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Date: April 30, 2014
To: Richmond Select Board
From: Clare Rock, Richmond Town Planner
RE: Technical Changes to Zoning Regulations Section 6.8 Flood Hazard Overlay District

On August 4, 2014 new FEMA Flood Insurance Rates Maps (FIRMs) will go into effect for the Town Of Richmond. In preparation of the new maps going into effect, VT DEC undertook a technical review of Richmond's current floodplain regulations to ensure compliance with the National Flood Insurance Program (NFIP). The review identified two technical deficiencies. The deficiencies are minor in nature and easily remedied by minimal amendments to the current Flood Hazard Overlay District standards as contained with Section 6.8 of the Richmond Zoning Regulations.

The Planning Commission drafted the amendments and on April 19, 2014 held a warned Public Hearing as per 24 VSA Section 4441 and 4442 in preparation for adoption. No comments or questions were raised by the public in attendance.

To ensure continued participation in the NFIP, Richmond's flood hazard regulations need to be in compliance before the new maps go into effect. Therefore the Planning Commission proposes the following timeline:

- May 5, 2014 – Planning Commission presents the amendments to the Flood Hazard Overlay District bylaw to the Select Board and requests the Select Board vote to schedule a Public Hearing on Monday June 2, 2014.
- June 2, 2014 – Select Board holds the Public Hearing. If the Select Board does not make substantial changes to the proposed amendments, no additional Public Hearing is required.
- June 16, 2014 – Select Board may adopt the bylaw amendment.
- July 7, 2014 – The amended bylaw is effective (21 days after the adoption date.)

To ensure the revised flood hazard regulations are in effect before the new maps go into effect, the last date the Select Board could adopt the changes is July 7, 2014.

Please find attached the two technical amendments proposed by the Planning Commission.

Proposed Amendments to Section 6.8 Flood Hazard Overlay District (FHOD)

- a. NFIP Community Floodplain Management Regulations Review Checklist Item 18 states: “Assure that all other State and Federal Permits are attained”

To meet this requirement the Planning Commission proposes the following changes:

SECTION 6.8.8 Required Permits in Flood Hazard Overlay District;

~~....Any Zoning Permit issued will require that all other necessary permits from State or Federal Agencies have been received before work may begin. See Section 6.8.16.a).~~

SECTION 6.8.16 Administration

Section 6.8.16.a) – New section ii. – For proposed development which has been approved by the DRB per Section 6.8.11.a) or Section 6.8.11.b), a Vermont Agency of Natural Resources Project Review Sheet and the identified permits, or letters indicating that such permits are not required, shall be attached to any application for a zoning permit.

Section 6.8.16.a) – New Section iii., Item 7 – A Vermont Agency of Natural Resources listing of Project Review Sheet for the proposal shall identify all ~~needed~~ state and federal agency permits for which permit approval is required.

- b. NFIP Community Floodplain Management Regulations Review Checklist Item 33 states: “Require that for floodproofed non-residential structures, a registered professional engineer/architect certify that the design and methods of construction meet requirements at 60.3(c)(3)(ii)

To meet this requirement the Planning Commission proposes the following changes:

SECTION 6.8.15 Development Standards

Section 6.8.15.b)i. – Dry Flood proofing on ~~non~~-residential Structures is not acceptable.