

PROPOSED AMENDMENT TO

LAND DEVELOPMENT CODE SECTIONS 3.00.00, ARTICLE 10, 12.04.00

REGARDING AMENDING ARTICLE 3 DEFINITIONS; REPLACING ARTICLE 10, IN ITS ENTIRETY AND DELETING PORTIONS OF ARTICLE 12, SPECIFICALLY 12.04.00, OF THE LAND DEVELOPMENT CODE; TO ADOPT A NEW ARTICLE 10 FLOODPLAIN MANAGEMENT ORDINANCE; TO ADOPT FLOOD HAZARD MAPS, TO DESIGNATE A FLOODPLAIN ADMINISTRATOR, TO ADOPT PROCEDURES AND CRITERIA FOR DEVELOPMENT IN FLOOD HAZARD AREAS, AND FOR OTHER PURPOSES; TO FORMAT PREVIOUSLY ADOPTED REQUIREMENTS TO BE COMPATIBLE WITH THE FLORIDA BUILDING CODE.

RECOMMENDATION

It is recommended that the Zoning Board approve the attached revisions to the Santa Rosa County Land Development Code, revising the floodplain management guidelines and adding definitions for better clarity in relation to flood plain management.

BACKGROUND

In 1977 Santa Rosa County was accepted for participation in the National Flood Insurance Program. The Land Development Code has periodically been amended to meet new requirements and to put in place additional requirements as deemed necessary. The Building Official and the Floodplain Manager have been working with a consultant to make the appropriate changes to the Land Development Code.

STAFF ANALYSIS

The proposed changes will bring the Land Development Code and the Florida Building Code into closer alignment with regard to Floodplain Management.

ARTICLE THREE

DEFINITIONS

ALTERATION OF A WATERCOURSE: A dam, impoundment, channel relocation, change in channel alignment, channelization, or change in cross-sectional area of the channel or the channel capacity, or any other form of modification which may alter, impede, retard or change the direction and/or velocity of the riverine flow of water during conditions of the base flood.

APPEAL, FLOODPLAIN: A request for a review of the Floodplain Administrator's interpretation of any provision of Article 10 and 12.

AREA OF SHALLOW FLOODING: A designated AO or VO Zone on a community's Flood Insurance Rate Map (FIRM) with base flood depths from one (1) to three (3) feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident.

AREA OF SPECIAL FLOOD HAZARD: Is the land in the flood plain within a community subject to a one (1) percent or greater chance of flooding in any given year.

ASCE 24: A standard titled *Flood Resistant Design and Construction* that is referenced by the *Florida Building Code*. ASCE 24 is developed and published by the American Society of Civil Engineers, Reston, VA.

BASE FLOOD ELEVATION: The elevation of the base flood, including wave height, relative to the National Geodetic Vertical Datum (NGVD), North American Vertical Datum (NAVD) or other datum specified on the Flood Insurance Rate Map (FIRM). [Also defined in FBC, B, Section 202.]

BREAKAWAY WALL: A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or the supporting foundation system.

COASTAL A ZONE: Flood hazard areas that are:

- 1. Within 200 feet of the mean high tide lines in areas designated on Exhibit A*;**
- 2. Seaward of the Limit of Moderate Wave Action shown on the Flood Insurance Rate Map.**
- 3. Designated Zone AE in the Navarre Beach Planning Area.**

***Note—The attached Exhibit A referenced in this section is not set out herein, but is an attachment to Ord. No. 2007-30 on file in the office of the county clerk.**

COASTAL CONSTRUCTION CONTROL LINE: The line established by the State of Florida pursuant to section 161.053, F.S., and recorded in the official records of the community, which defines that portion of the beach-dune system subject to severe fluctuations based on a 100-year storm surge, storm waves or other predictable weather conditions.

COASTAL HIGH HAZARD AREA: The area subject to high velocity waters caused by, but not limited to, hurricane wave wash. The area is designated on a FIRM as Zone V1-30, VE or V. **A special flood hazard area extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. Coastal high hazard areas are also referred to as “high hazard areas subject to high velocity wave action” or “V Zones” and are designated on Flood Insurance Rate Maps (FIRM) as Zone V1-V30, VE, or V Note: The Florida Building Code defines and uses the term “flood hazard areas subject to high velocity wave action” and the Florida Building Residential Code uses the term “coastal high hazard area”..**

DESIGN FLOOD: The flood associated with the greater of the following two areas:

1. **Area with a floodplain subject to a 1-percent or greater chance of flooding in any year; or**
2. **Area designated as a flood hazard area on the community’s flood hazard map, or otherwise legally designated.**

DESIGN FLOOD ELEVATION: The elevation of the “design flood,” including wave height, relative to the datum specified on the community’s legally designated flood hazard map. **In areas designated as Zone AO, the design flood elevation shall be the elevation of the highest existing grade of the building’s perimeter plus the depth number (in feet) specified on the flood hazard map. In areas designated as Zone AO where the depth number is not specified on the map, the depth number shall be taken as being equal to 2 feet.**

DEVELOPMENT: Any man-made change to improved or unimproved real estate including, but not limited to, buildings or other structures, **tanks, temporary structures**, mining, dredging, filling, major land clearing, grading, paving, excavating, drilling operations, **other land disturbing activities** or permanent storage of materials, but not including routine maintenance activities.

ELEVATED BUILDING: A non-basement building built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, columns (posts and piers), shear walls, or breakaway walls.

ENCROACHMENT, FLOOD: The placement of fill, excavation, buildings, permanent structures or other development into a flood hazard area which may impede or alter the flow capacity of riverine flood hazard areas.

EXISTING BUILDING AND EXISTING STRUCTURE: Any buildings and structures for which the “start of construction” commenced before June 26, 1975. [Also defined in FBC, B, Section 202.]

