MODEL ZONING ORDINANCE ADDENDUM

RELATED TO CAMPGROUNDS IN FLOODPLAINS

Section 1. Definitions. As used in this Ordinance, the following terms have the meaning set forth.

1.01 Campground. An area of land which is licensed under ATCP 79 of the Wisconsin Administrative Code for overnight and/or seasonal lodging by RV or tent campers.

1.02 A “camping unit” is a structure, including a camping trailer as described in sec 304.01(6r), a tent, yurt, a recreational vehicle as described in sec. 340.01 (48r), or a park model RV built to the ANSI A119.5 Standard.

1.02 DATCP. The Wisconsin Department of Agriculture, Trade and Consumer Protection.

1.03 DNR. The Wisconsin Department of Natural Resources.

1.04 Flash Flood. Inundation of normally dry land by waters which occurs six hours or less after the onset of rainfall or other precipitating events.

1.05 Flood fringe. The portion of a floodplain which is covered with water during a regional flood and is located outside the floodway. It is generally associated with standing rather than flowing water.

1.06 Floodplain. The area of land which is subject to a regional flood, which is a probability of inundation of 1 percent in any given year.

1.07 Floodway. The channel of a river or stream and those portions of a floodplain adjoining the channel which are required to carry the regional flood discharge.

Section 2. Locating a Campground In A Floodplain or Floodfringe.

2.01 A Campground may be located in a floodplain if:

(a) the floodplain has no history of Flash Floods.

(b) the campground submits a plan for emergency notification and evacuation of campers and removal of all Unattached structures.

(c) the campground includes an addendum in its seasonal or overnight camping agreement with campers which strictly limits the placement of objects in the floodplain to those which are authorized by this Ordinance.

(d) the campground posts prominent signage informing campers and frequenters of the area within the floodplain of the flood hazard and evacuation procedures.

(e) all support and service facilities such as electrical service, wells, sewage systems (including transfer tanks), public bathroom facilities, utility lines and refuse collection, are buried, or anchored and floodproofed to 2 feet above the regional flood elevation.

(f) The property located on the floodplain is limited to those items enumerated in section 5.

(g) The property is not prohibited from placement in a floodplain under the Wisconsin Statutes or adopted administrative rules of the DATCP or the DNR.

2.02 A Campground may be located in the floodfringe if it meets the requirements in sec. 2.01 (a) through (g) and does not require any filling.

Section 3. History of Flash Floods.

An area shall be deemed to have a history of Flash Floods if there is a recorded instance of dry land being inundated by flood water six hours or less after the onset of rainfall or other precipitating cause, is documented in an official meteorological, hydrological, or official record.

Section 4. Emergency Notification and Evacuation Plan.

4.01 Every Campground which is located in a floodplain shall, within 90 days of the effective date of this Ordinance, submit a Notification and Evacuation Plan which complies with this section. Every Campground which requests approval of additional campsites to be located within a Floodplain shall, as part of process of review of its application, submit a Notification and Evacuation plan.

4.02 (a) The [name of reviewing agency] shall review the proposed Notification and Evacuation Plan within two weeks of its submission. If the agency determines the proposal is incomplete, the agency shall inform the applicant of the specific reasons the Plan is incomplete and the information or provisions which are necessary for the Plan to be complete.

(b) The [name of committee or authority] shall review the proposed Notification and Evacuation Plan within 45 days of its submission. The Plan shall be approved unless, within 45 days of the submission of the Plan, the agency objects to the Plan. Any such objection shall cite the specific deficiencies with the Plan, and the necessary actions to make the Plan compliant. If the agency contends the Plan cannot be made compliant, the agency shall cite specific facts or legal provisions which sustain its position.

(c) The Campground shall submit a revised Plan within 30 days of a flood event which exceeds the historical elevations of floods on the Campground property or a change in the regional flood elevation by the Federal Emergency Management Agency.

(d) The approved Plan shall be available for viewing on the internet website of the Campground. It shall also be available for public inspection at the Campground office. Every adult lodging in a campsite located in the floodplain shall be given a copy of the Plan.

(e) The campground shall have an adequate flood warning procedure using local emergency management systems or emails or text messaging or other communication methods that provides effective notification to all persons in the campground.

(f) There shall be a written agreement between the campground owner/operator, the municipal emergency government coordinator and the chief law enforcement official which specifies the flow rates or water elevations at which a 72-hour notice shall be given and evacuation shall occur, the personnel responsible for monitoring flow rates or water elevation, 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. 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 herein to remain in compliance with all applicable emergency management regulations

4.03 Agreement To Contain Notice and Plan Compliance Requirements. Every seasonal or overnight camping agreement shall contain a floodplain addendum to the Campground’s ordinary camping agreement. The Floodplain Addendum shall include a notice informing the camper that the campsite is located in a floodplain, and that they may be required to evacuate the campsite at any time as the result of flooding.

4.04 Signage. The Campground shall post signs which are at least 12 by 18 inches in size at the points where Campground driveways or paths enter a flood plain area. The signs shall alert the viewer that the area they are entering is a floodplain area which may need to be evacuated.

4.05 All structures and materials in the floodplain which are subject to inundation must be floodproof as provided by NR 116.16, Wisconsin Administrative Code.

Section 5 Allowable Campground Property In Floodplains and Floodfringe.

5.01 No personal property other than that which is enumerated in this section may be placed on the portion of a Campground which is located on a floodplain or floodfringe.

5.02 Camping unit. A single camping unit may be parked on a floodplain o floodfringe. The camping unit shall remain on its travel wheels, which shall be maintained in condition to move the trailer. The trailer’s tow bar shall be stored under the trailer. There may be skirting on the camping unit if the skirting may be removed without the use of tools.

5.03 Deck. (a) The campsite may have a wooden deck no larger than 400 sq. ft. in area per campsite.

(b) All decks shall be constructed in removable sections that may be removed within a 72-hour period after notice of a flooding event or are secured to prevent the deck from floating down the waterway.

(c) In the floodplain, any deck may be placed no higher than the adjacent road

(d) In the floodfringe, decks may be placed higher than the elevation of the adjacent road.

(e) Structures which provide ADA access to camping units may be constructed to meet the elevation of the camping unit floor.

* 1. Portable screen tents placed on ground or on the wooden deck are allowed. Screen rooms or room additions attached to camping units are not allowed.
  2. Prefabricated plastic or resin storage sheds that may be easily disassembled no larger than 12 foo by 12 foot may be placed on the ground or attached to a wooden deck are allowed. No gasoline, volatile or hazardous chemicals may be stored in storage sheds.
  3. Fire pits with a brick paver sitting area at an elevation no higher than the adjacent road elevation are allowed.
  4. Gravel pads placed at an elevation no higher than the adjacent road are allowed for camping unit parking and vehicle parking.
  5. All man-made personal property that is not properly anchored in place or flood proofed to the flood protection elevation shall be removed from the floodplain within a 72-hour notice of a flooding event.
  6. All man-made personal property that can be removed from the floodplain within a 72-hour notice of a flooding event shall not be defined or treated as structures and are defined as nonstructural for recreational use.
  7. Camping cabins as described in sec. ATCP 79.03 (4); Manufactured homes as described in ATCP 79.03 (18) and tourist rooming houses ATCP 79.03 (37) are not allowed
  8. Permanent dwelling structures and mobile homes ATCP 79.03 (19) for residential use or for use by campground operator ATCP 79.03 (21) are not allowed.

6.01 Periodic or Demonstrative Removal Not Required. Campgrounds shall not be required to remove a camping unit or other personal property on any schedule or upon demand.