from a federal, state, or other source.
- e. In AO Zones with no elevations specified, shall have the lowest floor, including basement, meet the standards in s. 5.3(1).
- f. in AO Zones, shall have adequate drainage paths around structures on slopes to guide floodwaters around and away from the structure.

#### 2. Nonresidential Structures

- a. Shall meet the requirements of s. 6.1(2)(h)1a-f.
  - b. Shall either have the lowest floor, including basement, elevated to or above the regional flood elevation; or, together with attendant utility and sanitary facilities, shall meet the standards in s. 7.5(1) or (2).
  - c. In AO Zones with no elevations specified, shall have the lowest floor, including basement, meet the standards in s. 5.3(1).
- (3) A nonconforming historic structure may be altered if the alteration will not preclude the structure's continued designation as a historic structure, the alteration will comply with s. 3.3(1), flood resistant materials are used, and construction practices and floodproofing methods that comply with s. 7.5 are used. Repair or rehabilitation of historic structures shall be exempt from the development standards of s. 6.1(2)(h)1 if it is determined that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and is the minimum necessary to preserve the historic character and design of the structure.

**6.2 FLOODWAY DISTRICT**

- (1) No modification or addition shall be allowed to any nonconforming structure or any structure with a nonconforming use in the Floodway District, unless such modification or addition:
  - (a) Has been granted a permit or variance which meets all ordinance requirements;
  - (b) Meets the requirements of s. 6.1;
  - (c) Shall not increase the obstruction to flood flows or regional flood height;
  - (d) Any addition to the existing structure shall be floodproofed, pursuant to s. 7.5, by means other than the use of fill, to the flood protection elevation; and
  - (e) If any part of the foundation below the flood protection elevation is enclosed, the following standards shall apply:
    1. The enclosed area shall be designed by a registered architect or engineer to allow for the efficient entry and exit of flood waters without human intervention. A minimum of two openings must be provided with a minimum net area of at least one square inch for every one square foot of the enclosed area. The lowest part of the opening can be no more than 12 inches above the adjacent grade;
    2. The parts of the foundation located below the flood protection elevation must be constructed of flood-resistant materials;
    3. Mechanical and utility equipment must be elevated or floodproofed to or above the flood protection elevation; and
    4. The use must be limited to parking, building access or limited storage.
- (2) No new on-site sewage disposal system, or addition to an existing on-site sewage disposal system, except where an addition has been ordered by a government agency to correct a hazard to public health, shall be allowed in the Floodway District. Any replacement, repair, or maintenance of an existing on-site sewage disposal system in a floodway area shall meet the applicable requirements of all municipal ordinances, s. 7.5(3) and ch. SPS 383, Wis. Adm. Code.
- (3) No new well or modification to an existing well used to obtain potable water shall be allowed in the Floodway District. Any replacement, repair or maintenance of an existing well in the Floodway District shall meet the applicable requirements of all municipal ordinances, s. 7.5(3) and chs. NR 811 and NR 812, Wis. Adm. Code.

**6.3 FLOODFRINGE DISTRICT**

- (1) No modification or addition shall be allowed to any nonconforming structure or any structure with a nonconforming use unless such modification or addition has been granted a permit or variance by the municipality, and meets the requirements of s. 4.3 except where s. 6.3(2) is applicable.
- (2) Where compliance with the provisions of subd. (1) would result in unnecessary hardship and only where the structure will not be used for human habitation or be associated with a high flood damage potential, the Board of Adjustment/Appeals, using the procedures established in s. 7.3, may grant a variance from those provisions of

subd. (1) for modifications or additions using the criteria listed below. Modifications or additions which are protected to elevations lower than the flood protection elevation may be permitted if:

- (a) No floor is allowed below the regional flood elevation for residential or commercial structures;
  - (b) Human lives are not endangered;
  - (c) Public facilities, such as water or sewer, shall not be installed;
  - (d) Flood depths shall not exceed two feet;
  - (e) Flood velocities shall not exceed two feet per second; and
  - (f) The structure shall not be used for storage of materials as described in s. 4.3(5).
- (3) All new private sewage disposal systems, or addition to, replacement, repair or maintenance of a private sewage disposal system shall meet all the applicable provisions of all local ordinances, 7.5(3) and ch. SPS 383, Wis. Adm. Code.
- (4) All new wells, or addition to, replacement, repair or maintenance of a well shall meet the applicable provisions of this ordinance, s. 7.5(3) and ch. NR 811 and NR 812, Wis. Adm. Code.

## **7.0 ADMINISTRATION**

Where a zoning administrator, planning agency or a board of adjustment/appeals has already been appointed to administer a zoning ordinance adopted under ss. 59.69, 59.692 or 62.23(7), Stats., these officials shall also administer this ordinance.

### **7.1 ZONING ADMINISTRATOR**

#### **(1) DUTIES AND POWERS**

The zoning administrator is authorized to administer this ordinance and shall have the following duties and powers:

- (a) Advise applicants of the ordinance provisions, assist in preparing permit applications and appeals, and assure that the regional flood elevation for the proposed development is shown on all permit applications.
- (b) Issue permits and inspect properties for compliance with provisions of this ordinance and issue certificates of compliance where appropriate.
- (c) Inspect and assess all damaged floodplain structures to determine if substantial damage to the structures has occurred.
- (d) Keep records of all official actions such as:
  1. All permits issued, inspections made, and work approved;
  2. Documentation of certified lowest floor and regional flood elevations;
  3. Floodproofing certificates.
  4. Water surface profiles, floodplain zoning maps and ordinances, nonconforming uses and structures including changes, appeals, variances and amendments.
  5. All substantial damage assessment reports for floodplain structures.

6. List of nonconforming structures and uses. .

(e) Submit copies of the following items to the Department Regional office:

1. Within 10 days of the decision, a copy of any decisions on variances, appeals for map or text interpretations, and map or text amendments;
2. Copies of case-by-case analyses and other required information including an annual summary of floodplain zoning actions taken.
3. Copies of substantial damage assessments performed and all related correspondence concerning the assessments.

(f) Investigate, prepare reports, and report violations of this ordinance to the municipal zoning agency and attorney for prosecution. Copies of the reports shall also be sent to the Department Regional office.

(g) Submit copies of amendments to the FEMA Regional office.

(2) LAND USE PERMIT

A land use permit shall be obtained before any new development; repair, modification or addition to an existing structure; or change in the use of a building or structure, including sewer and water facilities, may be initiated. Application to the zoning administrator shall include:

(a) GENERAL INFORMATION

1. Name and address of the applicant, property owner and contractor;
2. Legal description, proposed use, and whether it is new construction or a modification;

(b) SITE DEVELOPMENT PLAN

A site plan drawn to scale shall be submitted with the permit application form and shall contain:

1. Location, dimensions, area and elevation of the lot;
2. Location of the ordinary highwater mark of any abutting navigable waterways;
3. Location of any structures with distances measured from the lot lines and street center lines;
4. Location of any existing or proposed on-site sewage systems or private water supply systems;
5. Location and elevation of existing or future access roads;
6. Location of floodplain and floodway limits as determined from the official floodplain zoning maps;
7. The elevation of the lowest floor of proposed buildings and any fill using the vertical datum from the adopted study – either National Geodetic Vertical Datum (NGVD) or North American Vertical Datum (NAVD);

8. Data sufficient to determine the regional flood elevation in NGVD or NAVD at the location of the development and to determine whether or not the requirements of s. 3.0 or 4.0 are met; and
9. Data to determine if the proposed development will cause an obstruction to flow or an increase in regional flood height or discharge according to s. 2.1. This may include any of the information noted in s. 3.3(1).

