

City of New Haven

Master

165 Church Street
New Haven, CT 06510
(203) 946-6483 (phone)
(203) 946-7476 (fax)
cityofnewhaven.com

File Number: OR-2013-0022

File Number: OR-2013-0022	File Type: Ordinance	Status: Enacted
Version: 1	Reference: flood damage prevention	Controlling Body: Board of Aldermen
Requester: City Planning Department	Cost:	Introduced: 05/06/2013
File Name: amending the zoning ordinance entitled Flood Damage Prevention District with a zoning ordinance text amendment to Section 56 to bring the ordinance into compliance with national flood insurance program standards		Final Action: 07/01/2013

Title: ZONING ORDINANCE TEXT AMENDMENT TO SECTION 56 OF THE ZONING ORDINANCE ENTITLED FLOOD DAMAGE PREVENTION DISTRICT TO BRING THE ORDINANCE INTO COMPLIANCE WITH NATIONAL FLOOD INSURANCE PROGRAM STANDARDS

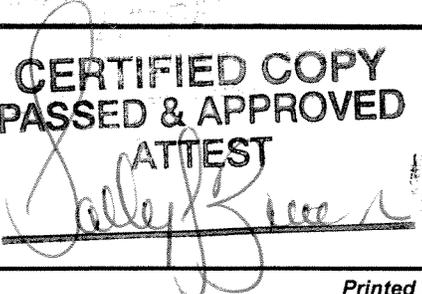
Notes:

Code Sections:	Agenda Date: 05/06/2013
Indexes:	Agenda Number:
Sponsors:	Enactment Date:
Attachments: Section 56 Amendment Letter 2013.doc, Section 56 Amendment 2013.doc, Sec 56 Amendment 2013 Fiscal Impact Statement.doc, Sec 56 Amendment 2013 Checklist.doc	Enactment Number:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Board of Aldermen	05/06/2013	Referred	Legislation Committee			
Verbose Action: Referred concurrently to City Plan Commission.							
1	Legislation Committee	05/30/2013	Favorable Report	Board of Aldermen			
1	Board of Aldermen	06/03/2013	Noted				
1	Board of Aldermen	07/01/2013	Approved				Pass
Notes: approved by roll call vote of 24-0							

**CERTIFIED COPY
PASSED & APPROVED
ATTEST**



City of New Haven

Signature

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**ZONING ORDINANCE TEXT AMENDMENT TO SECTION 56 OF THE
ZONING ORDINANCE ENTITLED FLOOD DAMAGE PREVENTION
DISTRICT TO BRING THE ORDINANCE INTO COMPLIANCE WITH
NATIONAL FLOOD INSURANCE PROGRAM STANDARDS**

WHEREAS, The State of Connecticut declared that municipalities adopt regulations to prevent flood damage; and

WHEREAS, The Board of Aldermen on May 28, 1980 amended the New Haven Zoning Ordinance to add a Flood Damage Prevention District; and

WHEREAS, The Board of Aldermen on June 4, 1998 and October 4, 2010 approved Amendments to Section 56 of the New Haven Zoning Ordinance entitled Flood Damage Prevention District and the Flood Damage Prevention Ordinance in accord with National Flood Insurance Program standards; and

WHEREAS, The City of New Haven is required by the State of Connecticut to make occasional changes in the Revised Flood Damage Prevention Ordinance, necessary to ensure that the Ordinance meets the minimum standards required for participation in the National Flood Insurance Program (NFIP); and

WHEREAS, Failure to update the City's Ordinance to comply with NFIP standards can result in FEMA sanctions, including suspension from the National Flood Insurance Program.

