

Suggested Provisions

Meeting the Minimum Requirements of
THE NATIONAL FLOOD INSURANCE PROGRAM

and the

PENNSYLVANIA FLOOD PLAIN
MANAGEMENT ACT (1978-166) |
SECTION 60.3 (d)

August 2013

> ready > set > succeed

Upcoming Legislation: Flood Plain Ordinance Update



Commonwealth of Pennsylvania
Tom Corbett, Governor
www.state.pa.us

Department of Community
& Economic Development
C. Alan Walker, Secretary

ncwPA.com

National Flood Insurance Program

- Created by the National Flood Insurance Act of 1968
- Participation is **voluntary**
 - Adopt and enforce regulations
 - Eligible for flood insurance
- **Benefits** of participation:
 - Flood insurance
 - Grants and loans
 - Disaster assistance
 - Federally-backed mortgages



NFIP Roles: Federal and State

- **Federal**

- National program oversight
- Risk Identification (mapping)
- Establish development/building standards
- Provide insurance coverage

- **State**

- State program oversight
- Establish development/building standards
- Provide technical assistance to local communities/agencies
- Evaluate and document floodplain management activities



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NFIP Roles: Local

- **Local Officials and Floodplain Administrators**
 - Adopt and enforce floodplain management ordinance compliant with Federal/State laws
 - Issue or deny development
 - Inspect development and maintain records
 - Make substantial damage determinations
- Remember, development oversight is a **local responsibility**



Mitigate Risk Through Regulations

- Floodplain management regulations are a requirement for **ALL** NFIP participating communities
- Our local regulations are located in the Zoning Ordinance
- Regulations apply to Special Flood Hazard Area (SFHA) on the Flood Insurance Rate Map (FIRM)
- Regulations apply to all “**development**”



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ALL Development Requires a Permit

ALL development in the SFHA requires a permit

- Definition of development (as per 44 CFR 59):

Any manmade change to improved or unimproved real estate, **including, but not limited to** buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials

Ensure you have a process for capturing all floodplain development

Definitions

- **Base Flood Elevation (BFE)** – Height of the water in a 1% annual chance flood
- **Regulatory Flood Elevation (RFE)**– 18” above Base Flood Elevation
- **AE** – Area adjacent to the flood way
- **A** – Areas where base flood elevations have not been identified, applicant can determine the elevation with engineering studies



Federal Minimum Requirements

- **Require permits** in SFHA
- **Siting:**
 - Development in floodway must prove no rise in BFE
- **Foundation:**
 - Solid foundation walls permitted...
 - ...so long as there are openings to resist hydrostatic pressure
- **Enclosed Spaces:**
 - Only used for parking, access, and limited storage
 - Consider non-conversion agreement
- **Elevation:**
 - Top of lowest floor elevated above the BFE
 - Freeboard
 - Elevate and anchor utilities



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Regulatory Requirement Highlights

- Permits required for **ALL development**
- Building requirements: Zones A and AE
 - Residential buildings: lowest floor, including basement, **elevated to or above RFE**
 - Non-residential buildings: **elevated or floodproofed**
 - **No increase in BFE** for development within floodway



Special Permits (906.02.G)

- Special Permits are required for hospitals, nursing homes, and correctional facilities.
- Requirements
 - Evacuation Plan
 - Additional engineering analysis
 - Planning Commission approval required
 - Additional state review required



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Existing Structures (906.02.H)

- No expansion or enlargement in Floodway that would increase BFE.
- No expansion or enlargement in AE zone that together with all other existing and anticipated development that would cause an increase to the BFE or more than 1 foot.
- Modification permitted up to 50 percent of market value of the structure.
- Building code requirements must also be met.



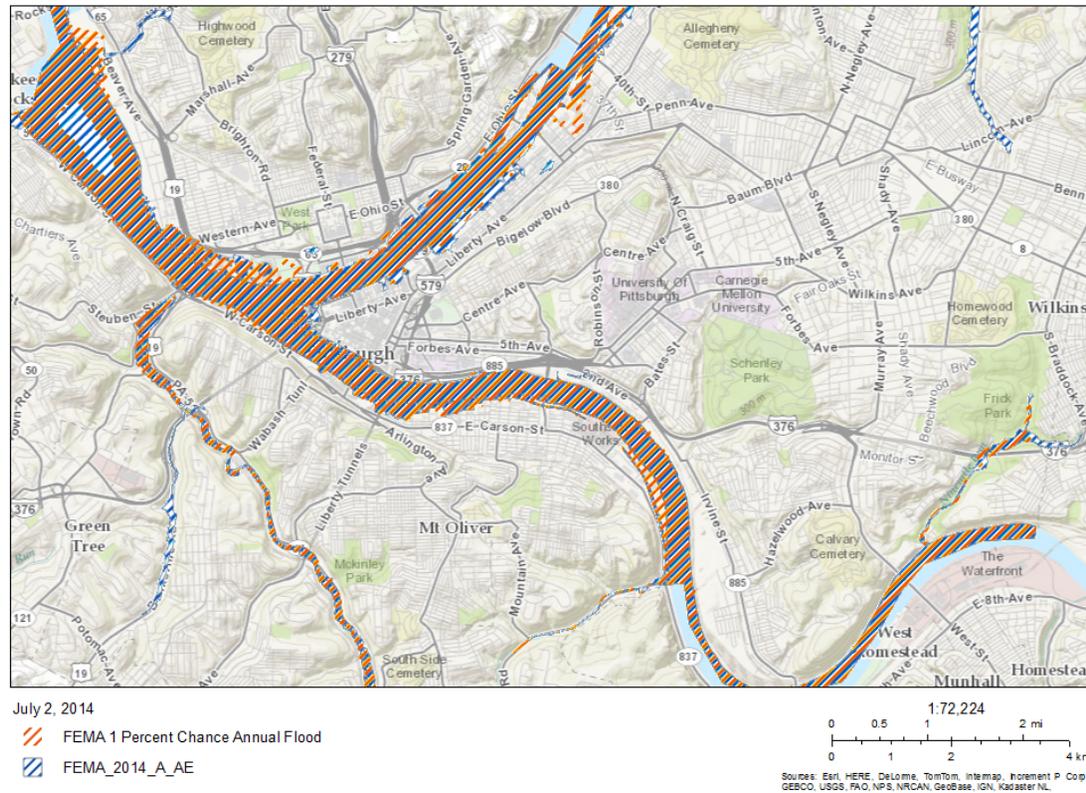
Ordinance Non-Compliance

- **Failure to adopt** a compliant ordinance by map effective date or having non-compliant ordinance = **easiest way to get suspended**
- **Serious ramifications:**
 - Suspension of NFIP eligibility
 - No mortgages or home equity loans in floodplain areas
 - No renewals of existing flood insurance policies
 - Loss of most forms of Disaster Assistance
 - No federal grants or loans
 - Loss of subsidized insurance for Pre-FIRM structures



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How are Pittsburgh's Floodplain Maps Changing?



To compare the current Flood Insurance Rate Map to the new map which will become effective September 26, 2014, visit:

<http://gis.pittsburghpa.gov/zoning/>

For more detailed information about Flood Risk,
visit FEMA's Risk Map Portal

<http://maps.riskmap3.com/pa/allegHENY/>

