

**ARTICLE XIII
FP, FLOOD PLAIN DISTRICT**

SECTION 13.1 STATEMENT OF PURPOSE

Consistent with the letter and spirit of Act 184 of the Public Acts of 1943 as amended the Township Board of Dundee Township finds that potential growth the spreading of development, and increasing demands upon natural resources can have the effect of encroaching upon, despoiling, polluting, or eliminating many of its watercourses and wetlands, and other natural resources and processes associated therewith which if preserved and maintained in an undisturbed and natural condition, constitute important physical, aesthetic, recreation and economic assets to existing and future residents of the Township. **Therefore, the purposes of this Article are:**

To provide for the protection, preservation, proper maintenance and use of township watercourses and wetlands in order to minimize disturbance to them and to prevent damage from erosion, turbidity, or siltation, a loss of fish or other beneficial aquatic organisms, a loss of wildlife and/or vegetation from the destruction of the natural habitat thereof:

To provide for the protection of the Township's potable fresh water supplies from the dangers of drought, overdraft, pollution or mismanagement.

To secure safety from floods; to reduce the financial burdens imposed upon the community through rescue and relief efforts occasioned by the occupancy or use of areas subject to periodic flooding; to prevent loss of life, property damage and other losses and risks associated with flood conditions; to preserve the location, character and extent or natural drainage courses.

Boundary lines of the Flood Plain District are inclusive of, and sometimes exceed, the area designated in the HUD Flood Hazards Boundary Maps for Dundee Township dated February 22, 1974. Boundaries of the Flood Plain District were mapped according to easily identified property lines, road systems, and other natural boundaries.

The following regulations shall apply to the FP, Flood Plain District and shall be subject further to the provisions of Article V, General Provisions.

**SECTION 13.2 RULES AND REGULATIONS FOR MANAGEMENT OF THE
FLOOD PLAIN DISTRICT**

The following rules and regulations are established so as to provide a clear statement of the minimum requirements for sound and proper use and development of land in the Flood Plain District. These requirements are so designated to minimize financial burdens or environmental losses which might occur in the absence of such rules and regulations.

The duties of managing the Flood Plain District shall include, but not be limited to the following:

1. A special permit shall be required for any use of development of land within the Flood Plain District not specifically allowed in Section 13.3, Principal Uses Permitted.

2. Review all special approval 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. Utilize any base flood elevation data available from federal, state or other sources, when such data has not been made available by the Federal Insurance Administration, in order to administer this Ordinance.
4. Information to be obtained and maintained:
 - A. 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.
 - B. For all new or substantially improved flood proofed structures:
 - (1) Obtain and record the actual elevation (in relation to mean sea level) to which the structure has been flood proofed.
 - Ø Obtain certification by a registered professional engineer or architect that the flood proofing methods for any non-residential structure meet the criteria specified in Section 13.2, 6C, herein.
 - (3) Maintain for public inspection all records pertaining to the provisions of this Ordinance.
5. Alteration of Watercourses:
 - A. Notify adjacent communities and the Michigan Department of Natural Resources Hydrological Survey Division prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.
 - B. Require that maintenance is provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.
6. General Standards:
 - A. Anchoring
 - (1) All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.
 - (2) All mobile homes shall be anchored to resist flotation, collapse, or lateral movement by providing over-the-top and frame ties to ground anchors. Specific requirements shall be that:
 - a. Over-the-top ties be provided at each of the four corners of the mobile home, with two (2) additional ties per side at intermediate locations, with mobile homes less than fifty (50) feet long requiring one (1) additional tie per side.
 - b. Framed ties be provided at each corner of the home with five (5) additional ties per side at intermediate points, with mobile homes less than fifty (50) feet long requiring four (4) additional ties per side.
 - (3) All components of the anchoring system be capable of carrying a force of four thousand eight hundred (4,800) pounds.

B. Utilities

- (1) On-site disposal systems shall be located to avoid impairment of them or contamination from them during flooding.
- (2) Sanitary and storm sewer drains shall be equipped with valves capable of being closed, manually or automatically, to prevent backup of sewage and storm waters into the building structure. Gravity draining of basements may be eliminated by mechanical devices.

C. Flood proofing

- (1) Foundations of all structures shall be designed and constructed to withstand flood conditions at the proposed construction site.
- (2) Basements, lower floors, or appurtenances located below the elevation of the 100-year flood shall be designed and constructed to prevent passage of water into the building or structure and withstand flood conditions, including hydrostatic pressures of elevated water tables and the momentum of flood flows. Materials for construction shall be of the type not deteriorated appreciably by water. Windows, doorways, and other openings into the building or structure shall be designed and constructed incorporating adequate flood proofing.
- (3) All electrical equipment, circuits and installed electrical appliances shall be flood proofed to prevent damage resulting from inundation by the 100-year flood.
- (4) Chemical storage, explosive, buoyant and flammable liquid storage shall be located above the 100-year flood level or shall be adequately flood proofed to prevent flotation of tanks or other appreciable damage or escape into the floodwaters of toxic materials.

D. Landfill

Land may be filled in accordance with the Soil Erosion and Sedimentation Act of the State of Michigan and provided that all other requirements under this Ordinance and other State statutes and County regulations are satisfied.

E. Subdivision proposals

- (1) All subdivision proposals shall be consistent with the need to minimize flood damage.
- (2) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage.
- (3) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage.
- (4) Base flood elevation data shall be provided for subdivision proposals and other proposed development which contain at least fifty (50) lots or five (5) acres (whichever is less).

F. Area and Bulk requirements

Appropriate attention must be given to area and bulk restrictions for the use being considered by special approval, as such requirements have not been specified in Article XIV, Schedule of Regulations.

SECTION 13.3 PRINCIPAL USES PERMITTED

1. Cultivation and harvesting of crops according to recognized soil conservation practices.
2. Pasture, grazing land, forestry, outdoor plant nursery, orchard, and harvesting of any wild crops.
3. Wildlife sanctuary, woodland preserve, arboretums.
4. Outlet installations for sewage treatment plants, sealed public water supply wells.
5. Recreational uses such as parks, day camps, picnic groves, shooting ranges, golf courses, hunting, fishing, tennis clubs, and boating clubs, provided no building is located in the floodway.
6. Commercial uses such as parking lots, railroads, streets, utility lines, storage yards for equipment and material not subject to major damage or displacement by flood and not including inflammable liquid provided such use is accessory to a use permitted in an adjoining area.

SECTION 13.4 USES PERMITTED ON SPECIAL APPROVAL

The Dundee Township Board, after recommendation from the Planning Commission, shall have the power to issue permits for the location or alteration of obstructions which are otherwise not specifically permitted. The application for the permit shall contain such information as the Commission shall require, including complete maps, plans, profiles, and specifications of the obstruction and watercourse.

In passing upon such application, the Commission and Township Board shall consider:

1. The danger to life and property by water which may be backed-up or diverted by such obstruction.
2. The danger that the obstruction will be swept downstream to the injury of others.
3. The availability of alternate locations.
4. The construction or alteration of the obstruction in such manner as to lessen the danger.
5. The permanence of the obstruction.
6. The anticipated development in the foreseeable future of the area which may be affected by the obstruction.

SECTION 13.5 USES PROHIBITED

All other uses and structures which are not specifically permitted by right or by conditional use permit shall be prohibited in the FP, Flood Plain District.

SECTION 13.6 SITE PLAN REVIEW

All principal and special approval uses listed above are subject to the requirements and provisions of Article XVI, Site Plan Review, and any other applicable regulations included in this Ordinance.