



Cover Memorandum/Staff Report

File #: 24-1149

Agenda Date: 11/4/2024

Item #: 8.B.

TO: Mayor and Commissioners
FROM: Missie Barletto, Public Works Director
THROUGH: Terrence R. Moore, ICMA-CM
DATE: November 4, 2024

ORDINANCE NO. 05-24: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF DELRAY BEACH CODE OF ORDINANCES, CHAPTER 10, "FLOOD DAMAGE CONTROL DISTRICTS AND COASTAL CONSTRUCTION," ARTICLE 10.1, "ADMINISTRATION," SECTION 10.1.2, "APPLICABILITY," TO REFERENCE THE MOST RECENTLY ADOPTED FLOOD INSURANCE STUDY; AMENDING SECTION 10.1.7, "VARIANCES AND APPEALS," TO REPLACE REFERENCES TO THE BOARD OF ADJUSTMENT FOR APPEALS TO FLOODPLAIN MANAGEMENT REGULATIONS WITH THE APPROPRIATE REVIEWING BODY FOR CONSISTENCY WITH CHAPTER 2 AND UPDATING THE FLORIDA BUILDING CODE CHAPTER CITATION FOR HISTORIC STRUCTURES; AMENDING ARTICLE 10.2, "DEFINITIONS," SECTION 10.2.2, "DEFINITIONS," BY DELETING THE DEFINITIONS FOR "EXISTING MANUFACTURED HOME PARK OR SUBDIVISION," "EXPANSION TO AN EXISTING MANUFACTURED HOME PARK OR SUBDIVISION," AND "NEW MANUFACTURED HOME PARK OR SUBDIVISION," FOR CONSISTENCY WITH STATE FLOODPLAIN REQUIREMENTS FOR ALL MANUFACTURED HOMES, AND BY AMENDING THE DEFINITIONS FOR "COASTAL HIGH HAZARD AREA," "HISTORIC STRUCTURE," AND "MARKET VALUE," TO BE CONSISTENT WITH INDUSTRY STANDARDS; AND AMENDING ARTICLE 10.3, "FLOOD RESISTANT DEVELOPMENT," SECTION 10.3.4, "MANUFACTURED HOMES," TO CREATE A UNIFORM ELEVATION FOR ALL MANUFACTURED HOMES IN FLOOD HAZARD AREAS; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND PROVIDING AN EFFECTIVE DATE. (SECOND READING/PUBLIC HEARING)

Recommended Action:

Consider Ordinance No. 05-24, a City-initiated amendment to the Land Development Regulations (LDR), amending Chapter 10, "Flood Damage Control Districts and Coastal Construction" for compliance with United States Federal Emergency Management Agency (FEMA) National Flood Insurance Program (NFIP) Community Rating System (CRS).

Background:

The City participates in the United States Federal Emergency Management Agency (FEMA) National Flood Insurance Program (NFIP) Community Rating System (CRS), a voluntary incentive program that recognizes and encourages community floodplain management activities that exceed the minimum program requirements. Participation in the program affords citizens and property owners in CRS communities the opportunity to obtain discounted premium rates for flood insurance policies.

In 2020, the NFIP CRS established certain minimum prerequisites for communities to qualify for or

maintain class ratings of Class 8 or higher. The City currently has a CRS rating of Class 6; Class 1 is the highest possible rating.

The proposed update to Chapter 10, "Flood Damage Control Districts and Coastal Construction" satisfies the prerequisites and maintain the current CRS rating, by adopting the requirement that all manufactured homes installed or replaced in special flood hazard areas must be elevated to at least the base flood elevation plus 1 foot. FEMA issued a revised Flood Insurance Study for Palm Beach County, Florida and Incorporated Areas, with an effective date of December 20, 2024; the proposed update also adopts the accompanying Flood Insurance Rate Maps (FIRM) as the minimum basis for establishing flood hazard areas.

On August 12, 2024, the Planning and Zoning Board voted 5-0 to recommend approval of Ordinance No. 05-24.

City Attorney Review:

Ordinance No. 05-24 is approved as to form and legal sufficiency.

Funding Source/Financial Impact:

Not applicable.

Timing of Request:

Ordinance No. 05-24 will be effective immediately at adoption, anticipated for October 15, 2024.