(c) HYDRAULIC AND HYDROLOGIC STUDIES TO ANALYZE DEVELOPMENT

All hydraulic and hydrologic studies shall be completed under the direct supervision of a professional engineer registered in the State. The study contractor shall be responsible for the technical adequacy of the study. All studies shall be reviewed and approved by the Department.

1. Zone A floodplains:

a. Hydrology

- i. The appropriate method shall be based on the standards in ch. NR 116.07(3), Wis. Admin. Code, *Hydrologic Analysis: Determination of Regional Flood Discharge*.

b. Hydraulic modeling

The regional flood elevation shall be based on the standards in ch. NR 116.07(4), Wis. Admin. Code, *Hydraulic Analysis: Determination of Regional Flood Elevation* and the following:

- i. determination of the required limits of the hydraulic model shall be based on detailed study information for downstream structures (dam, bridge, culvert) to determine adequate starting WSEL for the study.
- ii. channel sections must be surveyed.
- iii. minimum four foot contour data in the overbanks shall be used for the development of cross section overbank and floodplain mapping.
- iv. a maximum distance of 500 feet between cross sections is allowed in developed areas with additional intermediate cross sections required at transitions in channel bottom slope including a survey of the channel at each location.
- v. the most current version of HEC\_RAS shall be used.
- vi. a survey of bridge and culvert openings and the top of road is required at each structure.
- vii. additional cross sections are required at the downstream and upstream limits of the proposed development and any necessary intermediate locations based on the length of the reach if greater than 500 feet.
- viii. standard accepted engineering practices shall be used when assigning parameters for the base model such as flow, Manning's N values, expansion and contraction coefficients or effective flow limits. The base model shall be calibrated to past flooding data such as high water marks to determine the reasonableness of the model results. If no historical

data is available, adequate justification shall be provided for any parameters outside standard accepted engineering practices.

- ix. the model must extend past the upstream limit of the difference in the existing and proposed flood profiles in order to provide a tie-in to existing studies. The height difference between the proposed flood profile and the existing study profiles shall be no more than 0.00 feet.

c. Mapping

A work map of the reach studied shall be provided, showing all cross section locations, floodway/floodplain limits based on best available topographic data, geographic limits of the proposed development and whether the proposed development is located in the floodway.

- i. If the proposed development is located outside of the floodway, then it is determined to have no impact on the regional flood elevation.
- ii. If any part of the proposed development is in the floodway, it must be added to the base model to show the difference between existing and proposed conditions. The study must ensure that all coefficients remain the same as in the existing model, unless adequate justification based on standard accepted engineering practices is provided.

2. Zone AE Floodplains

a. Hydrology

If the proposed hydrology will change the existing study, the appropriate method to be used shall be based on ch. NR 116.07(3), Wis. Admin. Code, *Hydrologic Analysis: Determination of Regional Flood Discharge*.

b. Hydraulic model

The regional flood elevation shall be based on the standards in ch. NR 116.07(4), Wis. Admin. Code, *Hydraulic Analysis: Determination of Regional Flood Elevation* and the following:

i. Duplicate Effective Model

The effective model shall be reproduced to ensure correct transference of the model data and to allow integration of the revised data to provide a continuous FIS model upstream and downstream of the revised reach. If data from the effective model is available, models shall be generated that duplicate the FIS profiles and the elevations shown in the Floodway Data Table in the FIS report to within 0.1 foot.

ii. Corrected Effective Model.

The Corrected Effective Model shall not include any man-made physical changes since the effective model date, but shall import the model into the most current version of HEC-RAS for Department review.

iii. Existing (Pre-Project Conditions) Model.

The Existing Model shall be required to support conclusions about the actual impacts of the project associated with the Revised (Post-Project) Model or to establish more up-to-date models on which to base the Revised (Post-Project) Model.

iv. Revised (Post-Project Conditions) Model.

The Revised (Post-Project Conditions) Model shall incorporate the Existing Model and any proposed changes to the topography caused by the proposed development. This model shall reflect proposed conditions.

- v. All changes to the Duplicate Effective Model and subsequent models must be supported by certified topographic information, bridge plans, construction plans and survey notes.
  - vi. Changes to the hydraulic models shall be limited to the stream reach for which the revision is being requested. Cross sections upstream and downstream of the revised reach shall be identical to those in the effective model and result in water surface elevations and topwidths computed by the revised models matching those in the effective models upstream and downstream of the revised reach as required. The Effective Model shall not be truncated.
- c. Mapping
- Maps and associated engineering data shall be submitted to the Department for review which meet the following conditions:
- i. Consistency between the revised hydraulic models, the revised floodplain and floodway delineations, the revised flood profiles, topographic work map, annotated FIRMs and/or Flood Boundary Floodway Maps (FBFMs), construction plans, bridge plans.
  - ii. Certified topographic map of suitable scale, contour interval, and a planimetric map showing the applicable items. If a digital version of the map is available, it may be submitted in order that the FIRM may be more easily revised.
  - iii. Annotated FIRM panel showing the revised 1% and 0.2% annual chance floodplains and floodway boundaries.
  - iv. If an annotated FIRM and/or FBFM and digital mapping data (GIS or CADD) are used then all supporting documentation or metadata must be included with the data submission along with the Universal Transverse Mercator (UTM) projection and State Plane Coordinate System in accordance with FEMA mapping specifications.
  - v. The revised floodplain boundaries shall tie into the effective floodplain boundaries.
  - vi. All cross sections from the effective model shall be labeled in accordance with the effective map and a cross section lookup table shall be included to relate to the model input numbering scheme.
  - vii. Both the current and proposed floodways shall be shown on the map.
  - viii. The stream centerline, or profile baseline used to measure stream distances in the model shall be visible on the map.

(d) EXPIRATION

All permits issued under the authority of this ordinance shall expire no more than 180 days after issuance. The permit may be extended for a maximum of 180 days for good and sufficient cause.

(3) CERTIFICATE OF COMPLIANCE

No land shall be occupied or used, and no building which is hereafter constructed, altered, added to, modified, repaired, rebuilt or replaced shall be occupied until a certificate of compliance is issued by the zoning administrator, except where no permit is required, subject to the following provisions:

- (a) The certificate of compliance shall show that the building or premises or part thereof, and the proposed use, conform to the provisions of this ordinance;
- (b) Application for such certificate shall be concurrent with the application for a permit;
- (c) If all ordinance provisions are met, the certificate of compliance shall be issued within 10 days after written notification that the permitted work is completed;
- (d) The applicant shall submit a certification signed by a registered professional engineer, architect or land surveyor that the fill, lowest floor and floodproofing elevations are in compliance with the permit issued. Floodproofing measures also require certification by a registered professional engineer or architect that the requirements of s. 7.5 are met.

(4) OTHER PERMITS

Prior to obtaining a floodplain development permit the applicant must secure all necessary permits from federal, state, and local agencies, including but not limited to those required by the U.S. Army Corps of Engineers under s. 404 of the Federal Water Pollution Control Act, Amendments of 1972, 33 U.S.C. 1344.

**7.2 ZONING AGENCY**

(1) The Plan Commission shall:

- (a) oversee the functions of the office of the zoning administrator; and
- (b) review and advise the governing body on all proposed amendments to this ordinance, maps and text.

