

Planning Commission Reporting Form for Municipal Bylaw Amendments

This report is in accordance with 24 V.S.A. §4441 (c) which states:

“When considering an amendment to a bylaw, the planning commission shall prepare and approve a written report on the proposal. A single report may be prepared so as to satisfy the requirements of this subsection concerning bylaw amendments and subsection 4384(c) of this title concerning plan amendments..... The report shall provide(:

(A) brief explanation of the proposed bylaw, amendment, or repeal and ...include a statement of purpose as required for notice under section §4444 of this title,

The Federal Emergency Management Agency (FEMA) is in the process of updating and adopting new floodplain maps. As part of the process, the City of Montpelier is required to update our National Floodplain Insurance Program (NFIP) regulations because we participate in the program. The proposed bylaw amendment will allow the City of Montpelier to meet the minimum criteria of the NFIP.

A community that does not join the NFIP, has withdrawn from the program, or is suspended from it, faces the following sanctions:

- No resident will be able to purchase a flood insurance policy.
- Existing flood insurance policies will not be renewed.
- No Federal grants or loans for development may be made in identified flood hazard areas under programs administered by Federal agencies such as HUD, EPA, and SBA;
- No Federal disaster assistance may be provided to repair insurable buildings located in identified flood hazard areas for damage caused by a flood.
- No Federal mortgage insurance or loan guarantees may be provided in identified flood hazard areas. This includes policies written by FHA, VA, and others.
- Federally insured or regulated lending institutions, such as banks and credit unions, must notify applicants seeking loans for insurable buildings in flood hazard areas that there is a flood hazard and that the property is not eligible for Federal disaster relief.

(A)nd shall include findings regarding how the proposal:

1. Conforms with or furthers the goals and policies contained in the municipal plan, including the effect of the proposal on the availability of safe and affordable housing:

The proposed changes (as attached) are commensurate with the currently established municipal plan and its representations for the safety and availability of affordable housing regarding the ability to obtain flood insurance as needed. The changes are required to ensure that Montpelier ordinances, regulations, and standards reflect the requirements of the U.S. Government as established through the NFIP.

10 VSA §753 specifically requires municipalities to cooperate with other cognizant agencies and governmental units to facilitate the ability of residents to secure flood insurance. The changes discussed in this measure satisfy this requirement.

24 VSA §4411 provides for the regulation and governance of land development including structures that may be identified within flood or hazard areas. Again, the proposed changes satisfy the requirements of this section and will enhance the ability of concerned parties to obtain flood insurance.

2. Is compatible with the proposed future land uses and densities of the municipal plan:

The proposed changes do not alter the current or proposed land uses and densities of the municipal plan. The changes enhance the ability of landowners, developers, municipal agencies, and business owners to secure appropriate flood insurance.

3. Carries out, as applicable, any specific proposals for any planned community facilities.”

This section does not apply to the proposed changes. No specific proposals for community facilities are extant.