

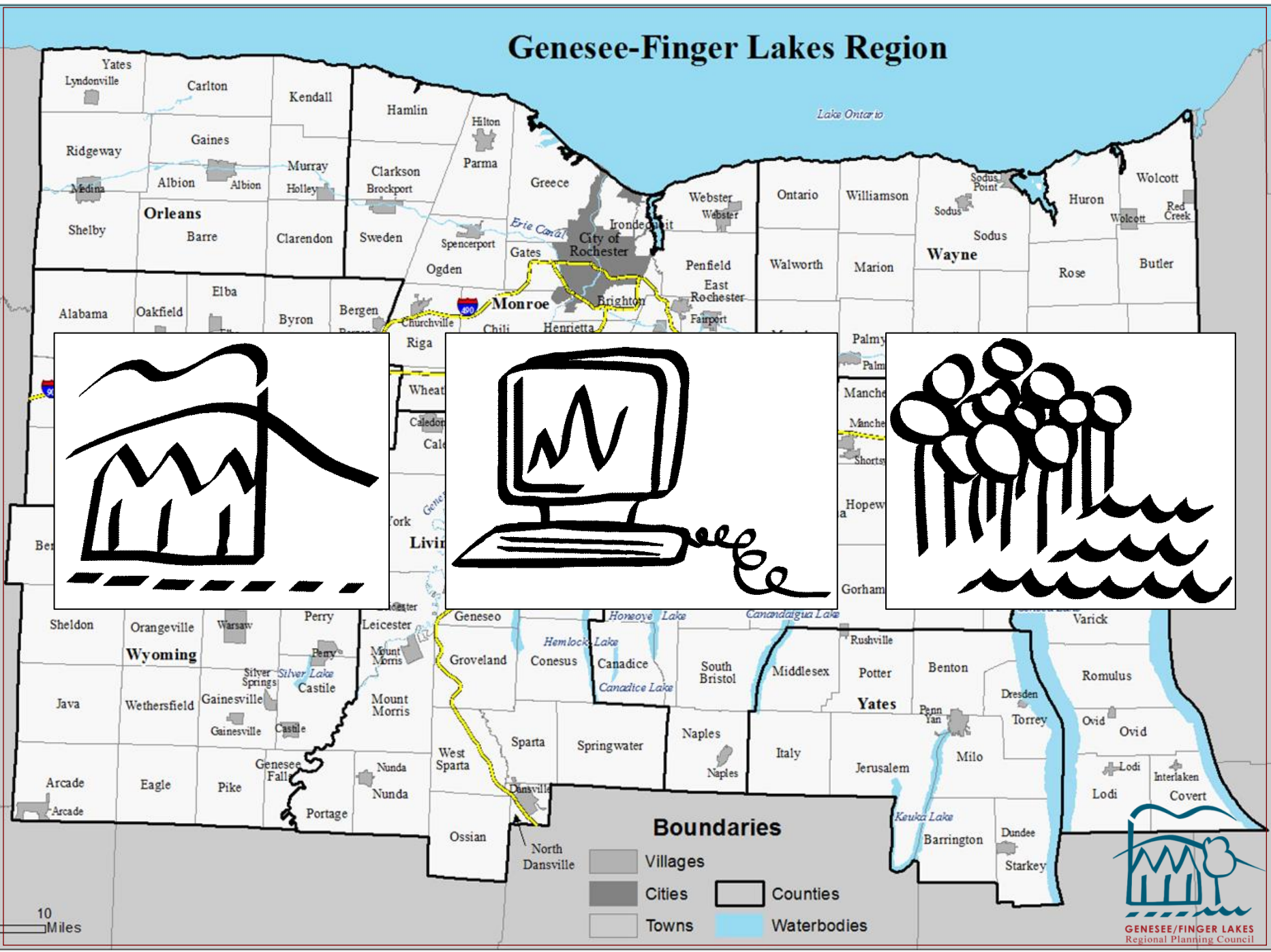


Model Intermunicipal Floodplain Overlay District Local Law

Jayme Breschard Thomann, AICP, CFM
Senior Planner, G/FLRPC



Genesee-Finger Lakes Region



New York's Great Lakes Basin Small Grants Program (2016)

Through funds provided by the
Environmental Protection Fund under the
authority of the New York Ocean and
Great Lakes Ecosystem Conservation Act and
by agreement with New York Sea Grant.

