

- (4) Water-related urban uses, such as wastewater treatment facilities, storm sewers, electric generating and transmission facilities, and water treatment facilities.
- (5) Other flood tolerant or open space urban uses, such as flood-proofed industrial and commercial buildings, race tracks, tennis courts, park buildings, outdoor theaters, fills, truck freight terminals, radio or TV towers, parking lots, and mineral extractions.

No special use shall be granted by the Board of Zoning Appeals without recommendation of Natural Resources as set out in Section 30-26 of the Zoning Code, Lebanon, Indiana.

Sec. 30-24(2) "FW" FLOODWAY DISTRICT

(a) Statement of Purpose

- (1) The purpose of the "FW" district is to delineate the area established by Natural Resources as a Commission Floodway. Natural Resources exercises primary jurisdiction within the floodway district under the provisions of Chapter 318, Acts of 1945, as amended (I.C. 1971, 13-2-22). The Commission may place terms and conditions on any permit it issues in the floodway district which are more restrictive than those imposed by Natural Resources.

(b) Permitted Uses

- (1) Agricultural uses such as the production of crops, pastures, orchards, plant nurseries, vineyards, and general farming.
- (2) Forestry, wildlife areas, and nature preserves.
- (3) Parks and recreational uses, such as golf courses, driving ranges, play areas.

(c) Special Exceptions

The following special exception uses may be permitted in the Floodway (FW) District only after a permit for construction in a floodway has been granted by Natural Resources. All terms and conditions imposed by Natural Resources will be incorporated in any permit issued by the (Plan) Commission. The (Plan) Commission may impose greater restrictions.

- (1) Water management and use facilities, such as dams, docks, dolphins, channel improvements, dikes, jetties, groins, marinas, piers, wharves, levees, seawalls, floodwalls, weirs, and irrigation facilities.
- (2) Transportation facilities, such as streets, bridges, roadways, fords, airports, pipe lines, railroads, and utility transmission facilities.
- (3) Temporary or seasonal flood plain occupancy, such as circui sites, fair sites, carnival sites, boat ramps, camps, roadside stands, and transient amusement facility sites.
- (4) Water-related urban areas, such as wastewater treatment facilities, storm sewers, electric generating and transmission facilities, and water treatment facilities.
- (5) Other flood tolerant or openspace urban uses, such as flood-proofed industrial and commercial buildings, race tracks, tennis courts, park buildings, outdoor theaters, fills, truck freight terminals, radio or TV towers, parking lots, and mineral extraction.

In the Floodway (FW) district, no special exception shall be granted by the Board of Zoning Appeals unless a permit for construction has previously been obtained from Natural Resources, pursuant to the 1945 Flood Control Act, is amended. The Board may impose greater restrictions than those required by Natural Resources.

Sec. 30-24(3) "FF" FLOODWAY FRINGE DISTRICT

(a) Statement of purpose

- (1) the purpose of the "FF" district to regulate land use in the Flood Hazard Area outside the floodway. The Floodway Fringe "FF" district, may stand by itself or be combined with any district which the Plan Commission deems appropriate. Generally speaking, all construction of buildings in this district shall be two feet above regulatory flood profile as established by Natural Resources with the following restrictions:

- (a) All buildings constructed in a floodway fringe district shall have a flood protection grade at least two feet above the regulatory flood profile as established by Natural Resources.
- (b) Where the Floodway Fringe (FF) district overlaps with any other zone, the uses permitted by right or by special exception shall be constructed to have a flood protection grade at least two feet above the regulatory flood profile as established by Natural Resources.

SECTION 5. Section 30-58(6) of Article V of the Zoning Code, Lebanon, INdiana, be amended by adding the following subsection:

- (5) The Board (of Zoning Appeals) may not grant a variance to any of the requirement of the Flood Plain (FP) or Floodway (FW) district, or to the Flood Protection Grade Requirements of the Floodway Fringe (FF) district (whether or not combined or overlaid with any other district) without the written approval of Natural Resources.

SECTION 6. Section 30-61 of Article VI of the Zoning Code, Lebanon, Indiana,