

## ARTICLE XI FP, FLOODPLAIN DISTRICTS

### PREAMBLE

The FP Floodplain Districts are established to protect the health, safety, and general welfare of the inhabitants of the City of Auburn Hills, and environs, by promoting its development in land uses which will not reduce the river valley's reservoir capacity, nor impede, retard, accelerate or change the direction of water flow or the carrying capacity of the river valley, or to otherwise increase the possibility of flood.

### SECTION 1100. PRINCIPAL USES PERMITTED:

In the FP Floodplain Districts, no building or land shall be used and no building shall be erected except for one (1) or more of the following specified uses, unless otherwise provided for in this Ordinance:

1. The open yard space portion of any abutting use district provided that no structure, other than off street at-grade parking, may be provided.
2. For residential districts, the floodplain may not be used for computing density, but may be used for yard and open space areas.
3. Gardening, general farming, horticulture, forestry or any other similar agricultural activity.
4. Accessory uses customarily incidental to any of the above principal uses permitted.
5. Uses determined to be similar to the above principal uses in accordance with the criteria set forth in Section 1827 and which are not listed below as special land uses.

### SECTION 1101. SPECIAL LAND USES PERMITTED:

The following uses may be permitted under the purview of Section 1818 by the City Council, after site plan review and Public Hearing by the Planning Commission, and subject further to such other reasonable conditions which, in the opinion of the City Council, are necessary to provide adequate protection to the health, safety, general welfare, morals and comfort of the abutting property, neighborhood and City of Auburn Hills:

1. All residential principal uses permitted and residential special land uses permitted in abutting districts, as regulated in the immediately abutting districts.
2. Railroads, bridges, roads, dams, overhead wires, and public utilities.
3. Public and private open recreation areas such as parks, playgrounds, soccer fields, ballfields, golf courses, and bridle paths.
4. Utility and public service facilities and uses (without storage yards) such as gas regulator stations and electrical substations.
5. Accessory buildings and accessory uses customarily incidental to any of the above special land uses permitted.
6. Special land uses determined to be similar to the above special land uses in accordance with the criteria set forth in Section 1828.

### SECTION 1102. REQUIRED CONDITIONS:

All uses shall be subject to the following conditions:

1. Building Use  
Except as provided in the previous Section, floodplains shall be restricted so as to prohibit any structure wherein human habitation may be provided for occupancy or employment. No habitable portion of any building shall be less than two (2) feet above the high water mark elevation as established on the Pontiac Township Floodplain Map except that structural members such as, but not limited to, columns supporting said building, may be permitted.
2. Administrative Functions  
Any proposed erection or construction in the floodplain shall be submitted to the City Engineer or Consulting Engineer and Planning Commission for their review and recommendation to the City Council and require City Council approval prior to the issuance of a Building Permit. Approval of a Building Permit shall be contingent upon a finding that the proposed erection or construction is so designed, constructed and placed on the lot or parcel as to offer no added obstruction to the

flow of water, and be so fixed to the site as to withstand the force of the expected velocity of floodwater.

- A. Duties of the Building Inspector or authorized staff shall include:
  - 1) When base flood elevation data has not been provided, the Building Official or authorized staff shall obtain, review, and reasonably utilize any flood elevation data available from a Federal, State or other source.
  - 2) Review all development permits to determine that all necessary permits have been obtained from those Federal, State or Local governmental agencies from which prior approval is required.
  - 3) Obtain and record the actual elevation (in relation to mean sea level) of the lowest habitable floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement.
  - 4) Notify adjacent communities and the Michigan Department of Natural Resources prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.
  - 5) Require that maintenance is provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.

### 3. Permit Applications

The applicant shall provide such topographic data, engineering studies, or other studies as needed to determine the effects of flooding on a proposed structure and/or the effect of the structure on the flow of water. All such required data shall be prepared by licensed and registered architects, engineers, or registered land surveyors.

In addition to the information required with an application for a Building Permit, or any other type of development permission required under this Ordinance, the following information shall be submitted as a part of an application for permission to commence any type of development within a flood hazard area.