GLAA Goal 7
“Enhance Community
Resiliency and Ecosystem
Integrity through restoration,
protection, and improved
resource management”

**NEW YORK'S GREAT LAKES BASIN:
Interim ACTION AGENDA**



Coordinated by
New York State Department of Environmental Conservation
Great Lakes Watershed Program

*In partnership with state and federal agencies, municipalities, academic institutions,
non-profits, and community partners throughout NYS's Great Lakes basin*



Andrew M. Cuomo • Governor



Joe Martens • Commissioner

<http://www.dec.ny.gov/lands/91881.html>

Great Lakes Action Agenda Work Group Meetings



Questions or comments?

Lake Erie & SW Lake Ontario Work Groups:

Shannon Dougherty, greatlakes@dec.ny.gov, 716-851-7070

SE & NE Lake Ontario Work Groups:

Emily Sheridan, greatlakes@dec.ny.gov, 315-785-2382

Model Intermunicipal Local Law

- ✓ New York's Great Lakes Basin Interim Action Plan (July 2014); NYS 2100 Commission report; New York State Community Risk and Resiliency Act (CRRA)
- ✓ Recognized under New York General Municipal Law §119-u, "Intermunicipal cooperation in comprehensive planning and land use regulation"
- ✓ Under §119-u 4., intermunicipal agreements can be used to (e) "create an intermunicipal overlay district for the purpose of protecting, enhancing, or developing community resources that encompass two or more municipalities"

Find on this Page

CRRA Provisions

Implementation Status
<p> Implementation Status </p>

- ### Stakeholder Outreach

Important Links

Climate Change
Impacts in New York

Sea Level Rise

[CRRRA Part 490 Public Meeting Slides \(PDF, 2.4 MB\)](#)

Links Leaving DEC's Website

CRRA Statute

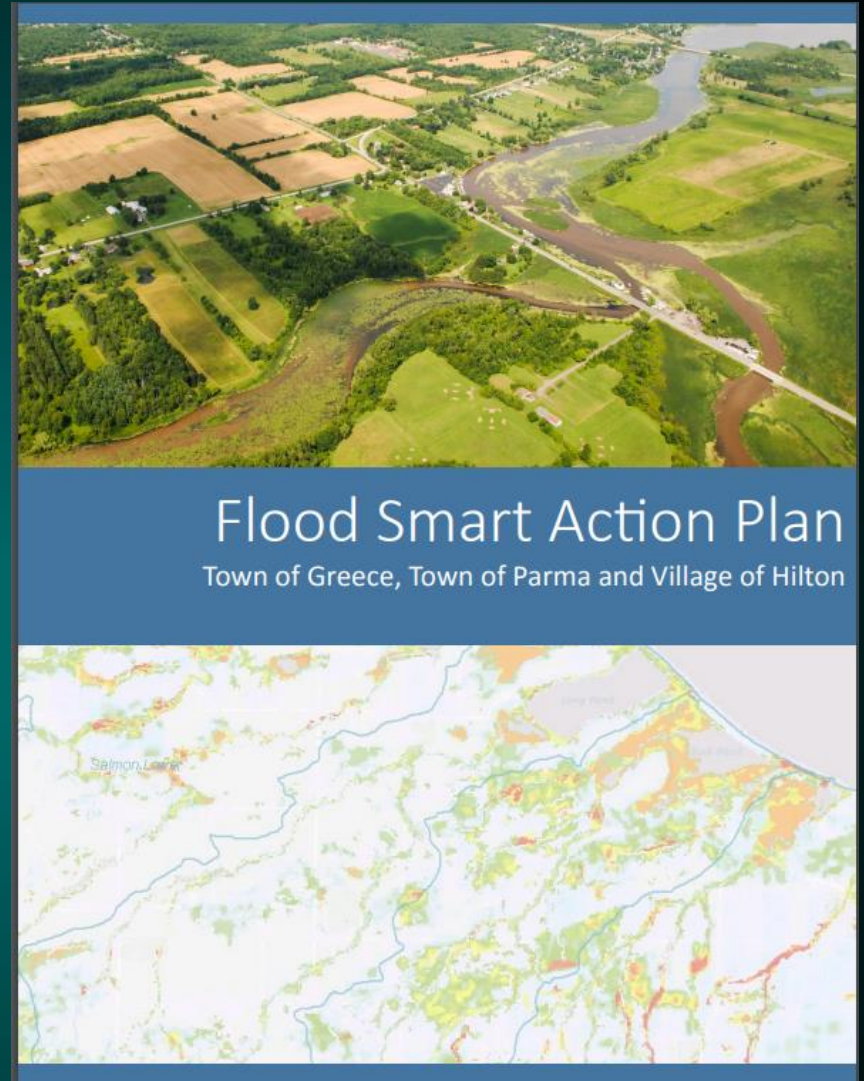
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Contact for this Page

