

#1

City of Cambridge

PETITION OF *Planning Board* *Flood Plan Overlay*

Petition filed with the City Clerk

March 30, 1982

(All hearings to be completed 65 days from filing date with the City Clerk.)

<i>25 days - April</i>
<i>31 days - May</i>
<i>9 days - June</i>
<hr/>
<i>65 days = All hearings June 9, 1982</i>

In City Council

April 5, 1982

Referred to Planning Board for report

April 5, 1982

Planning Board Hearing

May 4, 1982

(CITY COUNCIL must act within 90 days of the Planning Board's hearing which would be *August 2, 1982*.)

<i>27 days - May</i>
<i>30 days - June</i>
<i>31 days - July</i>
<i>2 days August</i>
<hr/>
<i>90</i>

City Council Hearing published - *Chronicle - May 20, 1982*
- May 27, 1982

Hearing before the City Council - *Thursday, June 3, 1982 at 5:30pm.*

Report to the City Council *June 7, 1982*

Passed to a second reading *June 7, 1982*
Published *Chronicle - June 10, 1982.*

Ready for Ordination *June 21, 1982*
Published *Chronicle - June 24, 1982*

COMPLETION DATE: *August 2, 1982*

Copy sent to City Solicitor
Community Dev. Dept. 6/22/82.
TCA notified 6/24/82 (dl)

#6 Waterworks Business

City of Cambridge

MASSACHUSETTS

In City Council

June 21 198 2

Pr: Flood Plain Overlay District

	YEA	NAY	ABSENT	PRESENT
Mr. Daniel J. Clinton	✓			
Mr. Thomas W. Danehy	✓			
Mr. Francis H. Duehay	✓			
Ms. Sandra Graham			✓	
Mr. Leonard J. Russell			✓	
Mr. David E. Sullivan	✓			
Mr. Walter J. Sullivan	✓			
Mr. Wylie	✓			
Mayor Vellucci	✓			

7 0 2

Prised to be Ordained



**PUBLIC NOTICE RELATIVE TO ZONING
CITY OF CAMBRIDGE MASSACHUSETTS
OFFICE OF THE CITY CLERK.**

Notice is hereby given that in accordance with the provisions of Chapter 40A, Section 5 of the General Laws, Tercentenary Edition and amendments thereto, that the Committee on Ordinances, comprised of the entire membership of the City Council, will hold a public hearing on Thursday, June 3, 1982 at 5:30 p.m. in the City Council Chamber, City Hall, Cambridge, Massachusetts on a **petition by the Planning Board to amend the Zoning Ordinance** by adding a new Section 11.70 Flood Plain Overlay District.

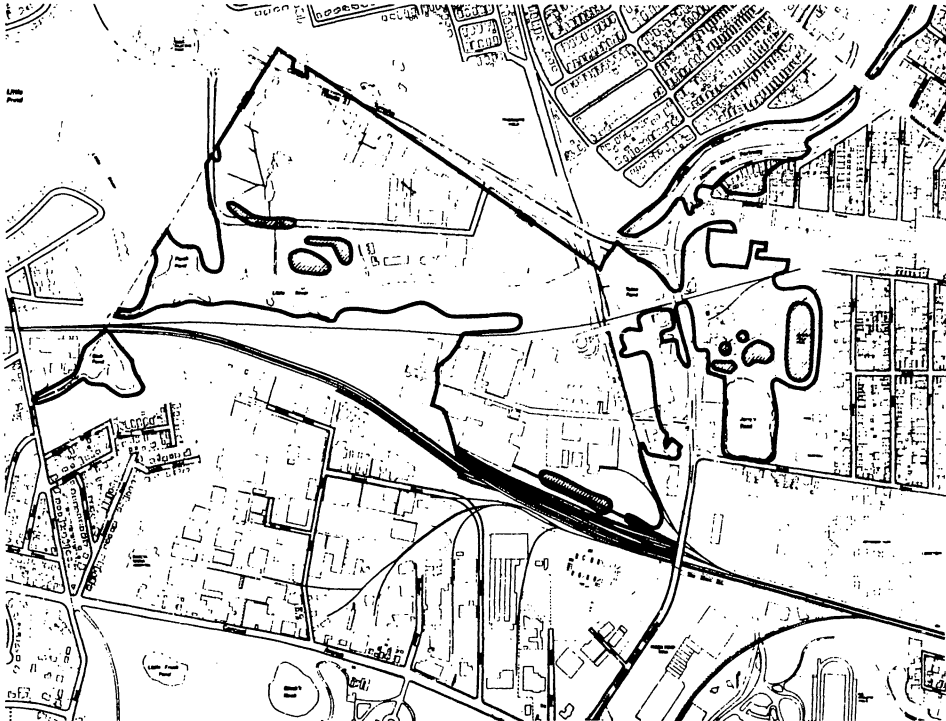
The Federal Emergency Management Agency (FEMA) has required the City to adopt zoning regulations dealing with development in the Flood Plain Overlay District. The City must adopt such regulations or will no longer be able to participate in the National Flood Insurance Program. This petition would allow development in the Flood Plain Overlay District only if a special permit is granted by the Planning Board.

Copies of this petition are on file in the Office of the City Clerk, City Hall, Cambridge, Massachusetts.

All persons interested in this matter may appear at this time and be heard.

For the Committee,
Councillor Walter J. Sullivan, Chairman

Proposed Alewife Brook 100-Year Flood Plain





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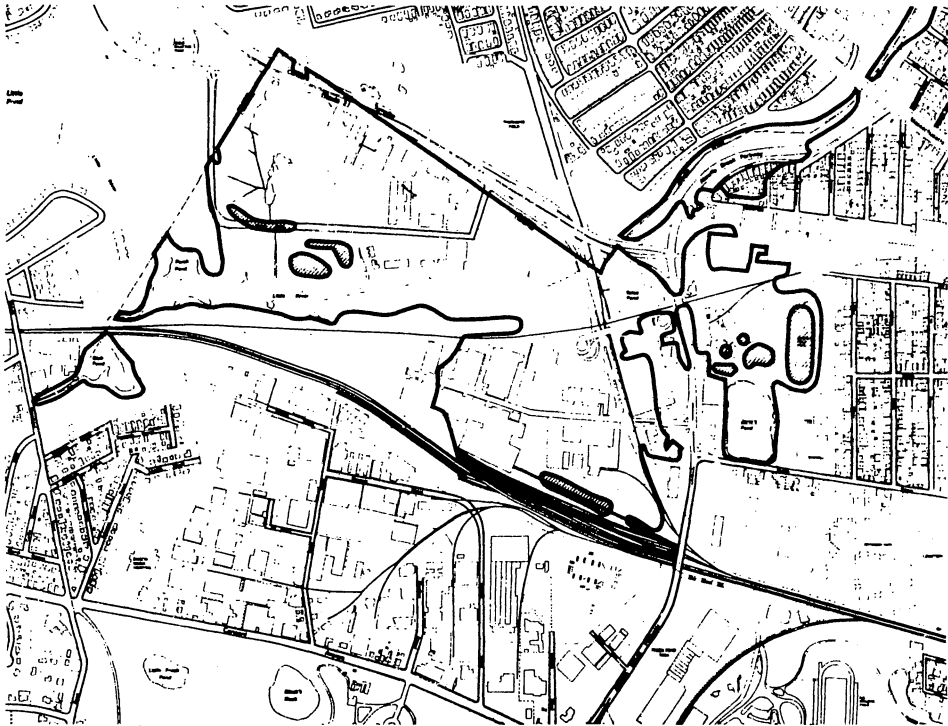
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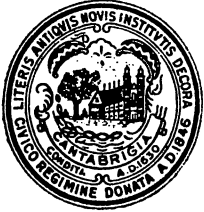
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For the Committee,
Councillor Walter J. Sullivan, Chairman

Proposed Alewife Brook 100-Year Flood Plain





City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Two

AN ORDINANCE

In amendment to an ordinance entitled: "The Zoning Ordinance of the City of Cambridge".

Be it ordained by the City Council of the City of Cambridge as follows:

Recodify Section 11.70 Employment Plan Compliance Procedure as Section 11.80.
Add new Section 11.70 as follows:

11.70 FLOOD PLAIN OVERLAY DISTRICT

- 11.71 Purpose. It is the purpose of this Section 11.70 to protect the public health, safety, and general welfare, to protect human life and property from the hazards of periodic flooding, to preserve the natural flood control characteristics, and the flood storage capacity of the flood plain, to preserve and maintain the ground water table and water recharge areas within the flood plain, and to provide a mechanism for a comprehensive review of development in the Flood Plain Overlay District and the design and location of flood water retention systems and their relationship to other surrounding developments.
- 11.72 Establishment and Scope. There is hereby established a Flood Plain Overlay District which shall be governed by the regulations specified in this Section 11.70. The Flood Plain Overlay District includes all special flood hazard areas designated as Zone A, A1-30 on the Cambridge Flood Insurance Rate Map (FIRM), and the Flood Plain Boundary and Floodway Map, dated July 5, 1982, or any amendment thereto, on file with the City Clerk, Superintendent of Buildings, Community Development Department, and the Federal Emergency Management Agency. These maps as well as the accompanying Cambridge Flood Insurance Study dated January 5, 1982, or any amendment thereto are incorporated herein by reference.
- 11.73 Applicability. No structure or building shall be erected, constructed, expanded, substantially improved, or moved and no earth or other materials shall be dumped, filled, excavated, transferred or otherwise altered in the Flood Plain Overlay District unless a special permit is granted by the Planning Board.
- 11.731 A special permit shall not be required for any activity detailed in 11.73 above on individual lots containing one, two or three family dwellings in existence as of July 5, 1982 or for the demolition of an existing structure. Nevertheless all other requirements of this Section 11.70 (and especially those criterion detailed in subsection 11.75) shall be met as applicable.
- 11.74 Procedure. Application for a special permit shall be made on a form prescribed by the Board. In addition to the information required for the submittal, the applicant shall also present the following:

- (1) a detailed landscape plan drawn to a scale of 1 inch equals 20 feet showing the location and design of flood water retention systems as required by applicable law;
- (2) base flood elevation data, where the base flood elevation is not provided on the FIRM;
- (3) certification and supporting documentation by a Massachusetts registered professional engineer demonstrating that such encroachment of the floodway as specified above in subsection 11.73 shall not result in any increase in flood levels during the occurrence of the 100-year flood; and
- (4) four (4) copies of all application materials.

11.741 Upon receipt of the application and development plans, the Planning Board shall transmit copies of the plans to the Conservation Commission and the City Engineer. Within forty-five (45) days of receipt of the plans, the Conservation Commission and the City Engineer shall review said plans and submit their respective reports and recommendations to the Planning Board. The Planning Board shall not render any decision on an application for a special permit for development in the Flood Plain Overlay District until said reports have been received and considered or until the forty-five (45) day period has expired without the receipt of such report, whichever is earlier.