EXISTING MANUFACTURED HOME PARK OR SUBDIVISION: A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before June 26, 1975.

FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA): The federal agency that, in addition to carrying out other functions, administers the National Flood Insurance Program.

FIRST FLOOR LEVEL: Lowest floor of structure, as it relates to land use and zoning requirements.

FLOOD DAMAGE-RESISTANT MATERIALS: Any construction material capable of withstanding direct and prolonged contact with floodwaters without sustaining any damage that requires more than cosmetic repair.

FLOOD HAZARD AREA: The greater of the following two areas:

- 1. The area within a floodplain subject to a 1-percent or greater chance of flooding in any year.**
- 2. The area designated as a flood hazard area on the community’s flood hazard map, or otherwise legally designated.**

FLOOD HAZARD BOUNDARY MAP (FHBM): An official map of a community, issued by the Federal Emergency Management Agency, where the boundaries of the areas of special flood hazard have been defined as Zone A.

FLOOD INSURANCE STUDY (FIS): The official report provided by the Federal Emergency Management Agency. The report contains the Flood Insurance Rate Maps, flood profiles, as well as the Flood Boundary Floodway Map and the water surface elevation of the base flood.

FLOODPLAIN ADMINISTRATOR: The office or position designated and charged with the administration and enforcement of this ordinance (may be referred to as the Floodplain Manager).

FLOODPLAIN DEVELOPMENT PERMIT OR APPROVAL: An official document or certificate issued by the community, or other evidence of approval or concurrence, which authorizes performance of specific development activities that are located in flood hazard areas and that are determined to be compliant with this ordinance.

FLOODWAY: The channel of a river or other riverine watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot.

FLOODWAY ENCROACHMENT ANALYSIS: An engineering analysis of the impact that a proposed encroachment into a floodway is expected to have on the floodway boundaries and base flood elevations; the evaluation shall be prepared by a qualified Florida licensed engineer using standard engineering methods and models.

FLORIDA BUILDING CODE: The family of codes adopted by the Florida Building Commission, including: Florida Building Code, Building; Florida Building Code, Residential; Florida Building Code, Existing Building; Florida Building Code, Mechanical; Florida Building Code, Plumbing; Florida Building Code, Fuel Gas.

FUNCTIONALLY DEPENDENT USE FACILITY: A use facility which cannot be used for its intended purpose unless it is located or carried out in close proximity to water, including only such as a docking or port facility necessary for the loading and unloading of cargo or passengers, and shipbuilding and ship repair, or seafood processing facilities. The term does not include long-term storage, manufacture, sales, or service facilities.

HIGHEST ADJACENT GRADE: The highest natural elevation of the ground surface, prior to construction, next to the proposed walls or foundation of a structure.

HISTORIC STRUCTURE: For the purpose of Article 10, any structure that is determined eligible for the exception to the flood hazard area requirements of the Florida Building Code, Existing Building, Chapter 11 Historic Buildings.

LETTER OF MAP CHANGE (LOMC): An official determination issued by FEMA that amends or revises an effective Flood Insurance Rate Map or Flood Insurance Study. Letters of Map Change include:

1. **Letter of Map Amendment (LOMA):** An amendment based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A LOMA amends the current effective Flood Insurance Rate Map and establishes that a specific property, portion of a property, or structure is not located in a special flood hazard area.
2. **Letter of Map Revision (LOMR):** A revision based on technical data that may show changes to flood zones, flood elevations, special flood hazard area boundaries and floodway delineations, and other planimetric features.
3. **Letter of Map Revision Based on Fill (LOMR-F):** A determination that a structure or parcel of land has been elevated by fill above the base flood elevation and is, therefore, no longer located within the special flood hazard area. In order to qualify for this determination, the fill must have been permitted and placed in accordance with the community's floodplain management regulations.
4. **Conditional Letter of Map Revision (CLOMR):** A formal review and comment as to whether a proposed flood protection project or other project complies with the

minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective Flood Insurance Rate Map or Flood Insurance Study; upon submission and approval of certified as-built documentation, a Letter of Map Revision may be issued by FEMA to revise the effective FIRM.

LIGHT-DUTY TRUCK: As defined in 40 C.F.R. 86.082-2, any motor vehicle rated at 8,500 pounds Gross Vehicular Weight Rating or less which has a vehicular curb weight of 6,000 pounds or less and which has a basic vehicle frontal area of 45 square feet or less, which is:

- 1. Designed primarily for purposes of transportation of property or is a derivation of such a vehicle, or**
- 2. Designed primarily for transportation of persons and has a capacity of more than 12 persons; or**
- 3. Available with special features enabling off-street or off-highway operation and use.**

LOWEST FLOOR: The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in area other than a basement area is not considered a building's lowest floor; Provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of **the Florida Building Code or ASCE 24 Article 10.**

~~MANUFACTURED BUILDING OR HOME:~~ A closed structure, building assembly or system of subassemblies, which may include structural, electrical, plumbing, heating, ventilating, or other service systems manufactured in manufacturing facilities for installation or erection as a finished building or as part of a finished building, which shall include but not be limited to residential, commercial, institutional, storage or industrial structures and bearing the Department of Community Affairs insignia. This part does not apply to Mobile Homes.

MANUFACTURED HOME: A structure, transportable in one or more sections, which is eight (8) feet or more in width and greater than four hundred (400) square feet, and which is built on a permanent, integral chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle" or "park trailer." [Also defined in 15C-1.0101, F.A.C.]

