

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
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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
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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)