

**ARTICLE B AMENDMENTS TO ZONING MAP AND ZONING BY-LAW
RELATIVE TO THE FLOODPLAIN DISTRICT**

To see if the Town will vote to amend the Zoning Map by replacing the separate page thereof labeled as “Dartmouth Zoning Map Flood Hazard Areas”, and which was approved by the October 20, 2009 Town Meeting, with a new page of the Dartmouth Zoning Map that is labeled as “Dartmouth Floodplain Overlay District” and which is dated June 2, 2020, and which page is included with this article and available for review at the Planning Board’s office and the Town Clerk’s office.

And further, to see if the Town will vote to amend § 375-27 of the Zoning By-law, all dealing with the floodplains within the Floodplain District, as follows:

By deleting § 375-27.2A in its entirety and replacing it with the following:

- A. The Floodplain Overlay District is superimposed as an overlay district over any other district established by the Zoning By-law. The Floodplain Overlay District includes the flood hazard areas shown on a separate page of the Dartmouth Zoning Map that is labeled as "Dartmouth Floodplain Overlay District" and that is dated June 2, 2020. A copy is on file with the Town Clerk. Said map is a compilation of the Bristol County Flood Insurance Rate Maps (FIRMs) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program (NFIP) and includes all special flood hazard areas within the Town of Dartmouth designated as Zone A, AE, AH, AO, A99, V, or VE. In the event of a discrepancy between the map and the criteria used to define the district, the criteria shall control.

By replacing the phrase “Federal Emergency Management Agency” in § 375-27.4K(3) with “FEMA”.

By replacing the phrase “National Insurance Flood Program” in §§ 375-27.4K(2) and (3), and all instances of the phrase “Flood Insurance Administration” in § 375-27.7A(5), with “NFIP”.

By replacing all instances of “Floodplain District”, including in the titles of Article 27 and § 375-27.2, and the word “district” in § 375-27.4A(1), with “Floodplain Overlay District”.

By deleting the portion of § 375-27.2B after the phrase “panel numbers” and replacing it with the following:

Effective Date July 8, 2020: 25005C0358G, 25005C0359G, 25005C0362G, 25005C0366G, 25005C0367G, 25005C0368G, 25005C0369G, 25005C0376G, 25005C0377G, 25005C0378G, 25005C0386G, 25005C0388G, 25005C0389G, 25005C0456G, 25005C0457G, 25005C0458G, 25005C0459G, 25005C0466G, 25005C0467G, 25005C0469G, 25005C0476G, 25005C0477G, 25005C0478G.

Effective Date July 16, 2014: 25005C0481G.

Effective Date July 7, 2009: 25005C0468F, 25005C0479F, 25005C0483F,
25005C0486F, 25005C0487F, 25005C0488F, 25005C0489F, 25005C0491F.

By deleting each instance of the word “report” from § 375-27.2C

By deleting the phrase “July 7, 2009” from § 375-27.2C and replacing it with “July 8, 2020”.

By deleting § 375-27.4.A(1)(a) through § 375-27.4.A(1)(c) in their entireties and replacing them with the following:

- (a) The Massachusetts State Building Code, currently promulgated as 780 CMR or as hereafter amended or replaced, which addresses floodplain and coastal high hazard areas.
- (b) Wetlands Protection Regulations of the Massachusetts Department of Environmental Protection, as currently promulgated as 310 CMR 10.00 or as hereafter amended or replaced.
- (c) Chapter 360 of the General By-laws.

By recodifying current § 375-27.4K as § 375-27.4L, by recodifying current § 375-27.4J as § 375-27.4K and by inserting a new § 375-27.4J as follows:

- J. Floodway Data. In Zones A, A1-30, and 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.

By correcting the phrase “Massachusetts General Law” in § 375-27.4A(1) with “Massachusetts General Laws”.

Or take any other action relative thereto.

Sponsor: Planning Board