Floodplain Bylaw Updates: Minimum Requirements and Higher Standards

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Floodplain Bylaw Basics

- Regulate activities in our floodplains
- Required for participation in National Flood Insurance Program (NFIP) OR higher standards
- Actions not covered by Building Code, Wetlands Protection Act, or other state regs
- Zoning/General bylaws vs. Wetlands bylaws/performance standards
Statewide Model
Floodplain Bylaw
Why a New Model Bylaw for all MA NFIP Communities?

• NFIP requirements that have been in effect nationally since 1978
  • 1980 for Nantucket
• All communities were missing items
  • Designation of Floodplain Administrator
  • Recreational vehicles
  • Permits for all floodplain “development”
  • Local requirements when BBRS issues a variance
  • Local floodplain variance language
Why higher standards?

• Resiliency and climate change
• Safety
• Ease and transparency of enforcing existing regulations
• Common issues
• Flood insurance discounts – Community Rating System
  • Nantucket: $200K/year for 1,000 policyholders
Zoning/General

- Prohibition on new structures on vacant land in high-risk flood zones (V and Coastal A zones)
- Prohibition on certain types of structural fill
- Structure footprint expansion limits
- Building elevation and height baselines from DFE
- Limitations on reconstruction after Substantial Damage
- Guidance on addressing qualifying historic structures
- Added safety measures/limitations on accessory structures
- LOMR-F land limitations
- Non-Conversion Agreement
- Prohibition on storage of hazardous materials
- Special Permit considerations if applicable
Higher Standards
Bylaws: Wetlands
Coastal Resiliency Zone (CRZ)

- **LSCSF** – Land Subject to Coastal Storm Flowage
- **CRZ** – Coastal Resiliency Zone (includes LSCSF + buffer zones)
## Regulatory Zones

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Coastal Resiliency Zone (CRZ)
Options Applicable to all Locations

- Maintain existing flood conditions and natural features; nothing can channelize flood waters
- Prohibit new or expanded buildings
- Prohibit reconstruction after repetitive loss/multiple SD determinations
- Target Year: 2030, 2050, or 2070 (data based on best available science)
- Elevate buildings 2’ above current Base Flood Elevation, or above expected BFE for Target Year
Special Transition Areas

• Special Transition Areas: predicted path of wetland migration
• No development at ground level
• To the greatest extent feasible, no septic systems
• Vegetated areas preserved/expanded; impervious surfaces minimized
Developed Areas

• Redevelopment Sites
  • Must improve existing conditions (reduce impervious surfaces; restore or create other wetland resource areas)
  • Cannot expand the existing footprint of buildings

• Highly Developed Sites
  • Fill and seawalls/berms allowed (where applicable) as part of a flood control program
Next Steps

- Projected completion: Early 2024
- Coordinate between bylaws
- Work with communities to adopt
Project Partners (across 4 projects)
Thank You!

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