

Why a new Town Zoning Bylaw “Floodplains Overlay District”?

- The Department of Homeland Security’s Federal Emergency Management Agency (FEMA) recently completed a revision to the countywide Flood Insurance Study (FIS) report and Flood Insurance Rate Map (FIRM) for Plymouth County, Massachusetts (All Jurisdictions), in compliance with Title 44, Chapter I, Part 67, Section 67.11, Code of Federal Regulations (CFR).
- effective as of July 3, 2024, and revise the FIRM which was in effect prior to that date.
- necessary for your community to update your floodplain management ordinances to reflect the new FIRM effective date as a condition of continued eligibility in the National Flood Insurance Program (NFIP).
- ***Communities that fail to enact*** the necessary floodplain management regulations will be suspended from participation in the NFIP and subject to the prohibitions contained in Section 202(a) of the Flood Disaster Protection Act of 1973 (Public Law 93-234) as amended. See also 44 CFR Part 59.24

The Massachusetts Flood Hazard Management Program has developed a [model Floodplain Bylaw/Ordinance](#) that identifies required and recommended language. The model includes minimum state requirements (building code, wetlands and others) that apply in the SFHA. *(Example of part of the State's presentation below and URL where whole presentation deck can be viewed.)*

9. Subdivision proposals

All subdivision proposals and development proposals in the floodplain overlay district shall be reviewed to assure that:

- (a) Such proposals minimize flood damage.
- (b) Public utilities and facilities are located & constructed so as to minimize flood damage.
- (c) Adequate drainage is provided.

Review subdivision proposals and development proposals to assure that:

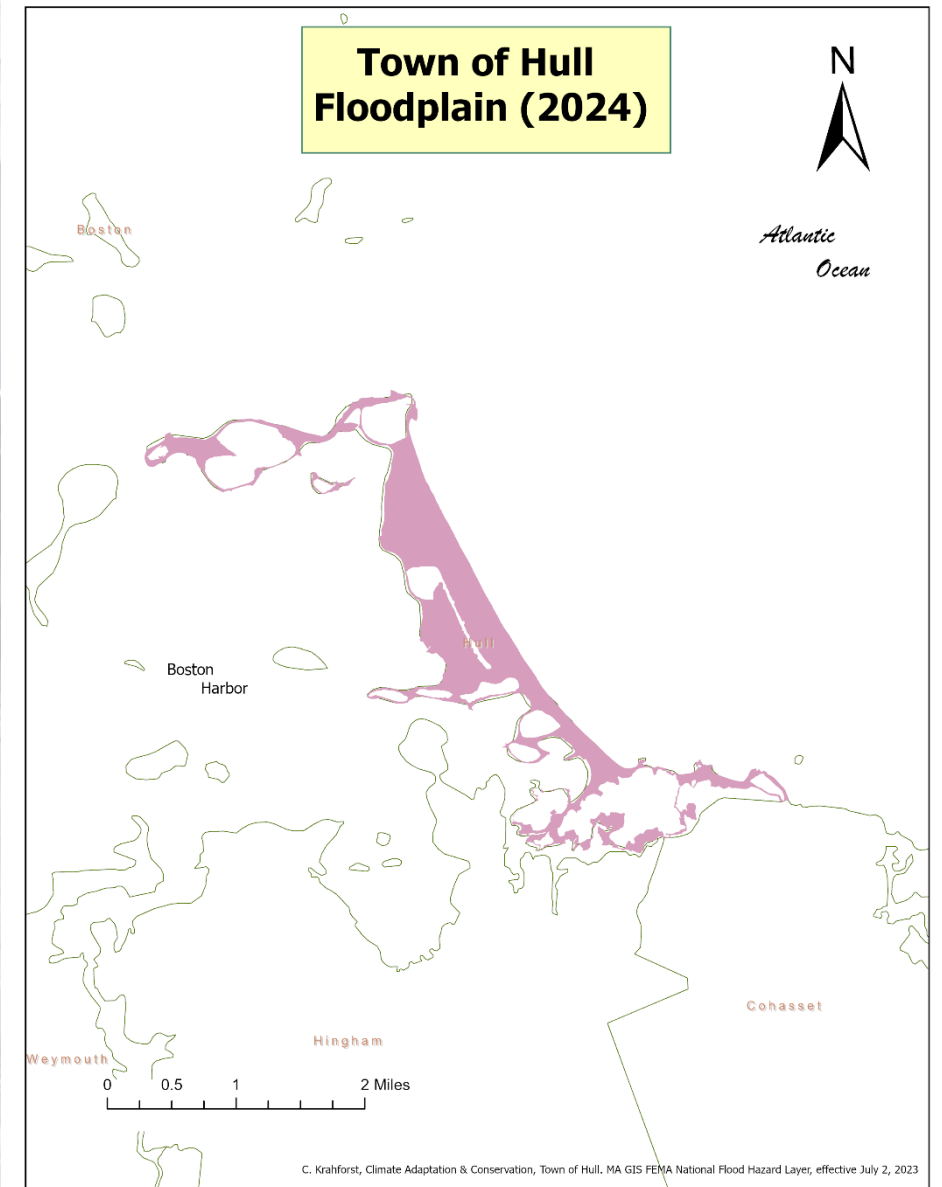
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[44CFR 60.3(a)(4) (I thru iii)]

<https://www.mass.gov/doc/2020-model-floodplain-bylaw-slide-deck-with-notes/download>

What does this mean for the Community?

- Floodplains Permit required for activities within the floodplain overlay district (essentially a mechanism that coordinates *already* required permitting for development in the floodplain).



What is new?

- Residents and developers become aware of future flood risk of construction in floodplain...
- Improved “flow-through” requirements in overwash flood zones...
- Specifically identifies coastal dune protection...
- Floodplain overlay district bylaw takes precedence over less restrictive conflicting zoning ordinances...