

# Floodplain requirements (Article IV. District Provisions)

## (a) General provisions.

- (1) **Permit requirement.** All uses, activities, and development occurring within any floodplain district shall be undertaken only upon the issuance of a floodplain permit which shall be issued by the zoning administrator after review for compliance. **An elevation certificate is to be completed based upon as-built conditions for residential construction and for elevated nonresidential construction in the floodplain. A floodproofing certificate is to be completed for nonresidential construction in the floodplain. Copies of these are to be kept on file by the zoning administrator.**

Such uses, activities and development shall be undertaken only in strict compliance with the provisions of the ordinance and with all other applicable codes and ordinances, such as the Virginia Uniform Statewide Building Code, the Falls Church Subdivision Regulations, and the Chesapeake Bay Act. Prior to the issuance of any such permit, the zoning administrator shall require all applications to include compliance with all applicable state and federal laws. Under no circumstances shall any use, activity, and/or development adversely affect the capacity of the channels or floodway of any watercourse, drainage ditch, or any other drainage facility or system.

- (2) **Alteration or relocation of watercourse.** Prior to any proposed alteration or relocation of any channels or of any watercourse, stream, etc., within this jurisdiction a permit shall be obtained from the U.S. Army Corps of Engineers, the Virginia State Water Control Board, and the Virginia Marine Resources Commission. Furthermore, notification of the proposal shall be given by the applicant to all affected adjacent jurisdictions, the Division of Soil and Water Conservation (Department of Conservation and Recreation), and the Federal Insurance Administration.
- (3) **Site plans and permit applications.** All applications for development in the floodplain district and all building permits issued for the floodplain shall incorporate the following information:
- For structures to be elevated, the elevation of the lowest floor (including basement).
  - For structures to be floodproofed (nonresidential only), the elevation to which the structure will be floodproofed.
  - The elevation of the one-hundred-year flood.
  - Topographic information showing existing and proposed ground elevations.
- (3) **Manufactured homes.** Manufactured homes that are placed or substantially improved on sites shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to or above the base flood elevation and (shall) be securely anchored to an adequately anchored foundation system to resist floatation collapse and lateral movement.
- (5) **Recreational vehicles.**
- A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.
  - Recreational vehicles must meet the permit requirements for placement and the elevation and anchoring requirements for manufactured homes above.
  - The following are prohibited uses:
    - Continual storage for more than one hundred eighty (180) days.
    - Use as temporary living quarters.

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3. Conversion to a permanent dwelling unit.
- (6) **Subdivision proposals.** All new subdivision proposals and other proposed developments greater than fifty (50) lots or five (5) acres, whichever is the lesser, shall include within such proposals base flood elevation data.
- (b) **Floodway district.** In the floodway district no encroachments, including fill, new construction, substantial improvements, or other development shall be permitted unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in the one-hundred-year flood elevation.
- (c) **Flood fringe and special floodplain districts.** In the flood fringe and special floodplain districts, the development and/or use of land shall be permitted in accordance with the regulations of the underlying area provided that all such uses, activities, and/or development shall be undertaken in strict compliance with the floodproofing and related provisions contained in the Virginia Uniform Statewide building Code and all other applicable codes and ordinances.  
**Within the special floodplain district,** no new construction or development shall be allowed unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the elevation of the one-hundred-year flood more than one (1) foot at any point.

## District Permitted Uses (Article V.)

### (a) Permitted uses.

- (1) **Floodway District (FP-1).** In the floodway district, no development shall be permitted if the proposed development results in any increase in the flood elevation.
  - a. Permitted uses. The following permitted uses and activities not otherwise prohibited by law are permitted provided that they are in compliance with the provisions of the underlying district and provided they do not require structures, fill, or storage of materials and equipment.
    1. Outdoor gardens for plants under two (2) feet in height.
    2. Public and private recreational uses and activities such as parks, day camps, picnic grounds, hiking and biking trails.
    3. Accessory residential uses such as yard areas, gardens, play areas and parking and loading areas.
    4. Utilities and public facilities and improvements including, but not limited to, railroads, streets, bridges, transmission lines, pipe lines and other similar or related uses.
  - b. Conditional uses. None.
  - c. **Prohibited uses.**
    1. Storage of materials and equipment that are toxic, flammable or explosive.
    2. Solid waste, landfills, dumps, junkyards, outdoor storage of vehicles and/or materials.
    3. The filling of marshlands or wetlands.
    4. The damming or relocation of any watercourse that will result in any downstream increase in flood levels during the one-hundred-year flood.

