

*DRAFT WARRANT ARTICLE*  
*For Submission to the Board of Selectmen for ATM 2014*

**Article ## - Zoning: Flood Insurance Rate Map (FIRM)**  
**and Flood Insurance Study (FIS) Changes**

~~Strikethrough~~ indicates language proposed for deletion

Underline indicates language proposed for inclusion

***Bold Italicized Words*** are defined in the existing Bylaw

To see if the Town will vote to amend its Protective (Zoning) Bylaw, **Section II., Definitions, Subsection B.**, as follows:

45. **“FLOOD HAZARD AREA”** means the land in the flood plain subject to a one percent (1%) or greater chance of flooding in any given year. It includes those areas shown on the ~~Flood Insurance Rate maps (dated January 1998) prepared by the Federal Emergency Management Agency as Zones A, AO, AH, A1, A30, A99, V and V1-V30.~~ Barnstable County Flood Insurance Rate Maps, prepared by the Federal Emergency Management Agency for the Town of Chatham dated July 16, 2014. (5/11/98 ATM) (ATM 5/12/14)

Also amend, **Section IV., Subsection A. Conservancy Districts, Paragraph 4. Prohibited Uses, sub-paragraph e.** as follows:

- e. No person shall construct any building in ~~Zones V and V1-30~~ Zone VE, as defined on the Flood Insurance Rate Maps, prepared for the Town of Chatham by the ~~National Flood Insurance Program~~ for Federal Emergency Management Agency for the Town of Chatham, dated June 20, 1998 for Barnstable County, dated July 16, 2014. ~~(5/11/98 ATM) (5/12/14 ATM)~~

Also amend, **Section IV., Subsection A. Conservancy Districts, Paragraph 5. Location, sub-paragraph a.1.** as follows:

- a. The Coastal Conservancy Districts shall consist of all the *submerged lands* along the coast of Town, and areas subject to flooding including:
1. Areas delineated as the 100-year flood plain (Zones A, ~~AO, AH, A1-30, A99, V and V1-30E~~ and VE) on the Barnstable County Flood Insurance Rate Maps, prepared by the ~~National Flood Insurance Program~~ Federal Emergency Management Agency for the Town of Chatham dated June 20, 1998 July 16, 2014 (or as most recently amended.) ~~(12/2/91 STM) (ATM 5/12/14)~~

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Also amend, **Section IV., Subsection B. Flood Plain District, Paragraph 3. District Location** as follows:

**3. District Location**

The Flood Plain District is herein established as an overlay district. The District includes all special flood hazard areas ~~designated on the Flood Insurance Rate Maps (FIRM) for the Town of Chatham dated June 20, 1998 (or as most recently amended) as Zones A, AE, AH, AO, A1-30, A99, V and V1-30. These maps, as well as the accompanying Town of Chatham Flood Insurance Study are incorporated herein by reference and are on file with the Planning Board, Town Clerk and the Building Inspector.~~ within the Town of Chatham designated as Zone AE or VE on the Barnstable County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The map panels of the Barnstable County FIRM that are wholly or partially within the Town of Chatham are panel numbers 25001C0609J, 25001C0616J, 25001C0617J, 25001C0626J, 25001C0627J, 25001C0628J, 25001C0629J, 25001C0631J, 25001C0633J, 25001C0636J, 25001C0637J, 25001C0638J, 25001C0639J, 25001C0641J, 25001C0850J, and 25001C0875J dated July 16, 2014. The exact boundaries of the District may be defined by the 100-year base flood elevations shown on the FIRM and further defined by the Barnstable County Flood Insurance Study (FIS) report dated July 16, 2014. The FIRM and FIS report are incorporated herein by reference and are on file with the Town Clerk, Planning Board, and Building Inspector

Also amend, **Section IV., Subsection B. Flood Plain District, Paragraph 4. Development Regulations**, sub-paragraph **d.** and sub-paragraph **g** and insert sub-paragraph **k.** as follows:

**4. Development Regulations**

- d. In unnumbered A zones, in the absence of ~~Federal Insurance Administration~~ Federal Emergency Management Agency base flood elevation data, the **base flood** elevations shall be determined by obtaining, reviewing and reasonably utilizing any existing **base flood** elevation data from federal, state or other sources.
- g. In all **new construction** and **substantial improvements** within Zones ~~V1-30, VE and V~~ the space below the **lowest floor** must either be free of obstruction or constructed with non-supporting breakaway walls, open wood lattice-work, or insect screening intended to collapse under wind and water loads without causing collapse, displacement, or other structural damage to the elevated portion of the **building** or supporting foundation system. For the purposes of this section, a breakaway wall shall have a design safe loading resistance of not less than ten (10) and no more than twenty (20) pounds per square foot. Use of breakaway walls which exceed a design safe loading resistance of twenty (20) pounds per square foot (either by design or when so required by local or State

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codes) may be permitted only if a registered professional engineer or architect certifies that the designs proposed meet the following conditions:

- k. In Zone AE, along watercourses that have not had a regulatory floodway designated, the best available Federal, State, local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

Or take any other action in relation thereto

(Planning Board)

Motion: By, \_\_\_\_\_, \_\_\_\_\_

I move that the Town vote to amend its Zoning Bylaw as printed in the Warrant for **Article #**.

Speaker: \_\_\_\_\_

**Explanation:**

The Federal Emergency Management Agency (FEMA) has concluded the update process for the Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) for Barnstable County. This Article proposes to change references in the Zoning Bylaw to comport with the recently issued FIRM and FIS documents. FEMA requires the use of these new maps starting on July 16, 2014. Implementing the proposed changes in this Article will enable the Town to continue its participation in the National Flood Insurance Program (NFIP) which was created in 1968 to help reduce the costs to taxpayers of federal disaster relief for flooding. Additionally, adoption of the new maps ensures that the Town remains eligible for certain hazard mitigation grant funding and disaster relief funding. In order for residents of a community to be eligible to receive flood insurance, the community must continue to meet the NFIP's minimum requirements for floodplain management.