



**STORMWATER MANAGEMENT COMMISSION**

**M E M O R A N D U M**

January 26, 2007

**TO:** Enforcement Officers and Professional Engineers

**FROM:** Tony Wolff, PE, CFM  
Chief Engineer

**RE:** Building Protection Requirements

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This memorandum is intended to clarify the process for reviewing and approving residential structures in areas that will use fill to remove an area from within Special Flood Hazard Areas (SFHA), Lake County Floodplain Areas or the Flood Table Lands. This guidance document is intended for new and substantially improved residential structures only.

It is important to understand that FEMA Technical Bulletin 10-01 provides design/construction criteria that if met should ensure that the structure is “reasonably safe from flooding.” In cases, such as developments within the flood table lands, a structure could be protected by using dry flood proofing standards or addressing FEMA Technical Bulletin 10-01. However, in all floodplain situations the lowest floor of all structures shall either be elevated to at or above the FPE or demonstrated to be reasonably safe from flooding through the use of FEMA Technical Bulletin 10-01 and the following procedures. These building protection requirements are applicable for any proposed structure located within the limits of the Regulatory Floodplain or Flood Table Lands based on the limits of the existing (pre-construction) conditions contours.

*Proposed Structure – Within Existing SFHA Floodplain*

- Plans show design with fill consistent with FEMA Technical bulletin (minimum 10’ fill pad to FPE). PE, or other appropriate person, should also complete the Professional Certification form for the structure(s). Compensatory storage, per WDO, must be provided.
- SMC recommends that a CLOMR-F is obtained. A CLOMR is only “required” if there will be a change to the BFE or Regulatory Floodway limits. A municipality can require a CLOMR during their review process. The municipality is the signator on the MT-2 form. In non-certified communities, it is recommended that the municipality does not sign the MT-2 form to FEMA until SMC general concurrence is obtained.
- Enforcement Officer to issue Mass Grading Permit (fill, compact)
- As-built submittal requirements include as-built contours, compensatory storage cut-fill computations, copies of compaction tests demonstrating 95% proctor density achieved, As-Built Certification Form.
- Apply for and obtain LOMR.

- Building Permit can be issued (structure is allowed to have low floor below FPE w/out additional dry flood proofing measures in areas removed from the floodplain boundary through the LOMR process).
- Post LOMR -- WDO building protection requirements applicable for area below BFE based on as-built conditions.

*Proposed Structure – Within Existing Lake County Floodplain (not SFHA) or Flood Table Lands*

- Plans show design with fill consistent with FEMA Technical bulletin (minimum 10' fill pad to FPE). PE, or other appropriate person, should also complete the Professional Certification form for the structure(s). Compensatory storage, per WDO, must be provided.
- Enforcement Officer to issue Mass Grading Permit (fill, compact)
- As-built submittal requirements include as-built contours, compensatory storage cut-fill computations, copies of compaction tests demonstrating 95% proctor density achieved, As-Built Certification Form.
- Building Permit can be issued (structure is allowed to have low floor below FPE w/out additional dry flood proofing measures in areas removed from floodplain through above process).