

NEW HAVEN CITY PLAN COMMISSION ADVISORY REPORT

RE: **FLOOD DAMAGE PREVENTION ORDINANCE**, Ordinance amendment to change the definition of substantial improvement within Title IV of the Code of Ordinances, Flood Damage Prevention Ordinance. (City Plan Director)

REPORT: 1512-10

ADVICE: Approval

BACKGROUND

Before the Board of Alders is an amendment to change the definition of Substantial Improvement within Title IV of the Code of Ordinances, Flood Damage Prevention Ordinance (Section 56 of the Zoning Ordinance). This Ordinance was last amended on July 5, 2013 (effective July 8, 2013) after the new Flood Maps and revised Flood Zone designations became effective on December 17, 2010. This Ordinance specifically refers to the final new Flood Maps and Flood Study and provides several definitions, including the definition for Substantial Improvement (Section 56, 2.1.38).

Within this ordinance, Substantial Improvement has been defined as “any combination of repairs, reconstruction, alteration, or improvements to a structure taking place during the life of a structure, in which the cumulative cost equals or exceeds fifty percent (50%) of the market value of the structure before the “start of construction” of the improvement.”

The City Plan staff propose to amend this definition as follows: “any combination of repairs, reconstruction, alteration, or improvements to a structure that has taken place over the past ten year period, in which the cumulative cost equals or exceeds fifty percent (50%) of the market value of the structure before the “start of construction” of the improvement.”

PLANNING CONSIDERATIONS

This amendment is necessary because nearly 70% of structures built in New Haven are more than 50 years old (based on Census data). Many are significantly older. The City’s electronic permitting system is unable to track building permits issued before 2000 and many older homes were improved without permits, making the calculation difficult, if not impossible.

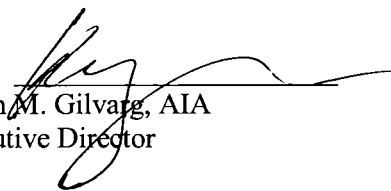
Property owners in coastal areas are unable to make further repairs or improvements to relatively old structures, because a lifetime look-back of the improvements made indicates that they have already exceeded the 50% threshold set forth in the current definition.

In addition, the City is working toward entering FEMA’s Community Rating System (CRS) program through which property owners in coastal areas could get up to a 40% discount on their flood insurance costs through the National Flood Insurance Program (NFIP). In order to enter this program, the City must enforce the Flood Damage Prevention Ordinance effectively and ensure that all properties in flood prone areas are appropriately protected from any potential flood hazards and continue to be eligible for flood insurance. The ten year look-back will ensure that accurate costs are used, without unduly burdening the property owner with difficult and sometimes unobtainable research responsibilities.

ADVICE

Approval.

ADOPTED December 15, 2015
Edward Mattison
Chair

ATTEST: 
Karyn M. Gilvarg, AIA
Executive Director