

SENATE BILL 64 FLOODPLAIN & DRAINAGE STANDARDS CHECKLIST

Community: _____

County: _____

Introduction: Below are the 15 floodplain and 6 drainage standards the SB 64 Floodplain and Drainage Advisory Committee developed and voted on. Please provide feedback on how these standards would affect (positively or negatively) your municipality. These checklists will be collected from each community and the Committee will provide the state Legislature with a summary. For more information on the process go to: www.dnrec.delaware.gov/swc/drainage/pages/flooding.aspx

Instructions: Please circle the number on the scale to indicate how you feel about the suitability of each standard. Also, please circle each letter that applies to your specific community (you may choose more than one), and write any applicable comments or concerns.

Floodplain Standards

1. For all new development activities which exceed 50 lots or 5 acres in locations contiguous to streams without a FEMA delineated floodplain, with an upstream watershed greater than 1 square mile, a flood study shall be conducted in accordance with FEMA study criteria. Base flood elevations (BFEs) and floodplain delineations shall be submitted to local jurisdictions prior to record plan approval or building permit issuance. This standard does not apply to minor subdivisions as defined by local governments.

Strongly Agree	Agree	No comment	Disagree	Strongly Disagree
1	2	3	4	5

- a. Community already meets this standard.
- b. Community exceeds this standard.
- c. Community doesn't comply with standard.
- d. Standard would be a hardship.
- e. List impediments to adoption of standard / comments

2. For all new development activities which exceed 50 lots or 5 acres in FEMA mapped floodplain areas without a base flood elevation, a flood study shall be conducted in accordance with FEMA study criteria. Base flood elevations and floodplain delineations shall be submitted to FEMA and approved prior to record plan approval so that official maps can be revised with these BFE's and floodplain delineations. This standard does not apply to minor subdivisions as defined by local governments.

Strongly Agree	Agree	No comment	Disagree	Strongly Disagree
1	2	3	4	5

- a. Community already meets this standard.
- b. Community exceeds this standard.
- c. Community doesn't comply with standard.
- d. Standard would be a hardship.
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- 3.** In all areas with delineated floodplains, record plans and development documents shall show the floodplain delineation from a flood study approved by FEMA (with BFE where applicable). Flood studies submitted to FEMA for map revisions must be approved prior to the recordation stage for subdivisions.

Strongly Agree	Agree	No comment	Disagree	Strongly Disagree
1	2	3	4	5

- a. Community already meets this standard.
- b. Community exceeds this standard.
- c. Community doesn't comply with standard.
- d. Standard would be a hardship.
- e. List impediments to adoption of standard / comments

- 4.** All building permit application documents in a floodplain shall reference only base flood elevation and/or floodplain delineation developed in flood studies which have been reviewed and approved by appropriate county or municipal agency, or the Federal Emergency Management Agency where applicable.

Strongly Agree	Agree	No comment	Disagree	Strongly Disagree
1	2	3	4	5

- a. Community already meets this standard.
- b. Community exceeds this standard.
- c. Community doesn't comply with standard.
- d. Standard would be a hardship.

e. List impediments to adoption of standard / comments

5. Floodplain information including floodplain map used, effective flood zone delineations, base flood elevations, and proposed lowest floor elevations shall be required on record plans and development documents for all new development activities or substantially improved structures (as defined by local governments) within a FEMA mapped floodplain.

Strongly Agree	Agree	No comment	Disagree	Strongly Disagree
1	2	3	4	5

- a. Community already meets this standard.
- b. Community exceeds this standard.
- c. Community doesn't comply with standard.
- d. Standard would be a hardship.
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6. FEMA Elevation Certificates shall be completed properly for both pre and post-construction for all new structures and substantially improved structures (as defined by local governments) in the floodplain. For all new structures to be dry flood-proofed, a FEMA Flood Proofing Certificate form shall be completed both pre and post construction.

Strongly Agree	Agree	No comment	Disagree	Strongly Disagree
1	2	3	4	5

- a. Community already meets this standard.
- b. Community exceeds this standard.
- c. Community doesn't comply with standard.
- d. Standard would be a hardship.
- e. List impediments to adoption of standard / comments

7. All new construction or substantially improved structures (as defined by local governments) located within a FEMA mapped floodplain shall have the lowest floor, including basement, and all equipment and machinery elevated to or above 18 inches above the base flood elevation. In lieu of elevation, non-residential structures may provide dry floodproofing such that the lowest floor of the building and all utilities are protected to a minimum height of 18 inches above base flood elevation.

Strongly Agree	Agree	No comment	Disagree	Strongly Disagree
1	2	3	4	5

- a. Community already meets this standard.
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- d. Standard would be a hardship.
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7a. All new construction or substantially improved structures (as defined by local governments) located within a FEMA mapped floodplain shall have the lowest floor, including basement, and all equipment and machinery elevated to or above one foot above the base flood elevation. In lieu of elevation, non-residential structures may provide dry floodproofing such that the lowest floor of the building and all utilities are protected to a minimum height of one foot above base flood elevation.

Strongly Agree	Agree	No comment	Disagree	Strongly Disagree
1	2	3	4	5

- a. Community already meets this standard.
- b. Community exceeds this standard.
- c. Community doesn't comply with standard.
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- e. List impediments to adoption of standard / comments

8. All new or substantially improved (as defined by local governments) manufactured homes located within a FEMA mapped floodplain shall have the lowest floor, including basement, and all equipment and machinery elevated to or above 18 inches above the base flood elevation.

Strongly Agree	Agree	No comment	Disagree	Strongly Disagree
1	2	3	4	5

- a. Community already meets this standard.
- b. Community exceeds this standard.
- c. Community doesn't comply with standard.
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9. Fill placed in the floodplain which results in land having an elevation less than 18 inches above base flood elevation will not result in a relaxation of floodplain standards.