11.75 Criteria. The Planning Board shall grant a Special Permit for development in the Flood Plain Overlay District if the Board finds that such development has met all of the following criteria, in addition to other criteria specified in Section 10.40:

- (1) No filling or other encroachment shall be allowed in Zone A areas or in the floodway which would impair the ability of these special flood hazard areas to carry and discharge flood waters, except where such activity is fully offset by stream improvements such as but not limited to flood water retention systems as allowed by applicable law.
- (2) Displacement of water retention capacity at one location shall be replaced in equal volume at another location on the same lot, on an abutting lot in the same ownership, on a non-contiguous lot in the same ownership, or in accordance with the following requirements.
- (3) All flood water retention systems shall be suitably designed and located so as not to cause any nuisance, hazard, or detriment to the occupants of the site or abutters. The Planning Board may require screening or landscaping of flood water retention systems to create a safe, healthful, and pleasing environment.

- (4) The proposed use shall comply in all respects with the provisions of the underlying zoning district, provisions of the State Building Code, State Inland Wetlands Act, and any other applicable laws.
 - (5) Applicants for development in the Alewife Revitalization area shall be familiar with the Alewife Revitalization, Alewife Urban Design Study Phase II, April 1979, and shall demonstrate how their plan meets the spirit and intent of such study, particularly "Appendix One, District Development Policies," in conjunction with the requirements of this Section 11.70 Flood Plain Overlay District.
 - (6) The requirement of Section 11.74(3) has been met.
- 11.76 Development Regulations for mobile homes. The following development regulations apply to the placement of mobile homes within special flood hazard areas designated as Zone A1-30 on the FIRM, in addition to other requirements of this Section 11.70. All mobile homes shall provide that:
- (1) stands or lots are elevated on compacted fill or on pilings so that the lowest floor of the mobile home will be at or above the base flood level; and
 - (2) adequate surface drainage and access for a hauler are provided.
- 11.761 The placement of mobile homes, except in an existing mobile home park or mobile home subdivision are prohibited in the floodway.
- 11.77 Setback exemptions. Any required flood water retention systems or related facilities may be permitted to extend into required yard setbacks if deemed appropriate by the Planning Board.
- 11.78 Emergency Repairs. The special permit required in this Section 11.70 shall not apply to emergency repairs or projects necessary for the protection of the health, safety or welfare of the general public which are to be performed or which are ordered to be performed by a city agency, or the commonwealth, or a political subdivision thereof. In no case shall any filling, dredging, excavating, or otherwise extend beyond the time necessary to abate the emergency.
- 11.79 Any development activity requiring a special permit from the Planning Board under other provisions of this Zoning Ordinance shall incorporate the requirements of this Section 11.70 within the scope of that special permit and shall not require separate application to the Planning Board.

In City Council June 21, 1982.

Passed to be ordained by a yea and nay vote:- Yeas 7; Nays 0; Absent 2.
Robert W. Healy, City Manager.

ATTEST:- Paul E. Healy, City Clerk.

City of Cambridge

In City Council June 7, 1982

The Ordinance Committee

comprised of the entire membership of the City Council

to which was referred the petition of the Planning Board to amend the Zoning Ordinances by adding a new section 11-70 entitled "Flood Plain Overlay District" met on Thursday, June 3, 1982 at 6:07 p. m.

Presiding: Councillor Walter Sullivan, Chairman.

The Chair requested the proponents to appear and be heard and at the call of the Chair the Committee heard from Mr. Lester Barber, representing the Community Development Department, who outlined the guidelines of the Federal Management Agency which the City of Cambridge is required to meet by appropriate amendment to the Zoning Ordinances. In order to meet the regulations of the National Flood Insurance Program Mr. Barber stated that the proposed amendment as embodied in this petition would allow development in the Flood Plain area only if a special permit is granted by the Planning Board.

Mr. Barber stated that July 5, 1982 would be the effective date to amend the Zoning Ordinance and he further informed the Committee that if the city failed to act and pass the ordinance as submitted, existing insurance policies and future policies insuring property owners against loss from flooding would no longer be effective. He also stated that all other building codes and zoning restrictions would be still in effect whether we adopt this proposed amendment or fail to do so; that the proposal was important for the development of the Alewife Brook area and that it is important that future planning of the City be coordinated so that all facets of development will protect future investments in the area.

The committee was in receipt of a report from the Planning Board dated May 18, 1982 recommending that the petition be approved as amended before July 5, 1982 which is the effective date of the federal requirements.

No other proponents appeared at the call of the Chair and the Chair declared the hearing for the proponents closed at 6:11 p. m.

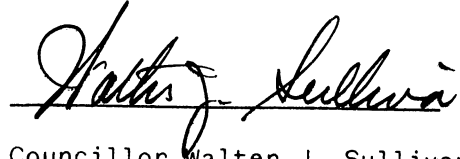
The Chair now requested the opponents to come forward and at the request of the Chair no one appeared in answer to the Chair.

The Chair declared the hearing for the opponents closed at 6:12 p. m.

The Chair moved that this matter be referred to the City Council without recommendation for their consideration.

There being no objections, the proposed amendment was so referred.

For the Committee,

A handwritten signature in cursive script, reading "Walter J. Sullivan", is written over a horizontal line.

Councillor Walter J. Sullivan,
Chairman.

City of Cambridge

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For the Committee,

Councillor Walter J. Sullivan,
Chairman.



Federal Emergency Management Agency

Washington, D.C. 20472

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Honorable Francis Duehay
Mayor of Cambridge
Middlesex County
795 Massachusetts Avenue
Cambridge, Massachusetts 02139

Dear Mayor Duehay:

I am advising you that the City of Cambridge's eligibility for participation in the National Flood Insurance Program (NFIP) is suspended pursuant to Section 59.24 of the enclosed Program regulations (44 CFR 59 et. seq.) on July 5, 1982 if your community does not submit legally enforceable (i.e., adopted and effective) flood plain management measures which satisfy the requirements of Section 60.3(d) on or before that date. Our letter of January 5, 1982 indicated the steps your community could take to avoid suspension of its flood insurance eligibility.

I realize that your community may be in the final adoption process, or you may have recently adopted the required measures. These measures, which should be submitted to the Federal Emergency Management Agency's Regional Office, will be reviewed upon receipt. If your measures are approved, this suspension notice will be rescinded.

It should be emphasized that flood insurance may not be sold or renewed within suspended communities. In addition, such communities are subject to the provisions of Section 202(a) of Public Law 93-234, as amended. This Section prohibits Federal officers or agencies from approving any form of loan, grant, guaranty, insurance, payment, rebate, subsidy, disaster assistance loan or grant (in connection with a flood), or any other form of direct Federal assistance, other than general or special revenue sharing or formula grants made to States, for acquisition or construction purposes within your community's special flood hazard areas. Included in this prohibition, for example, is the making of mortgage loans guaranteed by the Veterans Administration or insured by the Federal Housing Administration. Approval of mortgage loans, secured by homes or farm buildings, by the Farmers Home Administration is similarly proscribed.

Section 202(b) of P.L. 234, as amended, also requires federally regulated lending institutions to notify, as a condition of making, increasing, extending, or renewing any loan secured by improved real property situated in such special flood hazard areas, the purchaser or lessee of such property of whether, in the event of a disaster caused by flood to such property, Federal disaster relief assistance will be available to such property.

If you need any assistance in developing adequate flood plain management measures, please call the Chief, Natural and Technological Hazards Division of the Federal Emergency Management Agency in Boston at (617) 223-2616.

Sincerely,


Lee M. Thomas

Associate Director

State and Local Programs and Support

Enclosure



Federal Emergency Management Agency

Washington, D.C. 20472

Excerpts from the National Flood Insurance Program Regulations (44 CFR 59 et seq.)

44 CFR 59.24 - "Suspension of Community Eligibility" (formerly 24 CFR 1909.24)

44 CFR 60.3 - "Flood Plain Management Criteria for Flood-Prone Areas"
(formerly 24 CFR 1910.3)

May 12, 1980

a. Estimate. (Estimate the answer for the following, using the best data and sources available):

	Population	No. of 1-4 Family Structures	No. of Small Business Structures	No. of All Other Structures
Estimates of totals in the special flood hazard areas delineated on the FIA Flood Insurance Rate Map (i.e., using all zones except B, C, & D)	_____	_____	_____	_____
Estimates of totals in the entire community.	_____	_____	_____	_____

OMB NO. 67-11546

(c) The documents required by paragraph (a) of this section and evidence of the actions required by paragraph (b) of this section shall be submitted to the Federal Insurance Administrator, Federal Emergency Management Agency, 1725 I Street, NW, Washington DC 20472.

(d) A copy of the documents required by paragraph (a) of this section and evidence of the actions required by paragraph (b) of this section shall be submitted by an applicant to the appropriate State and areawide clearinghouses established in accordance with Part I of OMB Circular No. A-95 (41 FR 2052-2065, January 13, 1976). Clearinghouse review of the documents shall not be a prerequisite to the Administrator's acceptance of a community's application for the availability of flood insurance under the Emergency Program. However, clearinghouses may assist the applicant in assuring maximum consistency with State, regional and local comprehensive plans and flood plain management programs.

§ 59.23 Priorities for the sale of flood insurance under the regular program.

Flood-prone, mudslide (i.e., mudflow) and flood-related erosion prone communities are placed on a register of areas eligible for ratemaking studies and then selected from this register for ratemaking studies on the basis of the following considerations—

- (a) Recommendations of State officials;
- (b) Location of community and urgency of need for flood insurance;
- (c) Population of community and intensity of existing or proposed development of the flood plain, the mudslide (i.e., mudflow) and the flood-related erosion area;
- (d) Availability of information on the community with respect to its flood, mudslide (i.e., mudflow) and

flood-related erosion characteristics and previous losses;

(e) Extent of State and local progress in flood plain, mudslide (i.e., mudflow) area and flood-related erosion area management, including adoption of flood plain management regulations consistent with related ongoing programs in the area.

§ 59.24 Suspension of community eligibility.

(a) A community eligible for the sale of flood insurance shall be subject to suspension from the Program for failing to submit copies of adequate flood plain management regulations meeting the minimum requirements of paragraphs (b), (c), (d) or (e) of § 60.3 or paragraph (b) of § 60.4 or § 60.5, within six months from the date the Administrator provides the data upon which the flood plain regulations for the applicable paragraph shall be based. Where there has not been any submission by the community, the Administrator shall notify the community that 90 days remain in the six month period in order to submit adequate flood plain management regulations. Where there has been an inadequate submission, the Administrator shall notify the community of the specific deficiencies in its submitted flood plain management regulations and inform the community of the amount of time remaining within the six month period. If, subsequently, copies of adequate flood plain management regulations are not received by the Administrator, he shall, no later than 30 days before the expiration of the original six month period, provide written notice to the community and to the state and assure publication in the Federal Register under Part 64 of this subchapter, of the community's loss of eligibility for the sale of flood insurance, such suspension to become

effective upon the expiration of the six month period. Should the community remedy the defect and the Administrator receive copies of adequate flood plain management regulations within the notice period, the suspension notice shall be rescinded by the Administrator. If the Administrator receives notice from the State that it has enacted adequate flood plain management regulations for the community within the notice period, the suspension notice shall be rescinded by the Administrator. The community's eligibility shall remain terminated after suspension until copies of adequate flood plain management regulations have been received and approved by the Administrator.