MANUFACTURED HOME PARK OR SUBDIVISION: A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

MARKET VALUE: The price at which a property will change hands between a willing buyer and a willing seller, neither party being under compulsion to buy or sell and both having reasonable knowledge of relevant facts. As used in this ordinance, the term refers to the market value of buildings and structures, excluding the land and other improvements on the parcel. Market value may be established by a qualified independent appraiser, Actual Cash Value (replacement cost depreciated for age and quality of construction), or tax assessment value adjusted to approximate market value by a factor provided by the Property Appraiser.

~~**NATIONAL GEODETIC VERTICAL DATUM (NGVD):** As corrected in 1929 is a vertical control used as a reference for establishing varying elevations within the flood plain.~~

NEW CONSTRUCTION: Structures for which the "start of construction" commenced on or after the effective date of this ordinance. However, for the purposes of administration of the flood resistant construction requirements of this ordinance and the *Florida Building Code*, structures for which the "start of construction" commenced on or after October 14, 1977 and includes any subsequent improvements to such structures.

NEW MANUFACTURED HOME PARK OR SUBDIVISION: A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after October 14, 1977.

PARK TRAILER: A transportable unit which has a body width not exceeding fourteen (14) feet and which is built on a single chassis and is designed to provide seasonal or temporary living quarters when connected to utilities necessary for operation of installed fixtures and appliances. [Defined in 320.01, F.S.]

~~**RECREATIONAL VEHICLE:** A vehicular type portable structure without a permanent foundation, which has been or can be reasonably equipped with wheels and can be towed, hauled, or driven and primarily designed as temporary living accommodations for recreational use, including camping and travel trailers, truck campers, camping trailers, self-propelled motor homes, and converted vehicles.~~

RECREATIONAL VEHICLE: A vehicle, including a park trailer, which is: [See section 320.01, F.S.]

1. Built on a single chassis;
2. Four hundred (400) square feet or less when measured at the largest horizontal projection;
3. Designed to be self-propelled or permanently towable by a light-duty truck; and
4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

SPECIAL FLOOD HAZARD AREA (SFHA): ~~An area having special flood, mudflow, or flood-related erosion hazards, and shown on a Flood Hazard Boundary Map or a Flood Insurance Rate Map as Zone A, AO, A1-A30, AE, A99, AH, AR, AR/A, AR/AE, AR/AH, AR/AO, Ar/A1-A30, V1-V30, VE, or V. For the purpose of determining Community Rating System premium discounts, all AR and A99 zones are treated as non-SFHAs.~~ An area in the floodplain subject to a 1 percent or greater chance of flooding in any given year. Special flood hazard areas are shown on FIRMs as Zone A, AO, A1-A30, AE, A99, AH, V1-V30, VE or V.

SUBSTANTIAL DAMAGE: Damage of any origin sustained by a building or structure whereby the cost of restoring the building or structure to its before-damaged condition would

equal or exceed 50 percent of the market value of the building or structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT: ~~Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds a cumulative total of fifty (50) percent of the market value of the structure either:~~

- ~~1. Before the improvement or repair is started; or~~
- ~~2. Before the damage occurred, if the structure has been damaged and is being restored.~~

Any repair, reconstruction, rehabilitation, addition, or other improvement of a building or structure, the cost of which equals or exceeds 50 percent of the market value of the building or structure before the improvement or repair is started. If the structure has incurred "substantial damage," any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either:

- 1. Any project for improvement of a building required to correct existing health, sanitary, or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions.**
- 2. Any alteration of a historic structure provided the alteration will not preclude the structure's continued designation as a historic structure.**

VARIANCE, FLOOD: A grant of relief from the requirements of this ordinance or the flood resistant construction requirements of the *Florida Building Code*, which permits construction in a manner that would not otherwise be permitted by this ordinance or the *Florida Building Code*.

WATERCOURSE: A river, creek, stream, channel or other topographic feature in, on, through, or over which water flows at least periodically.

ARTICLE TEN

FLOOD PLAIN MANAGEMENT

10.00.00 — PURPOSE: In as much as the flood hazard areas of Santa Rosa County are subject to periodic inundation which can result in loss of life, property, health, and safety, and which can disrupt commerce and governmental services and which can cause extraordinary public expenditures for flood protection and relief and which can impair the tax base of the County and otherwise adversely affect the public health, safety and general welfare and because these flood losses are caused by the cumulative effect of obstruction in flood plains causing increases in flood heights and velocities, and by the occupancy in flood hazard areas by uses vulnerable to floods or hazardous to other lands which are inadequately elevated, flood proofed or otherwise protected from flood damages, this article is designed to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas. Towards this end the provisions of this article are designed to:

A. — Restrict or prohibit uses which are dangerous to health, safety and property due to water or erosion or in flood heights or velocities;

B. — Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;

C. — Control the alteration of natural flood plains, stream channels, and natural protective barriers which are involved in the accommodation of flood waters;

D. — Control filling, grading, dredging and other development which may increase erosion or flood damage; and

E. — Prevent or regulate the construction of flood barriers which will unnaturally divert flood water or which may increase flood hazards to other lands.

10.00.01 — Objectives: The objectives of this article are:

A. — To protect human life and health;

B. — To minimize expenditure of public money for costly flood control projects;

C. — To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;

D. — To minimize prolonged business interruptions;

E. — To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in flood plains;

F. — To help maintain a stable tax base by providing for the sound use and development of flood prone areas in such a manner as to minimize future flood blight areas; and

G. — To insure that potential home buyers are notified that property is in a flood area.

10.01.00 — GENERAL PROVISIONS

10.01.01 — Lands to Which this Article Applies: This article shall apply to all areas of special flood hazard within the jurisdiction of Santa Rosa County, except areas of Santa Rosa County under the jurisdiction of other governmental agencies having independently qualified under the permanent Federal Flood Insurance Program.