Strongly Agree	Agree	No comment	Disagree	Strongly Disagree
1	2	3	4	5

- a. Community already meets this standard.
- b. Community exceeds this standard.
- c. Community doesn't comply with standard.
- d. Standard would be a hardship.
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10. Hydrostatic vents shall be required within 1 foot of grade for all new construction or substantially improved structures (as defined by local governments) with enclosures below the lowest floor located in FEMA mapped floodplains, excluding V-Zones, if the lowest adjacent grade to the structure is below the BFE. One square inch of opening must be provided for every square foot of enclosure.

Strongly Agree	Agree	No comment	Disagree	Strongly Disagree
1	2	3	4	5

- a. Community already meets this standard.

- b. Community exceeds this standard.
- c. Community doesn't comply with standard.
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11. If areas below the lowest floor of an elevated building are enclosed with areas usable for parking, storage, or building access, or are constructed with a crawl space, the elevation of the floor of the enclosure or crawl space floor or grade must be at or above lowest adjacent grade on at least one side of the building.

Strongly Agree	Agree	No comment	Disagree	Strongly Disagree
1	2	3	4	5

- a. Community already meets this standard.
- b. Community exceeds this standard.
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12. Prohibit subdividing of land in the floodplain. Newly subdivided floodplain shall remain deed restricted open space. (voted down by the committee)

Strongly Agree	Agree	No comment	Disagree	Strongly Disagree
1	2	3	4	5

- a. Community already meets this standard.
- b. Community exceeds this standard.
- c. Community doesn't comply with standard.
- d. Standard would be a hardship.
- e. List impediments to adoption of standard / comments

13. New lots in major subdivisions, as defined by local governments, may be located in the floodplain as long as sufficient room outside the floodplain exists for future construction activities. All new structures within FEMA mapped floodplains shall be prohibited except buildings with water-dependent use. This standard does not apply to minor subdivisions as defined by local governments.

Strongly Agree	Agree	No comment	Disagree	Strongly Disagree
1	2	3	4	5

- a. Community already meets this standard.
- b. Community exceeds this standard.
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14. In non-tidal areas with delineated floodplains, encroachment in all floodplains that would increase flood heights by 0.1 foot or more is prohibited. Compensatory storage may be used to mitigate the effects of floodplain development actions to meet the requirement that flood height increase does not exceed 0.1 foot at any location.

Strongly Agree	Agree	No comment	Disagree	Strongly Disagree
1	2	3	4	5

- a. Community already meets this standard.
- b. Community exceeds this standard.
- c. Community doesn't comply with standard.
- d. Standard would be a hardship.
- e. List impediments to adoption of standard / comments

15. For all new development and new structures or substantially improved structures (as defined by local governments), activities in the floodplain shall be performed in a manner which is consistent with the FEMA Technical Bulletins.

Strongly Agree	Agree	No comment	Disagree	Strongly Disagree
1	2	3	4	5

- a. Community already meets this standard.
- b. Community exceeds this standard.
- c. Community doesn't comply with standard.
- d. Standard would be a hardship.
- e. List impediments to adoption of standard / comments

Drainage Standards

1. Easements of an adequate width as determined by local governments shall be required over drainage conveyance systems within any proposed subdivision. Easements shall clearly designate responsible parties. The maintenance responsibilities shall be included as part of the easement language.

Strongly Agree	Agree	No comment	Disagree	Strongly Disagree
1	2	3	4	5

- a. Community already meets this standard.
- b. Community exceeds this standard.
- c. Community doesn't comply with standard.
- d. Standard would be a hardship.
- e. List impediments to adoption of standard / comments

2. The willful or negligent obstruction of any drainage conveyance shall be prohibited.

Strongly Agree	Agree	No comment	Disagree	Strongly Disagree
1	2	3	4	5

- a. Community already meets this standard.
- b. Community exceeds this standard.
- c. Community doesn't comply with standard.
- d. Standard would be a hardship.

e. List impediments to adoption of standard / comments

3. Drainage conveyance systems within proposed subdivisions shall meet the minimum 10-year storm event.

Strongly Agree	Agree	No comment	Disagree	Strongly Disagree
1	2	3	4	5

- a. Community already meets this standard.
- b. Community exceeds this standard.
- c. Community doesn't comply with standard.
- d. Standard would be a hardship.
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4. Lot grading shall be accomplished to ensure adequate drainage away from buildings and accessory structures, without creating an adverse impact to adjacent structures or lands.

Strongly Agree	Agree	No comment	Disagree	Strongly Disagree
1	2	3	4	5

- a. Community already meets this standard.
- b. Community exceeds this standard.
- c. Community doesn't comply with standard.
- d. Standard would be a hardship.
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5. A topographic plan submittal shall be required for all construction activity greater than 5,000 square feet. This submittal shall be required for all building permits exceeding the threshold. Information shall include finished floor elevation and grading to a point of positive conveyance. Finished floor elevations shall be higher than the road elevation unless adequate drainage away from structures, protection of mechanical systems, and no adverse impacts to adjacent structures can be demonstrated.

Strongly Agree	Agree	No comment	Disagree	Strongly Disagree
1	2	3	4	5

- a. Community already meets this standard.
- b. Community exceeds this standard.
- c. Community doesn't comply with standard.
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6. An as-built submittal shall be required for any construction with an approved topographic plan. Information to be shown shall include floor elevation, road elevation, and a sufficient number of ground elevations to clearly demonstrate adequate drainage away from structures, protection of mechanical systems, and no adverse impact to adjacent structures or lands.

Strongly Agree	Agree	No comment	Disagree	Strongly Disagree
1	2	3	4	5

- a. Community already meets this standard.
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Name: _____

Title: _____