(b) A community eligible for the sale of flood insurance which fails to adequately enforce or repeals its flood plain management regulations meeting the minimum requirements set forth in §§ 60.3, 60.4 or § 60.5 shall be subject to suspension of its Program eligibility. Under such circumstances, the Administrator shall grant the community 30 days in which to show cause why it should not be suspended. The Administrator may conduct a hearing before commencing suspensive action. If a community is to be suspended, the Administrator shall inform it upon 30 days prior written notice and publication in the FEDERAL REGISTER under Part 64 of this subchapter of its loss of eligibility for the sale of flood insurance. In the event of impending suspension, the Administrator shall issue a press release to the local media explaining the reasons and effects of the suspension. The community's eligibility shall only be reinstated by the Administrator upon his receipt of a local legislative or executive measure reaffirming the community's formal intent to adequately enforce the flood plain management regulations adopted in compliance with the requirements of this Subpart, together with evidence of action taken by the community to abrogate, to the maximum extent possible, the action(s) which caused the suspension. In such cases, the Administrator, in order to evaluate the community's performance under the terms of its submission, may either conditionally reinstate the community's eli-

gibility or withhold reinstatement for a period not to exceed one year from the date of his receipt of the submission.

(c) The Administrator shall promptly notify the Association of those communities whose eligibility has been suspended, and the Association shall promptly notify its servicing companies. Flood insurance shall not be sold or renewed in any suspended community until the Association is subsequently notified by the Administrator of the date of the community's formal reinstatement. Policies sold or renewed within a community during a period of ineligibility are deemed to be voidable by the Administrator whether or not the parties to sale or renewal had actual notice of the ineligibility.

PART 60—CRITERIA FOR LAND MANAGEMENT AND USE

Subpart A—Requirements for Flood Plain Management Regulations

Sec.

- 60.1 Purpose of subpart.
- 60.2 Minimum compliance with flood plain management criteria.
- 60.3 Flood plain management criteria for flood-prone areas.
- 60.4 Flood plain management criteria for mudslide (i.e., mudflow)-prone areas.
- 60.5 Flood plain management criteria for flood-related erosion-prone areas.
- 60.6 Variances and exceptions.
- 60.7 Revisions of criteria for flood plain management regulations.
- 60.8 Definitions.

Subpart B—Requirements for State Flood Plain Management Regulations

- 60.11 Purpose of this subpart.
- 60.12 Flood plain management criteria for State-owned properties in special hazard areas.
- 60.13 Noncompliance.

Subpart C—Additional Considerations in Managing Flood-Prone, Mudslide (i.e., Mudflow)-Prone, and Flood-Related Erosion-Prone Areas

- 60.21 Purpose of this subpart.
- 60.22 Planning considerations for flood-prone areas.
- 60.23 Planning considerations for mudslide (i.e., mudflow)-prone areas.
- 60.24 Planning considerations for flood-related erosion-prone areas.

Sec.

- 60.25 State coordination.
60.26 Local coordination.

AUTHORITY: Sec. 7(d), 70 Stat. 670; 42 U.S.C. 3535(d); Sec. 1306, 82 Stat. 578; 42 U.S.C. 4013; Sec. 1361, 82 Stat. 587; 42 U.S.C. 4102; Reorganization Plan No. 3 of 1978 (43 FR 41943) and Executive Order 12127, dated March 31, 1979 (44 FR 19367) and delegation of authority to Federal Insurance Administrator (44 FR 20963).

SOURCE: 41 FR 46978, Oct. 26, 1976, unless otherwise noted. Redesignated at 44 FR 31177, May 31, 1979.

Subpart A—Requirements for Flood Plain Management Regulations

§ 60.1 Purpose of subpart.

(a) The Act provides that flood insurance shall not be sold or renewed under the program within a community, unless the community has adopted adequate flood plain management regulations consistent with Federal criteria. Responsibility for establishing such criteria is delegated to the Administrator.

(b) This subpart sets forth the criteria developed in accordance with the Act by which the Administrator will determine the adequacy of a community's flood plain management regulations. These regulations must be legally-enforceable, applied uniformly throughout the community to all privately and publicly owned land within flood-prone, mudslide (i.e., mudflow) or flood-related erosion areas, and the community must provide that the regulations take precedence over any less restrictive conflicting local laws, ordinances or codes. Except as otherwise provided in § 60.6, the adequacy of such regulations shall be determined on the basis of the standards set forth in § 60.3 for flood-prone areas, § 60.4 for mudslide areas and § 60.5 for flood-related erosion areas.

(c) Nothing in this subpart shall be construed as modifying or replacing the general requirement that all eligible communities must take into account flood, mudslide (i.e., mudflow) and flood-related erosion hazards, to the extent that they are known, in all official actions relating to land management and use.

(d) The criteria set forth in this subpart are minimum standards for the adoption of flood plain management regulations by flood-prone, mudslide (i.e., mudflow)-prone and flood-related erosion-prone communities. Any community may exceed the minimum criteria under this Part by adopting more comprehensive flood plain management regulations utilizing the standards such as contained in Subpart C of this Part. In some instances, community officials may have access to information or knowledge of conditions that require, particularly for human safety, higher standards than the minimum criteria set forth in Subpart A of this Part. Therefore, any flood plain management regulations adopted by a State or a community which are more restrictive than the criteria set forth in this Part are encouraged and shall take precedence.

§ 60.2 Minimum compliance with flood plain management criteria.

(a) A flood-prone community applying for flood insurance eligibility shall meet the standards of § 60.3(a) in order to become eligible if a FFBM has not been issued for the community at the time of application. Thereafter, the community will be given a period of six months from the date the Administrator provides the data set forth in § 60.3 (b), (c), (d), or (e) in which to meet the requirements of the applicable paragraph. If a community has received a FFBM, but has not yet applied for Program eligibility, the community shall apply for eligibility directly under the standards set forth in § 60.3(b). Thereafter, the community will be given a period of six months from the date the Administrator provides the data set forth in § 60.3 (c), (d), or (e) in which to meet the requirements of the applicable paragraph.

(b) A mudslide (i.e., mudflow)-prone community applying for flood insurance eligibility shall meet the standards of § 60.4(a) to become eligible. Thereafter, the community will be given a period of six months from the date the mudslide (i.e., mudflow) areas having special mudslide hazards are delineated in which to meet the requirements of § 60.4(b).

(c) A flood-related erosion-prone community applying for flood insurance eligibility shall meet the standards of § 60.5(a) to become eligible. Thereafter, the community will be given a period of six months from the date the flood-related erosion areas having special erosion hazards are delineated in which to meet the requirements of § 60.5(b).

(d) Communities identified in Part 65 of this subchapter as containing more than one type of hazard (e.g., any combination of special flood, mudslide (i.e., mudflow), and flood-related erosion hazard areas) shall adopt flood plain management regulations for each type of hazard consistent with the requirements of §§ 60.3, 60.4 and 60.5.

(e) Local flood plain management regulations may be submitted to the State Coordinating Agency designated pursuant to § 60.25 for its advice and concurrence. The submission to the State shall clearly describe proposed enforcement procedures.

(f) The community official responsible for submitting annual reports to the Administrator pursuant to § 59.22(b)(2) of this subchapter shall also submit copies of each annual report to any State Coordinating Agency.

(g) A community shall assure that its comprehensive plan is consistent with the flood plain management objectives of this Part.

(h) The community shall adopt and enforce flood plain management regulations based on data provided by the Administrator. Without prior approval of the Administrator, the community shall not adopt and enforce flood plain management regulations based upon modified data reflecting natural or man-made physical changes.

(i) The community, upon its receipt of the data set forth in paragraph (c), (d) or (e) of § 60.3 or paragraph (b) of § 60.4 or § 60.5, shall inform the appropriate State and areawide clearinghouse established in accordance with Part I of OMB Circular No. A-95 (41 FR 2052-2065, January 13, 1976), that the community has a period of six months in which to adopt and submit to the Administrator adequate flood plain management regulations. (The

clearinghouses are encouraged to assist the community within the six month period in developing such regulations and in assuring regional coordination.) The community shall submit to the appropriate State and areawide clearinghouse, concurrently with its submission to the Administrator, a copy of all adopted flood plain management regulations intended to comply with paragraphs (c), (d) or (e) of § 60.3 or paragraph (b) of § 60.4 or § 60.5. Clearinghouse review, for a period not to exceed sixty days from the date a community submits flood plain management regulations to the clearinghouse, shall be provided prior to the Administrator's action on such regulations. Clearinghouse comments, or a statement by the community that no comments or recommendations have been received from the clearinghouse, should be submitted by the community to the Administrator. However, it may be necessary for the clearinghouse to review the community's regulations within a shorter time period in the event of pending action to suspend the community's Program participation, pursuant to § 59.24 of this Subchapter, for failure to adopt adequate flood plain management regulations within the required six months. The Administrator, within seven working days of taking a major action on the community's flood plain management submission, shall provide a copy of his/her disposition concerning the submission to each clearinghouse from which a comment was received.

§ 60.3 Flood plain management criteria for flood-prone areas.

The Administrator will provide the data upon which flood plain management regulations shall be based. If the Administrator has not provided sufficient data to furnish a basis for these regulations in a particular community, the community shall obtain, review and reasonably utilize data available from other Federal, State or other sources pending receipt of data from the Administrator. However, when special flood hazard area designations and water surface elevations have been furnished by the Administrator, they shall apply. The symbols defining

such special flood hazard designations are set forth in § 64.3 of this subchapter. In all cases the minimum requirements governing the adequacy of the flood plain management regulations for flood-prone areas adopted by a particular community depend on the amount of technical data formally provided to the community by the Administrator. Minimum standards for communities are as follows:

(a) When the Administrator has not defined the special flood hazard areas within a community, has not provided water surface elevation data, and has not provided sufficient data to identify the floodway or coastal high hazard area, but the community has indicated the presence of such hazards by submitting an application to participate in the Program, the community shall:

(1) Require permits for all proposed construction or other development in the community, including the placement of mobile homes, so that it may determine whether such construction or other development is proposed within flood-prone areas;

(2) Review proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law, including section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334;

(3) Review all permit applications to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is in a flood-prone area, all new construction and substantial improvements (including the placement of prefabricated buildings and mobile homes) shall (i) be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure, (ii) be constructed with materials and utility equipment resistant to flood damage, and (iii) be constructed by methods and practices that minimize flood damage;

(4) Review subdivision proposals and other proposed new development to determine whether such proposals will be reasonably safe from flooding. If a subdivision proposal or other proposed new development is in a flood-prone area, any such proposals shall be re-

viewed to assure that (i) all such proposals are consistent with the need to minimize flood damage within the flood-prone area, (ii) all public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage, and (iii) adequate drainage is provided to reduce exposure to flood hazards;

(5) Require within flood-prone areas new and replacement water supply systems to be designed to minimize or eliminate infiltration of flood waters into the systems; and

(6) Require within flood-prone areas (i) new and replacement sanitary sewage systems to be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters and (ii) onsite waste disposal systems to be located to avoid impairment to them or contamination from them during flooding.