10.01.02 — Basis for Establishing the Areas of Special Flood Hazard: The areas of special flood hazard identified by the Federal Emergency Management Agency in its Flood Insurance study for the unincorporated areas of Santa Rosa County initializing August 8, 1979, with accompanying maps and other supporting data, and any revision thereto are adopted by reference and declared to be a part of this ordinance.

10.01.03 — Establishment of Development Permit: A Development Permit shall be required in conformance with the provisions of this article prior to the commencement of any development activities, within any areas of special flood hazard.

10.01.04 — Compliance: No structure or land shall hereafter be located, extended, converted, or structurally altered without full compliance with the terms of this article and other applicable regulations including this Code.

10.01.05 — Abrogation and Greater Restrictions: This article is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this article and another conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

10.01.06 — Interpretation: In the interpretation and application of this article, all provisions shall be:

A. — Considered as minimum requirements;

B. — Liberally construed in favor of the governing body; and

C. — Deemed neither to limit nor repeal any other powers granted under state statutes.

10.01.07 — Warning and Disclaimer of Liability: The degree of flood protection required by this article is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damages. This article shall not create liability on the part of Santa Rosa County or by any officer or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made there under.

10.02.00 — ADMINISTRATION

10.02.01 — Designation of County Building Official: The County Building Official, or his successor, is hereby appointed to administer and implement the provisions of this article, with enforcement responsibility delegated pursuant to the County Table of Administrative Organization.

10.02.02 — Permit Procedures: Application for a Development Permit shall be made to the County Building Official on forms furnished by him, prior to any development activities, and may include, but not be limited to, the following plan requirements, in duplicate; drawn to scale; showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials; drainage facilities, and the location of each of the foregoing more specifically, the following information is required in addition to any other information required by other provisions of this ordinance:

A. — Elevation in relation to mean sea level of the proposed lowest floor (including basement) of all structures.

B. — Elevation with respect to Foundation Structure referenced to mean sea level to which any non-residential structure will be flood-proofed.

C. — Provide a certificate from a registered professional engineer or architect that the non-residential flood-proofed structure meets the flood-proofing criteria in Section 10.03.02 (B).

D. — Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

E. — Provide a floor elevation or flood-proofing certification after the lowest floor is completed, or in instances where the structure is subject to the regulations applicable to Coastal High Hazard Areas, after placement of the horizontal structural members of the lowest floor. Within twenty-one (21) calendar days of establishment of the lowest floor elevation, or flood proofing by whatever construction means, or upon placement of the horizontal structural members of the lowest floor, whichever is applicable, it shall be the duty of the permit holder to submit to the County Building Official a certification of the elevation of the lowest floor, flood-proofed elevation, or the elevation of the lowest portion of the horizontal structural members of the lowest floor, whichever is applicable, as built, in relation to mean sea level. Said certification shall be prepared by or under the direct supervision of a registered land surveyor or professional engineer and certified by same. When flood-proofing is utilized for a particular building, said certification shall be prepared by and certified under the direct supervision of a professional engineer or architect. Any work done within the twenty-one (21) day calendar period and prior to submission of the certification shall be at the permit holder's risk. The County Building Official shall review the floor elevation survey data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further progressive work being permitted to proceed. Failure to submit the survey or failure to make said corrections required hereby, shall be cause to issue a stop-work order for the project.

10.02.03 — Duties and Responsibilities of the County Building Official: Under this article, duties of the County Building Official shall include, but not be limited to:

~~A. — Review of all development permits to assure that the permit requirements of this article have been satisfied.~~

~~B. — Advise permittee that additional federal or state permits may be required, and if specific federal or state permits are known, require that copies of such permits be provided and maintained on file with the development permit.~~

~~C. — Notify adjacent communities and the Department of Community Affairs, Division of Resource Planning and Management, State of Florida, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.~~

~~D. — Assure that maintenance is provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is not diminished.~~

~~E. — Verify and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, in accordance with Section 10.02.02 (E).~~

~~F. — Verify and record the actual elevation (in relation to mean sea level) to which the new or substantially improved structures have been flood-proofed, in accordance with Section 10.02.02 (E).~~

~~G. — In Coastal High Hazard Areas, certification shall be obtained from a registered professional engineer or architect that the structure is securely anchored to adequately anchored pilings or columns in order to withstand velocity water and hurricane wave wash.~~

~~H. — In Coastal High Hazard Areas, the County Building Official shall review plans for adequacy of breakaway walls in accordance with Section 10.03.02 (E) (5).~~

~~I. — When flood-proofing is utilized for a particular structure, the County Building Official shall require certification from a registered professional engineer or architect.~~

~~J. — Where interruption is needed as to the exact location of boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the County Building Official shall make the necessary interpretation with the assistance of the County Engineer. A contestant shall be given a reasonable opportunity to appeal the interpretation as provided in this article.~~

~~K. — When base flood elevation data have not been provided in accordance with Section 10.02.02 then the County Building Official shall obtain, review, and reasonably utilize any base flood elevation data available from a federal, state or other source, in order to administer the provisions of Section 10.03.00 et. seq.~~

~~L. — All records pertaining to the provisions of this article shall be maintained in the office of the County Building Official and shall be open for public inspection.~~

10.02.04 — Variance Procedures

~~A. — The Board of County Commissioners shall hear and decide appeals and request for variances from the requirements of this article.~~

~~B. — The Board shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the County Building Official in the enforcement or administration of this article.~~

~~C. — Any person aggrieved by the decision of the Board or any taxpayer may appeal such decision to the Circuit Court, as provided in the Florida Statutes.~~

~~D. — Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places without regard to the procedures set forth in the remainder of this section.~~

~~E. — In passing upon such applications, the Board shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this article, and:~~

