CONSIDERATIONS FOR LAND USE REGULATION IN LIGHT OF CLIMATE ADAPTATION

Source: Insurance Journal

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Subdivision Regulations: The Requirement to Approve an “Island” Without the “Bridge”

Source: www.amusingplanet.com
Subdivisions

- Presumption of safety for residents when land is subdivided
  Including egress during major storm events
- Court rulings have restricted communities ability to require certain improvements.

Source: www.mirror.co.uk
Subdivisions

• Can “discontinue” a public road but not block public access
• Review under Flood Zone Regulations and Coastal Area Management Act
Subdivisions

- Expand allowable contributions from developers to include improved emergency access similar to fees in lieu of open space or parking

Source: wunc.org
Zoning Regulations: The Issues of Building Height, Expansion, Location
Zoning

- Balancing local zoning height restrictions with the need to elevate
- FEMA, Base Flood Elevation and building height
Zoning

Regulatory options and questions

Source: US Coast Guard

Source: freebeacon.com
Zoning Boards of Appeals and “Variances” Under the Flood Zone Model Regulations

Source: tjelser.wordpress.com
The State’s model Flood Zone Regulations provide for “variances” in both coastal and inland locations.

Specific situation variances
Zoning Boards of Appeals

- Considerations for granting of variances
- Conditions for variances
Zoning Boards of Appeals

- What does it mean? Sorting it all out- dominant criteria, definition of variance, and more

Source: www.dailymail.co.uk
Zoning Boards of Appeals

MacKenzie v. Planning & Zoning Commission

Source: Bing maps
Zoning Boards of Appeals

Verillo v. Zoning Board of Appeals of Town of Branford

Source: Bing maps
Zoning Boards of Appeals

347 Humphrey St. LLC v. Board of Zoning Appeals of New Haven

Source: Bing maps
Zoning Boards of Appeals

What’s the bottom line?

Source: nydailynews.com
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QUESTIONS?

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