(b) When the Administrator has designated areas of special flood hazards (A zones) by the publication of a community's FHBM, but has neither produced water surface elevation data nor identified a floodway or coastal high hazard area, the community shall:

(1) Require permits for all proposed construction and other developments including the placement of mobile homes, within Zone A on the community's FHBM;

(2) Require the application of the standards in paragraphs (a) (2), (3), (4), (5) and (6) of this section to development within Zone A on the community's FHBM;

(3) Require that all subdivision proposals and other proposed new developments greater than 50 lots or 5 acres, whichever is the lesser, include within such proposals base flood elevation data;

(4) Obtain, review, and reasonably utilize any base flood elevation data available from a Federal, State, or other source, until such other data has been provided by the Administrator, as criteria for requiring that (i) all new construction and substantial improvements of residential structures have the lowest floor (including basement) elevated to or above the base flood level and (ii) all new construction and

substantial improvements of nonresidential structures have the lowest floor (including basement) elevated or floodproofed to or above the base flood level;

(5) For the purpose of the determination of applicable flood insurance risk premium rates within Zone A on a community's FHBM, (i) obtain the elevation (in relation to mean sea level) of the lowest habitable floor (including basement) of all new or substantially improved structures, and whether or not such structures contain a basement, (ii) obtain, if the structure has been floodproofed, the elevation (in relation to mean sea level) to which the structure was floodproofed, and (iii) maintain a record of all such information with the official designated by the community under § 59.22(a)(9)(iii);

(6) Notify, in riverine situations, adjacent communities and the State Coordinating Office prior to any alteration or relocation of a watercourse, and submit copies of such notifications to the Administrator;

(7) Assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained;

(8) Require that all mobile homes to be placed within Zone A on a community's FHBM shall be anchored to resist flotation, collapse, or lateral movement by providing over-the-top and frame ties to ground anchors. Specific requirements shall be that (i) over-the-top ties be provided at each of the four corners of the mobile home, with two additional ties per side at intermediate locations and mobile homes less than 50 feet long requiring one additional tie per side; (ii) frame ties be provided at each corner of the home with five additional ties per side at intermediate points and mobile homes less than 50 feet long requiring four additional ties per side; (iii) all components of the anchoring system be capable of carrying a force of 4,800 pounds; and (iv) any additions to the mobile home be similarly anchored;

(9) Require that an evacuation plan indicating alternate vehicular access and escape routes be filed with appropriate Disaster Preparedness Authorities for mobile home parks and mobile

home subdivisions located within Zone A on the community's FHBM.

(c) When the Administrator has provided a notice of final base flood elevations within Zones A1-30 on the community's FIRM and, if appropriate, has designated AO zones A99 zones and unnumbered A zones on the community's FIRM, but has not identified a regulatory floodway or coastal high hazard area, the community shall:

(1) Require the standards of paragraph (b) of this section within all A1-30 zones unnumbered A zones and AO zones, on the community's FIRM;

(2) Require that all new construction and substantial improvements of residential structures within Zones A1-30 on the community's FIRM have the lowest floor (including basement) elevated to or above the base flood level, unless the community is granted an exception by the Administrator for the allowance of basements and/or storm cellars in accordance with § 60.6(b)(3) and (b)(4);

(3) Require that all new construction and substantial improvements of non-residential structures within Zones A1-30 on the community's firm (i) have the lowest floor (including basement) elevated to or above the base flood level or, (ii) together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;

(4) Provide that where floodproofing is utilized for a particular structure in accordance with paragraphs (c)(3) and (c)(8) of this section or (b)(3) of § 60.6 either (i) a registered professional engineer or architect shall certify that the floodproofing methods are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the base flood, and a record of such certificates indicating the specific elevation (in relation to mean sea level) to which such structures are floodproofed shall be maintained with the official designated by the community under § 59.22(a)(9)(iii); or, (ii) a

certified copy of a local regulation containing detailed flood-proofing specifications which satisfy the watertight performance standards of paragraph (c)(3) of this section or (b)(3) of § 60.6 shall be submitted to the Administrator for approval;

(5) Require within Zones A1-30 on the community's FIRM for new mobile home parks and mobile home subdivisions, for expansions to existing mobile home parks and mobile home subdivisions, and for existing mobile home parks and mobile home subdivisions where the repair, reconstruction or improvement of the streets, utilities and pads equals or exceeds 50% of the value of the streets, utilities and pads before the repair, reconstruction or improvement has commenced, that (i) stands or lots are elevated on compacted fill or on pilings so that the lowest floor of the mobile home will be at or above the base flood level, (ii) adequate surface drainage and access for a hauler are provided, and (iii) in the instance of elevation on pilings, lots are large enough to permit steps, piling foundations are placed in stable soil no more than ten feet apart, and reinforcement is provided for pilings more than six feet above the ground level;

(6) Require for all mobile homes to be placed within Zones A1-30 on the community's FIRM, but not into a mobile home park or mobile home subdivision that (i) stands or lots are elevated on compacted fill or on pilings so that the lowest floor of the mobile home will be at or above the base flood level, (ii) adequate surface drainage and access for a hauler are provided, and (iii) in the instance of elevation on pilings, lots are large enough to permit steps, piling foundations are placed in stable soil no more than 10 feet apart, and reinforcement is provided for piers more than six feet above ground level;

(7) Require within any AO zone on the community's FIRM that all new construction and substantial improvements of residential structures have the lowest floor (including basement) elevated above the crown of the nearest street to or above the depth number specified on the community's FIRM;

(8) Require within any AO zone on the community's FIRM that all new construction and substantial improvements of nonresidential structures (i) have the lowest floor (including basement) elevated above the crown of the nearest street to or above the depth number specified on the FIRM, or (ii) together with attendant utility and sanitary facilities be completely flood-proofed to or above that level so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;

(9) Require within any A99 zones on a community's FIRM the standards of paragraphs (a)(1) thru (a)(4)(i) and (b)(5) thru (b)(9) of this section;

(10) Require until a regulatory floodway is designated, that no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30 on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

(d) When the Administrator has provided a notice of final base flood elevations within Zones A1-30 on the community's FIRM and, if appropriate, has designated AO zones A99 zones and unnumbered A zones on the community's FIRM, and has provided data from which the community shall designate its regulatory floodway, the community shall:

(1) Meet the requirements of paragraphs (c)(1) through (c)(9) of this section;

(2) Select and adopt a regulatory floodway based on the principle that the area chosen for the regulatory floodway must be designed to carry the waters of the base flood, without increasing the water surface elevation of that flood more than one foot at any point;

(3) Prohibit encroachments, including fill, new construction, substantial

improvements, and other development within the adopted regulatory floodway that would result in any increase in flood levels within the community during the occurrence of the base flood discharge;

(4) Prohibit the placement of any mobile homes, except in an existing mobile home park or mobile home subdivision, within the adopted regulatory floodway.

(e) When the Administrator has provided a notice of final base flood elevations within Zones A1-30 on the community's FIRM and, if appropriate, has designated AO zones, A99 zones and unnumbered A zones on the community's FIRM, and has identified on the community's FIRM Zone VI-30 (coastal high hazard area), the community shall:

(1) Meet the requirements of paragraphs (c)(1) through (c)(10) of this section;

(2) For the purpose of the determination of applicable flood insurance risk premium rates within Zone VI-30 on a community's FIRM, (i) obtain the elevation (in relation to mean sea level) of the lowest habitable floor (including basement) of all new or substantially improved structures, and whether or not such structures contain a basement, (ii) obtain, if the structure has been flood-proofed, the elevation (in relation to mean sea level) to which the structure was floodproofed, and (iii) maintain a record of all such information with the official designated by the community under § 59.22(a)(9)(iii);

(3) Provide that all new construction within Zones VI-30 on the community's FIRM is located landward of the reach of mean high tide;

(4) Provide (i) that all new construction and substantial improvements within Zones VI-30 on the community's FIRM are elevated on adequately anchored pilings or columns, and securely anchored to such piles or columns so that the lowest portion of the structural members of the lowest floor (excluding the pilings or columns) is elevated to or above the base flood level and (ii) that a registered professional engineer or architect certify that the structure is securely anchored to adequately anchored pilings

or columns in order to withstand velocity waters and hurricane wave wash;

(5) Provide that all new construction and substantial improvements within Zones VI-30 on the community's FIRM have the space below the lowest floor free of obstructions or be constructed with "breakaway walls" intended to collapse under stress without jeopardizing the structural support of the structure so that the impact on the structure by abnormally high tides or wind-driven water is minimized. Such temporarily enclosed space shall not be used for human habitation;

(6) Prohibit the use of fill for structural support of buildings within Zones VI-30 on the community's FIRM;

(7) Prohibit the placement of mobile homes, except in existing mobile home parks and mobile home subdivisions, within Zones VI-30 on the community's FIRM;

(8) Prohibit man-made alteration of sand dunes and mangrove stands within Zones VI-30 on the community's FIRM which would increase potential flood damage.

§ 60.4 Flood plain management criteria for mudslide (i.e., mudflow)-prone areas.

The Administrator will provide the data upon which flood plain management regulations shall be based. If the Administrator has not provided sufficient data to furnish a basis for these regulations in a particular community, the community shall obtain, review, and reasonably utilize data available from other Federal, State or other sources pending receipt of data from the Administrator. However, when special mudslide (i.e., mudflow) hazard area designations have been furnished by the Administrator, they shall apply. The symbols defining such special mudslide (i.e., mudflow) hazard designations are set forth in § 64.3 of this subchapter. In all cases, the minimum requirements for mudslide (i.e., mudflow)-prone areas adopted by a particular community depend on the amount of technical data provided to the community by the Administrator.

PUBLIC NOTICE
RELATIVE TO ZONING

City of Cambridge

MASSACHUSETTS

Office of the City Clerk.

Notice is hereby given that in accordance with the provisions of Chapter 40A, Section 5 of the General Laws, Tercentenary Edition and amendments thereto, that the Committee on Ordinances, comprised of the entire membership of the City Council, will hold a public hearing on Thursday, June 3, 1982 at 5:30 p. m. in the City Council Chamber, City Hall, Cambridge, Massachusetts on a petition by the Planning Board to amend the Zoning Ordinance by adding a new Section 11.70 Flood Plain Overlay District.

The Federal Emergency Management Agency (FEMA) has required the City to adopt zoning regulations dealing with development in the Flood Plain Overlay District. The City must adopt such regulations or will no longer be able to participate in the National Flood Insurance Program. This petition would allow development in the Flood Plain Overlay District only if a special permit is granted by the Planning Board.

