

CITY OF GREENACRES

Council Agenda Memo
#2016.08B7.01

TO: Mayor and City Council

THROUGH: Andrea McCue, City Manager

FROM: Michael Grimm, Director/CBO, Building Department

SUBJECT: **Ordinance No. 2016-14** Adopting Model Floodplain Management Regulations, City Council Agenda Item for 08-01-2016 2nd Reading.

DATE: July 22, 2016

COPIES: James D. Stokes, City Attorney
Denise McGrew, City Clerk

Background:

The National Flood Insurance Program (NFIP) was established in 1968 when Congress passed the National Flood Insurance Act and is coordinated by the Federal Emergency Management Agency (FEMA). The NFIP offers flood insurance to homeowners, renters, and business owners if their community participates in the NFIP. Participating communities agree to adopt and enforce ordinances that meet or exceed FEMA requirements to reduce the risk of flooding. The City has participated in the NFIP since August 26, 1977 and has approximately 450 flood insurance policies currently issued within the City.

The 2010 version of the Florida Building Code (FBC) for the first time retained flood regulations from the International Code series that is the basis of the FBC. This change made it necessary for local jurisdictions throughout Florida to make changes in their local Floodplain Management Regulations (FPM) and their local Administrative Amendments to the FBC.

The Florida Department of Emergency Management (DEM) is the state coordinating agency for the NFIP. The DEM State Floodplain Management Office assists and monitors local community floodplain management and ensures compliance with the national program. The DEM has created a new model Floodplain Management Ordinance that they recommend all municipalities adopt with minor modifications for local conditions.

Although there are currently no special flood hazard areas designated within the city, FEMA is currently in the process of re-mapping Palm Beach County. A date has not yet been set for the new flood maps to take effect but proposed preliminary maps have shown several areas within the City to be designated as

type AE Special Flood Hazard areas. The DEM also assists communities in applying to qualify for the NFIP Community Rating System Program (CRS) which gives discounts on flood insurance rates of 5% for each point scored below a 10.

The City Council approved this Ordinance on first reading July 18, 2016 by a vote of 5-0.

Analysis:

Ordinance 2016-14 specifically repeals the previous Floodplain Management Regulations, adopts the new DEM recommended model Floodplain Management Regulations and revises the City's local amendments to the Florida Building Code. The following are important aspects of the new model FPM and local code amendments:

1. The new FPM model is written in regulatory language, eliminating permissible and unenforceable language.
2. The new FPM is coordinated between the FBC and the NFIP for consistency and requires buildings, structures and development that are exempt from the FBC to comply with NFIP when located in a flood hazard area.
3. Clarifies the Building Official and the Floodplain Administrator are responsible for different aspects required to fulfill a community's responsibilities to the NFIP. Both functions may be performed by the same individual, when enforcing the FBC that person is acting as the Building Official when enforcing the FPM that person is acting as the Floodplain Administrator.
4. The new FPM contains several common "higher standards" to help protect lives and property and also helps the city obtain a better CRS score. Higher standards proposed include: developing and implementing "Substantial Improvement/Substantial Damage" determination procedures for requiring lowest floors to be elevated above the Base Flood Elevation (BFE), making Substantial Improvements cumulative over a 5-year period, and requiring lowest floor elevation to include freeboard of plus 1' above the BFE.

Financial:

There will be no current costs to the City but staff expects increased work load and costs when the new FEMA Flood Maps eventually go into effect and also substantial savings for residents due to a better CRS score from the implementation of the proposed higher standards.

Legal:

The proposed ordinance has been reviewed by the State Floodplain Management Office and found to comply with NFIP requirements.

Staff Recommendation:

Staff recommends *approval* of Ordinance 2016-14 adopting Model Floodplain Management Regulations.

Michael Grimm CBO
Director Building Department

Attachments:

1. Ordinance No. 2016-14