



DEPARTMENT OF BUILDINGS & REGULATORY COMPLIANCE

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FLOODPLAIN DEVELOPMENT PERMIT APPLICATION

According to Albany City Code § 375-153 “all construction and other development” in areas of special flood hazard as defined by the Federal Emergency Management Agency must be accompanied by a floodplain development permit which ensures that certain design criteria are complied with which will minimize damage in the event of a flood. This permit application must be accompanied by a building permit application. To determine whether your project is in a floodplain and the base flood elevation, please check <https://msc.fema.gov/portal/search>. The fee for this application is \$300.

GENERAL INFORMATION

JOB SITE ADDRESS: _____

TAX MAP ID#: _____ BUILDING PERMIT APP. NUMBER: _____

APPLICANT: _____

ADDRESS: _____

EMAIL: _____ PHONE: _____

PROJECT INFORMATION

PROJECT DESCRIPTION: _____

FLOODPLAIN ZONE: _____ BASE FLOOD ELEVATION: _____
TO DETERMINE WHAT FLOODPLAIN ZONE YOUR PROJECT IS IN & THE BASE FLOOD ELEVATION (BFE), PLEASE CHECK [HTTPS://MSC.FEMA.GOV/PORTAL/SEARCH](https://msc.fema.gov/portal/search).

PROPOSED ELEVATION OF THE LOWEST FLOOR (INCLUDING BASEMENT OR CELLAR): _____ FT
THE ELEVATION PROVIDED MUST BE IN RELATION TO THE MEAN SEA LEVEL. UPON COMPLETION OF THE LOWEST FLOOR, THE APPLICANT MUST PROVIDE THE DEPARTMENT WITH AN AS-BUILT ELEVATION CERTIFIED BY AN ENGINEER OR SURVEYOR.

IF NON-RESIDENTIAL, THE PROPOSED ELEVATION TO WHICH THE BUILDING WILL BE FLOOD-PROOFED: _____ FT

WILL ANY WATERCOURSE BE ALTERED OR RELOCATED AS A RESULT OF THIS DEVELOPMENT? YES NO

IF SO, PLEASE DESCRIBE THIS ALTERATION OR RELOCATION: _____

MARKET VALUE OF THE PROPERTY: _____

IS THIS PROJECT IMPROVING AN “HISTORIC STRUCTURE”? YES NO

IF SO, WILL THIS PROJECT RESULT IN THE “HISTORIC STRUCTURE” LOSING ITS HISTORIC STATUS? YES NO

IS THIS PROJECT THE MINIMUM INVESTMENT NEEDED TO CORRECT A CITED LEGAL VIOLATION? YES NO

STAFF USE ONLY

PERMIT NO.: _____	APP. FEE: \$300	REC'D BY: _____	CHECK NO.: _____
DATE REC'D: _____	DATE ISSUED: _____	ASSIGNED TO: _____	PARCEL NO.: _____

Certification: I hereby certify that I have examined this application and know the information contained therein to be correct. I understand that the granting of a permit does not grant authority to violate or ignore any law, that this permit authorizes only the work described herein and will expire, unless otherwise noted, in one year from the date of issuance.

Applicant

Signature: _____

Date: _____

STAFF USE ONLY

APPROVALS REQUIRED:

APPROVED BY

THE FOLLOWING CONDITIONS APPLY TO THIS APPROVAL:

APPROVED BY: _____

DATE: _____

ADMIN ID.: _____

General Building Permit Instructions

The flood plain development regulations are mandated the Federal Emergency Management Agency and are common sense guidelines to minimize the damage caused by a catastrophic flood and improve the resiliency of City infrastructure.

However, given that these design guidelines can be costly when it comes to existing structures, the guidelines do not apply to improvements to existing buildings which are not a "substantial improvement". A "substantial improvement" is:

Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50% of the market value of the structure before the start of construction of the improvement. . . . The term does not, however, include either:

- A. Any project for improvement of a structure **to correct existing violations** of . . . code[s] . . . identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
- B. **Any alteration of an historic structure**, provided that the alteration will not preclude the structure's continued designation as an historic structure.

An "historic structure" is any structure that is:

- A. **Listed individually in the National Register of Historic Places** . . . or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- B. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- C. Individually listed on a state inventory of historic places . . . ; or
- D. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - (1) By an approved state program as determined by the Secretary of the Interior; or
 - (2) Directly by the Secretary of the Interior in states without approved programs.

What follows here are the most often applicable provisions of the Albany City Code development guidelines:

§ 375-168. Anchoring. New structures and substantial improvement to structures in areas of special flood hazard shall be anchored

§ 375-169. Construction materials and methods.

A. New construction and substantial improvements to structures shall be constructed with materials and utility equipment resistant to flood damage.

...

C. Enclosed areas below lowest floor.

- (1) For enclosed areas below the lowest floor of a structure within Zones . . . AE . . . new and substantially improved structures **shall have fully enclosed areas below the lowest floor that are usable solely for the parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding, designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters.** Designs . . . must either be certified by a licensed professional engineer or architect or meet or exceed the following minimum criteria:
 - a. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding; and
 - b. The bottom of all such openings no higher than one foot above the lowest adjacent finished grade....

§ 375-170. Utilities.

A. **New and replacement electrical equipment . . . shall be located at least two feet above the base flood elevation or be designed to prevent water from entering and accumulating within the components during a flood** and to resist hydrostatic and hydrodynamic loads and stresses. **Electrical wiring and outlets, switches, junction boxes and panels shall also elevated** or designed to prevent water from entering and accumulating within the components unless they conform to the appropriate provisions of the electrical part of the Building Code of New York State or the Residential Code of New York State for location of such items in wet locations;

For a full explanation of the floodplain development guidelines and the process by which you may obtain a variance from the guidelines, please see our flood plain development guides.