(2) The Plan Commission shall not:

- (a) grant variances to the terms of the ordinance in place of action by the Board of Adjustment/Appeals; or
- (b) amend the text or zoning maps in place of official action by the governing body.

**7.3 BOARD OF ADJUSTMENT/APPEALS**

The Board of Adjustment/Appeals, created under s. 62.23(7)(e), Stats., for cities, is hereby authorized or shall be appointed to act for the purposes of this ordinance. The Board shall exercise the powers conferred by Wisconsin Statutes and adopt rules for the conduct of business. The zoning administrator shall not be the secretary of the Board.

(1) POWERS AND DUTIES

The Board of Adjustment/Appeals shall:

- (a) Appeals - Hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by an administrative official in the enforcement or administration of this ordinance;
- (b) Boundary Disputes - Hear and decide disputes concerning the district boundaries shown on the official floodplain zoning map; and
- (c) Variances - Hear and decide, upon appeal, variances from the ordinance standards.

(2) APPEALS TO THE BOARD

(a) Appeals to the board may be taken by any person aggrieved, or by any officer or department of the municipality affected by any decision of the zoning administrator or other administrative officer. Such appeal shall be taken within 30 days unless otherwise provided by the rules of the board, by filing with the official whose decision is in question, and with the board, a notice of appeal specifying the reasons for the appeal. The official whose decision is in question shall transmit to the board all records regarding the matter appealed.

(b) NOTICE AND HEARING FOR APPEALS INCLUDING VARIANCES

1. Notice - The board shall:

- a. Fix a reasonable time for the hearing;
- b. Publish adequate notice pursuant to Wisconsin Statutes, specifying the date, time, place and subject of the hearing; and
- c. Assure that notice shall be mailed to the parties in interest and the Department Regional office at least 10 days in advance of the hearing.

2. Hearing - Any party may appear in person or by agent. The board shall:

- a. Resolve boundary disputes according to s. 7.3(3);
- b. Decide variance applications according to s. 7.3(4); and
- c. Decide appeals of permit denials according to s. 7.4.

(c) DECISION: The final decision regarding the appeal or variance application shall:

- 1. Be made within a reasonable time;
- 2. Be sent to the Department Regional office within 10 days of the decision;
- 3. Be a written determination signed by the chairman or secretary of the Board;
- 4. State the specific facts which are the basis for the Board's decision;
- 5. Either affirm, reverse, vary or modify the order, requirement, decision or determination appealed, in whole or in part, dismiss the appeal for lack of jurisdiction or grant or deny the variance application; and
- 6. Include the reasons for granting an appeal, describing the hardship demonstrated by the applicant in the case of a variance, clearly stated in the recorded minutes of the Board proceedings.

(3) BOUNDARY DISPUTES

The following procedure shall be used by the Board in hearing disputes concerning floodplain district boundaries:

- (a) If a floodplain district boundary is established by approximate or detailed floodplain studies, the flood elevations or profiles shall prevail in locating the boundary. If none exist, other evidence may be examined;
- (b) The person contesting the boundary location shall be given a reasonable opportunity to present arguments and technical evidence to the Board; and
- (c) If the boundary is incorrectly mapped, the Board should inform the zoning committee or the person contesting the boundary location to petition the governing body for a map amendment according to s. 8.0 *Amendments*.

(4) VARIANCE

(a) The Board may, upon appeal, grant a variance from the standards of this ordinance if an applicant convincingly demonstrates that:

- 1. Literal enforcement of the ordinance will cause unnecessary hardship;
- 2. The hardship is due to adoption of the floodplain ordinance and unique property conditions, not common to adjacent lots or premises. In such case the ordinance or map must be amended;
- 3. The variance is not contrary to the public interest; and
- 4. The variance is consistent with the purpose of this ordinance in s. 1.3.

(b) In addition to the criteria in subd. (a), to qualify for a variance under FEMA regulations, the following criteria must be met:

- 1. The variance shall not cause any increase in the regional flood elevation;
- 2. Variances can only be granted for lots that are less than one-half acre and are contiguous to existing structures constructed below the RFE; and
- 3. Variances shall only be granted upon a showing of good and sufficient cause, shall be the minimum relief necessary, shall not cause increased risks to public safety or nuisances, shall not increase costs for rescue and relief efforts and shall not be contrary to the purpose of the ordinance.

(c) A variance shall not:

- 1. Grant, extend or increase any use prohibited in the zoning district;
- 2. Be granted for a hardship based solely on an economic gain or loss;
- 3. Be granted for a hardship which is self-created.
- 4. Damage the rights or property values of other persons in the area;
- 5. Allow actions without the amendments to this ordinance or map(s) required in

s. 8.0 *Amendments*; and

6. Allow any alteration of an historic structure, including its use, which would preclude its continued designation as an historic structure.

(d) When a floodplain variance is granted the Board shall notify the applicant in writing that it may increase risks to life and property and flood insurance premiums could increase up to \$25.00 per \$100.00 of coverage. A copy shall be maintained with the variance record.

#### **7.4 TO REVIEW APPEALS OF PERMIT DENIALS**

(1) The Zoning Agency (s. 7.2) or Board shall review all data related to the appeal. This may include:

(a) Permit application data listed in s. 7.1(2);

(b) Floodway/floodfringe determination data in s. 5.4;

(c) Data listed in s. 3.3(1)(b) where the applicant has not submitted this information to the zoning administrator; and

(d) Other data submitted with the application, or submitted to the Board with the appeal.

(2) For appeals of all denied permits the Board shall:

(a) Follow the procedures of s. 7.3;

(b) Consider zoning agency recommendations; and

(c) Either uphold the denial or grant the appeal.

(3) For appeals concerning increases in regional flood elevation the Board shall:

(a) Uphold the denial where the Board agrees with the data showing an increase in flood elevation. Increases may only be allowed after amending the flood profile and map and all appropriate legal arrangements are made with all adversely affected property owners as per the requirements of s. 8.0 *Amendments*; and

(b) Grant the appeal where the Board agrees that the data properly demonstrates that the project does not cause an increase provided no other reasons for denial exist.

#### **7.5 FLOODPROOFING STANDARDS FOR NONCOMFORMING STRUCTURES OR USES**

(1) No permit or variance shall be issued for a non-residential structure designed to be watertight below the regional flood elevation until the applicant submits a plan certified by a registered professional engineer or architect that the floodproofing measures will protect the structure or development to the flood protection elevation and submits a FEMA Floodproofing Certificate.

(2) For a structure designed to allow the entry of floodwaters, no permit or variance shall be issued until the applicant submits a plan either:

(a) certified by a registered professional engineer or architect; or

(b) meets or exceeds the following standards:

1. a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
2. the bottom of all openings shall be no higher than one foot above grade; and
3. openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

(3) Floodproofing measures shall be designed, as appropriate, to:

- (a) Withstand flood pressures, depths, velocities, uplift and impact forces and other regional flood factors;
- (b) Protect structures to the flood protection elevation;
- (c) Anchor structures to foundations to resist flotation and lateral movement;
- (d) Minimize or eliminate infiltration of flood waters; and
- (e) Minimize or eliminate discharges into flood waters.

## **7.6 PUBLIC INFORMATION**

- (1) Place marks on structures to show the depth of inundation during the regional flood.
- (2) All maps, engineering data and regulations shall be available and widely distributed.
- (3) Real estate transfers should show what floodplain district any real property is in.

