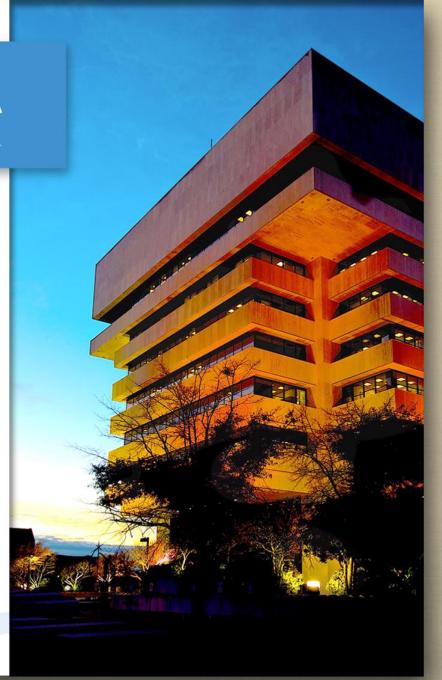
HAMPTON VA

ZOA #18-0227
(18-00002): Changes
to the Flood Zone
Ordinance

City Council July 11, 2018



Proposed Changes

- Section 9-34 District provisions additional language in sub-section (c) relative to permits for small projects
- Section 9-37 Definitions adding a definition for Regulatory flood protection elevation

Background

- Community Assistance Visit (CAV) conducted by FEMA in Nov. 2015
- Serious finding regarding permitting requirements for all development in the Special Flood Hazard Area.
- Code of Federal Regulations (44 CFR 59.1)
 defines "development" as any man-made change
 to improved or unimproved real estate
- Building code exempts "ordinary repairs" from permit requirement

Proposed Changes

- FEMA's position would have required permits/review for projects such as painting a wall, installing a cabinet, installing a mailbox
- Hampton worked with HRPDC and our 16 neighboring jurisdictions to come up with a reasonable approach
- Many months of meetings/phone calls RAD process emerged

What is a RAD process?

- Review Assess Document
- Pre-approved list, by FEMA, of development considered compliant; no permit needed
- Same items that are exempt from building code
- If substantial improvement, permits are required
- Codifies process, FEMA removed serious finding

Definition Change

- Current ordinance (model ordinance) refers to Regulatory flood protection elevation, no definition
- New definition, agreed to by FEMA
- Not a substantive change

Action Requested

Staff recommends approval of Zoning Ordinance Amendment 18-0227 (18-00002)

Planning Commission recommends approval of Zoning Ordinance Amendment 18-0227 (18-00002)