ARTICLE 35

SEC. 21-35 REGULATIONS FOR THE FLOODWAY OR “FW” COMBINING DISTRICT.

35.1 Purpose: To provide land use regulations for properties situated in floodways, and along creeks and streams to ensure for an adequate open corridor to safeguard against the effects of bank erosion, channel shifts, increased runoff or other threats to life and property; and to prevent property damage and safeguard the health, safety and general welfare of the people by allowing the passage of the one hundred (100) year flood.

Within the “FW” combining district, no development shall take place except in accordance with the regulations of the base zoning district, with the additional regulations of this Article, and the regulations of Chapter 25, Floodplain Management. Where the “FW” imposes a greater restriction upon the use of buildings, structures or premises than are required by the base zoning district, the provisions of the “FW” district shall control. All uses shall be reviewed by the Director of the Lake County Flood Control and Water Conservation District for compliance with Chapter 25 prior to any development or issuance of any permit pursuant to this Code. Only those uses permitted in both the base zoning district and the “FW” combining district are permitted uses.

35.2 Applicability: This district is intended to be applied to properties which lie within a designated floodway as determined by the Federal Insurance Administration’s Flood Insurance Study (FIS) for Lake County adopted October 17, 1978, as amended and incorporated herein. The district may also be applied to properties along creeks, streams, levees, and other areas subject to inundation.

35.3 Uses permitted:

(a) Crop and tree farming, livestock grazing, viticulture, apiaries and other agricultural uses of a similar character and not materially different to those uses listed above.

(b) Public utilities as provided for in Section 66.1(a).

35.4 Uses permitted subject to first obtaining a Minor Use Permit in each case:

(a) Agricultural accessory uses and structures which do not obstruct flood flows.

35.5 Uses permitted subject to first obtaining a Major Use Permit in each case:

(a) Public and private parks and recreation areas and facilities, including boat ramps, docks, parking areas, recreation facilities, campgrounds and recreational vehicle parks. All such uses are limited to operation during the period of May 1 to October 30 of each year.

(b) Commercial excavation of natural materials, filling of land areas, construction of levees, dikes or other water control structures.