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January 31, 2013

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**MAYOR BLOOMBERG ANNOUNCES NEW MEASURES TO ALLOW HOME AND PROPERTY OWNERS REBUILDING AFTER HURRICANE SANDY TO MEET UPDATED FLOOD STANDARDS**

*Executive Order Waives Height Restrictions so Buildings Can Meet Higher Flood Standards*

*Emergency Rule Raises Minimum Elevation Requirements to Better Protect New Construction*

Mayor Michael R. Bloomberg today announced new measures that New York City has put in place to allow home and property owners who are rebuilding after Hurricane Sandy to meet new flood standards without violating current zoning codes. The Mayor signed an emergency executive order to suspend height and other restrictions so that buildings can meet new flood elevation standards. The City also adopted a new rule to increase the required minimum flood proofing elevation so that substantially damaged buildings and other new construction are built to withstand greater flood risk. The measures also should help New Yorkers limit the cost of future Federal flood insurance premiums by better protecting properties in flood-prone areas from risk and damage. The measures follow the release of new data from the Federal Emergency Management Agency (FEMA), which published the first of two phases of updated Advisory Base Flood Elevation maps on Monday. The maps contain the best currently available information about coastal flood risk and provide guidance on how to rebuild safely. The Mayor first announced that the City would adjust construction requirements as new flood data became available in an address about rebuilding after Hurricane Sandy in December.

"As a coastal City, our geography has required us to take extra precautions to protect homes and businesses from the risks that come with being close to the ocean, and climate change is increasing and accelerating those risks," said Mayor Bloomberg. "We are beginning the process of updating our Building Code and zoning regulations so that new construction meets standards that reflect the best available data about flood and climate risks. This is particularly important for homes and businesses damaged or destroyed by Hurricane Sandy – and the rules we are putting in place today will enable them to rebuild and re-open safely."

"Homeowners need to be able to rebuild to sound flood protection standards without facing conflicts with current zoning regulations," said City Planning Commissioner Amanda M. Burden. "This limited and targeted suspension of zoning regulations in the flood zones shown on the newly issued FEMA flood-risk maps will help ensure that new and rebuilt homes and businesses and other buildings will be safeguarded from coastal flood waters."

"These measures will ensure that homes and businesses throughout New York City's flood-prone areas are built stronger and safer than ever before," said Buildings Commissioner Robert LiMandri. "As our climate continues to change, so must our regulations in order to protect our buildings against the impacts of the next storm. These critical changes to the Building Code and Zoning Resolution will allow thousands of New Yorkers to rebuild the same home they had prior to Hurricane Sandy – only much more resistant to flood damage."

Since 1983, New York City's Building Code has contained flood proofing requirements for buildings in FEMA-designated flood hazard areas. A key provision of these requirements is that new or substantially altered buildings must elevate their lowest finished floor or flood proof up to the 'Base Flood Elevation' indicated on the FEMA flood map. During the storm, buildings constructed to meet code standards fared significantly better than buildings that were built before they were in place, demonstrating the importance of these standards to flood protection. Still, Hurricane Sandy brought unprecedented flooding that was several feet higher – and extended over a larger area – than the base flood elevations estimated by FEMA prior to the storm.

FEMA released its Advisory Base Flood Elevation (ABFEs) maps for portions of New York City impacted by Hurricane Sandy on Monday – the first significant update to these data since 1983. The maps contain the best available information on flood hazard zones and the elevation buildings should meet to be protected from damage. Based on these FEMA advisory elevations, some new and reconstructed buildings would be elevated to heights above the current zoning limits. Without the executive order, a number of existing and new buildings would not be able to be built in compliance with the FEMA-recommended elevations without creating conflicts with current zoning height limits and other requirements. The executive order suspends those limits so that those who need to build now can meet the new advisory elevations. Existing buildings can be reconstructed or retrofitted to meet the new advisory elevations, and new buildings can be built to adhere to these standards as well. The executive order also allows the reconstruction of many destroyed or severely damaged buildings that could not otherwise be rebuilt as they existed before the storm because of inconsistencies with current zoning requirements, provided that these buildings are flood proofed to the new FEMA

advisory elevations. The emergency suspension is necessary for property owners who need to make immediate rebuilding decisions, because the process of changing zoning limits takes many months. The City will proceed to introduce permanent zoning changes through the land use review process in the coming months.

The emergency rule will also encourage building to better flood protection standards by increasing the minimum elevation requirements for buildings located in at-risk areas. New construction or buildings with substantial damage in need of repair must protect the structures by building at least one foot above the flood elevation currently required in the building code. The added elevation will provide a further margin of safety from potential flood damage, serve to enhance life safety and reduce property loss.

These measures will also help New Yorkers prepare for and potentially reduce Federal flood insurance premiums. This is particularly important for New Yorkers, because, following the July 2012 Congressional reauthorization of the National Flood Insurance Program, FEMA will be phasing out subsidized premiums, meaning that premiums going forward will be more reflective of the actual risks faced by insured buildings. Therefore, premiums will be lower for buildings that comply with recommended FEMA standards than for buildings that do not.

Over the course of the coming months, the Administration, working with the federal government and others, will be seeking to put in-place programs that may assist property owners with compliance with the new recommended elevations. While the order enables property owners who wish to rebuild now to do so, owners who elect to build at a later date may be able to utilize these additional resources.

A copy of the Mayor's executive order and rule are available on [www.nyc.gov](http://www.nyc.gov).

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### **Department of City Planning**

The Department of City Planning (DCP) promotes strategic growth, transit-oriented development, and sustainable communities in the City, in part by initiating comprehensive, consensus-based planning and zoning changes for individual neighborhoods and business districts, as well as establishing policies and zoning regulations applicable citywide. It supports the City Planning Commission and each year reviews more than 500 land use applications for actions such as zoning changes and disposition of City property. The Department assists both government agencies and the public by providing policy analysis and technical assistance relating to housing, transportation, community facilities, demography, waterfront and public space.