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5. The construction or storage of any object subject to flotation or movement during flooding.
6. Commercial parking or loading areas.
7. Manufactured homes and recreational vehicles.

### (2) Flood Fringe District (FP-2).

- a. Permitted uses. Development not otherwise prohibited by law in the flood fringe district shall be permitted in accordance with the regulations of the underlying district provided that all such development shall be undertaken in strict compliance with the floodproofing and related provisions contained in the Virginia Uniform Statewide Building Code and all applicable codes and ordinances.
- b. Conditional uses. None.
- c. **Prohibited uses.**
  1. Storage of materials and equipment that are toxic, flammable or explosive.
  2. Solid waste, landfills, dumps, junkyards, outdoor storage of vehicles and/or materials.
  3. The filling of marshlands or wetlands.
  4. The damming or relocation of any watercourse that will result in any downstream increase in flood levels during the one-hundred-year flood.
  5. The construction or storage of any object subject to flotation or movement during flooding.
  6. There shall be no filling of land to make a building lot for the purposes of constructing a residential dwelling.
  7. Manufactured homes and recreational vehicles.
- d. **Other requirements.**
  1. The lowest floor elevation, including basement, shall be one (1) foot or more above the one-hundred-year flood elevation.
  2. All electrical water heaters, electric furnaces, and other electrical installations shall be prohibited below an elevation of one (1) foot above the one-hundred-year flood elevation.
  3. Electrical distribution panels shall be at least three (3) feet above the one-hundred-year flood elevation.

### (3) Special Floodplain District (FP-3).

- a. Permitted uses. Development not otherwise prohibited by law in the special floodplain district shall be permitted in accordance with the regulations of the underlying district provided that all such development shall be undertaken in accordance with the flood proofing and related provisions contained in the Virginia Uniform Statewide Building Code and all applicable codes and ordinances.
- b. Conditional uses. None.
- c. Prohibited uses.
  1. Storage of materials and equipment that are toxic, flammable or explosive.
  2. Solid waste, landfills, dumps, junkyards, outdoor storage of vehicles and/or materials.
  3. The filling of marshlands.
  4. The damming or relocation of any watercourse that will result in any downstream increase in flood levels during the one-hundred-year flood.
  5. The construction or storage of any object subject to flotation or movement during flooding.

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6. There shall be no filling of land to make a building lot for the purposes of constructing a residential dwelling.
7. Manufactured homes and recreational vehicles.
- d. **Other requirements.**
  1. The lowest floor elevation, including basement, shall be one (1) foot or more above the one-hundred-year flood elevation.
  2. All electrical water heaters, electric furnaces, and other electrical installations shall be prohibited below an elevation of one (1) foot above the one-hundred-year flood elevation.
3. Electrical distribution panels shall be at least three (3) feet above the one-hundred-year flood elevation.

## Existing Structures in Floodplain Districts (Article VII.)

A structure or use of a structure or premises which lawfully existed before the enactment of these provisions, but which is not in conformity with these provisions, may be continued subject to the following conditions:

- (1) **Existing structures in the floodway district** shall not be expanded or enlarged unless it has been demonstrated through hydrologic and hydraulic analysis performed in accordance with standard engineering practice that the proposed expansion would not result in any increase in the one-hundred-year flood elevation.
- (2) Any modifications, alterations, repair, reconstruction, or improvement of any kind to a structure and/or use located in any floodplain area to an extent or amount of less than fifty (50) percent of its market value before addition or alteration, shall be elevated and/or floodproofed to the greatest extent possible.
- (3) The modification, alteration, repair, reconstruction, or improvement of any kind to a structure and/or use, regardless of its locations in a floodplain area, to an extent or amount of fifty (50) percent or more of its market value before addition or alteration shall be undertaken only in full compliance with the provisions of this chapter and the Virginia Uniform Statewide Building Code.
- (4) **Existing structures in the special floodplain district** shall not be expanded or enlarged unless it has been demonstrated through hydrologic and hydraulic analyses that the proposed expansion or enlargement, together with all other existing and anticipated development, will not cause more than a one (1) foot increase in the one-hundred year flood elevation

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