

FLOODPLAIN DEVELOPMENT REGULATIONS

NEW CONSTRUCTION



FOR QUESTIONS or ASSISTANCE

City of Fond du Lac Community Development Department
City-County Government Center – 4th Floor - 160 S Macy Street
(920) 322-3440

Office Hours: Monday-Friday 7:45 a.m. – 12:00 p.m. and 1:00 p.m. – 4:30 p.m.

www.fdl.wi.gov

WHAT TO KNOW . . .

-) Municipal Code **Chapter 690** (FLOODPLAIN ZONING) regulates property development in a Special Flood Hazard Area. Floodplain regulations apply to the construction of any new building, and alterations and additions to existing buildings. Visit the FLOODPLAIN ADMINISTRATION page of the City's website to access Chapter 690, the Flood Insurance Study, a list of finished construction elevation certificates on file, and flood map information.
-) **FEMA Flood Insurance Rate Maps** are available for review in the Community Development Department. A digital version of the FIRM map may be viewed online in the Fond du Lac County GIS maps: www.fdlco.wi.gov
-) Flood insurance data for a site, such as the FIRM zone and the base flood elevation or depth. Base flood elevations are derived from the flood profiles in the *City of Fond du Lac Flood Insurance Study*.
-) An elevation certificate provides property and building information to ensure compliance with the community's floodplain management ordinance. The elevation certificate is used only to certify building elevations; a separate certificate is required for floodproofing. A floodproofed building is a building that has been designed and constructed to be watertight (substantially impermeable to floodwaters) below the Base Flood Elevation. Floodproofing of a residential building is not permitted under the NFIP.
-) The City of Fond du Lac requires an **as-built elevation certificate** for new construction.
-) Community Development Department staff can assist in identifying the flood hazard status of a property as shown on the FEMA Flood Insurance Rate Map, provide the base flood elevation of a property, and offer assistance in understanding floodplain development regulations and the development approval process. Contact the **Community Development Department at (920) 322-3440**.
-) To determine building permit requirements, contact the **City Building Inspector at (920) 322-3570**.

FLOODPLAIN DEVELOPMENT REGULATIONS – Chapter 690

RESIDENTIAL AND COMMERCIAL DEVELOPMENT

The elevation of the lowest floor (excluding the basement or crawlway) of a habitable structure constructed, reconstructed, altered or moved into the area of the 100-year floodplain must be at or above the flood protection elevation (2 feet above the regional flood elevation), on fill. The fill elevation must extend at least 15 feet beyond the limit of the structure, at a level 1 foot or more above the flood elevation.

MANUFACTURING AND INDUSTRIAL DEVELOPMENT

A manufacturing or industrial structure constructed, reconstructed, altered or move into the area of the 100-year floodplain shall be protected to the flood protection elevation utilizing fill, levies, flood walls, or other flood proofing measures in compliance with City Code Chapter 690. Storage yards, surface parking lots and other uses may be placed at lower elevations if an adequate warning system exists to protect life and property.

NONCONFORMING USE/STRUCTURE – ALTERATIONS/REPAIR

A **nonconforming structure** is an existing lawful structure or building which is not in compliance with the dimensional or structural requirements of the Floodplain Code for the area of the floodplain which it occupies. (For example, an existing residential structure in the flood-fringe area of the floodplain is a conforming use; however, if the first floor is lower than the flood protection elevation, the structure is nonconforming.)

A **nonconforming use** is an existing lawful use or accessory use of a structure of building that does not comply with the requirements of the Floodplain Code for the area of the floodplain which it occupies. (For example, a building in the floodway portion of the floodplain.)

- J When the owner of a building in a Special Flood Hazard Area plans to remodel and/or repair a nonconforming use or structure, the cost of the work (labor AND materials) is a determining factor in allowable alterations of the building. If the **cost of the work is less than 50% of the market value of the building** (not including the value of the land) in its existing condition (for flood damage, the market value of the condition before the damage occurred), a building can be remodeled and/or repaired.
- J When the **cost to repair or alter a building is more than 50% of the market value of the structure** (not including the value of the land) the building can be altered or repaired *only* if the structure is modified to comply with floodplain requirements – this typically means that the building would have to be elevated, fill added around the structure, and an existing basement filled.
- J The allowable 50% limit on repairs and/or alterations is a cumulative total for the life of a building.
- J The cost of elevating a nonconforming structure or a building with a nonconforming use to the flood protection elevation is excluded from the 50% provision.