- A. The elevation in relation to mean sea level of the floor, including basement, of all structures.
- B. Where flood proofing will be employed, the elevation in relation to mean sea level to which a structure will be flood proofed.
- C. Where flood proofing will be employed, a certificate from a registered professional engineer, architect, or surveyor that the flood proofing criteria of this Ordinance will be met.
- D. Where it can be determined that development is proposed within zones A1-30 on the FIRM or the regulatory floodway, a certification is required by this Ordinance.
- E. A description of the extent to which any watercourse will be altered or relocated as a result of proposed development.
- F. Base flood elevation data where the proposed development is subject to Public Act 288, of 1967, or greater than five (5) acres in size.
- G. Additional information which may be reasonably necessary to determine compliance with the provisions of this Ordinance.

### 4. General Standards for Flood Hazard Reduction

All new construction and substantial improvements within a flood hazard area, including the placement of prefabricated buildings and mobile homes, shall be subject to the following:

- A. All new and replacement water supply systems shall minimize or eliminate infiltration of floodwaters into the systems.
- B. All new and replacement sanitary sewage systems shall minimize or eliminate infiltration of floodwaters into the systems and the discharges from systems into floodwaters. On-site waste disposal systems shall be located to avoid impairment to the system or contamination from the system during flooding.
- C. All public utilities and facilities shall be designed, constructed and located to minimize or eliminate flood damage.
- D. Adequate drainage shall be provided to reduce exposure to flood hazards.
- E. The Building Inspector or authorized staff shall review development proposals to determine compliance with the standards of this Section.

- F. Land shall not be divided in a manner creating parcels or lots which cannot be used in conformance with the requirements of this Article.
5. Mobile Homes
- A. All mobile homes shall be anchored to resist flotation, collapse, or lateral movement by providing over-the-top and frame ties in accordance with the following specifications:
- 1) Over-the-top ties shall be provided at each of the four corners of the mobile home, with two additional ties per side at intermediate locations, except that on mobile homes less than fifty (50) feet in length, one tie per side shall be required.
  - 2) Frame ties shall be provided at each corner of the home with five (5) additional ties per side at intermediate points, except that on mobile homes less than fifty (50) feet in length, four (4) ties per side shall be required.
  - 3) All components of the anchoring system shall be capable of carrying a force of four thousand eight hundred (4,800) pounds.
  - 4) All additions to a mobile home shall be similarly anchored.
- B. An evacuation plan indicating alternate vehicular access and escape routes shall be filed with the City Manager, Building Inspector and Police Chief, for mobile home parks and mobile home subdivisions.
- C. Mobile homes within zones A1-30 on the Flood Insurance Rate Map shall be located in accordance with the following instructions:
- 1) All mobile homes shall be placed on stands or lots which are elevated on compacted fill or on pilings so that the lowest floor of the mobile home will be at or above the base flood level.
  - 2) Adequate surface drainage away from all structures and access for a mobile home hauler shall be provided.
  - 3) In the instance of elevation on pilings, lots shall be large enough to permit steps. Pilings and foundations shall be placed in stable soil no more than ten (10) feet apart. Reinforcement shall be provided for piers more than six (6) feet above ground level.
6. Floodways
- Located within areas of special flood hazard are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of the floodwaters which carry debris, potential projectiles, and erosion potential, the following provisions apply:
- A. New construction, substantial improvements and all other development, including fill, shall be prohibited within zones numbered A1-30 on the FIRM, except where it is demonstrated to the Building Inspector, when combined with all other existing and anticipated development, will not harmfully increase the water surface elevation of a base flood. In determining whether a harmful increase will occur, compliance with Public Act 245 of 1928, as amended, by allowable increase shall not exceed one (1) foot. The provisions of this item shall not apply within the regulatory floodway. The provisions of the following Subitem B. shall be applied to land situated within the regulatory floodway.
- B. New development occurring within the regulatory floodway shall comply with the following standards:
- 1) Encroachments, including fill, new construction, substantial improvements and other development shall be prohibited. Exception to this prohibition shall only be made upon certification by a registered professional engineer of the Michigan Department of Natural Resources that the development proposed will not result in any increases in flood levels during a base flood discharge, and in compliance with Act 245, Public Acts of 1929, as amended by Act 167, Public Acts of 1968.
- C. The uses of land permitted in an underlying zoning district shall not be construed as being permitted within the regulatory floodway, except upon compliance with the provisions of the above Item B.