## **8.0 AMENDMENTS**

Obstructions or increases may only be permitted if amendments are made to this ordinance, the official floodplain zoning maps, floodway lines and water surface profiles, in accordance with s. 8.1.

- (1) In AE Zones with a mapped floodway, no obstructions or increases shall be permitted unless the applicant receives a Conditional Letter of Map Revision from FEMA and amendments are made to this ordinance, the official floodplain zoning maps, floodway lines and water surface profiles, in accordance with s. 8.1. Any such alterations must be reviewed and approved by FEMA and the DNR.
- (2) In A Zones increases equal to or greater than 1.0 foot may only be permitted if the applicant receives a Conditional Letter of Map Revision from FEMA and amendments are made to this ordinance, the official floodplain maps, floodway lines, and water surface profiles, in accordance with s. 8.1.

## **8.1 GENERAL**

The governing body shall change or supplement the floodplain zoning district boundaries and this ordinance in the manner outlined in s. 8.2 below. Actions which require an amendment to the ordinance and/ or submittal of a Letter of Map Change (LOMC) include, but are not limited to, the following:

- (1) Any fill or floodway encroachment that obstructs flow causing any increase in the regional flood height;

- (2) Any change to the floodplain boundaries and/or watercourse alterations on the FIRM;
- (3) Any changes to any other officially adopted floodplain maps listed in 1.5 (2)(b);
- (4) Any floodplain fill which raises the elevation of the filled area to a height at or above the flood protection elevation and is contiguous to land lying outside the floodplain;
- (5) Correction of discrepancies between the water surface profiles and floodplain maps;
- (6) Any upgrade to a floodplain zoning ordinance text required by s. NR 116.05, Wis. Adm. Code, or otherwise required by law, or for changes by the municipality; and
- (7) All channel relocations and changes to the maps to alter floodway lines or to remove an area from the floodway or the floodfringe that is based on a base flood elevation from a FIRM requires prior approval by FEMA.

## **8.2 PROCEDURES**

Ordinance amendments may be made upon petition of any party according to the provisions of s. 62.23, Stats., for cities. The petitions shall include all data required by ss. 5.4 and 7.1(2). The Land Use Permit shall not be issued until a Letter of Map Revision is issued by FEMA for the proposed changes.

- (1) The proposed amendment shall be referred to the zoning agency for a public hearing and recommendation to the governing body. The amendment and notice of public hearing shall be submitted to the Department Regional office for review prior to the hearing. The amendment procedure shall comply with the provisions of s. 62.23, Stats., for cities.
- (2) No amendments shall become effective until reviewed and approved by the Department.
- (3) All persons petitioning for a map amendment that obstructs flow causing any increase in the regional flood height, shall obtain flooding easements or other appropriate legal arrangements from all adversely affected property owners and notify local units of government before the amendment can be approved by the governing body.

## **9.0 ENFORCEMENT AND PENALTIES**

Any violation of the provisions of this ordinance by any person shall be unlawful and shall be referred to the municipal attorney who shall expeditiously prosecute all such violators. A violator shall, upon conviction, forfeit to the municipality a penalty of not less than \$35 and not more than \$50.00 (fifty dollars), together with a taxable cost of such action. Each day of continued violation shall constitute a separate offense. Every violation of this ordinance is a public nuisance and the creation may be enjoined and the maintenance may be abated by action at suit of the municipality, the state, or any citizen thereof pursuant to s. 87.30, Stats.

## **10.0 DEFINITIONS**

Unless specifically defined, words and phrases in this ordinance shall have their common law meaning and shall be applied in accordance with their common usage. Words used in the present tense include the future, the singular number includes the plural and the plural number includes the singular. The word "may" is permissive, "shall" is mandatory and is not discretionary.

1. A ZONES – Those areas shown on the Official Floodplain Zoning Map which would be inundated by the regional flood. These areas may be numbered or unnumbered A Zones. The A Zones may or may not be reflective of flood profiles, depending on the availability of data for a given area.
2. AH ZONE – See “AREA OF SHALLOW FLOODING”.
3. AO ZONE – See “AREA OF SHALLOW FLOODING”.
4. ACCESSORY STRUCTURE OR USE – A facility, structure, building or use which is accessory or incidental to the principal use of a property, structure or building.
5. ALTERATION – An enhancement, upgrading or substantial change or modifications other than an addition or repair to a dwelling or to electrical, plumbing, heating, ventilating, air conditioning and other systems within a structure.
6. AREA OF SHALLOW FLOODING – A designated AO, AH, AR/AO, AR/AH, or VO zone on a community’s Flood Insurance Rate Map (FIRM) with a 1 percent or greater annual chance of flooding to an average depth of 1 to 3 feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flood may be evident. Such flooding is characterized by ponding or sheet flow.
7. BASE FLOOD – Means the flood having a one percent chance of being equaled or exceeded in any given year, as published by FEMA as part of a FIS and depicted on a FIRM.
8. BASEMENT – Any enclosed area of a building having its floor sub-grade, i.e., below ground level, on all sides.
9. BUILDING – See STRUCTURE.
10. BULKHEAD LINE – A geographic line along a reach of navigable water that has been adopted by a municipal ordinance and approved by the Department pursuant to s. 30.11, Stats., and which allows limited filling between this bulkhead line and the original ordinary highwater mark, except where such filling is prohibited by the floodway provisions of this ordinance.
11. CAMPGROUND – Any parcel of land which is designed, maintained, intended or used for the purpose of providing sites for nonpermanent overnight use by 4 or more camping units, or which is advertised or represented as a camping area.
12. CAMPING UNIT – Any portable device, no more than 400 square feet in area, used as a temporary shelter, including but not limited to a camping trailer, motor home, bus, van, pick-up truck, or tent that is fully licensed, if required, and ready for highway use.
13. CERTIFICATE OF COMPLIANCE – A certification that the construction and the use of land or a building, the elevation of fill or the lowest floor of a structure is in compliance with all of the provisions of this ordinance.
14. CHANNEL – A natural or artificial watercourse with definite bed and banks to confine and conduct normal flow of water.
15. CRAWLWAYS OR "CRAWL SPACE" – An enclosed area below the first usable floor of a building, generally less than five feet in height, used for access to plumbing and electrical

utilities.

