

Floodplain Development

What Is a Floodplain?

Floodplains are low-lying lands adjacent to waterways that are naturally subject to periodic flooding. Special development standards apply to those areas that have been designated as the “100-year floodplain.”

What Is the “100-Year Flood”?

Floodplain development regulations are based on the 100-year flood, which is more accurately described as the flood that has a 1% probability of being equaled or exceeded in any year. Engineering models are used to determine both the area subject to inundation and the height of floodwaters during this model flood event. The area that would be flooded is called the “Special Flood Hazard Area” and is subject to floodplain development regulations. The water height is called the “Base Flood Elevation” and is the basis for development standards within the regulated floodplain area.

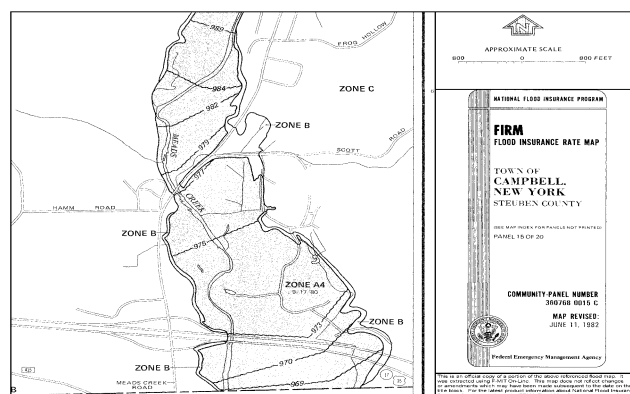
The 100-year flood, or base flood, has a 1% probability of being equaled or exceeded in any given year. In some places, this flood has never occurred in recorded history. Other areas have experienced more than one “100-year flood” in a single year.

Where Do I Find a Flood Hazard Map?

Regulated Special Flood Hazard Areas are delineated on Flood Insurance Rate Maps (FIRMs) issued by the Federal Emergency Management Agency (FEMA). In some municipalities additional maps (Flood Boundary and Floodway Maps) and/or a Flood Insurance Study provide additional information. These maps and studies are generally available at the municipal (town, village, or city) Building Department and County Planning Department. The FIRM maps can also be viewed at FEMA’s online Map Service Center at: <https://msc.fema.gov>. The “Make a FIRMette” feature enables you to save or print a selected portion of a map along with identifying information.

What Can I Learn from a Flood Hazard Map?

Areas subject to floodplain development regulations are shaded areas labeled with the letter “A,” sometimes followed by a number or letter (or “V” in coastal areas). If Base Flood Elevations have been determined, they will be indicated on the map and in a Flood Insurance Study. “Floodway” areas may also be shown, either on the FIRM or on a separate Flood Boundary and Floodway Map. More stringent development controls apply within the regulatory floodway portion of the floodplain. The 500-year floodplain may be shown as a lightly shaded area labeled Zone B or Zone X. Although most municipalities do not impose special development standards within the 500-year floodplain, the flood hazard in these areas should be considered, particularly with regard to the location of critical facilities or storage of hazardous materials.



What Activities Are Regulated?

All development within the areas mapped as the 100-year floodplain (or Special Flood Hazard Area) is subject to floodplain development regulations. “Development” is defined as “any man-made change to improved or unimproved real estate” and includes (but is not limited to):

- the construction, reconstruction, renovation, repair, expansion, or alteration of buildings, accessory structures, or other structures;
- the placement of manufactured homes;
- mining;

- dredging;
- bridges, streets, and other paving;
- docks;
- utilities;
- filling, grading, and excavation;
- drilling operations;
- storage of equipment or materials; and
- formation of manufactured home, recreational vehicle, or trailer parks.



How Do I Get a Floodplain Development Permit?

Development in Special Flood Hazard Areas is regulated by the town, city, or village government, which is responsible for issuing or denying floodplain development permits. The designated floodplain administrator is usually the building inspector or code enforcement official. A permit is required for private development and for development undertaken by any county, city, town, village, school district, or public improvement district. Although a municipality need not issue itself a permit, municipal projects must comply with floodplain development standards.

What Are the Requirements for Floodplain Projects?

Minimum standards for floodplain development have been established by the federal government as a condition for the sale of federally subsidized flood insurance and eligibility for federal flood recovery assistance. Some states and communities have chosen to provide an extra margin of safety by exceeding the minimum federal standards.

The specific requirements for a floodplain development project depend on the flood zone and the type of development. The basic standards that must be met by any floodplain development are:

- Proposed development must be **reasonably safe from flood damage**, which for most buildings means elevated above the height of floodwaters.
- Proposed development **shall not result in physical damage to any other property**. Technical analysis may be required if there is potential for increased flood heights, diversion of flow, flotation of materials, or release of pollutants.
- Applicant shall **obtain any other required permits**. If the project disturbs more than one acre of land, encroaches on a streambank, or disturbs a wetland, contact the NYS Department of Environmental Conservation Regional Permit Administrator for information about permit requirements. Note that obtaining state or federal permits does not mean that floodplain requirements have been met – a project in the floodplain also requires a local floodplain development permit.

Additional information about floodplain development requirements is provided in other fact sheets (available at <http://www.stcplanning.org>):

- ☛ *Floodplain Facts #2: Non-Building Floodplain Development*
- ☛ *Floodplain Facts #3: Modifications to Existing Floodplain Structures*
- ☛ *Floodplain Facts #4: Residential Structures in the Floodplain*
- ☛ *Floodplain Facts #5: Non-Residential Structures in the Floodplain*
- ☛ *Floodplain Facts #6: Manufactured Homes, Recreational Vehicles, and Trailers in the Floodplain*
- ☛ *Floodplain Facts #7: Accessory Structures and Garages in the Floodplain*
- ☛ *Floodplain Facts #8: Enclosed Areas Below the Flood Protection Level*
- ☛ *Floodplain Facts #9: Flood Resistant Design*
- ☛ *Floodplain Facts #10: Floodplain Development in A Zones without Base Flood Elevations*
- ☛ *Floodplain Facts #11: Development in Areas of Shallow Flooding*
- ☛ *Floodplain Facts #12: Floodway Encroachments*
- ☛ *Floodplain Facts #13: Floodplain Variances*