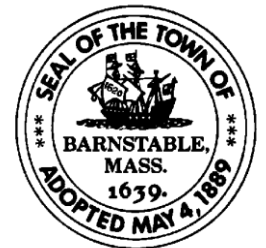


# Floodplain District Amendment

Town Council  
March 17, 2022



# National Flood Insurance Act

- Established by Congress in 1968
- Created the National Flood Insurance Program (NFIP)
  - Provides flood insurance to property owners, renters and businesses
  - Works with communities required to adopt and enforce floodplain management regulations in order to help mitigate flooding effects

# National Flood Insurance Program (NFIP)

- Barnstable became a NFIP community in 1976
- Title 44 of the Code of Federal Regulations (CFR) defines NFIP requirements
- Rules are defined by Congress and FEMA administers the program
- State federally-mandated floodplain protection provisions are defined in regulations including:
  - *Building Code, Environmental Code, Wetlands Regulations, and Drinking Water Regulations*

# National Flood Insurance Program (NFIP)

- Each NFIP community must also have local regulations that describe and direct development within floodplains
- The Town of Barnstable's rules are established within the Floodplain District Ordinance

## Chapter 240. Zoning

### Article III. District Regulations

#### § 240-34. Floodplain District.

[Amended 5-22-2014 by Order No. 2014-126]

A Floodplain District is herein established within the Town of Barnstable. The district includes all special flood hazard areas within the Town designated as Zone AE, AO, 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 Barnstable are Panel Numbers 25001C0532J, 25001C0533J, 25001C0534J, 25001C0537J, 25001C0539J, 25001C0541J, 25001C0542J, 25001C0543J, 25001C0544J, 25001C0551J, 25001C0552J, 25001C0553J, 25001C0554J, 25001C0556J, 25001C0557J, 25001C0558J, 25001C0559J, 25001C0561J, 25001C0562J, 25001C0563J, 25001C0564J, 25001C0566J, 25001C0567J, 25001C0568J, 25001C0569J, 25001C0752J, 25001C0754J, 25001C0756J, 25001C0757J and 5001C0776J, effective date July 16, 2014. The exact boundaries of the district may be defined by the one-hundred-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, Building Commissioner, and Engineering Department.

Permits for new construction, alteration of structures, or other development (any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations), at or below the base flood elevation as specified with the A and V Zones as determined by the Flood Insurance Study and designated on the special FEMA Flood Insurance Rate Maps, shall be approved subject to the following:

- A. New construction or substantial improvement (repair, construction or alteration costing 50% or more of the market value of the structure before improvement, or if damaged, before damage occurred) of residential structures shall have the lowest floor (including basement) elevated to not less than base flood elevations. New construction or substantial improvement of nonresidential structures shall either be similarly elevated or, together with attendant utility and sanitary facilities, be floodproofed to not less than base flood elevations.

# Model Bylaw



**2020 MA State  
Model Floodplain Bylaw**  
**Questions & Answers for Local Officials**

DCR Flood Hazard Management Program

# Summary of the Text Amendment

- No modifications are proposed to the Flood Insurance Rate (FIRM) map
- Defining the purpose of the Floodplain District
- Establishing the Building Commissioner as the official Floodplain Administrator for the Town
- Incorporation of definitions
- *This effort was achieved through close coordination with the Barnstable County Floodplain Specialist & Community Rating System (CRS) Coordinator to ensure that all applicable modifications have been made in order to comply with the updated NFIP requirements*

# Town Council Item 2022-073

- Introduction at Town Council
- **Planning Board**      *Public Hearing*

- Town Council      *Public Hearing*

- **Vote:** *“No zoning ordinance or amendment thereto shall be adopted or changed except by a two-thirds vote of all the members of the Town Council”*