



CITY OF APPLETON

MEMORANDUM

Date: July 23, 2025
To: Plan Commission
From: Alec Dix, Civil Engineer and Don Harp, Principal Planner
Subject: Floodplain Zoning Amendment - Article X. Floodplain Zoning Division 1. Statutory Authorization, Finding of Fact, Statement of Purpose, Title and General Provisions. Sec. 23-205 (b)(2)(g) Official maps based on other studies related to Apple Fields LOMR – Case #24-05-0370P

GENERAL INFORMATION

Subject Development: Apple Fields Plat

Project: Installation of a culvert and fill placement within the Apple Fields Plat

Text Amendment Initiated By: Peter Neuberger, P.E., City Engineer - Department of Public Works, Engineering Division

Petitioner's Request: Floodplain Zoning Amendment - Article X. Floodplain Zoning Division 1. Statutory Authorization, Finding of Fact, Statement of Purpose, Title and General Provisions. Sec. 23-205 (b)(2)(g) Official maps based on other studies related to LOMR – Case #24-05-0370P

Plan Commission Public Hearing Date: July 23, 2025

Common Council Meeting Date: August 6, 2025

BACKGROUND/ANALYSIS

April 20, 2022 - The Common Council approved the Conditional Letter of Map Revision (CLOMR) from the Federal Emergency Management Agency (FEMA) for installation of a culvert and fill placement within the Apple Fields plat, CLOMR Case #21-05-3029R.

April 30, 2025 - The City has been issued a Letter of Map Revision (LOMR) from the Federal Emergency Management Agency (FEMA) for installation of a culvert and fill placement within the Apple Fields plat. (See attached LOMR Case #24-05-0370P)

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The revised FEMA Floodplain and Flood Insurance Rate Map (FIRM) will be effective on September 16, 2025. Prior to the effective date, the City must adopt the official map based on studies related to LOMR – Case #24-05-0370P to remain compliant with FEMA's National Flood Insurance Program (NFIP). The DNR must review and approve the text amendment before ordinance adoption. A request for review and approval of the proposed text amendment was sent to DNR on June 19, 2025.

The Apple Fields plat is in an area upstream of the limits of the current floodplain mapping, and the proposed changes are required to meet the Department of Natural Resources (DNR) and the Federal Emergency Management (FEMA) requirements for the proposed project. Changes to the floodplain are occurring on the subject property and on adjacent property upstream. Where floodplain elevations increase on neighboring property as a result of the project, the developer has obtained floodplain easements on the affected property.

June 26, 2025 – The Department of Natural Resources (DNR) reviewed the draft ordinance amendment language and directed City staff to proceed with adoption process.

Development Review Team (DRT) Report: This item appeared on the July 1, 2025 Development Review Team (DRT) agenda. No negative comments were received from participating departments.

RECOMMENDATION

Pending public comments, staff recommends the proposed amendment to Article X Floodplain Zoning of Chapter 23 of the Municipal Code, Section 23-205 (b)(2)(g) Official maps based on LOMR – Case #24-05-0370P, as attached, **BE APPROVED**.

PROPOSED ZONING ORDINANCE TEXT AMENDMENTS

The text recommended to be added is underlined. The text recommended to be deleted is ~~striketrough~~.

ARTICLE X. FLOODPLAIN ZONING

DIVISION 1. STATUTORY AUTHORIZATION, FINDING OF FACT, STATEMENT OF PURPOSE, TITLE AND GENERAL PROVISIONS.

Sec. 23-205 (b) (2) *Official maps based on other studies.* Any maps referenced in this section must be approved by the DNR and be more restrictive than those based on the FIS at the site of the proposed development.

- a. LOMR – Case #11-05-7670P, Floodway and Floodplain revisions between Flood Insurance Study (FIS) Cross Section AW to BA, Outagamie County Flood Insurance Rate Map (FIRM) panels 55087C0318D and 55087C0319D, dated July 22, 2010. This reflects changes on the Fox River from just downstream of the Private Middle Dam to approximately 250 feet upstream of the Appleton Upper Dam.
- b. LOMR – Case #13-05-7920P, Floodplain revisions between Flood Insurance Study (FIS) Cross Section AN to AM, Outagamie County Flood Insurance Rate panels 55087C0319D, dated July 22, 2010. This reflects changes along the south side of the Fox River from the College Avenue Bridge to approximately 850 feet downstream.
- c. LOMR – Case #17-05-1963P. Floodplain revisions on Outagamie County Flood Insurance Study (FIS) AAL Tributary Cross Section C, Outagamie County Flood Insurance Rate Map (FIRM) panel 55087C0336D, effective September 29, 2017. This reflects changes along the AAL Tributary from just downstream of Lightning Drive to approximately 200 feet upstream of East Glenhurst Lane.
- d. LOMR – Case #17-05-3854P. Floodplain revisions to Outagamie County Flood Insurance Study (FIS) Fox River Cross Section AS through AW, Outagamie County Flood Insurance Rate Map (FIRM) panel 55087C0319D, effective February 16, 2018. This reflects changes along the Fox River from just upstream of railroad to just downstream of South Oneida Street.
- e. LOMR – Case #20-05-2300P. Floodplain revisions to Outagamie County Flood Insurance Study (FIS) Apple Creek North Cross Section H through J, Outagamie County Flood Insurance Rate Map (FIRM) panel 55087C0328D, effective July 22, 2010. This reflects changes along Apple Creek North from approximately 1,440 feet downstream of Harrier Lance to approximately 160 feet downstream of Ballard Road.
- f. LOMR – Case #21-05-2374P. Floodplain revisions to Outagamie County Flood Insurance Study (FIS) Apple Creek Northeast Cross Section H through I, Outagamie County Flood Insurance Rate Map (FIRM) panel 55087C0328D, effective January 27, 2023. This reflects changes along Apple Creek Northeast from approximately 700 feet downstream of Rubyred Drive to approximately 350 feet downstream of French Road.
- g. ~~CLOMR – Case #21-05-3029R. Floodplain revisions to Outagamie County Flood Insurance Study (FIS) AAL Tributary from just upstream of East Glenhurst Lane to approximately 500 feet upstream of Everbreeze Circle, Outagamie County Flood Insurance Rate Map (FIRM) panel 55087C0336D, effective November 1, 2021.~~

LOMR – Case #24-05-0370P. Floodplain revisions to Outagamie County Flood Insurance Study (FIS) AAL Tributary from just upstream of East Glenhurst Lane to just downstream of East Everbreeze Circle, Outagamie County Flood Insurance Rate Map (FIRM) panel 55087C0336D, effective September 16, 2025.

- h. Kensington Pond Dam Failure analysis approved by the Department of Natural Resources on January 7, 2008, including:
 - 1. Map dated July 2007 and titled “Figure 2, City of Appleton, Kensington Pond Dam Break Analysis, Hydraulic Shadow” (Hydraulic Shadow boundary from Cross Section 0.001 to 4.84).
 - 2. Floodway data table dated 8/28/2007 and titled “Table F-10, Maximum Water Surface Elevations, Kensington Pond Dam Break Analysis, City of Appleton”.
 - 3. Flood profiles dated 7/10/2007 and titled “Figure 3, Maximum Water Surface Profiles” (Hydraulic Shadow profile from Garners Creek Sta 0 to Sta 25000). Revisions made as a result of DNR review and received from Pete Neuberger via email 2/23/2021.
- i. Outagamie County Flood Storage District Map Panel 1 of 2 approved by Wisconsin Department of Natural Resources and dated January 20, 2016. Prepared by DNR, approved by DNR.