16. DECK – An unenclosed exterior structure that has no roof or sides, but has a permeable floor which allows the infiltration of precipitation.
17. DEPARTMENT – The Wisconsin Department of Natural Resources.
18. DEVELOPMENT – Any artificial change to improved or unimproved real estate, including, but not limited to, the construction of buildings, structures or accessory structures; the construction of additions or alterations to buildings, structures or accessory structures; the repair of any damaged structure or the improvement or renovation of any structure, regardless of percentage of damage or improvement; the placement of buildings or structures; subdivision layout and site preparation; mining, dredging, filling, grading, paving, excavation or drilling operations; the storage, deposition or extraction of materials or equipment; and the installation, repair or removal of public or private sewage disposal systems or water supply facilities.
19. DRYLAND ACCESS – A vehicular access route which is above the regional flood elevation and which connects land located in the floodplain to land outside the floodplain, such as a road with its surface above regional flood elevation and wide enough for wheeled rescue and relief vehicles.
20. ENCROACHMENT – Any fill, structure, equipment, use or development in the floodway.
21. FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) – The federal agency that administers the National Flood Insurance Program.
22. FLOOD INSURANCE RATE MAP (FIRM) – A map of a community on which the Federal Insurance Administration has delineated both the floodplain and the risk premium zones applicable to the community. This map can only be amended by the Federal Emergency Management Agency.
23. FLOOD or FLOODING – A general and temporary condition of partial or complete inundation of normally dry land areas caused by one of the following conditions:
  - The overflow or rise of inland waters;
  - The rapid accumulation or runoff of surface waters from any source;
  - The inundation caused by waves or currents of water exceeding anticipated cyclical levels along the shore of Lake Michigan or Lake Superior; or
  - The sudden increase caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as a seiche, or by some similarly unusual event.
24. FLOOD FREQUENCY – The probability of a flood occurrence which is determined from statistical analyses. The frequency of a particular flood event is usually expressed as occurring, on the average once in a specified number of years or as a percent (%) chance of occurring in any given year.
25. FLOODFRINGE – That portion of the floodplain outside of the floodway which is covered by flood waters during the regional flood and associated with standing water rather than flowing water.
26. FLOOD HAZARD BOUNDARY MAP – A map designating approximate flood hazard areas. Flood hazard areas are designated as unnumbered A-Zones and do not contain floodway lines or regional flood elevations. This map forms the basis for both the regulatory and

insurance aspects of the National Flood Insurance Program (NFIP) until superseded by a Flood Insurance Study and a Flood Insurance Rate Map.

27. FLOOD INSURANCE STUDY – A technical engineering examination, evaluation, and determination of the local flood hazard areas. It provides maps designating those areas affected by the regional flood and provides both flood insurance rate zones and base flood elevations and may provide floodway lines. The flood hazard areas are designated as numbered and unnumbered A-Zones. Flood Insurance Rate Maps, that accompany the Flood Insurance Study, form the basis for both the regulatory and the insurance aspects of the National Flood Insurance Program.
28. FLOODPLAIN – Land which has been or may be covered by flood water during the regional flood. It includes the floodway and the floodfringe, and may include other designated floodplain areas for regulatory purposes.
29. FLOODPLAIN ISLAND – A natural geologic land formation within the floodplain that is surrounded, but not covered, by floodwater during the regional flood.
30. FLOODPLAIN MANAGEMENT – Policy and procedures to insure wise use of floodplains, including mapping and engineering, mitigation, education, and administration and enforcement of floodplain regulations.
31. FLOOD PROFILE – A graph or a longitudinal profile line showing the relationship of the water surface elevation of a flood event to locations of land surface elevations along a stream or river.
32. FLOODPROOFING – Any combination of structural provisions, changes or adjustments to properties and structures, water and sanitary facilities and contents of buildings subject to flooding, for the purpose of reducing or eliminating flood damage.
33. FLOOD PROTECTION ELEVATION – An elevation of two feet of freeboard above the water surface profile elevation designated for the regional flood. (Also see: FREEBOARD.)
34. FLOOD STORAGE – Those floodplain areas where storage of floodwaters has been taken into account during analysis in reducing the regional flood discharge.
35. FLOODWAY – The channel of a river or stream and those portions of the floodplain adjoining the channel required to carry the regional flood discharge.
36. FREEBOARD – A safety factor expressed in terms of a specified number of feet above a calculated flood level. Freeboard compensates for any factors that cause flood heights greater than those calculated, including ice jams, debris accumulation, wave action, obstruction of bridge openings and floodways, the effects of watershed urbanization, loss of flood storage areas due to development and aggregation of the river or stream bed.
37. HABITABLE STRUCTURE – Any structure or portion thereof used or designed for human habitation.
38. HEARING NOTICE – Publication or posting meeting the requirements of Ch. 985, Stats. For appeals, a Class 1 notice, published once at least one week (7 days) before the hearing, is required. For all zoning ordinances and amendments, a Class 2 notice, published twice, once each week consecutively, the last at least a week (7 days) before the hearing. Local ordinances or bylaws may require additional notice, exceeding these minimums.

39. HIGH FLOOD DAMAGE POTENTIAL – Damage that could result from flooding that includes any danger to life or health or any significant economic loss to a structure or building and its contents.
40. HIGHEST ADJACENT GRADE – The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.
41. HISTORIC STRUCTURE – Any structure that is either:
- Listed individually in the National Register of Historic Places or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
  - Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
  - Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
  - Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either by an approved state program, as determined by the Secretary of the Interior; or by the Secretary of the Interior in states without approved programs.
42. INCREASE IN REGIONAL FLOOD HEIGHT – A calculated upward rise in the regional flood elevation greater than 0.00 foot, based on a comparison of existing conditions and proposed conditions which is directly attributable to development in the floodplain but not attributable to manipulation of mathematical variables such as roughness factors, expansion and contraction coefficients and discharge.
43. LAND USE – Any nonstructural use made of unimproved or improved real estate. (Also see DEVELOPMENT.)
44. LOWEST ADJACENT GRADE – Elevation of the lowest ground surface that touches any of the exterior walls of a building.
45. LOWEST FLOOR – The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of 44 CFR 60.3.
46. MAINTENANCE – The act or process of restoring to original soundness, including redecorating, refinishing, non structural repairs, or the replacement of existing fixtures, systems or equipment with equivalent fixtures, systems or structures.
47. MANUFACTURED HOME – A structure transportable in one or more sections, which is built on a permanent chassis and is designed to be used with or without a permanent foundation when connected to required utilities. The term "manufactured home" includes a mobile home but does not include a "mobile recreational vehicle."
48. MOBILE/MANUFACTURED HOME PARK OR SUBDIVISION – A parcel (or contiguous parcels) of land, divided into two or more manufactured home lots for rent or sale.
49. MOBILE/MANUFACTURED HOME PARK OR SUBDIVISION, EXISTING – A parcel of land, divided into two or more manufactured home lots for rent or sale, on which the construction

of facilities for servicing the lots is completed before the effective date of this ordinance. At a minimum, this would include the installation of utilities, the construction of streets and either final site grading or the pouring of concrete pads.

50. MOBILE/MANUFACTURED HOME PARK, EXPANSION TO EXISTING – The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed. This includes installation of utilities, construction of streets and either final site grading, or the pouring of concrete pads.
51. MOBILE RECREATIONAL VEHICLE – A vehicle which is built on a single chassis, 400 square feet or less when measured at the largest horizontal projection, designed to be self-propelled, carried or permanently towable by a licensed, light-duty vehicle, is licensed for highway use if registration is required and is designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel or seasonal use. Manufactured homes that are towed or carried onto a parcel of land, but do not remain capable of being towed or carried, including park model homes, do not fall within the definition of "mobile recreational vehicles."
52. MODEL, CORRECTED EFFECTIVE – A hydraulic engineering model that corrects any errors that occur in the Duplicate Effective Model, adds any additional cross sections to the Duplicate Effective Model, or incorporates more detailed topographic information than that used in the current effective model.
53. MODEL, DUPLICATE EFFECTIVE – A copy of the hydraulic analysis used in the effective FIS and referred to as the effective model.
54. MODEL, EFFECTIVE – The hydraulic engineering model that was used to produce the current effective Flood Insurance Study.
55. MODEL, EXISTING (PRE-PROJECT) – A modification of the Duplicate Effective Model or Corrected Effective Model to reflect any man made modifications that have occurred within the floodplain since the date of the effective model but prior to the construction of the project for which the revision is being requested. If no modification has occurred since the date of the effective model, then this model would be identical to the Corrected Effective Model or Duplicate Effective Model.
56. MODEL, REVISED (POST-PROJECT) – A modification of the Existing or Pre-Project Conditions Model, Duplicate Effective Model or Corrected Effective Model to reflect revised or post-project conditions.
57. MUNICIPALITY" or "MUNICIPAL – The city governmental units enacting, administering and enforcing this zoning ordinance.
58. NAVD" or "NORTH AMERICAN VERTICAL DATUM – Elevations referenced to mean sea level datum, 1988 adjustment.
59. NGVD or NATIONAL GEODETIC VERTICAL DATUM – Elevations referenced to mean sea level datum, 1929 adjustment.
60. NEW CONSTRUCTION – For floodplain management purposes, "new construction" means structures for which the start of construction commenced on or after the effective date of floodplain zoning regulations adopted by this community and includes any subsequent improvements to such structures. For the purpose of determining flood insurance rates, it includes any structures for which the "start of construction" commenced on or after the

effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures.

