



Office of the City Attorney

City Hall, Room 206
201 Delafield Street
Waukesha, Wisconsin 53188-3688
Telephone (262) 524-3520
Fax (262) 650-2569
Email attorneys@ci.waukesha.wi.us

Brian E. Running
City Attorney
Miles W.B. Eastman
Assistant City Attorney
Julie M. Gay
Assistant City Attorney
Anne Marie Iselin
Assistant City Attorney
Donna Hylarides Whalen
Assistant City Attorney

Memorandum

TO: Plan Commission
Common Council

FROM: Miles Eastman, Assistant City Attorney

DATE: September 18, 2014

RE: Zoning Code Changes Mandated by FEMA

The City's Floodplain Zoning ordinance regulates uses in areas of the City subject to flooding. The areas are designated by maps created by the Federal Emergency Management Agency (FEMA). FEMA has revised the maps which apply to the City of Waukesha and the revisions will take effect on November 5, 2014. The City must amend its Floodplain Zoning ordinance so that it appropriately references the revised FEMA maps.

While making the revisions, I discovered that the City has two separate Floodplain Zoning regulations which conflict with each other. The first floodplain zoning regulation takes up an entire chapter of the Code, Chapter 24, and was created in 1982. The second floodplain zoning regulation was created in 2008 as section 22.70 of the Zoning Code. The Office of Community Development has been enforcing section 22.70. When section 22.70 was created, Chapter 24 should have been repealed.

The enclosed ordinance draft would make the necessary changes to section 22.70 so that it references the revised FEMA maps. The draft would also repeal Chapter 24 since section 22.70 renders it superfluous.

If you have any questions about the enclosed draft amendment, please contact me at your convenience.