- ~~1. The danger that materials may be swept onto other lands to the injury of others;~~
- ~~2. The danger of life and property due to flooding or erosion damage;~~
- ~~3. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;~~
- ~~4. The importance of the services provided by the proposed facility to the community;~~
- ~~5. The necessity to the facility of a waterfront location, where applicable;~~
- ~~6. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;~~
- ~~7. The compatibility of the propose use with existing and anticipated development;~~
- ~~8. The relationship of the proposed use to the Comprehensive Plan and flood plain management program for that area;~~
- ~~9. The safety of access to the property in times of flood for ordinary and emergency vehicles;~~
- ~~10. The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action if applicable, expected at the site;~~
- ~~11. The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, streets, and bridges;~~
- ~~12. The potential for and degree of environmental damage as a result of flooding; and~~

~~13. Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size, contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items (1) through (11) have been fully considered. As the lot size increase beyond the one-half acre, the technical justification required for issuing the variance increases.~~

~~F. Upon consideration of the factors listed above and the purposes of this article, the Board may attach such conditions to the granting of variances as it deems necessary to further the purposes of this ordinance.~~

~~G. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.~~

~~H. Conditions for variances:~~

~~1. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.~~

~~2. Variances shall only be issued upon:~~

~~a. A showing of good and sufficient cause;~~

~~b. A determination that failure to grant the variance would result in exceptional hardship to the applicant; and~~

~~c. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.~~

~~3. Any applicant to whom a variance is granted shall be given written notice specifying the difference between the base flood elevation and the elevation to which the structure is to be built and stating that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.~~

~~4. The County Building Official shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency upon request.~~

10.03.00 PROVISIONS OF FLOOD HAZARD REDUCTION

10.03.01 General Standards: In all areas of special flood hazard, the following provisions are required:

~~A. New construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure.~~

~~B. — Mobile homes to be placed or substantially improved on sites in an existing mobile home park or subdivision within Zones A1-30, AH, and AE on Santa Rosa County's FIRM shall be elevated so that the mobile home chassis is supported on reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and shall be anchored to prevent flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over the top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable state requirements for resisting wind forces.~~

~~C. — New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage. In addition, the specific guidance established in all FEMA technical bulletins relating to special flood hazard areas for conformance with the minimum requirements of the National Flood Insurance Program regulations shall be applied.~~

~~E. — Recreational vehicles placed on sites within Zones A1-30, AH, and AE on Santa Rosa County's FIRM must either be on the site fewer than 180 consecutive days, be fully licensed and ready for highway use or meet the permit requirements of mobile homes.~~

~~F. — Electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.~~

~~G. — New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.~~

~~H. — New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters.~~

~~I. — On site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.~~

~~J. — Any alteration, repair, reconstruction or improvements to a structure which is in compliance with the provisions of this article shall meet the requirements of "new construction" as contained in this article.~~

~~K. — Structural storage facilities for chemicals, explosives, buoyant materials, flammable liquids, or other hazardous or toxic materials shall be located outside of flood prone or flood plain areas to the extent possible and feasible. If these facilities cannot be located outside flood prone or flood plain areas, the design and construction of such facilities shall be flood proofed in accordance with the following standards:~~

- ~~1. A registered professional engineer shall certify that the building has been designed and constructed so that the structure and attendant facilities are watertight and capable of resisting the effects of the regulatory flood below protection elevation established in the ordinance.~~
- ~~2. The design must take into account flood velocities, duration, rate of rise, hydrostatic and hydrodynamic forces, the effect of buoyancy, and impacts from debris.~~

~~L. — Limit the alteration of natural flood plains, stream channels, and natural protection barriers which are involved in the accommodation of flood waters. This includes restrictions or prohibitions on unnecessary or incompatible filling, grading, dredging, drainage, and other development which will result in a damaging increase in erosion, habitat, destruction, or adverse impacts on the water quality treatment function of the flood plain.~~

~~M. — New solid waste disposal sites within flood prone and flood plain areas are prohibited.~~

~~N. — Adequate buffers to reduce any adverse impact from forestry activities are required.~~

10.03.02 — Specific Standards: In all areas of special flood hazard where base flood elevation data have been provided, as set forth in Sections 10.02.02 or 10.03.03, the following provisions are required:

~~A. — Residential Construction — New construction or substantial improvement of any residential structure shall have the lowest floor, including basement, elevated equal to or above three feet above the base flood elevation. However, in areas subject to a map restudy effective 12/19/06 or later, new construction or substantial improvement of any residential structure shall have the lowest floor, including basement, elevated to or above the base flood elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the unimpeded movements of flood waters shall be provided in accordance with standards of Section 10.03.02 (C) below. Additionally, V-zone requirements shall be imposed on all lands within 200 feet from the mean high tide line in the areas identified in exhibit A.~~

~~B. — Non Residential Construction — New construction or substantial improvement of any commercial, industrial, or non-residential structure shall have the lowest floor, including basement, elevated equal to or above the level of the base flood elevation. Structures located in all A-zones may be flood proofed in lieu of being elevated provided that all areas of the structure below the required elevation are water tight with walls substantially impermeable to the passage of water, and use structural components having the capability of resisting hydrostatic and hydrodynamic loads and effect of buoyancy. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied. Such certification shall be provided to the Official as set forth in subpart (C) below.~~

~~C. — Elevated Buildings — New construction or substantial improvements of elevated buildings in a special flood hazard area that include fully enclosed areas formed by foundation and other exterior walls below the based flood elevation shall be designed to preclude finished living space and designed to allow for the entry and exit of floodwaters to automatically equalize hydrostatic flood forces on exterior walls.~~