61. **NONCONFORMING STRUCTURE** – An existing lawful structure or building which is not in conformity with the dimensional or structural requirements of this ordinance for the area of the floodplain which it occupies. (For example, an existing residential structure in the floodfringe district is a conforming use. However, if the lowest floor is lower than the flood protection elevation, the structure is nonconforming.)
62. **NONCONFORMING USE** – An existing lawful use or accessory use of a structure or building which is not in conformity with the provisions of this ordinance for the area of the floodplain which it occupies. (Such as a residence in the floodway.)
63. **OBSTRUCTION TO FLOW** – Any development which blocks the conveyance of floodwaters such that this development alone or together with any future development will cause an increase in regional flood height.
64. **OFFICIAL FLOODPLAIN ZONING MAP** – That map, adopted and made part of this ordinance, as described in s. 1.5(2), which has been approved by the Department and FEMA.
65. **OPEN SPACE USE** – Those uses having a relatively low flood damage potential and not involving structures.
66. **ORDINARY HIGHWATER MARK** – The point on the bank or shore up to which the presence and action of surface water is so continuous as to leave a distinctive mark such as by erosion, destruction or prevention of terrestrial vegetation, predominance of aquatic vegetation, or other easily recognized characteristic.
67. **PERSON** – An individual, or group of individuals, corporation, partnership, association, municipality or state agency.
68. **PRIVATE SEWAGE SYSTEM** – A sewage treatment and disposal system serving one structure with a septic tank and soil absorption field located on the same parcel as the structure. It also means an alternative sewage system approved by the Department of Safety and Professional Services, including a substitute for the septic tank or soil absorption field, a holding tank, a system serving more than one structure or a system located on a different parcel than the structure.
69. **PUBLIC UTILITIES** – Those utilities using underground or overhead transmission lines such as electric, telephone and telegraph, and distribution and collection systems such as water, sanitary sewer and storm sewer.
70. **REASONABLY SAFE FROM FLOODING** – Means base flood waters will not inundate the land or damage structures to be removed from the floodplain and that any subsurface waters related to the base flood will not damage existing or proposed buildings.
71. **REGIONAL FLOOD** – A flood determined to be representative of large floods known to have occurred in Wisconsin. A regional flood is a flood with a one percent chance of being equaled or exceeded in any given year, and if depicted on the FIRM, the RFE is equivalent to the BFE.
72. **START OF CONSTRUCTION** – The date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or

other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond initial excavation, or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling, nor does it include the installation of streets and/or walkways, nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms, nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For an alteration, the actual start of construction means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

73. **STRUCTURE** – Any manmade object with form, shape and utility, either permanently or temporarily attached to, placed upon or set into the ground, stream bed or lake bed, including, but not limited to, roofed and walled buildings, gas or liquid storage tanks, bridges, dams and culverts.
74. **SUBDIVISION** – Has the meaning given in s. 236.02(12), Wis. Stats.
75. **SUBSTANTIAL DAMAGE** – Damage of any origin sustained by a structure, whereby the cost of restoring the structure to its pre-damaged condition would equal or exceed 50 percent of the equalized assessed value of the structure before the damage occurred.
76. **SUBSTANTIAL IMPROVEMENT** – Any repair, reconstruction, rehabilitation, addition or improvement of a building or structure, the cost of which equals or exceeds 50 percent of the equalized assessed value of the structure before the improvement or repair is started. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the work performed. The term does not, however, include either any project for the improvement of a building required to correct existing health, sanitary or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions; or any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.
77. **UNNECESSARY HARDSHIP** – Where special conditions affecting a particular property, which were not self-created, have made strict conformity with restrictions governing areas, setbacks, frontage, height or density unnecessarily burdensome or unreasonable in light of the purposes of the ordinance.
78. **VARIANCE** – An authorization by the board of adjustment or appeals for the construction or maintenance of a building or structure in a manner which is inconsistent with dimensional standards (not uses) contained in the floodplain zoning ordinance.
79. **VIOLATION** – The failure of a structure or other development to be fully compliant with the floodplain zoning ordinance. A structure or other development without required permits, lowest floor elevation documentation, floodproofing certificates or required floodway encroachment calculations is presumed to be in violation until such time as that documentation is provided.
80. **WATERSHED** – The entire region contributing runoff or surface water to a watercourse or body of water.
81. **WATER SURFACE PROFILE** – A graphical representation showing the elevation of the water surface of a watercourse for each position along a reach of river or stream at a

certain flood flow. A water surface profile of the regional flood is used in regulating floodplain areas.

82. WELL – means an excavation opening in the ground made by digging, boring, drilling, driving or other methods, to obtain groundwater regardless of its intended use.

Letter of Map Revision(s)



# Federal Emergency Management Agency

Washington, D.C. 20472

**December 29, 2014**

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

The Honorable Gary Wescott  
Mayor, City of Stevens Point  
1515 Strongs Avenue  
Stevens Point, WI 54481

IN REPLY REFER TO:

Case No.: 14-05-4844P  
Follows Conditional  
Case No: 13-05-1932R  
Community Name: City Of Stevens Point, WI  
Community No.: 550342  
Effective Date of  
This Revision: May 15, 2015

Dear Mayor Wescott:

The Flood Insurance Rate Map for your community has been revised by this Letter of Map Revision (LOMR). Please use the enclosed annotated map panel revised by this LOMR for floodplain management purposes and for all flood insurance policies and renewals issued in your community.

Additional documents are enclosed which provide information regarding this LOMR. Please see the List of Enclosures below to determine which documents are included. Other attachments specific to this request may be included as referenced in the Determination Document. If you have any questions regarding floodplain management regulations for your community or the National Flood Insurance Program (NFIP) in general, please contact the Consultation Coordination Officer for your community. If you have any technical questions regarding this LOMR, please contact the Director, Mitigation Division of the Department of Homeland Security's Federal Emergency Management Agency (FEMA) in Chicago, Illinois, at (312) 408-5500, or the FEMA Map Information eXchange toll free at 1-877-336-2627 (1-877-FEMA MAP). Additional information about the NFIP is available on our website at <http://www.fema.gov/business/nfip>.

Sincerely,

Luis Rodriguez, P.E., Chief  
Engineering Management Branch  
Federal Insurance and Mitigation Administration

List of Enclosures:

Letter of Map Revision Determination Document  
Annotated Flood Insurance Rate Map

cc:

Mr. Scott Schatschneider, P.E.

