

QUICKNOTES

Planning fundamentals
for public officials and
engaged citizens

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Integrating Hazard Mitigation into the Comprehensive Plan

The cardinal purpose of planning is to advance the public welfare. Because the overwhelming majority of American communities are subject to natural hazards, few can afford not to plan accordingly.

The Federal Emergency Management Agency (FEMA) has defined hazard mitigation as “the effort to reduce loss of life and property by lessening the impact of disasters.” Hazard mitigation planning follows a defined process of identifying hazards within the community, analyzing the risks posed by those hazards, establishing priorities for addressing those risks, and choosing specific actions that will mitigate those risks. A hazard mitigation plan should describe each of those steps and lay out both the actions to be taken and the means for achieving them. Ideally, it may also identify opportunities for accelerating those actions with post-disaster resources in the event that a disaster actually occurs. For example, a disaster may present the opportunity to buy out badly damaged properties in order to establish permanent open space in high-risk floodplains.

FEDERAL REQUIREMENTS

In 2000 Congress passed the Disaster Mitigation Act (DMA), which amended the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, the law that forms the cornerstone for federal involvement in responding to disasters. It marked a major shift in federal policy by requiring states and local governments to adopt a state or local hazard mitigation plan (LHMP) approved by FEMA in order to qualify for federal hazard mitigation grants, which fall into several different categories. Historically, the most important category has been the Hazard Mitigation Grant Program, available as a percentage of overall disaster aid following a presidential disaster declaration.

FEMA is responsible for promulgating rules in the Code of Federal Regulations that establish the terms for compliance with the goals of DMA. Plans must be updated every five years. Local plans may either serve a single local jurisdiction or multiple jurisdictions adopting the same regional plan; however, every jurisdiction must formally adopt the approved plan in order to be eligible for mitigation assistance. In short, Congress opted to insist on accountability through planning for the money it made available.

STATE REQUIREMENTS

Even before DMA, some states required hazard-related elements in local comprehensive plans in their state planning enabling legislation. In addition, some had other laws addressing specific hazards by laying out requirements affecting land use and building codes in hazardous areas. These are most common in the West (exemplified by California's requirement for a safety element in general plans) and in the Southeast (exemplified by Florida's requirements for a coastal element and post-disaster redevelopment plan in coastal jurisdictions). Altogether, 10 states that mandate comprehensive planning by localities also require that hazards be addressed in some form within those plans.

The big question is how those state planning requirements mesh with the federal requirements under DMA. In states without such mandates, local hazard mitigation plans are more often than not produced as stand-alone documents that are not coordinated well, or at all, with the provisions of the comprehensive plan. On the other hand, Florida has deliberately cultivated such coordination of local mitigation strategies (its term), and California has provided incentives for integrating the LHMP and safety element and meeting both sets of requirements in the same plan.

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Cedar Rapids, Iowa, is one of many communities affected by floods in recent years, but in 2010 the state adopted the Smart Planning Act, which includes hazards as one of 13 suggested elements in a local comprehensive plan and specifies that steps be chosen “after considering the local hazard mitigation plan approved by the Federal Emergency Management Agency.”



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IMPORTANCE OF THE COMPREHENSIVE PLAN

The problem with the prevalence of stand-alone hazard mitigation plans lies with the issue of implementation. Most natural hazards have geographic contours that can be mapped, with various levels of probability for events of specific levels of severity or frequency. The more clearly this is the case, the more clearly land-use controls and incentives are implicated as part of the solution in mitigating the hazard. This is most obvious with flooding issues, whether riverine or coastal (e.g., from coastal storms or tsunamis). Flood-zone maps are issued by the National Flood Insurance Program, but local jurisdictions can exceed its requirements with their own stipulations regarding elevation or buyouts. Other land-use issues may involve restrictions on building in wildfire-prone areas or on steep slopes prone to hillsides, as well as in areas near fault lines or subject to soil liquefaction during earthquakes. Perhaps the most problematic hazard involves tornadoes and high winds, but plans can address these to some extent through building codes and provisions for safe rooms and tie-downs.

What is important about the comprehensive plan in all this, however, is its legal status compared to the LHMP. The comprehensive plan, with some variation among states, is typically viewed by courts as a major policy document, and most state laws specify some degree of consistency between zoning and development decisions and the comprehensive plan. This gives the plan considerable weight in emphasizing a community's intent to implement the solutions it spells out, particularly with regard to development regulations. Stronger state laws with regard to such consistency make it all the more imperative that mitigation be addressed in the comprehensive plan in order to enhance the probability of successful implementation through local land-use codes.

Comprehensive plans are the domain of professional planners, while hazard mitigation plans have often been crafted by emergency managers. Integrating local hazard mitigation plans into the comprehensive planning process tends to ensure some degree of communication and collaboration between these professionals, producing interdisciplinary and interagency cooperation in local government that can pay substantial dividends in mutual empowerment and awareness. Both plans should provide ample opportunity for public involvement and comment, and the relationship between them should be a fertile area for citizen advocacy. When disaster strikes, emergency managers and planners will need to work together for a smooth transition from immediate response to long-term recovery. This will come far more easily if they have worked together in planning for that day.

PRINCIPLES OF INTEGRATION

Successful integration of hazard mitigation into the comprehensive plan involves a series of key points:

1. Include an element within the comprehensive plan that clearly addresses hazards. If possible, use the federally required LHMP as the foundation for that element or, better yet, make the element and the LHMP one and the same. Above all, don't reinvent the wheel in different departments or do the same work twice, and avoid contradictions between plans.
2. Identify in all other elements of the comprehensive plan those areas where hazard mitigation may play a role in advancing the overall goals of the plan. For instance, the transportation element may identify bridges that need to be elevated above flood stage; the land-use element may identify hazard-prone areas where at least some kinds of development should be limited or prohibited; and a historic preservation element may identify resources that need to be protected from floods or seismic shaking.
3. Establish the linkages between identified hazards in the hazard element and these specific opportunities, and cross-reference them to clarify where and how mitigation needs to address these problems.
4. If the plan has an implementation element, be sure that it includes specific provisions, such as financing and timing, for how mitigation solutions will actually be achieved, and by whom. Assign clear responsibilities, and identify the funding streams that are needed. Where the solutions involve code changes, lay out a timeline and responsibilities for moving them forward.

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