

**ORDINANCE NO. 18-20**

**AN ORDINANCE AMENDING THE CITY OF NORWALK ZONING REGULATIONS CHAPTER 17.20  
OVERLAY ZONING DISTRICT FOR FLOOD PLAINS AND CHAPTER 177 RATES AND FEES**

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF NORWALK, IOWA:

**Section 1. Purpose.** The purpose of this ordinance is to amend the City of Norwalk, Iowa, Zoning Regulations (Title 17) to amend Chapter 17.20 Overlay Zoning Districts for changes to the City’s Flood Plain Overlay Zones and to amend Chapter 177, Rates and Fees, to add a dock permit fee.

**Section 2. Section Modified.** Section 17.04.040 of the Code of Ordinance for the City of Norwalk, Iowa is repealed and the following adopted in lieu thereof:

**Base Flood** - The flood having one (1) percent chance of being equaled or exceeded in any given year. (Also commonly referred to as the “100-year flood”).

**Base Flood Elevation (BFE)** - The elevation floodwaters would reach at a particular site during the occurrence of a base flood event.

**Existing Factory-Built Home Park or Subdivision** - A factory-built home park or subdivision for which the construction of facilities for servicing the lots on which the factory-built homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the first floodplain management regulations adopted by the community.

**Expansion of Existing Factory-Built Home Park or Subdivision** - The preparation of additional sites by the construction of facilities for servicing the lots on which the factory-built homes are to be affixed (including at minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

**Highest Adjacent Grade** - The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

**New Factory-Built Home Park or Subdivision** - A factory-built home park or subdivision for which the construction of facilities for servicing the lots on which the factory-built homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or pouring of concrete pads) is completed on or after the effective date of the effective date of the first floodplain management regulations adopted by the community.

**Section 3. Section Modified.** Section 17.20.010.3 (B) of the Code of Ordinance for the City of Norwalk, Iowa is repealed and the following adopted in lieu thereof:

The Flood Insurance Rate Map (FIRM) for Warren County and Incorporated Areas, City of Norwalk, Panels 1918C0039G, 0043G, 0044G, 0126G, 0127G, 0129G, 0132G, 0133G, dated November 16, 2018, which were prepared as part of the Flood Insurance Study for Warren County, are hereby adopted by reference and declared to be the Official Floodplain Zoning Map. The flood profiles and all explanatory material contained with the Flood Insurance Study are also declared to be a part of this ordinance.

**Section 4. Section Modified.** Section 17.20.020.2 of the Code of Ordinance for the City of Norwalk, Iowa is repealed and the following adopted in lieu thereof:

**Permitted Accessory Uses.** The following uses may exist as part of, or in accessory to the principal permitted uses:

- A. Accessory uses customarily incidental to a principal permitted use, provided all restrictions on development in the FW District shall apply to any accessory uses.
- B. Floating and removable docks for residential uses, provided the standards of section 17.20.020.4 Performance Standards are met.

**Section 5. Section Modified.** Section 17.20.020.3 of the Code of Ordinance for the City of Norwalk, Iowa is repealed and the following adopted in lieu thereof:

**Special Uses.** The following uses which involve structures (temporary or permanent), fill, storage of materials or equipment may be permitted only upon approval of a Special Use Permit and only when adequate Public Liability Insurance is provided. Such uses must also meet the applicable provisions of the Floodway District Performance Standards and the standards allowed usage of the appropriate underlying zoning district.

- A. Extraction of sands, gravel, and other materials.
- B. Marinas, boat rentals, permanently installed docks, piers, and wharves.
- C. Utility transmission lines and underground pipelines.
- D. Other uses similar in nature to uses described in this sub-section which are consistent with the provisions and,
- E. The general spirit and purpose of this sub-section.

**Section 6. Section Modified.** Section 17.20.030.2 (E) of the Code of Ordinance for the City of Norwalk, Iowa is repealed and the following adopted in lieu thereof:

All new and substantially improved structures:

Fully enclosed areas below the “lowest floor” (not including basements) that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or meet or exceed the following minimum criteria:

1. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
2. The bottom of all openings shall be no higher than one foot above grade.
3. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided they permit the automatic entry and exit of floodwaters.
4. All such areas shall be used solely for parking of vehicles, building access and low damage potential storage.

**Section 7. Section Modified.** Section 17.20.030.2 (L) of the Code of Ordinance for the City of Norwalk, Iowa is repealed and the following adopted in lieu thereof:

Accessory Structures to Residential Uses:

Detached garages, sheds, and similar structures that are incidental to a residential use are exempt from the base flood elevation requirements where the following criteria are satisfied.

1. The structure shall be designed to have low flood damage potential. Its size shall not exceed 600 sq. ft. in size. Those portions of the structure located less than 1 foot above the BFE must be constructed of flood-resistant materials.
2. The structure shall be used solely for low flood damage potential purposes such as vehicle parking and limited storage. The structure shall not be used for human habitation.
3. The structure shall be constructed and placed on the building site so as to offer minimum resistance to the flow of floodwaters.
4. The structure shall be firmly anchored to resist flotation, collapse and lateral movement.
5. The structure’s service facilities such as electrical and heating equipment shall be elevated or floodproofed to at least one foot above the base flood elevation.
6. The structure’s walls shall include openings that satisfy the provisions of Section 17.20.030.2 (E) of this Ordinance.
7. Exemption from the 100-year flood elevation requirements for such a structure may result in increased premium rates for flood insurance coverage of the structure and its contents.

**Section 8. Section Modified.** Section 17.20.030.2 (M) of the Code of Ordinance for the City of Norwalk, Iowa is repealed and the following adopted in lieu thereof:

Factory-built homes:

1. All factory-built homes, including those placed in existing factory-built home parks or subdivisions, shall be elevated on a permanent foundation such that the lowest floor of the structure is a minimum of one (1) foot above the 100-year flood level.
2. All factory-built homes, including those placed in existing factory-built home parks or subdivisions, shall be anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors as required by the State Building Code.

**Section 9. Section Modified.** Chapter 177.29 of the Code of Ordinance for the City of Norwalk, Iowa is amended to add the following under permit application fees:

Dock permit \$25.00

**Section 10. Repealer.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**Section 11. Severability Clause.** In any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

**Section 12. Effective Date.** This Ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

Passed and approved this 4th day of October, 2018.

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Tom Phillips, Mayor

Attest:

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Lindsey Offenburger, City Clerk

First Reading: October 4, 2018

Second Reading: October 4, 2018

Third Reading: October 4, 2018

I certify that the foregoing was published as Ordinance No. 18-20 on the 11th day of October, 2018.

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City Clerk