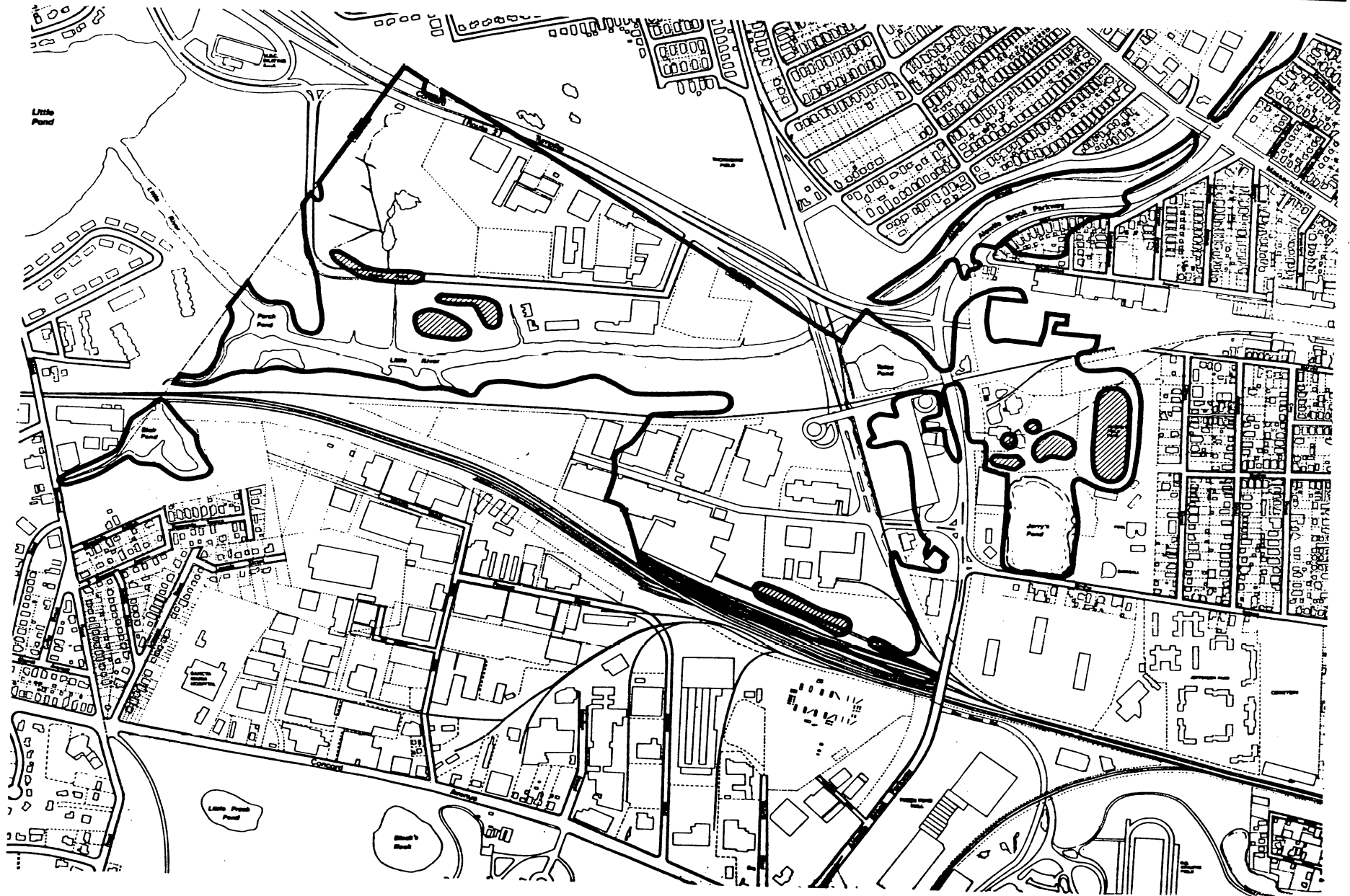
Copies of this petition are on file in the Office of the City Clerk, City Hall, Cambridge, Massachusetts.

All persons interested in this matter may appear at this time and be heard.

For the Committee,

Councillor Walter J. Sullivan,
Chairman

Proposed Alewife Brook 100-Year Flood Plain



12/1/82

RECEIVED BY
OFFICE OF CITY CLERK
MAY 18 10 26 AM '82
CAMBRIDGE, MASS.

Cambridge, March 30 1982

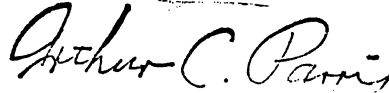
To the Honorable, the City Council of the
City of Cambridge:

The undersigned respectfully pray

that the Cambridge Zoning Ordinance be amended as follows: (see
attached) *

Respectfully submitted,

For the Planning Board



Arthur C. Parris,
Chairman

* please note that the city must have flood plain regulations passed
by July 5, 1982 or it will no longer be eligible to participate in
the National Flood Insurance Program (NFIP).



CITY OF CAMBRIDGE, MASSACHUSETTS
PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

FLOOD PLAIN OVERLAY DISTRICT

Recodify Section 11.70 Employment Plan Compliance Procedure as Section 11.80. Add new Section 11.70 as follows:

11.70 FLOOD PLAIN OVERLAY DISTRICT

- 11.71 Purpose. It is the purpose of this Section 11.70 to protect the public health, safety, and general welfare, to protect human life and property from the hazards of periodic flooding, to preserve the natural flood control characteristics, and the flood storage capacity of the flood plain, to preserve and maintain the ground water table and water recharge areas within the flood plain, and to provide a mechanism for a comprehensive review of development in the Flood Plain Overlay District and the design and location of flood water retention systems and their relationship to other surrounding developments.
- 11.72 Establishment and Scope. There is hereby established a Flood Plain Overlay District which shall be governed by the regulations specified in this Section 11.70. The Flood Plain Overlay District includes all special flood hazard areas designated as Zone A, A1-30 on the Cambridge Flood Insurance Rate Map (FIRM), and the Flood Plain Boundary and Floodway Map, dated July 5, 1982, or any amendment thereto, on file with the City Clerk, Superintendent of Buildings, Community Development Department, and the Federal Emergency Management Agency. These maps as well as the accompanying Cambridge Flood Insurance Study dated January 5, 1982, or any amendment thereto are incorporated herein by reference.
- 11.73 Applicability. No structure or building shall be erected, constructed, expanded, substantially improved, or moved and no earth or other materials shall be dumped, paved, filled, excavated, transferred or otherwise altered in the Flood Plain Overlay District unless a special permit is granted by the Planning Board.
- 11.74 Procedure. Application for a special permit shall be made on a form prescribed by the Board. In addition to the information required for submittal, the applicant shall also present the following:
- (1) a detailed landscape plan drawn to a scale of 1 inch equals 20 feet showing the location and design of flood water retention systems as required by applicable law.

- (2) base flood elevation data, where the base flood elevation is not provided on the FIRM;
- (3) certification and supporting documentation by a Massachusetts registered professional engineer demonstrating that such encroachment as specified above in subsection 11.73 shall not result in any increase in flood levels during the occurrence of the 100-year flood; and
- (4) four (4) copies of all application materials.

11.741 Upon receipt of the application and development plans, the Planning Board shall transmit copies of the plans to the Conservation Commission and the City Engineer. Within forty-five (45) days of receipt of the plans, the Conservation Commission and the City Engineer shall review said plans and submit their respective reports and recommendations to the Planning Board. The Planning Board shall not render any decision on an application for a special permit for development in the Flood Plain Overlay District until said reports have been received and considered or until the forty-five (45) day period has expired without the receipt of such report, whichever is earlier.

11.75 Criteria. The Planning Board shall grant a Special Permit for development in the Flood Plain Overlay District if the Board finds that such development has met all of the following criteria, in addition to other criteria specified in Section 10.40:

- (1) No filling or other encroachment shall be allowed in Zone A areas or in the floodway which would impair the ability of these special flood hazard areas to carry and discharge flood waters, except where such activity is fully offset by stream improvements such as but not limited to flood water retention systems as allowed by applicable law.
- (2) Displacement of water retention capacity at one location shall be replaced in equal volume at another location on the same lot, on an abutting lot in the same ownership, on a non-contiguous lot in the same ownership, or in accordance with the following requirements.
 - a) on an abutting or non-contiguous lot in a different ownership if the applicant provides evidence of a deed restriction, conservation easement, or other legal mechanism acceptable to the Board.
- (3) All flood water retention systems shall be suitably designed and located so as not to cause any nuisance, hazard, or detriment to the occupants of the site or abutters. The Planning Board may require screening or landscaping of flood water retention systems to create a safe, healthful, and pleasing environment.

- (4) The proposed use shall comply in all respects with the provisions of the underlying zoning district, provisions of the State Building Code, and any other applicable laws.
- (5) Applicants for development in the Alewife Revitalization area shall be familiar with the Alewife Revitalization, Alewife Urban Design Study Phase II, April 1979, and shall demonstrate how their plan meets the spirit and intent of such study, particularly "Appendix One, District Development Policies," in conjunction with the requirements of this Section 11.70 Flood Plain Overlay District.

11.76 Development Regulations for mobile homes. The following development regulations apply to the placement of mobile homes within special flood hazard areas designated as Zone A1-30 on the FIRM, in addition to other requirements of this Section 11.70. All mobile homes shall provide that:

- (1) stands or lots are elevated on compacted fill or on pilings so that the lowest floor of the mobile home will be at or above the base flood level; and
- (2) adequate surface drainage and access for a hauler are provided.

11.761 The placement of mobile homes, except in an existing mobile home park or mobile home subdivision are prohibited in the floodway.

11.77 Setback exemptions. Any required flood water retention systems or related facilities may be permitted to extend into required yard setbacks if deemed appropriate by the Planning Board.

11.78 Emergency Repairs. The special permit required in this Section 11.70 shall not apply to emergency repairs or projects necessary for the protection of the health, safety or welfare of the general public which are to be performed or which are ordered to be performed by a city agency, or the commonwealth, or a political subdivision thereof. In no case shall any filling, dredging, excavating, or otherwise extend beyond the time necessary to abate the emergency.



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Two

AN ORDINANCE

In amendment to an ordinance entitled: "The Zoning Ordinance of the City of Cambridge".

Be it ordained by the City Council of the City of Cambridge as follows:

Recodify Section 11.70 Employment Plan Compliance Procedure as Section 11.80.
Add new Section 11.70 as follows:

11.70 FLOOD PLAIN OVERLAY DISTRICT

- 11.71 Purpose. It is the purpose of this Section 11.70 to protect the public health, safety, and general welfare, to protect human life and property from the hazards of periodic flooding, to preserve the natural flood control characteristics, and the flood storage capacity of the flood plain, to preserve and maintain the ground water table and water recharge areas within the flood plain, and to provide a mechanism for a comprehensive review of development in the Flood Plain Overlay District and the design and location of flood water retention systems and their relationship to other surrounding developments.
- 11.72 Establishment and Scope. There is hereby established a Flood Plain Overlay District which shall be governed by the regulations specified in this Section 11.70. The Flood Plain Overlay District includes all special flood hazard areas designated as Zone A, A1-30 on the Cambridge Flood Insurance Rate Map (FIRM), and the Flood Plain Boundary and Floodway Map, dated July 5, 1982, or any amendment thereto, on file with the City Clerk, Superintendent of Buildings, Community Development Department, and the Federal Emergency Management Agency. These maps as well as the accompanying Cambridge Flood Insurance Study dated January 5, 1982, or any amendment thereto are incorporated herein by reference.
- 11.73 Applicability. No structure or building shall be erected, constructed, expanded, substantially improved, or moved and no earth or other materials shall be dumped, filled, excavated, transferred or otherwise altered in the Flood Plain Overlay District unless a special permit is granted by the Planning Board.
- 11.731 A special permit shall not be required for any activity detailed in 11.73 above on individual lots containing one, two or three family dwellings in existence as of July 5, 1982 or for the demolition of an existing structure. Nevertheless all other requirements of this Section 11.70 (and especially those criterion detailed in subsection 11.75) shall be met as applicable.
- 11.74 Procedure. Application for a special permit shall be made on a form prescribed by the Board. In addition to the information required for the submittal, the applicant shall also present the following:

- (1) a detailed landscape plan drawn to a scale of 1 inch equals 20 feet showing the location and design of flood water retention systems as required by applicable law;
- (2) base flood elevation data, where the base flood elevation is not provided on the FIRM;
- (3) certification and supporting documentation by a Massachusetts registered professional engineer demonstrating that such encroachment of the floodway as specified above in subsection 11.73 shall not result in any increase in flood levels during the occurrence of the 100-year flood; and
- (4) four (4) copies of all application materials.