- ~~1. Designs for complying with this requirement must either be certified by a professional engineer or architect or meet the following minimum criteria:~~

(Modified: Ord. No. 05-28, 8-25-05; Ord. 06-28, 9/28/06)

- a. ~~Provide a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;~~
 - b. ~~The bottom of all openings shall be no higher than one foot above grade; and~~
 - c. ~~Openings may be equipped with screens, louvers, valves, or other coverings or devices provided they permit the automatic flow of floodwaters in both directions.~~
2. ~~Electrical, plumbing and other utility connections are prohibited below the base flood elevation;~~
 3. ~~Access to the enclosed areas shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the living area (stairway or elevator); and~~
 4. ~~The interior portion of such enclosed area shall not be partitioned or finished into separate rooms.~~
 5. ~~Concrete pads under elevated structures in V zones shall be no more than 4 inches thick, contain no reinforcement, and shall be designed to break up in a storm surge event.~~
 - a. ~~On Navarre Beach, segments shall be no larger than 5 feet X 5 feet.~~
 - b. ~~In all other V zone areas, segments shall be piling/column to piling/column.~~

~~D. Floodways Located within areas of special flood hazard established in Section 10.01.01, are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles and has erosion potential, the following shall apply:~~

1. ~~Prohibit encroachments, including fill, new construction substantial improvements and other development unless certification (with supporting technical data) by a registered professional engineer is provided demonstrating that encroachments shall not result in any increase in flood levels during occurrence of the base flood discharge;~~
2. ~~If the provisions in subpart (A) above are satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of this article;~~
3. ~~Prohibit the placement of manufactured homes (mobile homes), except in existing manufactured homes (mobile homes) park or subdivision. A replacement manufactured home may be placed on a lot in an existing manufactured home park or subdivision provided the anchoring and elevation standards of this article are met.~~

~~E. Coastal High Hazard Area (V Zones) Located within the areas of special flood hazard~~

~~established in Section 10.01.02 are areas designated as Coastal High Hazard Areas. These areas have special flood hazards associated with wave wash, therefore, the following provisions shall apply:~~

- ~~1. All buildings or structures shall be located ten (10) feet landward of the reach of the mean high tide or as otherwise required by this ordinance.~~
- ~~2. All buildings or structures shall be elevated so that the lowest horizontal member (excluding pilings or columns) is located no lower than the base flood elevation level, with all space below the lowest supporting member open so as not to impede the flow of water. Open lattice work or decorative screening may be permitted for aesthetic purposes only and must be designed to wash away in the event of abnormal wave action. Walls may be permitted and must be designed to wash away in the event of abnormal wave action and in accordance with subpart (8) below.
 - ~~a. Electrical, plumbing and other utility connections are prohibited below the lowest horizontal structural member except to meet minimum requirements of the National Electric Code.~~
 - ~~b. The interior portion of such enclosed area shall not be partitioned or finished into separate rooms.~~
 - ~~c. The interior portion of such enclosed area shall not be conditioned space.~~~~
- ~~3. All buildings or structures shall be securely anchored on pilings or columns;~~
- ~~4. All pilings and columns and the attached structures shall be anchored to resist flotation, collapse, and lateral movement due to the effect of wind and water loads acting simultaneously on all building components. The anchoring and support system shall be designed with wind and water loading values which equal or exceed the 100 year mean recurrence interval (one percent annual chance flood). With respect to pile embedment, the pile tip elevation shall not be above minus twelve (012) feet NGVD.~~
- ~~5. A registered professional engineer or architect shall certify that the design, specifications and plans for construction are in compliance with the provisions of this section and subparts (2), (3) and (4) above.~~
- ~~6. There shall be no fill used as structural support. Non compacted fill may be used around the perimeter of a building for landscaping/aesthetic purposes provided the fill will wash out from storm surge, (thereby rendering the building free to obstruction) prior to generating excessive loading forces, ramping effects, or wave deflection. Design plans for landscaping/aesthetic fill, or the proposed construction of structures such as pools, seawalls, and bulkheads, are required and shall be approved by the Building Official subject to the applicant's inclusion of an analysis by an engineer, architect, and/or soil scientist, which demonstrates that the following factors have been fully considered:
 - ~~a. Particle composition to fill material does not have a tendency for excessive natural compaction;~~~~

- ~~b. Volume and distribution of the fill or structure will not cause wave deflection to adjacent properties; and~~
 - ~~c. Slope to fill or structure will not cause wave run-up or ramping.~~
- ~~7. There shall be no alteration of sand dunes which would increase potential flood damage;~~
- ~~8. Non supporting breakaway walls, open lattice work or mesh screening shall be allowed below the base flood elevation provided they are not part of the structural support of the building and are designed so as to breakaway under abnormally high tides or wave action, without damage to the structural integrity of the building on which they are to be used and provided the following design specifications are met:
 - ~~a. Breakaway walls are designed and constructed in accordance with FEMA Technical Bulletin 9-99 or~~
 - ~~b. Use of breakaway walls which exceed a design safe loading resistance of 20 pounds per square foot may be permitted only if a registered professional engineer or architect certifies that the designs proposed meet the following conditions (i) Breakaway wall collapse shall result from a water load less than that which would occur during the base flood; and (ii) The elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all building components (structural and non structural). Water loading values used shall be those associated with the base flood. The engineer or architect shall certify the design drawings as well as the finished and installed product on a form provided by the Building Official.~~
 - ~~c. Are constructed of flood resistant materials in accordance with FEMA Technical Bulletin 2-93.~~~~
- ~~9. If breakaway walls, aesthetic lattice work or screening is utilized, such enclosed space shall not be designed to be usable for human habitation, but shall be designed to be usable only for parking of vehicles, building access, or limited storage of maintenance equipment used in connection with the premises.~~
- ~~10. Prior to construction, plans for any structure that will have lattice work or decorative screening must be submitted to the Building Official.~~
- ~~11. Any alteration, repair, reconstruction or improvement to a structure shall not enclose the space below the lowest floor except with lattice work or decorative screening, as provided for in subparts (8) and (9) above.~~
- ~~12. Prohibit the placement of manufactured home (mobile homes), except in an existing manufactured homes (mobile homes) park or subdivision. A replacement manufactured home may be placed on a lot in an existing manufactured home park or subdivision provided the anchoring and elevation standards of this article are met.~~