WHEREAS: Karyn M. Gilvarg, AIA, Executive Director of the New Haven City Plan Department, submitted to the Board of Aldermen an amendment to Zoning Ordinance Section 56; and

WHEREAS, on May 6, 2013, pursuant to Section 184 of the City of New Haven Charter, the Board of Aldermen referred the Petition to the New Haven City Plan Commission for a public hearing; and

WHEREAS, on May 28, 2013, the City Plan Commission held a public hearing on the Petition after providing due notice of such hearing in accordance with the provisions of law; and

WHEREAS, on May 28 2013, the City Plan Commission rendered an advisory report to the Board of Aldermen after considering the factors set forth in Section 64(d)(1) of the Zoning Ordinance recommending approval of the Petition, CPC Report No. 1479-01; and

WHEREAS, on May 30, 2013, the Legislation Committee of the Board of Aldermen after due notice held a public hearing on the Petition; and

NOW THEREFORE, BE IT ORDAINED by the Board of Aldermen of the City of New Haven that Section 56 of the New Haven Zoning Ordinance is hereby amended in accordance with the following text:

ZONING ORDINANCE: CITY OF NEW HAVEN, CONNECTICUT
Section 56. - Flood Damage Prevention District.

(a) Purpose. These districts exist to minimize the public and private losses due to flood conditions by controlling the uses, methods of construction, alteration of natural waterways and barriers, topographical features of land and erection of flood barriers.

(b) Authority. Section 7-148 of the Connecticut General Statutes, as amended.

(c) Flood Damage Prevention District maps. The Flood Damage Prevention District is an area of special flood hazard identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for New Haven County, Connecticut, dated July 8, 2013, and accompanying Flood Insurance Rate Maps (FIRM), dated July 8, 2013 (Panels 09009C0429J, 09009C0433J, 09009C0434J, 09009C0437J, 09009C0439J, 09009C0441J, 09009C0442J, 09009C0443J, 09009C0444J, 09009C0453J, 09009C0557J), and December 17, 2010 (Panels 09009C0426H, 09009C0427H, 09009C0428H, 09009C0436H, 09009C0461H, 09009C0556H) and other supporting data applicable to the City of New Haven, and any subsequent revisions thereto, are adopted by reference and declared to be a part of this ordinance. Since mapping is legally adopted by reference into this ordinance it must take precedence until such time as a map amendment or map revision is obtained from FEMA. The area of special flood hazard includes any area shown on the FIRM as Zones A, AE, and VE, including areas designated as a floodway on a FIRM. Zone VE is also identified as a Coastal High Hazard Area. Areas of special flood hazard are determined utilizing the base flood elevations (BFE) provided on the flood profiles in the FIS. BFEs provided on a FIRM are only approximate (rounded up or down) and should be verified with the BFEs published in the FIS for a specific location. The FIS and FIRM are on file with the City/Town Clerk.

(d) Subject activities. No zoning, building or other permit shall be issued for a building, use, structure, or development in the Flood Damage Prevention District unless a floodplain development permit has been issued in accordance with the provisions of the Flood Damage Prevention Ordinance of the City of New Haven, Connecticut.

(e) Uses permitted. Such uses as are allowed and in the same manner as the underlying zone shall be permitted in the Flood Damage Prevention District, within the restrictions of the Flood Damage Prevention Ordinance of the City of New Haven.

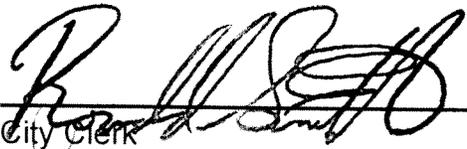
(f) Permit procedures. Application for a floodplain development permit shall be made to the Building Inspector, in accordance with the provisions of the New Haven Flood Damage Prevention Ordinance. Application shall be accompanied by a FEMA Elevation Certificate.

(g) Variances. The New Haven City Plan Commission (hereafter "Commission") shall hear and decide appeals and requests for a waiver from the requirements, in accordance with the standards of the New Haven Flood Damage Prevention Ordinance.

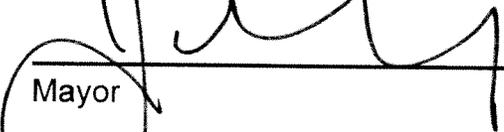
(h) Enforcement. The Commission or a designated agent thereof shall have the power to enforce this provision.

to enforce this provision.

(i) Fees. Each application submitted to the Commission for a Flood Damage Prevention variance shall be accompanied by a fee payable to the City of New Haven in accordance with section 17-22 of the Code of Ordinances of the City of New Haven.

Attest  Date 6/3/13
City Clerk

Signed  Date 7/1/13
City Clerk

Signed  Date 7/5/13
Mayor

Alternate Signature 1 _____ Date _____

Alternate Signature 2 _____ Date _____