11.741 Upon receipt of the application and development plans, the Planning Board shall transmit copies of the plans to the Conservation Commission and the City Engineer. Within forty-five (45) days of receipt of the plans, the Conservation Commission and the City Engineer shall review said plans and submit their respective reports and recommendations to the Planning Board. The Planning Board shall not render any decision on an application for a special permit for development in the Flood Plain Overlay District until said reports have been received and considered or until the forty-five (45) day period has expired without the receipt of such report, whichever is earlier.

11.75 Criteria. The Planning Board shall grant a Special Permit for development in the Flood Plain Overlay District if the Board finds that such development has met all of the following criteria, in addition to other criteria specified in Section 10.40:

- (1) No filling or other encroachment shall be allowed in Zone A areas or in the floodway which would impair the ability of these special flood hazard areas to carry and discharge flood waters, except where such activity is fully offset by stream improvements such as but not limited to flood water retention systems as allowed by applicable law.
- (2) Displacement of water retention capacity at one location shall be replaced in equal volume at another location on the same lot, on an abutting lot in the same ownership, on a non-contiguous lot in the same ownership, or in accordance with the following requirements.
- (3) All flood water retention systems shall be suitably designed and located so as not to cause any nuisance, hazard, or detriment to the occupants of the site or abutters. The Planning Board may require screening or landscaping of flood water retention systems to create a safe, healthful, and pleasing environment.

- (4) The proposed use shall comply in all respects with the provisions of the underlying zoning district, provisions of the State Building Code, State Inland Wetlands Act, and any other applicable laws.
- (5) Applicants for development in the Alewife Revitalization area shall be familiar with the Alewife Revitalization, Alewife Urban Design Study Phase II, April 1979, and shall demonstrate how their plan meets the spirit and intent of such study, particularly "Appendix One, District Development Policies," in conjunction with the requirements of this Section 11.70 Flood Plain Overlay District.
- (6) The requirement of Section 11.74(3) has been met.

11.76 Development Regulations for mobile homes. The following development regulations apply to the placement of mobile homes within special flood hazard areas designated as Zone A1-30 on the FIRM, in addition to other requirements of this Section 11.70. All mobile homes shall provide that:

- (1) stands or lots are elevated on compacted fill or on pilings so that the lowest floor of the mobile home will be at or above the base flood level; and
- (2) adequate surface drainage and access for a hauler are provided.

11.761 The placement of mobile homes, except in an existing mobile home park or mobile home subdivision are prohibited in the floodway.

11.77 Setback exemptions. Any required flood water retention systems or related facilities may be permitted to extend into required yard setbacks if deemed appropriate by the Planning Board.

11.78 Emergency Repairs. The special permit required in this Section 11.70 shall not apply to emergency repairs or projects necessary for the protection of the health, safety or welfare of the general public which are to be performed or which are ordered to be performed by a city agency, or the commonwealth, or a political subdivision thereof. In no case shall any filling, dredging, excavating, or otherwise extend beyond the time necessary to abate the emergency.

11.79 Any development activity requiring a special permit from the Planning Board under other provisions of this Zoning Ordinance shall incorporate the requirements of this Section 11.70 within the scope of that special permit and shall not require separate application to the Planning Board.

Passed to a second reading at the City Council meeting held on June 7, 1982 and on or after June 21, 1982 the question comes on passing to be ordained.

ATTEST:- Paul E. Healy, City Clerk.



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Two

AN ORDINANCE

In amendment to an ordinance entitled: "The Zoning Ordinance of the City of Cambridge".

Be it ordained by the City Council of the City of Cambridge as follows:

Recodify Section 11.70 Employment Plan Compliance Procedure as Section 11.80.
Add new Section 11.70 as follows:

11.70 FLOOD PLAIN OVERLAY DISTRICT

- 11.71 Purpose. It is the purpose of this Section 11.70 to protect the public health, safety, and general welfare, to protect human life and property from the hazards of periodic flooding, to preserve the natural flood control characteristics, and the flood storage capacity of the flood plain, to preserve and maintain the ground water table and water recharge areas within the flood plain, and to provide a mechanism for a comprehensive review of development in the Flood Plain Overlay District and the design and location of flood water retention systems and their relationship to other surrounding developments.
- 11.72 Establishment and Scope. There is hereby established a Flood Plain Overlay District which shall be governed by the regulations specified in this Section 11.70. The Flood Plain Overlay District includes all special flood hazard areas designated as Zone A, A1-30 on the Cambridge Flood Insurance Rate Map (FIRM), and the Flood Plain Boundary and Floodway Map, dated July 5, 1982, or any amendment thereto, on file with the City Clerk, Superintendent of Buildings, Community Development Department, and the Federal Emergency Management Agency. These maps as well as the accompanying Cambridge Flood Insurance Study dated January 5, 1982, or any amendment thereto are incorporated herein by reference.
- 11.73 Applicability. No structure or building shall be erected, constructed, expanded, substantially improved, or moved and no earth or other materials shall be dumped, filled, excavated, transferred or otherwise altered in the Flood Plain Overlay District unless a special permit is granted by the Planning Board.
- 11.731 A special permit shall not be required for any activity detailed in 11.73 above on individual lots containing one, two or three family dwellings in existence as of July 5, 1982 or for the demolition of an existing structure. Nevertheless all other requirements of this Section 11.70 (and especially those criterion detailed in subsection 11.75) shall be met as applicable.
- 11.74 Procedure. Application for a special permit shall be made on a form prescribed by the Board. In addition to the information required for the submittal, the applicant shall also present the following:

- (1) a detailed landscape plan drawn to a scale of 1 inch equals 20 feet showing the location and design of flood water retention systems as required by applicable law;
- (2) base flood elevation data, where the base flood elevation is not provided on the FIRM;
- (3) certification and supporting documentation by a Massachusetts registered professional engineer demonstrating that such encroachment of the floodway as specified above in subsection 11.73 shall not result in any increase in flood levels during the occurrence of the 100-year flood; and
- (4) four (4) copies of all application materials.

11.741 Upon receipt of the application and development plans, the Planning Board shall transmit copies of the plans to the Conservation Commission and the City Engineer. Within forty-five (45) days of receipt of the plans, the Conservation Commission and the City Engineer shall review said plans and submit their respective reports and recommendations to the Planning Board. The Planning Board shall not render any decision on an application for a special permit for development in the Flood Plain Overlay District until said reports have been received and considered or until the forty-five (45) day period has expired without the receipt of such report, whichever is earlier.

11.75 Criteria. The Planning Board shall grant a Special Permit for development in the Flood Plain Overlay District if the Board finds that such development has met all of the following criteria, in addition to other criteria specified in Section 10.40:

- (1) No filling or other encroachment shall be allowed in Zone A areas or in the floodway which would impair the ability of these special flood hazard areas to carry and discharge flood waters, except where such activity is fully offset by stream improvements such as but not limited to flood water retention systems as allowed by applicable law.
- (2) Displacement of water retention capacity at one location shall be replaced in equal volume at another location on the same lot, on an abutting lot in the same ownership, on a non-contiguous lot in the same ownership, or in accordance with the following requirements.
- (3) All flood water retention systems shall be suitably designed and located so as not to cause any nuisance, hazard, or detriment to the occupants of the site or abutters. The Planning Board may require screening or landscaping of flood water retention systems to create a safe, healthful, and pleasing environment.

- (4) The proposed use shall comply in all respects with the provisions of the underlying zoning district, provisions of the State Building Code, State Inland Wetlands Act, and any other applicable laws.
- (5) Applicants for development in the Alewife Revitalization area shall be familiar with the Alewife Revitalization, Alewife Urban Design Study Phase II, April 1979, and shall demonstrate how their plan meets the spirit and intent of such study, particularly "Appendix One, District Development Policies," in conjunction with the requirements of this Section 11.70 Flood Plain Overlay District.
- (6) The requirement of Section 11.74(3) has been met.

11.76 Development Regulations for mobile homes. The following development regulations apply to the placement of mobile homes within special flood hazard areas designated as Zone A1-30 on the FIRM, in addition to other requirements of this Section 11.70. All mobile homes shall provide that:

- (1) stands or lots are elevated on compacted fill or on pilings so that the lowest floor of the mobile home will be at or above the base flood level; and
- (2) adequate surface drainage and access for a hauler are provided.

11.761 The placement of mobile homes, except in an existing mobile home park or mobile home subdivision are prohibited in the floodway.

11.77 Setback exemptions. Any required flood water retention systems or related facilities may be permitted to extend into required yard setbacks if deemed appropriate by the Planning Board.

11.78 Emergency Repairs. The special permit required in this Section 11.70 shall not apply to emergency repairs or projects necessary for the protection of the health, safety or welfare of the general public which are to be performed or which are ordered to be performed by a city agency, or the commonwealth, or a political subdivision thereof. In no case shall any filling, dredging, excavating, or otherwise extend beyond the time necessary to abate the emergency.

11.79 Any development activity requiring a special permit from the Planning Board under other provisions of this Zoning Ordinance shall incorporate the requirements of this Section 11.70 within the scope of that special permit and shall not require separate application to the Planning Board.

Passed to a second reading at the City Council meeting held on June 7, 1982 and on or after June 21, 1982 the question comes on passing to be ordained.

ATTEST:- Paul E. Healy, City Clerk.

The Chair moved that this matter be referred to the City Council without recommendation for their consideration.

There being no objections, the proposed amendment was so referred.

For the Committee,

Councillor Walter J. Sullivan,
Chairman.

City of Cambridge

In City Council June 7, 1982.....

The Ordinance

Committee

comprised of the entire membership of the City Council

to which was referred the petition of the Planning Board to amend the Zoning Ordinances by adding a new section 11-70 entitled "Flood Plain Overlay District" met on Thursday, June 3, 1982 at 6:07 p. m.

Presiding: Councillor Walter Sullivan, Chairman.

The Chair requested the proponents to appear and be heard and at the call of the Chair the Committee heard from Mr. Lester Barber, representing the Community Development Department, who outlined the guidelines of the Federal Management Agency which the City of Cambridge is required to meet by appropriate amendment to the Zoning Ordinances. In order to meet the regulations of the National Flood Insurance Program Mr. Barber stated that the proposed amendment as embodied in this petition would allow development in the Flood Plain area only if a special permit is granted by the Planning Board.

