

CHAPTER 4 F-1 FLOOD PLAIN

SECTION 4.01 FLOOD PLAIN

This District relies upon the analysis of flood prone lands in the City as defined in the City of Kentwood Flood Insurance Study dated May 18, 1981, prepared by the Federal Insurance Administration with accompanying Flood Insurance Rate Maps. The study and accompanying maps, as amended from time to time, are adopted by reference, and declared to be a part of this Ordinance. The limitations of the flood prone areas shall be considered to be the one hundred (100) year floodplain as shown on the most current Federal Insurance Administration maps.

SECTION 4.02 INTENT AND PURPOSE

It is the purpose of this District to protect the general public and all lands in the City subject to periodic inundation of floodwaters by the following:

- A. Restricting or prohibiting uses which are dangerous to health, safety or property in times of flood or which cause excessive increases in flood flow heights or velocities.
- B. Requiring that uses vulnerable to floods, including public facilities that serve such uses, be protected against flood damage at the time of initial construction.
- C. Developing means to notify property owners of lands that are unsuited for intended purposes because of flood hazards.
- D. Promoting the Goals of the Master Plan by encouraging the coordination and planning of open space while enhancing and protecting the natural environment.
- E. Aiding to increase the visibility and access to a key natural feature in the City, while maintaining the natural conditions present in the floodplain.

SECTION 4.03 SCOPE

- A. This District shall apply to all lands within the City located within the boundaries of the Plaster Creek, Little Plaster Creek, and Whiskey Creek Floodplains as shown on the Federal Insurance Administration maps. The provisions and restrictions of this District shall be considered to apply in addition to the provisions of underlying Zoning Districts shown on the Official Zoning Map, sufficient to fulfill the purpose of this Chapter.
- B. Uses and regulations otherwise applicable in existing Zoning Districts shall not be allowed unless also permitted, and developed in accordance with the regulations of this Chapter. This District shall take precedence over any conflicting laws, ordinances or codes.
- C. The City may request public access easements for developments incorporating floodplain areas.

SECTION 4.04 TABLE OF USES

A. The following abbreviations apply to the Table of Uses:

- P: These uses have a low flood damage potential because of their open space nature and shall be permitted by right to the extent that they are allowed uses in the underlying Zoning District.
- SLU: The following uses shall be allowed only by Special Land Use approval, to the extent that they are allowed uses in the underlying Zoning Districts, provided all requirements of Chapter 15 are met and priority is given to the retention of the site in its natural state:
- NP: Use is not permitted in the District.

F-1 FLOOD PLAIN DISTRICT – TABLE OF USES	
Parks, swimming areas, picnic grounds, wildlife and nature preserves, fishing and hiking areas	P
Residential support uses such as lawns, gardens, parking areas and play areas	P
Utility facilities such as: transmission lines, pipelines, and water monitoring devices	P
Bridges, culverts, and river crossings of transmission lines, subject to approval by the Water Resources Commission of the Michigan Department of Environmental Quality	P
Accessory uses to any of the Permitted Uses as regulated in Sections 3.15 and 3.16.	SLU
Billboards and signs	SLU
Industrial-Commercial accessory uses such as: loading areas, parking areas, and storage yards for equipment or machinery easily moved or not subject to flood damage	SLU
Golf courses, driving ranges	SLU
Storage yards for heavy equipment, materials or machinery	SLU
Transient amusement enterprises such as: circuses, carnivals and fairs	SLU
A permanent structure of any type.	NP
Agricultural uses such as: general farming, grazing pasture, truck farming, and fruit orchards	NP
Extraction uses such as sand, gravel, plaster, and other mining operations; or oil drilling	NP
Landfill, dump or junkyard;	NP
Enlargement of an existing building	NP
Onsite sewage disposal systems;	NP
The storage or processing of materials which in time of flooding become buoyant, flammable, explosive or otherwise injurious to public health;	NP

SECTION 4.05 REVIEW CONSIDERATIONS

A. The following review considerations are applicable to those uses outlined in Section 4.04 in order to ensure proper construction and, for Special Land Uses, to assist the Planning Commission in evaluating the appropriateness of each use.

B. All uses:

1. Any project proposed having property located within the floodplain shall comply with the applicable provisions of Kentwood Ordinance No.9-84, as amended, the Stormwater Management Ordinance.
2. Material and equipment may be stored if it is not subject to major flood damage and must be firmly anchored to prevent flotation or if it is easily removable within the time following the flood warning and preceding the actual flood.

- C. Special Land Uses: The Planning Commission, in addition to the General Standards of Section 15.02 shall consider the following points in reviewing an application for a Special Land Use in the Floodplain District.
1. Any possible danger to life and property due to increased flood heights or velocities caused by encroachments on the floodplain.
 2. The danger that materials may be swept on to other lands or downstream to the injury of the public.
 3. The susceptibility of the proposed development and its contents to flood damage and the effect of such damage on the individual owner.
 4. The importance of the services provided by the development to the community.
 5. The requirement of the proposed development for a waterfront location.
 6. The compatibility of the proposed use with existing development and development anticipated in the foreseeable future.
 7. The availability of alternate locations for the proposed use which are not subject to flooding.
 8. The relationship of the proposed use to the Master Plan and flood plain management program for the area.
 9. The safety of access to the property in times of flood for ordinary and emergency vehicles.
 10. The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters expected at the site.
 11. Such other factors which are, in the opinion of the Planning Commission, relevant to the purposes of this district.
- D. Where in the opinion of the Planning Commission topographic data, engineering studies, or other studies are needed to determine the effects of flooding on a proposed use and/or the effects of the use on the floodway, the Planning Commission may require the applicant to submit such data and/or studies prepared by competent engineers or other technical people.
- E. Upon reviewing all data and materials, and before granting approval, the Planning Commission may attach conditions to the granting of approval of a Special Land Use. Such conditions may be, but not limited to those enumerated, as in the following:
1. Limitations on periods of use and operation, as needed to address seasonal flooding conditions.
 2. Imposition of operational controls, sureties, deed restrictions, and covenants.
 3. Requirements for construction of channel modifications, dikes, levees, and other protective measures.

SECTION 4.06 DEVELOPMENT REQUIREMENTS

A. Site Plan Review Requirements

The following chart provides requirements for site plan review. A site plan shall be submitted for Planning Commission review in connection with the following, unless specifically exempted in Section 14.02.

District	Site Plan Review Requirements	Other Requirements
F-1 District	All Special Land Uses	See Chapter 14 for site plan requirements. See Chapter 15 for Special Land Use requirements

B. Lot and Yard Requirements

The lot and yard requirements of the underlying Zoning District shall apply.

C. Development Requirements for Parking

The parking requirements for uses in the underlying Zoning District shall apply. See also Chapter 17 for general requirements.

D. Development Requirements for Signs

The sign requirements of the underlying Zoning District shall apply. See also Chapter 16 for general requirements.