

2013 JUL 15 10:53
Zoning Regulations Amendment 13-938 53
Amendment to Flood Plain Zones and Special Flood Hazard Areas
Adopted as Amended by the Planning and Zoning Commission 7/2/13
Effective Date: 7/8/13

Section 726 Zoning Board of Appeals

Deleted: 726.4 Flood Damage Prevention Variances (see Article VII, Section 726.4)

Page 42 Remove the following text:

430 Flood Plain Zones and Special Flood Hazard Areas: Current Text:

430.1 Applicability

Deleted:

These regulations shall apply to all Special Flood Hazard Areas within the jurisdiction of the Town of Hamden. These regulations shall apply to all special flood hazard areas (SFHA) within the jurisdiction of the Town of Hamden. The special flood hazard areas identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for New Haven County, Connecticut, dated December 17, 2010, with accompanying Flood Insurance Rate Maps (FIRM), dated December 17, 2010, and other supporting data applicable to

the Town of Hamden, and any subsequent revisions thereto, are adopted by reference and declared to be a part of this regulation. Since mapping is legally adopted by reference into this regulation it must take precedence when more restrictive until such time as a map amendment or map revision is obtained from FEMA. The SFHA includes any area shown on the FIRM as Zones A and AE, including areas designated as a floodway on a FIRM. SFHAs are determined utilizing the base flood elevations (BFE) provided on the flood profiles in the Flood Insurance Study (FIS) for a community. BFEs provided on Flood Insurance Rate Map (FIRM) are only approximate (rounded up or down) and should be verified with the BFEs published in the FIS for a specific location.

Added:

These regulations shall apply to all Special Flood Hazard Areas (SFHA) within the jurisdiction of the Town of Hamden. The Special Flood Hazard Areas identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for New Haven County, Connecticut, dated July 8, 2013, with accompanying Flood Insurance Rate Maps (FIRM), dated July 8, 2013 (Panels 09009C0294J, [09009C0429J], 09009C0432J, 09009C0433J, 09009C0434J, 09009C0451J) and December 17, 2010 (Panels 09009C0280H, 09009C0283H, 09009C0284H, 09009C0290H, 09009C0291H, 09009C0292H, 09009C0293H, 09009C303H, 09009C311H, 09009C426H, 09009C427H,

TOWN CLERK
HAMDEN, CT

Zoning Regulations Amendment 13-939

2013 JUL -2 2:30
Amendment to add Review by Independent Consultants
Adopted as Amended by the Planning and Zoning Commission 6/11/13

Effective Date: 7/8/13

REC'D AND FILED BY

Section 718 Special Permits and Procedures

add:

718.2.i Review by Independent Consultants

On any application the Commission, may retain outside consultants to be paid by the applicant, for specialized technical reviews when it finds the size, complexity or potential impact of the proposed use or activity requires specialized assistance and expertise, in accordance with the following procedure:

1. This payment shall be made to the Town prior to the review commencing and the decision being rendered on the application.
2. The consultant(s) will work under the supervision of the Town Planner.
3. Copies of the consultant's findings and reports shall be made available to the applicant not less than seven (7) days prior to any meeting of the Commission to consider the consultant's report(s), and the applicant as well as the public in general shall be given the opportunity to respond to said report in writing and at the next hearing, when the consultant's report will be considered.
4. Failure to pay the reviewer's charges shall be grounds for denial of the application.
5. Payment of any outstanding balance in the consultant fees shall be a condition of approval of any application and no final approval shall be recorded on the Town of Hamden Town Clerk's Land Records until such amount is paid in full.

09009C431H), and other supporting data applicable to the Town of Hamden, and any subsequent revisions thereto, are adopted by reference and declared to be a part of this regulation. Since mapping is legally adopted by reference into this regulation it must take precedence when more restrictive until such time as a map amendment or map revision is obtained from FEMA. The SFHA includes any area shown on the FIRM as Zones A and AE, including areas designated as a floodway on a FIRM. SFHAs are determined utilizing the base flood elevations (BFE) provided on the flood profiles in the Flood Insurance Study (FIS) for a community. BFEs provided on Flood Insurance Rate Map (FIRM) are only approximate (rounded up or down) and should be verified with the BFEs published in the FIS for a specific location.

Section 430

430.3.1. General Standards

Deleted:

When any new development or substantial improvement is located wholly or partially in a designated flood plain zone as shown on the Zoning Map of Hamden, or wholly or partially within a Flood Hazard Area, Zones A, A-1 through 30, as shown on the Community Flood Insurance Rate Map, all new construction and/or substantial improvements shall be constructed:

Added:

When any new development or substantial improvement is located wholly or partially in a designated flood plain zone as shown on the Zoning Map of Hamden, or wholly or partially within a Flood Hazard Area, Zones [A and AE], as shown on the Community Flood Insurance Rate Map, all new construction and/or substantial improvements shall be constructed:

Section 430

430.5 Application, subsection e.

Deleted:

e. F.E.M.A., the D.E.P., adjacent communities and the Regional Planning Agency must be notified of any alteration.

Added:

e. F.E.M.A., the D.E.E.P, adjacent communities and the Regional Planning Agency must be notified of any alteration.