~~A. All subdivision proposals shall be consistent with the need to minimize flood damage;~~

~~B. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage;~~

~~C. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards; and~~

~~D. Base flood elevation data shall be provided for subdivision proposals and other proposed development which is greater than the lesser of fifty lots or five acres.~~

~~10.03.04 Standards for Areas of Shallow Flooding (AO Zones): Located within the areas of special flood hazard established in Section 10.01.01, are areas designated as shallow flooding. These areas have special flood hazards associated with base flood depths of one to three feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate; therefore, the following provisions apply:~~

~~A. All new construction and substantial improvements of residential structures shall have the lowest floor, including basement, elevated to the depth number specified on the Flood Insurance Rate Map, in feet, above the highest adjacent grade. If no depth number is specified, the lowest floor, including basement, shall be elevated at least two (2) feet above the highest adjacent grade.~~

~~B. All new construction and substantial improvement of existing non-residential structures shall:~~

~~1. Have the lowest floor, including basement, elevated to the base flood level specified on the Flood Insurance Rate Map, in feet, above the highest adjacent grade. If no depth number is specified, the lowest floor, including abasement, shall be elevated at least two (2) feet above the highest adjacent grade; or~~

~~2. 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 wall substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects.~~

ARTICLE TEN
FLOODPLAIN MANAGEMENT

10.00.00 Title. These regulations shall be known as the *Floodplain Management Ordinance of Santa Rosa County* hereinafter referred to as “this ordinance.”

10.00.01 Scope. The provisions of this ordinance shall apply to all development that is wholly within or partially within any flood hazard area, including but not limited to the subdivision of land; filling, grading, and other site improvements and utility installations; construction, alteration, remodeling, enlargement, improvement, replacement, repair, relocation or demolition of buildings, structures, and facilities that are exempt from the *Florida Building Code*; placement, installation, or replacement of manufactured homes and manufactured buildings; installation or replacement of tanks; placement of recreational vehicles; installation of swimming pools; and any other development.

10.00.02 Intent. The purposes of this ordinance and the flood load and flood resistant construction requirements of the *Florida Building Code* are to establish minimum requirements to safeguard the public health, safety, and general welfare and to minimize public and private losses due to flooding through regulation of development in flood hazard areas to:

- A. Minimize unnecessary disruption of commerce, access and public service during times of flooding;**
- B. Require the use of appropriate construction practices in order to prevent or minimize future flood damage;**
- C. Manage filling, grading, dredging, mining, paving, excavation, drilling operations, storage of equipment or materials, and other development which may increase flood damage or erosion potential;**
- D. Manage the alteration of flood hazard areas, watercourses, and shorelines to minimize the impact of development on the natural and beneficial functions of the floodplain;**
- E. Minimize damage to public and private facilities and utilities;**
- F. Help maintain a stable tax base by providing for the sound use and development of flood hazard areas;**

G. Minimize the need for future expenditure of public funds for flood control projects and response to and recovery from flood events; and

H. Meet the requirements of the National Flood Insurance Program for community participation as set forth in the Title 44 Code of Federal Regulations, Section 59.22.

10.00.03 Coordination with the Florida Building Code. This ordinance is intended to be administered and enforced in conjunction with the Florida Building Code. Where cited, ASCE 24 refers to the edition of the standard that is referenced by the Florida Building Code.

10.00.04 Warning. The degree of flood protection required by this ordinance and the Florida Building Code, as amended by this community, is considered the minimum reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside of mapped special flood hazard areas, or that uses permitted within such flood hazard areas, will be free from flooding or flood damage. The flood hazard areas and base flood elevations contained in the Flood Insurance Study and shown on Flood Insurance Rate Maps and the requirements of Title 44 Code of Federal Regulations, Sections 59 and 60 may be revised by the Federal Emergency Management Agency, requiring this community to revise these regulations to remain eligible for participation in the National Flood Insurance Program. No guaranty of vested use, existing use, or future use is implied or expressed by compliance with this ordinance.

10.00.05 Disclaimer of Liability. This ordinance shall not create liability on the part of the Board of County Commissioners of Santa Rosa County or by any officer or employee thereof for any flood damage that results from reliance on this ordinance or any administrative decision lawfully made thereunder.

10.01.00 APPLICABILITY

10.01.01 General. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

10.01.02 Areas to which this ordinance applies. This ordinance shall apply to all flood hazard areas within Santa Rosa County as established in Section 10.01.03 of this ordinance.

10.01.03 Basis for establishing flood hazard areas. The Flood Insurance Study for Santa Rosa County, Florida and Incorporated Areas dated December 19, 2006 and all subsequent amendments and revisions, and the accompanying Flood Insurance Rate Maps (FIRM), and all subsequent amendments and revisions to such maps, are adopted by reference as a part of this ordinance and shall serve as the minimum basis for establishing flood hazard areas. Studies and maps that establish flood hazard areas are on file at the Development Services Offices, 6051 Old Bagdad Hwy, Room 202, Milton, FL 32583.