Mr. Gary Heinrichs WT/3

Mr. Peter Diemer,

Mr. Thomas Scharff

Mr. Gerald A. Krueger, P.E.

Page 1 of 4	Issue Date: December 29, 2014	Effective Date: May 15, 2015	Case No.: 14-05-4844P	LOMR-APP
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Follows Conditional Case No.: 13-05-1932R



**Federal Emergency Management Agency**  
Washington, D.C. 20472

**LETTER OF MAP REVISION  
DETERMINATION DOCUMENT**

COMMUNITY AND REVISION INFORMATION		PROJECT DESCRIPTION	BASIS OF REQUEST
COMMUNITY	City Of Stevens Point Portage County Wisconsin	LEVEE CERTIFICATION	BASE MAP CHANGES UPDATE FLOODWAY
	COMMUNITY NO.: 550342		
IDENTIFIER	Stevens Point Hydroelectric Project Left Seawall	APPROXIMATE LATITUDE & LONGITUDE: 44.518, -89.582 SOURCE: Other DATUM: NAD 83	
ANNOTATED MAPPING ENCLOSURES		ANNOTATED STUDY ENCLOSURES	
TYPE: FIRM* NO.: 55097C0214D DATE: July 20, 2009		NO REVISION TO THE FLOOD INSURANCE STUDY REPORT	

Enclosures reflect changes to flooding sources affected by this revision.  
\* FIRM - Flood Insurance Rate Map

**FLOODING SOURCE & REVISED REACH**

Wisconsin River - From just downstream of Arlington Plaza to approximately 100 feet downstream of Wisconsin Street

**SUMMARY OF REVISIONS**

Flooding Source	Effective Flooding	Revised Flooding	Increases	Decreases
Wisconsin River	Zone AE Floodway	Zone X (shaded) Floodway	NONE YES	YES YES

**DETERMINATION**

This document provides the determination from the Department of Homeland Security's Federal Emergency Management Agency (FEMA) regarding a request for a Letter of Map Revision (LOMR) for the area described above. Using the information submitted, we have determined that a revision to the flood hazards depicted in the Flood Insurance Study (FIS) report and/or National Flood Insurance Program (NFIP) map is warranted. This document revises the effective NFIP map, as indicated in the attached documentation. Please use the enclosed annotated map panels revised by this LOMR for floodplain management purposes and for all flood insurance policies and renewals in your community.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Information eXchange toll free at 1-877-336-2627 (1-877-FEMA MAP) or by letter addressed to the LOMC Clearinghouse, 847 South Pickett Street, Alexandria, VA 22304-4605. Additional information about the NFIP is available on our website at <http://www.fema.gov/nfip>.

Luis Rodriguez, P.E., Chief  
Engineering Management Branch  
Federal Insurance and Mitigation Administration

Page 2 of 4

Issue Date: December 29, 2014

Effective Date: May 15, 2015

Case No.: 14-05-4844P

LOMR-APP



## Federal Emergency Management Agency

Washington, D.C. 20472

### LETTER OF MAP REVISION DETERMINATION DOCUMENT (CONTINUED)

#### COMMUNITY INFORMATION

##### APPLICABLE NFIP REGULATIONS/COMMUNITY OBLIGATION

We have made this determination pursuant to Section 206 of the Flood Disaster Protection Act of 1973 (P.L. 93-234) and in accordance with the National Flood Insurance Act of 1968, as amended (Title XIII of the Housing and Urban Development Act of 1968, P.L. 90-448), 42 U.S.C. 4001-4128, and 44 CFR Part 65. Pursuant to Section 1361 of the National Flood Insurance Act of 1968, as amended, communities participating in the NFIP are required to adopt and enforce floodplain management regulations that meet or exceed NFIP criteria. These criteria, including adoption of the FIS report and FIRM, and the modifications made by this LOMR, are the minimum requirements for continued NFIP participation and do not supersede more stringent State/Commonwealth or local requirements to which the regulations apply.

We provide the floodway designation to your community as a tool to regulate floodplain development. Therefore, the floodway revision we have described in this letter, while acceptable to us, must also be acceptable to your community and adopted by appropriate community action, as specified in Paragraph 60.3(d) of the NFIP regulations.

##### COMMUNITY REMINDERS

We based this determination on the 1-percent-annual-chance flood discharges computed in the FIS for your community without considering subsequent changes in watershed characteristics that could increase flood discharges. Future development of projects upstream could cause increased flood discharges, which could cause increased flood hazards. A comprehensive restudy of your community's flood hazards would consider the cumulative effects of development on flood discharges subsequent to the publication of the FIS report for your community and could, therefore, establish greater flood hazards in this area.

Your community must regulate all proposed floodplain development and ensure that permits required by Federal and/or State/Commonwealth law have been obtained. State/Commonwealth or community officials, based on knowledge of local conditions and in the interest of safety, may set higher standards for construction or may limit development in floodplain areas. If your State/Commonwealth or community has adopted more restrictive or comprehensive floodplain management criteria, those criteria take precedence over the minimum NFIP requirements.

We will not print and distribute this LOMR to primary users, such as local insurance agents or mortgage lenders; instead, the community will serve as a repository for the new data. We encourage you to disseminate the information in this LOMR by preparing a news release for publication in your community's newspaper that describes the revision and explains how your community will provide the data and help interpret the NFIP maps. In that way, interested persons, such as property owners, insurance agents, and mortgage lenders, can benefit from the information.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Information eXchange toll free at 1-877-336-2627 (1-877-FEMA MAP) or by letter addressed to the LOMC Clearinghouse, 847 South Pickett Street, Alexandria, VA 22304-4605. Additional Information about the NFIP is available on our website at <http://www.fema.gov/nfip>.

Luis Rodriguez, P.E., Chief  
Engineering Management Branch  
Federal Insurance and Mitigation Administration

14-05-4844P

102-I-A-C

Page 3 of 4

Issue Date: December 29, 2014

Effective Date: May 15, 2015

Case No.: 14-05-4844P

LOMR-APP



## Federal Emergency Management Agency

Washington, D.C. 20472

### LETTER OF MAP REVISION DETERMINATION DOCUMENT (CONTINUED)

We have designated a Consultation Coordination Officer (CCO) to assist your community. The CCO will be the primary liaison between your community and FEMA. For information regarding your CCO, please contact:

Ms. Christine Stack  
Director, Mitigation Division  
Federal Emergency Management Agency, Region V  
536 South Clark Street, Sixth Floor  
Chicago, IL 60605  
(312) 408-5500

#### STATUS OF THE COMMUNITY NFIP MAPS

We will not physically revise and republish the FIRM for your community to reflect the modifications made by this LOMR at this time. When changes to the previously cited FIRM panel warrant physical revision and republication in the future, we will incorporate the modifications made by this LOMR at that time.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Information eXchange toll free at 1-877-336-2627 (1-877-FEMA MAP) or by letter addressed to the LOMC Clearinghouse, 847 South Pickett Street, Alexandria, VA 22304-4605. Additional Information about the NFIP is available on our website at <http://www.fema.gov/nfip>.