Office of Climate
Change
625 Broadway, Ninth
Floor

An Intermunicipal
Floodplain Overlay
District was defined as a
high-priority action item.



<http://www.gflrpc.org/floodsmartactionplan.html>

Goals

To provide a model for intermunicipal project review, such as those commonly found useful in the General Municipal Law §239 Referral Process (GML 239 referral), that promotes the coordination of land use decision-making and enhances consideration of potential intermunicipal and county-wide impacts, and fosters a program that is effective in reducing and preventing flood problems.

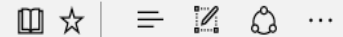
Deliverable

- 1) Template for an intermunicipal overlay district focusing on development in the floodplain, similar to environmental protection overlay districts (EPODs)
- 2) A customizable format with annotations for more information
- 3) Webinar presentation

Project Website

ModelLL - Genesee Finç × +

← → ↺ | gflrpc.org/modelll.html



[\(585\) 454-0190](tel:5854540190)



Genesee/Finger Lakes
Regional Planning Council

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Model Intermunicipal Floodplain Overlay District Local Law

Through funds provided by the Environmental Protection Fund under the authority of the New York Ocean and Great Lakes Ecosystem Conservation Act and by agreement with New York Sea Grant, G/FLRPC has been awarded funding from the New York's Great Lakes Basin Small Grants Program for the *Model Intermunicipal Floodplain Overlay District Local Law* project.

The purpose of the *Model Intermunicipal Floodplain Overlay District Local Law* project is to create a ready-to-use local law that promotes the [No Adverse Impact](#) approach to floodplain management by encouraging neighboring municipalities to coordinate during the planning and development review process in order to prevent increases in flood damage to other properties. This model local law will incorporate intermunicipal project review, such as those commonly found useful in the General Municipal Law §239 Referral Process that promotes the coordination of land use decision-making and enhances consideration of potential intermunicipal and county-wide impacts, to foster a program that is effective in reducing and preventing flood problems. The overlay district aims to create more socially and environmentally responsible development beyond the floodplain; managing development in the watershed where floodwaters originate while still allowing the local government to have significant control over the approval process.

A Steering Committee will be formed to advise the drafting of this model local law. G/FLRPC will research and gather information, serve as the facilitator for the Steering Committee, and draft the model local law.

