Article 1400
Flood Plain Regulations

1401 PURPOSE.

The purpose of these regulations is to protect those areas of the Township which are subject to predictable flooding during the 100 year floods in the flood plain areas of the major rivers, their branches and tributaries within the Township so that the carrying capacity shall not be reduced, thereby creating danger to the areas previously not so endangered in time of high water. Said regulations, while permitting reasonable use of such properties, will help to protect human life, prevent or minimize material and economic losses, and reduce the cost to the public in time of emergency.

1402 APPLICABILITY.

The regulations set forth in this Article shall apply to all land areas within a 100 year flood zone as identified by the Federal Emergency Management Agency, and shall be in addition to and supersede the regulations of the zoning district in which the land area is located.

1403 PERMITTED USES.

Areas within a 100 year flood zone shall be used or occupied, and structures shall be erected, reconstructed, enlarged, moved or structurally altered, only for a use specified in subsections a. and b. below.

a. Principal Uses. The following principal uses are permitted by right provided that all requirements of this Resolution have been met.

1. Agriculture,
2. Nature preserves.

b. Conditional Uses. The following are conditional uses that may be permitted in a 100 year flood zone provided they are approved for a particular zoning lot in accordance with the administrative procedures in Section 2300.

1. Golf Courses,
2. Parks and Playgrounds,
3. Plant Nursery,
4. Campgrounds.

1404   SPECIFIC CONDITIONS FOR USES IN 100 YEAR FLOOD ZONES.
All uses shall:

a.   Be so designed as not to reduce the water impoundment capacity of the flood plain or significantly change the volume or speed of the flow of water. Such design may be accomplished by the use of piles, stilts, cantilevering or other such construction methods which will place the desired building and structures above the determined flood elevation in a safe manner. The foundation and structural supports of buildings and structures shall be so designed to withstand the anticipated level, volume and velocity of the floodwaters and to minimize the impeding of the natural flow of the floodwaters.

b.   Be constructed under said conditional use permits so as to have minimum first floor elevation of not less that three (3) feet above the established flood plain.

c.   Be designed so as not to require back filling in the flood plain areas with any material in any manner, unless through compensating excavation and shaping of the flood plain. The flow and natural impoundment of the flood plain shall be maintained or improved so that no significant or measurable change in flow or reduction in impoundment capacity of the flood plain would thereby result.

d.   Be designed to accommodate utilities, roads, off-street parking, railroads, dams, rivers, structures and building for public or recreational uses, so as not to increase the possibility of flood or be otherwise detrimental to the public health, safety and welfare.

1405   TOWNSHIP LIABILITY.
Amherst Township shall incur no liability whatsoever by permitting any use or building within a 100 year flood zone within the Township.

1406   PERMITTED SIGNS.
The provisions of Article 1600 shall apply to all uses in a 100 year flood zone.

1407   OFF-STREET PARKING AND LOADING.
The provisions of Article 1700 shall apply to all uses in a 100 year flood zone.

1408   GENERAL REGULATIONS.
The provisions of Article 300 shall apply to all uses in a 100 year flood zone.

1409   CONSTRUCTION REQUIREMENTS.
All construction in a 100 year flood zone shall be done in accordance with local regulations currently in effect as adopted and amended.

REVISION HISTORY

Date	Section #	Description of Change	Req. By
7/10/01	ALL	Original Update	Twp. Trustees