Luis Rodriguez, P.E., Chief  
Engineering Management Branch  
Federal Insurance and Mitigation Administration

14-05-4844P

102-I-A-C

Page 4 of 4

Issue Date: December 29, 2014

Effective Date: May 15, 2015

Case No.: 14-05-4844P

LOMR-APP



## Federal Emergency Management Agency

Washington, D.C. 20472

### LETTER OF MAP REVISION DETERMINATION DOCUMENT (CONTINUED)

#### PUBLIC NOTIFICATION OF REVISION

A notice of changes will be published in the *Federal Register*. This information also will be published in your local newspaper on or about the dates listed below, and through FEMA's Flood Hazard Mapping website at [https://www.floodmaps.fema.gov/fhm/Scripts/bfe\\_main.asp](https://www.floodmaps.fema.gov/fhm/Scripts/bfe_main.asp).

**LOCAL NEWSPAPER**

Name: The Portage County Gazette

Dates: January 09, 2015 and January 16, 2015

Within 90 days of the second publication in the local newspaper, any interested party may request that we reconsider this determination. Any request for reconsideration must be based on scientific or technical data. Therefore, this letter will be effective only after the 90-day appeal period has elapsed and we have resolved any appeals that we receive during this appeal period. However, until the 90-day period has elapsed, the revised floodplain boundary presented in this LOMR may be changed.

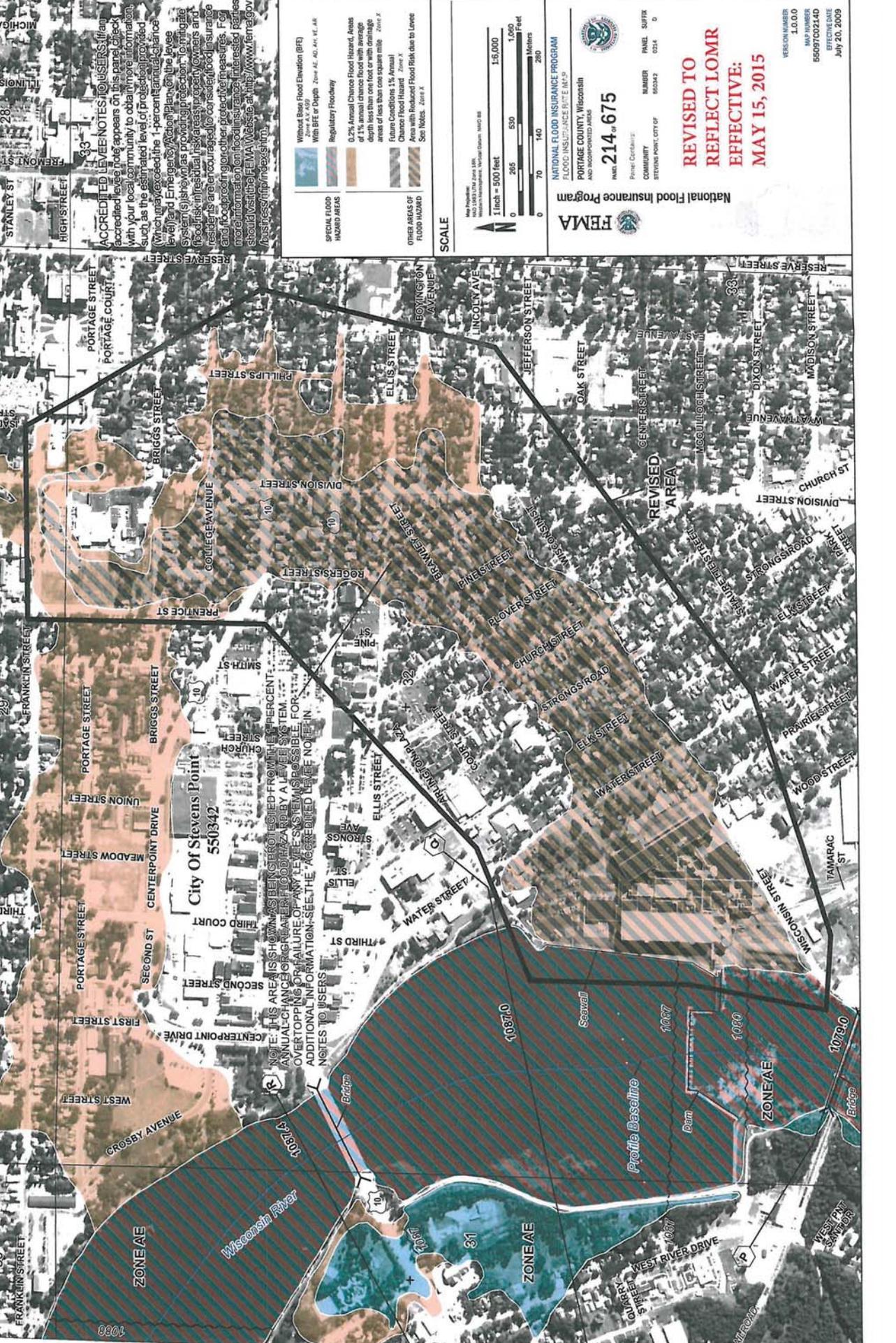
This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Information eXchange toll free at 1-877-336-2627 (1-877-FEMA MAP) or by letter addressed to the LOMC Clearinghouse, 847 South Pickett Street, Alexandria, VA 22304-4605. Additional Information about the NFIP is available on our website at <http://www.fema.gov/nfip>.

Luis Rodriguez, P.E., Chief  
Engineering Management Branch  
Federal Insurance and Mitigation Administration

14-05-4844P

102-I-A-C

NOTE: MAP AREA SHOWN IN THIS PANEL IS LOCATED WITHIN TOWNSHIP 23 NORTH, RANGE 8 EAST, TOWNSHIP 24 NORTH, RANGE 8 EAST.



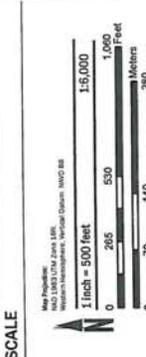
48330007N  
 JOINS PANEL 0213

**ACCREDITED LEVEL: NOTES TO USERS:** If an accredited levee now appears on this panel, check with your local community to obtain more information such as the estimated level of protection provided (which may exceed the 1-percent annual chance level) and Emergency Action Plan on the levee system(s) shown as providing protection. To mitigate flood risk in residential risk areas, property owners and residents are encouraged to consider flood insurance and floodproofing or other protective measures. For more information on flood insurance, interested parties should visit the FEMA Website at <http://www.fema.gov/business/flood>.

**SPECIAL FLOOD HAZARD AREAS**

- Without Base Flood Elevation (BFE) Zone AE, AH, AF, AE, AH
- With BFE or Depth Zone AE, AH, AF, AE, AH
- Regulatory Floodway
- 0.2% Annual Chance Flood Hazard Areas of less than one foot or with average depth less than one foot or with average area of less than one square mile Zone X
- Future Conditions 1% Annual Chance Flood Hazard Zone X
- Area with Reduced Flood Risk due to Levee See Note X Zone X

**OTHER AREAS OF FLOOD HAZARD**



**FEMA**

**NATIONAL FLOOD INSURANCE PROGRAM**  
 FLOOD INSURANCE BY E.I.N.C.P.  
 PORTAGE COUNTY, Wisconsin  
 AND INCORPORATED AREAS

**214 OF 675**

Panel Certificate:  
 NUMBER: 550342  
 COMMUNITY: 0214  
 STATIONS POINT: CITY OF

**REVISED TO REFLECT LOMR EFFECTIVE: MAY 15, 2015**

VERSION NUMBER: 1.0.0.0  
 MAP NUMBER: 5509700214.0  
 EFFECTIVE DATE: July 20, 2009