The *Model Intermunicipal Floodplain Overlay District Local Law* project is based on recommendations from the [Flood Smart Action Plan](#). Recommendation 3 of the Flood Smart Action Plan is to "Adopt intermunicipal floodplain protection overlay district (POD) to require additional and intermunicipal review of site plans for building permits." The intent of this project is to create a customizable template for an intermunicipal overlay district focusing on development in the floodplain for use by any interested municipality in New York State.\

Model Ordinances

- [Model Floodplain Protection Overlay District Intermunicipal Agreement](#)
- [First Prize Center Redevelopment Overlay Zoning District](#)
- [Flood Damage Protection and Fish Habitat Protection Model Ordinance](#)
- [Local Land Use Response to Sea Level Rise](#)
- [Town of Ulysses Design Standards](#)

Contact Senior Planner Jayme B. Thomann, AICP, CFM with any questions or comments about this project at jbreschard@gflrpc.org or [\(585\) 454-0190](tel:5854540190) x12.

Steering Committee

- 1) Stevie Adams, Freshwater Specialist, TNC
- 2) Mary Austerman, New York Sea Grant
- 3) Mary Binder, NYSDEC Western Flood Protection & Dam Safety Hub
- 4) Rick Bjornholm, Hilton Village ZBA Chair
- 5) Joe Bovenzi, Genesee Transportation Council
- 6) Scott Copey, Greece Town Planner
- 7) Al Fisher, Greece Town Planning Board Chair
- 8) Kathryn Friedman, Research Associate Professor, UB
- 9) John Gauthier, Greece Town Engineer
- 10) Pat Holenbeck, Hilton Village ZBA
- 11) Amanda Lefton, Deputy Dir. of Government Relations, TNC
- 12) Mark Lowery, NYSDEC Office of Climate Change
- 13) Sarah Murdock, US Climate Resilience and Water Policy Director, TNC
- 14) Steve Olufsen, Monroe County Dept. of Planning & Development
- 15) Dennis Scibetta, Parma Town Code Enforcement Officer
- 16) Janet Thigpen, Southern Tier Central RPDB
- 17) James Zollweg, Parma Town ZBA