Mr. Barber stated that July 5, 1982 would be the effective date to amend the Zoning Ordinance and he further informed the Committee that if the city failed to act and pass the ordinance as submitted, existing insurance policies and future policies insuring property owners against loss from flooding would no longer be effective. He also stated that all other building codes and zoning restrictions would be still in effect whether we adopt this proposed amendment or fail to do so; that the proposal was important for the development of the Alewife Brook area and that it is important that future planning of the City be coordinated so that all facets of development will protect future investments in the area.

The committee was in receipt of a report from the Planning Board dated May 18, 1982 recommending that the petition be approved as amended before July 5, 1982 which is the effective date of the federal requirements.

No other proponents appeared at the call of the Chair and the Chair declared the hearing for the proponents closed at 6:11 p. m.

The Chair now requested the opponents to come forward and at the request of the Chair no one appeared in answer to the Chair.

The Chair declared the hearing for the opponents closed at 6:12 p. m.

REPORT

Committee on Ordinances

FLOOD PLAIN OVERLAY DISTRICT

6/7/82
Passed to 2nd Reading

In City Council,

June 7, 1982

2nd Reading

PUBLIC NOTICE
RELATIVE TO ZONING

#1 530

City of Cambridge

MASSACHUSETTS

Office of the City Clerk.

Notice is hereby given that in accordance with the provisions of Chapter 40A, Section 5 of the General Laws, Tercentenary Edition and amendments thereto, that the Committee on Ordinances, comprised of the entire membership of the City Council, will hold a public hearing on Thursday, June 3, 1982 at 5:30 p. m. in the City Council Chamber, City Hall, Cambridge, Massachusetts on a petition by the Planning Board to amend the Zoning Ordinance by adding a new Section 11.70 Flood Plain Overlay District.

The Federal Emergency Management Agency (FEMA) has required the City to adopt zoning regulations dealing with development in the Flood Plain Overlay District. The City must adopt such regulations or will no longer be able to participate in the National Flood Insurance Program. This petition would allow development in the Flood Plain Overlay District only if a special permit is granted by the Planning Board.

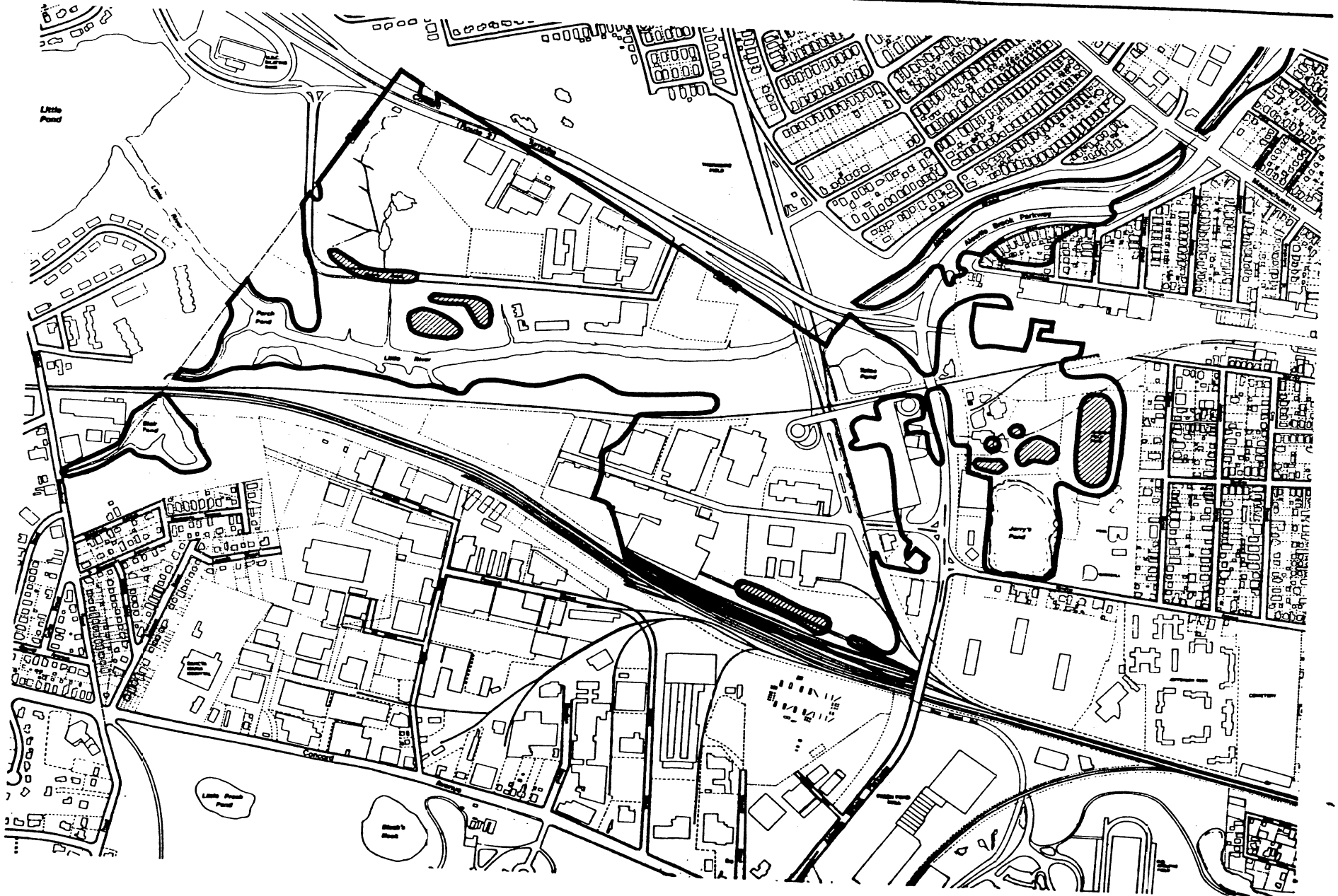
Copies of this petition are on file in the Office of the City Clerk, City Hall, Cambridge, Massachusetts.

All persons interested in this matter may appear at this time and be heard.

For the Committee,

Councillor Walter J. Sullivan,
Chairman

Proposed Alewife Brook 100-Year Flood Plain



PUBLIC NOTICE
RELATIVE TO ZONING

#1

5:30 PM

City of Cambridge

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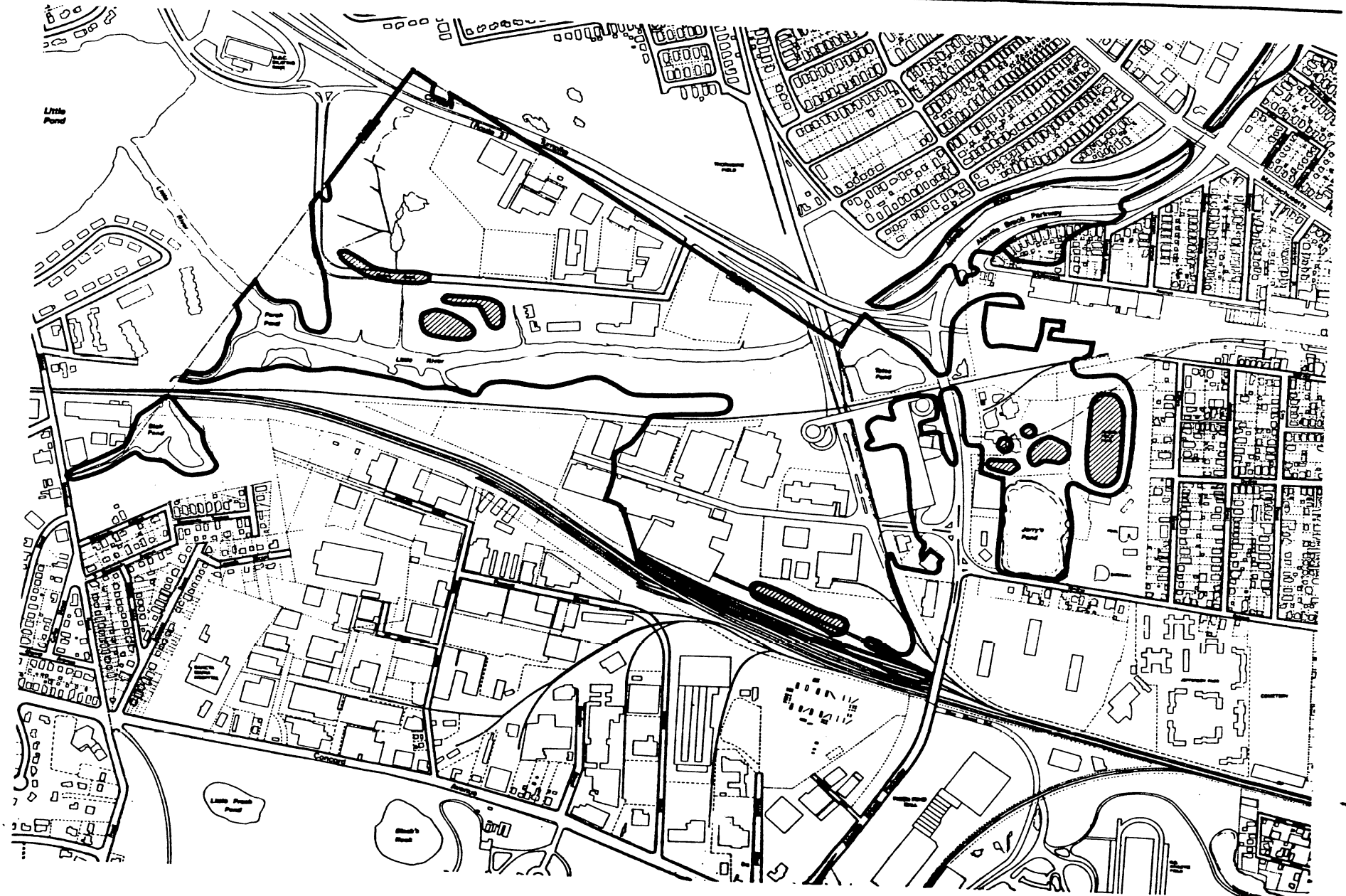
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For the Committee,