Section 726

726.4 Flood Damage Prevention Variances

Deleted:

To hear and decide variance in accordance with Section 430 (Flood Plain Zones and Special Flood Hazard Areas) of the Hamden Zoning Regulations, adopted on December 7, 2009, effective January 1, 2010, as amended. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result. For variances which are granted allowing the construction of fully enclosed areas below base flood elevation (BFE), the resulting structure must conform to minimum federal standards of the National Flood Insurance Program cited in 44 CFR 60.3 (c) (5) for such areas below BFE. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation (BFE), and that the cost of flood insurance will be commensurate with the increased risk resulting from the lowest floor elevation.

Added:

To hear and decide variance in accordance with Section 430 (Flood Plain Zones and Special Flood Hazard Areas) of the Hamden Zoning Regulations, adopted on December 7, 2009, effective January 1, 2010, as amended. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result. For variances which are granted allowing the construction of fully enclosed areas below base flood elevation (BFE), the resulting structure must conform to minimum federal standards of the National Flood Insurance Program cited in 44 CFR 60.3 (c) (5) for such areas below BFE. Any applicant to whom a variance is granted[, **except a variance allowing a fully enclosed area below base flood elevation,**] shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation (BFE), and that the cost of flood insurance will be commensurate with the increased risk resulting from the lowest floor elevation.

Section 830

Defined Terms

Deleted:

Basement: A story of a building wholly or partially below grade and having a clear floor-to-ceiling height of not less than 6½ feet.

Added:

Basement: A story of a building wholly or partially below grade and having a clear floor-to-ceiling height of not less than 6½ feet. [For Floodplain management purposes, any area of the building having its floor subgrade (below ground level) on all sides.]

Deleted:

Special Flood Hazard Area: The land in the flood hazard areas within Hamden subject to a 1% or greater chance of flooding in any given year as delineated on the Flood Insurance Rate Maps dated June 15, 1979, as revised.

Added:

Special Flood Hazard Area: The land in the flood hazard areas within Hamden subject to a 1% or greater chance of flooding in any given year as delineated on the Flood Insurance Rate Maps dated July 8, 2013, as revised.

Deleted:

Substantial Improvement: Any combination of repairs, re-construction, alteration, or improvements to a structure taking place over a 1-year period, in which the cumulative cost equals or exceeds 50% of the market value of the structure. For purposes of this definition, "Substantial Improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

The term does not, however, include either: any project for improvement of a structure to comply with existing State or local health, sanitary, or safety code specifications which are solely necessary to insure safe living conditions or any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

The cost of any reconstruction, rehabilitation, addition, alteration, repair or other improvement of a structure shall be established by a detailed written contractor's estimate. The estimate shall include, but not be limited to: the cost of materials (interior finishing elements, structural elements, utility and service equipment); sales tax on materials, building equipment and fixtures, including heating and air conditioning and utility meters; labor; built-in appliances; demolition and site preparation; repairs made to damaged parts of the building worked on at the same time; contractor's overhead; contractor's profit; and grand total. Items to be excluded include: cost of plans and specifications, survey costs, permit fees, outside improvements such as septic systems, water supply wells, landscaping, sidewalks, fences, yard lights, irrigation systems, and detached structures such as garages, sheds, and gazebos.

Added:

Substantial Improvement: Any combination of repairs, re-construction, alteration, or improvement to a structure taking place over a 1-year period, in which the cumulative cost equals or exceeds 50% of the market value of the structure before the "start of construction" of the improvement. This term includes structures that have incurred "substantial damage", regardless of the actual repair work performed. For purposes of this definition, "Substantial

Improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either: any project for improvement of a structure to correct existing State or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions or any alteration of a "historic structure" listed on the National Register of Historic Places or a State Inventory of Historic Places, provided that the alteration will not preclude the structure's continued designation as a "historic structure".

The cost of any reconstruction, rehabilitation, addition, alteration, repair or other improvement of a structure shall be established by a detailed written contractor's estimate. The estimate shall include, but not be limited to: the cost of materials (interior finishing elements, structural elements, utility and service equipment); sales tax on materials, building equipment and fixtures, including heating and air conditioning and utility meters; labor; built-in appliances; demolition and site preparation; repairs made to damaged parts of the building worked on at the same time; contractor's overhead; contractor's profit; and grand total. Items to be excluded include: cost of plans and specifications, survey costs, permit fees, outside improvements such as septic systems, water supply wells, landscaping, sidewalks, fences, yard lights, irrigation systems, and detached structures such as garages, sheds, and gazebos.

TOWN CLERK
HAMDEN, CT

REC'D AND FILED
ZONING REGULATIONS AMENDMENT 14-941
AMENDMENT TO STUDENT HOUSING
ADOPTED BY THE PLANNING AND ZONING COMMISSION 4/22/14
EFFECTIVE DATE: 5/15/14

Section 670 Student Housing

ADD:

Section 670.5 Temporary Moratorium on the Issuance of Zoning Permits for Student Housing

1. In order to provide the Planning and Zoning Commission with adequate time to assess the impact of off-campus student housing on the health, safety and welfare of Hamden residents, and to adopt more appropriate regulations, a temporary, one-year, moratorium on the issuance of Zoning Permits for Student Housing is imposed from the effective date of this amendment

The moratorium applies to applications for new zoning permits submitted under the provisions of Sections 670 through 670.4, with the exception of ones for students living with one or more parents or legal guardians.

2. Dormitories administered by educational institutions, as described in Article VIII. Definitions and Abbreviations, are not subject to the Moratorium.
3. Applications for annual renewals of existing Zoning Permits for Student Housing are not subject to the Moratorium provided the renewal registration forms and fees are received by August 1, 2014.
4. The moratorium may be removed prior to the end of the one year period by an amendment to the Zoning Regulations.