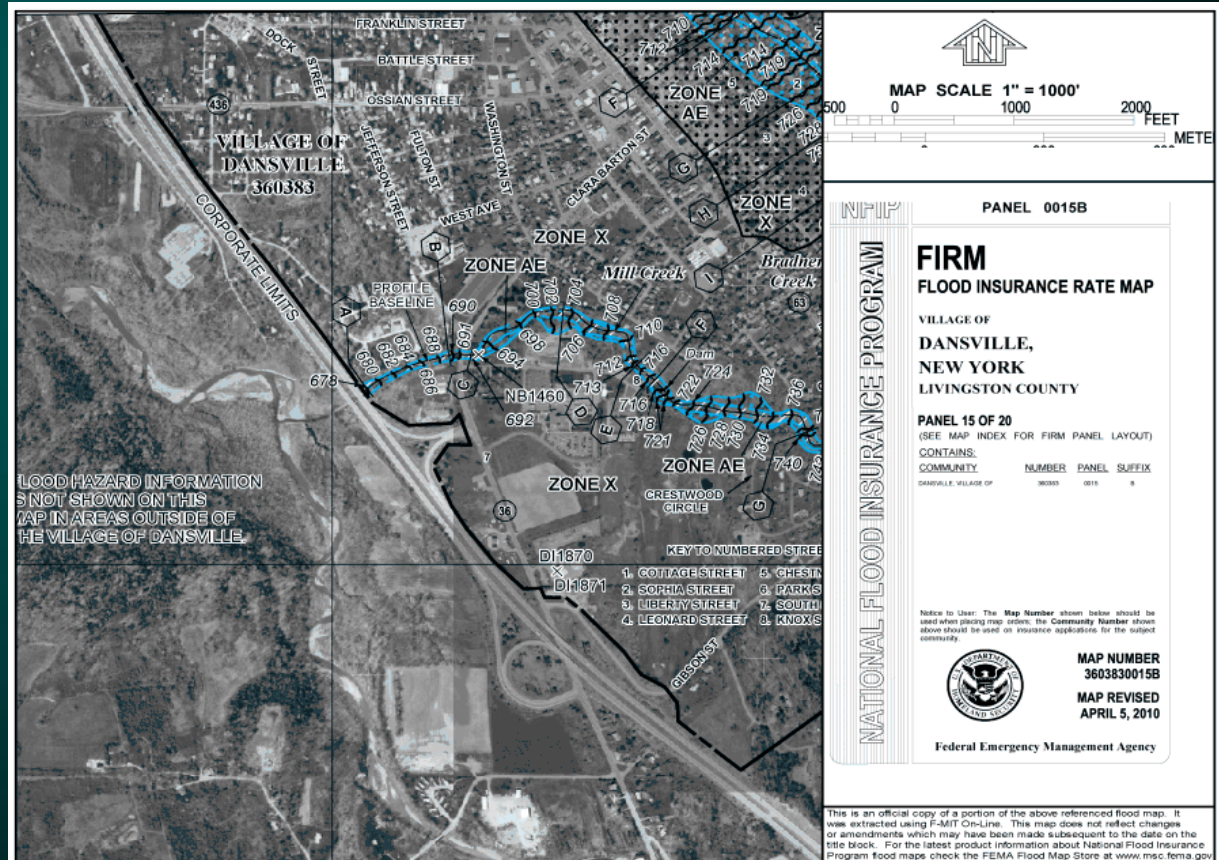
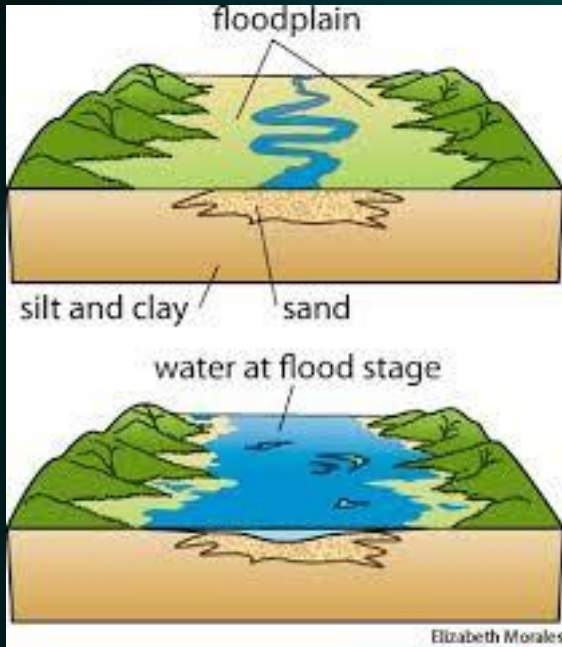
Responsibilities

- ✓ Attendance at 4 meetings between now and August 2018
- ✓ Advise the drafting of the model local law
- ✓ G/FLRPC will research and gather information, serve as the facilitator for the Steering Committee, and draft the model local law