Councillor Walter J. Sullivan,
Chairman

Proposed Alewife Brook 100-Year Flood Plain



PUBLIC NOTICE
RELATIVE TO ZONING

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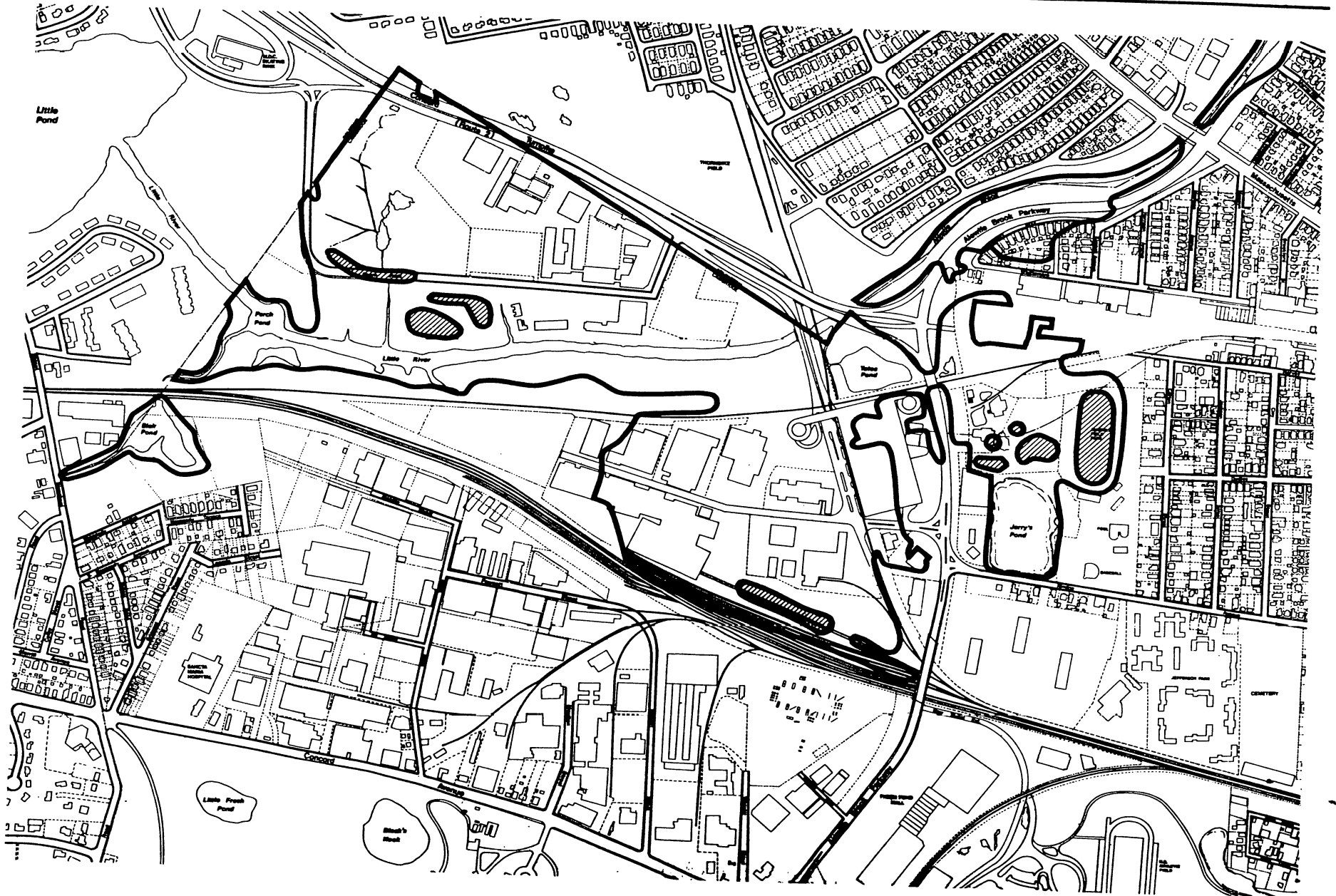
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All persons interested in this matter may appear at this time and be heard.

For the Committee,

Councillor Walter J. Sullivan,
Chairman

Proposed Alewife Brook 100-Year Flood Plain



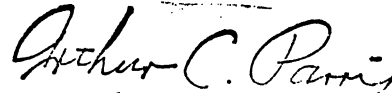
Cambridge, March 30 1982

To the Honorable, the City Council of the
City of Cambridge:

The undersigned respectfully pray
that the Cambridge Zoning Ordinance be amended as follows: (see
attached) *

Respectfully submitted,

For the Planning Board



Arthur C. Parris,
Chairman

* please note that the city must have flood plain regulations passed
by July 5, 1982 or it will no longer be eligible to participate in
the National Flood Insurance Program (NFIP).



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

FLOOD PLAIN OVERLAY DISTRICT

Recodify Section 11.70 Employment Plan Compliance Procedure as Section 11.80. Add new Section 11.70 as follows:

11.70 FLOOD PLAIN OVERLAY DISTRICT

- 11.71 Purpose. It is the purpose of this Section 11.70 to protect the public health, safety, and general welfare, to protect human life and property from the hazards of periodic flooding, to preserve the natural flood control characteristics, and the flood storage capacity of the flood plain, to preserve and maintain the ground water table and water recharge areas within the flood plain, and to provide a mechanism for a comprehensive review of development in the Flood Plain Overlay District and the design and location of flood water retention systems and their relationship to other surrounding developments.
- 11.72 Establishment and Scope. There is hereby established a Flood Plain Overlay District which shall be governed by the regulations specified in this Section 11.70. The Flood Plain Overlay District includes all special flood hazard areas designated as Zone A, A1-30 on the Cambridge Flood Insurance Rate Map (FIRM), and the Flood Plain Boundary and Floodway Map, dated July 5, 1982, or any amendment thereto, on file with the City Clerk, Superintendent of Buildings, Community Development Department, and the Federal Emergency Management Agency. These maps as well as the accompanying Cambridge Flood Insurance Study dated January 5, 1982, or any amendment thereto are incorporated herein by reference.
- 11.73 Applicability. No structure or building shall be erected, constructed, expanded, substantially improved, or moved and no earth or other materials shall be dumped, paved, filled, excavated, transferred or otherwise altered in the Flood Plain Overlay District unless a special permit is granted by the Planning Board.
- 11.74 Procedure. Application for a special permit shall be made on a form prescribed by the Board. In addition to the information required for submittal, the applicant shall also present the following:
- (1) a detailed landscape plan drawn to a scale of 1 inch equals 20 feet showing the location and design of flood water retention systems as required by applicable law.

- (2) base flood elevation data, where the base flood elevation is not provided on the FIRM;
- (3) certification and supporting documentation by a Massachusetts registered professional engineer demonstrating that such encroachment as specified above in subsection 11.73 shall not result in any increase in flood levels during the occurrence of the 100-year flood; and
- (4) four (4) copies of all application materials.

11.741 Upon receipt of the application and development plans, the Planning Board shall transmit copies of the plans to the Conservation Commission and the City Engineer. Within forty-five (45) days of receipt of the plans, the Conservation Commission and the City Engineer shall review said plans and submit their respective reports and recommendations to the Planning Board. The Planning Board shall not render any decision on an application for a special permit for development in the Flood Plain Overlay District until said reports have been received and considered or until the forty-five (45) day period has expired without the receipt of such report, whichever is earlier.

11.75 Criteria. The Planning Board shall grant a Special Permit for development in the Flood Plain Overlay District if the Board finds that such development has met all of the following criteria, in addition to other criteria specified in Section 10.40:

- (1) No filling or other encroachment shall be allowed in Zone A areas or in the floodway which would impair the ability of these special flood hazard areas to carry and discharge flood waters, except where such activity is fully offset by stream improvements such as but not limited to flood water retention systems as allowed by applicable law.
- (2) Displacement of water retention capacity at one location shall be replaced in equal volume at another location on the same lot, on an abutting lot in the same ownership, on a non-contiguous lot in the same ownership, or in accordance with the following requirements.
 - a) on an abutting or non-contiguous lot in a different ownership if the applicant provides evidence of a deed restriction, conservation easement, or other legal mechanism acceptable to the Board.
- (3) All flood water retention systems shall be suitably designed and located so as not to cause any nuisance, hazard, or detriment to the occupants of the site or abutters. The Planning Board may require screening or landscaping of flood water retention systems to create a safe, healthful, and pleasing environment.

- (4) The proposed use shall comply in all respects with the provisions of the underlying zoning district, provisions of the State Building Code, and any other applicable laws.
- (5) Applicants for development in the Alewife Revitalization area shall be familiar with the Alewife Revitalization, Alewife Urban Design Study Phase II, April 1979, and shall demonstrate how their plan meets the spirit and intent of such study, particularly "Appendix One, District Development Policies," in conjunction with the requirements of this Section 11.70 Flood Plain Overlay District.

11.76 Development Regulations for mobile homes. The following development regulations apply to the placement of mobile homes within special flood hazard areas designated as Zone A1-30 on the FIRM, in addition to other requirements of this Section 11.70. All mobile homes shall provide that:

- (1) stands or lots are elevated on compacted fill or on pilings so that the lowest floor of the mobile home will be at or above the base flood level; and
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11.761 The placement of mobile homes, except in an existing mobile home park or mobile home subdivision are prohibited in the floodway.

11.77 Setback exemptions. Any required flood water retention systems or related facilities may be permitted to extend into required yard setbacks if deemed appropriate by the Planning Board.

11.78 Emergency Repairs. The special permit required in this Section 11.70 shall not apply to emergency repairs or projects necessary for the protection of the health, safety or welfare of the general public which are to be performed or which are ordered to be performed by a city agency, or the commonwealth, or a political subdivision thereof. In no case shall any filling, dredging, excavating, or otherwise extend beyond the time necessary to abate the emergency.

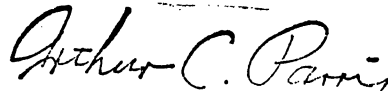
Cambridge, March 30 1982

To the Honorable, the City Council of the
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The undersigned respectfully pray
that the Cambridge Zoning Ordinance be amended as follows: (see
attached) *

Respectfully submitted,

For the Planning Board



Arthur C. Parris,
Chairman

* please note that the city must have flood plain regulations passed
by July 5, 1982 or it will no longer be eligible to participate in
the National Flood Insurance Program (NFIP).



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

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Recodify Section 11.70 Employment Plan Compliance Procedure as Section 11.80. Add new Section 11.70 as follows:

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- 11.71 Purpose. It is the purpose of this Section 11.70 to protect the public health, safety, and general welfare, to protect human life and property from the hazards of periodic flooding, to preserve the natural flood control characteristics, and the flood storage capacity of the flood plain, to preserve and maintain the ground water table and water recharge areas within the flood plain, and to provide a mechanism for a comprehensive review of development in the Flood Plain Overlay District and the design and location of flood water retention systems and their relationship to other surrounding developments.
- 11.72 Establishment and Scope. There is hereby established a Flood Plain Overlay District which shall be governed by the regulations specified in this Section 11.70. The Flood Plain Overlay District includes all special flood hazard areas designated as Zone A, A1-30 on the Cambridge Flood Insurance Rate Map (FIRM), and the Flood Plain Boundary and Floodway Map, dated July 5, 1982, or any amendment thereto, on file with the City Clerk, Superintendent of Buildings, Community Development Department, and the Federal Emergency Management Agency. These maps as well as the accompanying Cambridge Flood Insurance Study dated January 5, 1982, or any amendment thereto are incorporated herein by reference.
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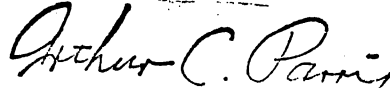
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Petition from Arthur C. Parris, Chairman, Cambridge Planning Board Re: proposed amendment to the Zoning Ordinances of the City of Cambridge for a Flood Plain Overlay District by recodifying Section 11.70 entitled "Employment Plan Compliance Procedure" as Section 11.80 and adding a new Section 11.70.

6/21/82 Passed to be ordained
7-0-2

Copies sent to City Solicitor &
Comm. Dev. Dept 6/22/82 (all)
copy sent to DCA 6/24/82 (all)

copy sent to Planning Board
& Ordinance Committee 4/4/82 mh

In City Council,

April 5, 1982

4/5/82

Prepared to the
Planning Board
and
Ordinance Committee
for
Hearing & Report