

FLOODPLAIN DEVELOPMENT BUILDING PERMIT REVIEWS

Most development in the City of Naples requires a permit from the Building Department. This includes, but is not limited to, new construction, repairs, remodeling, excavation, fill, etc. This permitting process ensures that work is being done in accordance with the Florida Building Code, the Floodplain Management Ordinance, the Land Development Code, and any additional federal or state regulations that may apply. The National Flood Insurance Program (NFIP) requires that all new construction in a Special Flood Hazard Area (SFHA) must be built at or above the required base flood elevation (BFE), or dry floodproofed to the required design flood elevation (DFE). The NFIP also requires that if the cost of: repair due to any damage of any origin, reconstruction, rehabilitation, addition or other improvements to a building located in a SFHA equals or exceeds 50% of the building's market value, then the building must meet the same construction requirements as a new building.

In 2015, the City of Naples adopted the 5th Edition Florida Building Codes (FBC). Flood requirements for residential structures were incorporated into the 2010 FBC and then those regulations were more clearly defined in the 5th Edition FBC. Flood requirements for commercial structures have also been more clearly defined in this updated version of the FBC. A previous local interpretation to the substantial damage/substantial improvement definition allowed for the replacement of windows, doors and roofing to be exempt from the 50% rule calculations. Now that the FBC has established flood requirements in the code this interpretation is no longer allowable. Additionally, contributing historic structures in the historic district can go through the variance process for an exemption to the 50% rule.

All permits (except for over-the-counter Roofing and HVAC) for existing "single family" structures that are in a SFHA must either have a FEMA Form (City of Naples Additions and Alteration Form for Structures Located Below the Base Flood Elevation in a Special Flood Hazard Area) and required documentation or a Current Original Elevation Certificate on file showing the structure is at or above the required BFE. If there is no elevation certificate on file showing the structure's elevation then one will be required to determine if the structure is at or below the BFE, which will then determine if the FEMA Form is required.

Over the last few years flood insurance requirements for documentation on structures in SFHA's have gotten more stringent under the Homeowner Flood Insurance Affordability Act of 2014 and the Biggert-Waters Flood Insurance Reform Act of 2012. Elevation certificates are used for rating the building's lowest floor. The City of Naples requires a "Building under Construction" and a "Finished Construction" elevation certificate for all new construction regardless of what flood zone the property is located within, including X flood zones. Also elevation certificates could be required for existing structures depending on the type of permit. Floodproofing Certificates are required for all structures that have been dry floodproofed.

The City's Building Department has qualified staff that can answer questions as they relate to flood zones and floodplain building requirements. The Floodplain Coordinator can be reached at 239-213-5039.