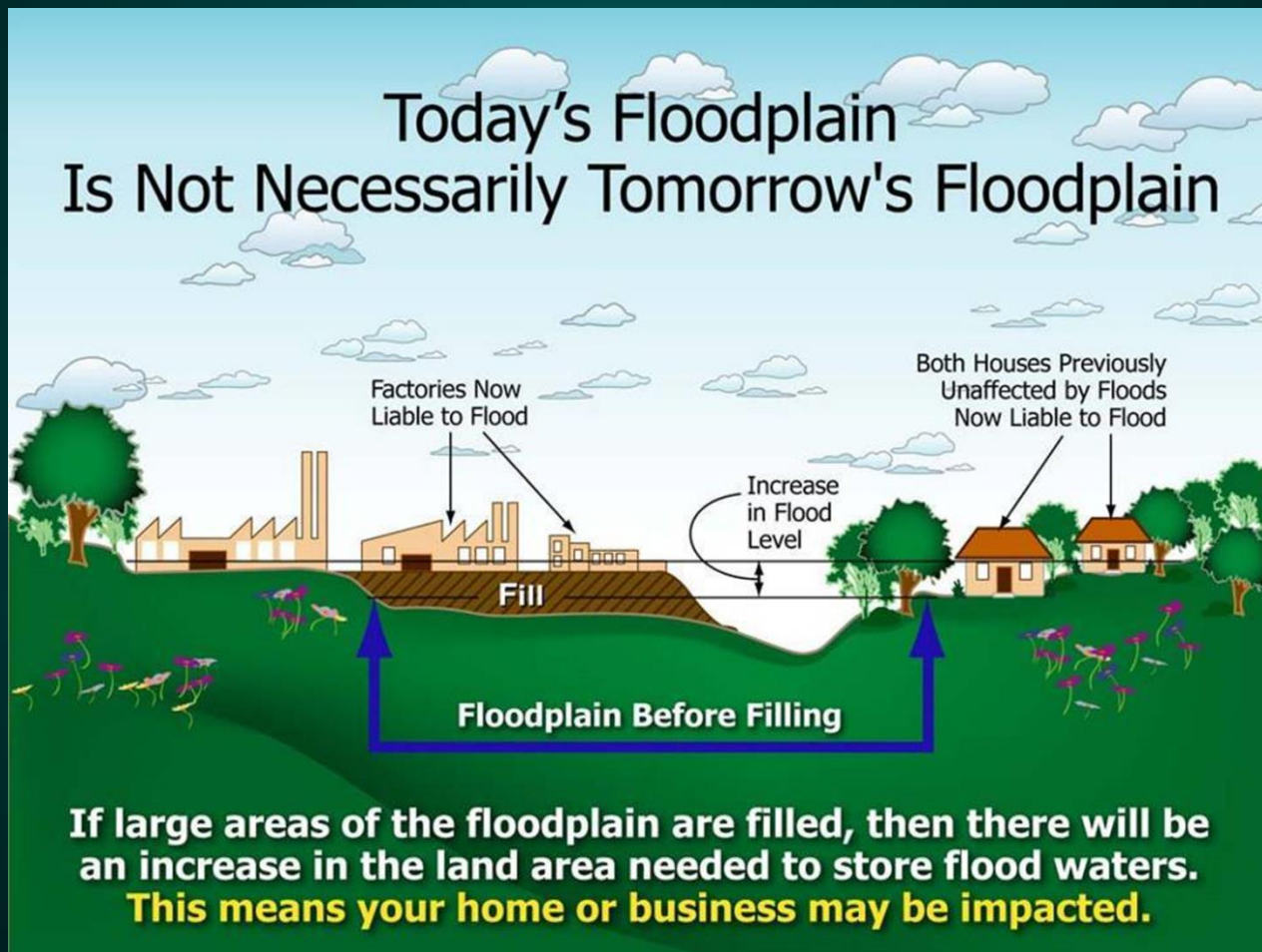
Timeline

- March 1, 2017 – Begin to establish the Steering Committee.
- By August 1, 2017 – Schedule first Steering Committee meeting.
- November 1, 2017 – Begin drafting local law. Schedule second Steering Committee meeting.
- February 1, 2018 – Continue to develop model local law, including the addition of edits and comments. Schedule third Steering Committee meeting.
- May 1, 2018 – Present draft model local law at the final Steering Committee meeting.
- August 31, 2018 – Finalization of the Model Intermunicipal Floodplain Overlay District Local Law and webinar presentation.

What is a floodplain?



What is No Adverse Impact?



Next Steps

- ✓ Research and gather information about other local laws that protect natural resources through intermunicipal cooperation or at the regional-scale
- ✓ Next meeting (by November 1)
- ✓ Skype for Business?

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