

## Proposed Riverine Floodplain Policies

### Objective 4

Reduce loss of flood storage capacity and reduce risk to life and property by continuing to apply regulations which minimize the impact of development within flood hazard areas

### Policy 4.1

Brevard County shall continue to protect the riverine floodplain in order to protect infrastructure and human life, conserve flood storage capacities, and to improve, where feasible, the quality of water within the watershed. The preferred land use, density and fill footprint of the riverine floodplain is in the predevelopment natural state and Brevard County supports the use of fee simple acquisition, less than fee acquisition, transfer of development rights, appropriate development standards and other innovative measures to preserve and restore the predevelopment riverine floodplain. At a minimum, the following criteria shall be the basis for the protection of the riverine floodplain:

#### **1. Area within 100-year riverine floodplain (area at or below the 100 year flood elevation but above the 25 year flood elevation):**

Allowable Residential Density

- 2 units /1 acre

Allowable Commercial, Industrial, and Institutional

- 15,000 sq. ft. of fill/acre of 100-year floodplain

A. Within the 100-year riverine floodplain (that is the area that is below the 100-year flood elevation but above the 25-year flood elevation):

1. Development shall not adversely impact the drainage of adjoining properties. There shall be no net loss of flood storage capacity of the 100-year riverine floodplain.
2. Compensatory storage for residential development shall be required for fill in accordance with Chapter 62-3724 (a)(5).
3. There shall be no net change in the rate and volume of floodwater discharged from the predevelopment 100-year riverine floodplain.
4. The following uses are not compatible with the resource requirements of the 100-year riverine floodplain and shall not be permitted. These include, but are not limited to:
  - a. Placing, depositing or dumping of solid waste except for treated municipal solid sludge.
  - b. Processing and storing of threshold amounts of hazardous materials.
  - c. Disposal of hazardous materials.

B. Smart growth techniques shall be encouraged in development of property within the riverine floodplain in order to protect connectivity between natural areas, minimize total imperviousness and runoff within the floodplain and preserve the flood storage capacity in order to minimize cost to life and property. Smart growth techniques may include clustering of developed area, provisions for open space, low impact design features and flood proofing.

C. Transfer of densities from areas within the riverine floodplain to areas outside the riverine floodplain, within the same floodplain basin either within the project area or offsite, will be encouraged by incentive goals that may include increased density allocation within the upland area, reduced compensatory storage requirements and allowable uses such as recreational facilities which will not significantly be harmed by flooding.

**2. Areas within the 25-year riverine floodplain (area at or below the 25-year flood elevation but above the 10-year flood elevation):**

Allowable Residential Density

- 1 unit/2.5 acres

Allowable Commercial density

- Commercial: 3,000 sq. ft. of fill/acre of 25-year floodplain.
- Commercial uses shall be no greater than 1 acre
- Prohibit industrial or institutional land uses

A. Within the 25-year riverine floodplain (that is the area that is at or below the 25-year flood elevation but above the 10-year flood elevation):

1. Development shall not adversely impact the drainage of adjoining properties. There shall be no net loss of flood storage capacity of the 25-year riverine floodplain.
2. Compensatory storage for residential development shall be required for fill in accordance with Chapter 62-3724 (a)(5).
3. There shall be no net change in the rate and volume of floodwater discharged from the pre-development 25-year riverine floodplain.
4. Fill in the 25-year floodplain for industrial land uses shall be prohibited unless such activity is in the best public interest.

B. Smart growth techniques shall be encouraged in development of property within the riverine floodplain in order to protect connectivity between natural areas, minimize total imperviousness and runoff within the floodplain and preserve the flood storage capacity in order to minimize cost to life and property. Smart growth techniques may include clustering of developed area, provisions for open space, low impact design features and flood proofing.

C. Transfer of densities from areas within the riverine floodplain to areas outside the riverine floodplain, within the same floodplain basin either within the project area or offsite, will be encouraged by incentive goals that may include increased density allocation within the upland area and allowable uses such as recreational facilities which will not significantly be harmed by flooding.

**3. Areas within the 10-year riverine floodplain (area at or below the 10-year flood elevation but above the annual flood elevation):**

Allowable Residential Density

- 1 unit/10 acres

Allowable Commercial

- No commercial/industrial unless special reason to be there or in best public interest.
- No fill for institutional

A. Within the 10-year riverine floodplain (that is the area that is at or below the 10-year flood elevation but above the annual flood elevation):

1. The 10-year riverine floodplain should be maintained in its natural state unless a project has a special reason or need to be located there. These special reasons and needs are further defined in the land development regulations. These needs may include but are not limited to agriculture and passive recreation.
2. Fill in the 10-year riverine floodplain for institutional, commercial, and industrial land uses shall be prohibited unless such activity is in the best public interest.
3. There shall be no net loss of flood storage capacity of the 10-year riverine floodplain.
4. There shall be no net change in the rate and volume of floodwater discharged from the pre-development 10-year riverine floodplain.

B. Smart growth techniques shall be encouraged in development of property within the riverine floodplain in order to protect connectivity between natural areas, minimize total imperviousness and runoff within the floodplain and preserve the flood storage capacity in order to minimize cost to life and property. Smart growth techniques may include clustering of developed area, provisions for open space, low impact design features and flood proofing.

C. Transfer of densities from areas within the riverine floodplain to areas outside the riverine floodplain, within the same floodplain basin either within the project area or offsite, will be encouraged by incentive goals that may include increased density allocation within the upland area and allowable uses such as recreational facilities which will not significantly be harmed by flooding.

#### Policy 4.2

Within the annual riverine floodplain (that is the area that is at or below the annual flood elevation) residential, commercial, and industrial land uses shall be prohibited unless the project has a special reason or need to locate within the annual floodplain and it is in the best public interest. The annual riverine floodplains within Brevard County should be left in their natural state, and re-established where feasible. A natural buffer of a minimum width of 100 feet shall be established between the annual riverine floodplain and the project in order to protect the natural connectivity of the floodway.

#### Policy 4.3

To facilitate redevelopment of commercial and industrial land uses, the filled footprint restrictions may be modified if compensatory storage is provided. Redevelopment means the renovation of a previously developed obsolete commercial or industrial parcel of land or building site which suffers from structural vacancy due to the expiration of its former use and requires intervention to achieve a subsequent useful function and come into compliance with all other current environmental and land development regulations.