

# Floodway Coalition of Houston Position

## Houston Building Code Chapter 19

The city's failure to maintain and upgrade the under funded and derelict drainage system is the reason the city is flooding. The city has a responsibility that far exceeds writing an oppressive ordinance as the "fix" for flooding. Houstonians whose properties have been placed within the boundaries of a theoretical arbitrarily designed flood map are not culpable for the city's flooding. Sixty percent of all Allison's flood damaged occurred outside of any flood hazard zone. Floodway property owners will not shoulder the resulting loss of the city's dereliction of its duty.

**Legislative changes must be made to the ordinance. Administrative guideline changes are unacceptable. Our property rights must be restored and protected with the force of law.**

### **Those changes must include:**

1. The Ch 19 mission statement must include protection for the property rights for those citizens who own property in the flood hazard zones as well as the protection of the floodplain.
2. Use accurate data reflecting the number of properties flooded and the dollars spent on flood damage as the basis for decision making. Eliminate the use of the CRS as a benchmark.
3. Allow build out of vacant land using fiscally reasonable regulations which have the backing of solid engineering.
4. Eliminate the 10 year accumulation of substantial improvement and repair provision. Establish a process that uses a permit by permit basis, per flood event at 50% damage to the structure, which is the FEMA minimum. Define substantial damage to include ONLY FLOODING.
5. Use appropriate maps based on actual data reflecting real flood prone areas; currently Harris County uses these maps for their building codes, which FEMA has approved. Eliminate the use of the theoretical FIRMs which have included a multitude never flooded properties. If the city is truly interested in addressing flood prone properties the least they could do is actually find them.
6. Use a compensation formula for any floodway properties that the city proposes to acquire that equals full market value for floodway properties as established by matching comparable property values for properties outside the flood hazard zone prior to any catastrophe.
7. Enforcement and tracking of any detention basins both past and future. We know that there are those that have never been built at all, and PWE has clearly admitted that they do not track or monitor if they were or; if they are continuing to function.
8. The drainage system should be repaired and upgraded. It should accommodate off-line in ground detention as well as any other solidly engineered solutions. It should guard our city from flooding. Recently, one of the Memorial area Villages installed a drainage system that will protect their community against a 100 year storm. HCFC helped them fund it.
9. Include floodway property owners for ANY and ALL Flood and Drainage related meetings. Institute a campaign of widespread input and education of the flood hazard zone property owners for any and all current and future policy changes to the flooding and drainage laws and regulations. Use the same processes as used for Safe Clear and the Red Light Camera campaigns.