10.01.04 Submission of additional data to establish flood hazard areas. To establish flood hazard areas and base flood elevations, pursuant to Section 10.04.00 of this ordinance the Floodplain Administrator may require submission of additional data. Where field surveyed topography prepared by a Florida licensed professional surveyor or digital topography accepted by the community indicates that ground elevations:

A. Are below the closest applicable base flood elevation, even in areas not delineated as a special flood hazard area on a FIRM, the area shall be considered as flood hazard area and subject to the requirements of this ordinance and, as applicable, the requirements of the *Florida Building Code*.

B. Are above the closest applicable base flood elevation, the area shall be regulated as special flood hazard area unless the applicant obtains a Letter of Map Change that removes the area from the special flood hazard area.

10.01.05 Other laws. The provisions of this ordinance shall not be deemed to nullify any provisions of local, state or federal law.

10.01.06 Abrogation and greater restrictions. This ordinance supersedes any ordinance in effect for management of development in flood hazard areas. However, it is not intended to repeal or abrogate any existing ordinances including but not limited to land development regulations, zoning ordinances, stormwater management regulations, or the *Florida Building Code*. In the event of a conflict between this ordinance and any other ordinance, the more restrictive shall govern. This ordinance shall not impair any deed restriction, covenant or easement, but any land that is subject to such interests shall also be governed by this ordinance.

10.01.07 Interpretation. In the interpretation and application of this ordinance, all provisions shall be:

A. Considered as minimum requirements;

B. Liberally construed in favor of the governing body; and

C. Deemed neither to limit nor repeal any other powers granted under state statutes.

10.02.00 DUTIES AND POWERS OF THE FLOODPLAIN ADMINISTRATOR

10.02.01 Designation. The Building Official is designated as the Floodplain Administrator. The Floodplain Administrator may delegate performance of certain duties to other employees.

10.02.02 General. The Floodplain Administrator is authorized and directed to administer and enforce the provisions of this ordinance. The Floodplain Administrator shall have the authority to render interpretations of this ordinance consistent with the intent and purpose of this ordinance and may establish policies and procedures in order to clarify the application of its provisions. Such interpretations, policies, and procedures shall not have the effect of waiving requirements specifically provided in this ordinance without the granting of a variance pursuant to Section 10.06.00 of this ordinance.

10.02.03 Applications and Permits. The Floodplain Administrator, in coordination with other pertinent offices of the community, shall:

- A. Review applications and plans to determine whether proposed new development will be located in flood hazard areas;
- B. Review applications for modification of any existing development in flood hazard areas for compliance with the requirements of this ordinance;
- C. Interpret flood hazard area boundaries where such interpretation is necessary to determine the exact location of boundaries; a person contesting the determination shall have the opportunity to appeal the interpretation;
- D. Provide available flood elevation and flood hazard information;
- E. Determine whether additional flood hazard data shall be obtained from other sources or shall be developed by an applicant;
- F. Review applications to determine whether proposed development will be reasonably safe from flooding;
- G. Issue floodplain development permits or approvals for development other than buildings and structures that are subject to the *Florida Building Code*, including buildings, structures and facilities exempt from the *Florida Building Code*, when compliance with this ordinance is demonstrated, or disapprove the same in the event of noncompliance; and
- H. Coordinate with and provide comments to the Building Official to assure that applications, plan reviews, and inspections for buildings and structures in flood hazard areas comply with the applicable provisions of this ordinance.

10.02.04 Substantial improvement and substantial damage determinations. For applications for building permits to improve buildings and structures, including alterations, movement, enlargement, replacement, repair, change of occupancy, additions, rehabilitations, renovations, substantial improvements, repairs of substantial damage, and any other improvement of or work on such buildings and structures, the Floodplain Administrator, in coordination with the Building Official, shall:

- A. Estimate the market value, or require the applicant to obtain an appraisal of the market value prepared by a qualified independent appraiser, of the building or structure before the start of construction of the proposed work; in the case of repair, the market value of the building or structure shall be the market value before the damage occurred and before any repairs are made;
- B. Compare the cost to perform the improvement, the cost to repair a damaged building to its pre-damaged condition, or the combined costs of improvements and repairs, if applicable, to the market value of the building or structure;
- C. Determine and document whether the proposed work constitutes substantial improvement or repair of substantial damage; and
- D. Notify the applicant if it is determined that the work constitutes substantial improvement or repair of substantial damage and that compliance with the flood resistant construction requirements of the *Florida Building Code* and this ordinance is required.

10.02.05 Modifications of the strict application of the requirements of the *Florida Building Code*. The Floodplain Administrator shall review requests submitted to the Building Official that seek approval to modify the strict application of the flood load and flood resistant construction requirements of the *Florida Building Code* to determine whether such requests require the granting of a variance pursuant to Section 10.06.00 of this ordinance.

10.02.06 Notices and orders. The Floodplain Administrator shall coordinate with appropriate local agencies for the issuance of all necessary notices or orders to ensure compliance with this ordinance.

10.02.07 Inspections. The Floodplain Administrator shall make the required inspections as specified in Section 10.05.00 of this ordinance for development that is not subject to the *Florida Building Code*, including buildings, structures and facilities exempt from the *Florida Building Code*. The Floodplain Administrator shall inspect flood hazard areas to determine if development is undertaken without issuance of a permit.

10.02.08 Other duties of the Floodplain Administrator. The Floodplain Administrator shall have other duties, including but not limited to:

- A. Establish, in coordination with the Building Official, procedures for administering and documenting determinations of substantial improvement and substantial damage made pursuant to Section 10.02.04 of this ordinance;
- B. Require that applicants proposing alteration of a watercourse notify adjacent communities and the Florida Division of Emergency Management, State Floodplain Management Office, and submit copies of such notifications to the Federal Emergency Management Agency (FEMA);

- C. Require applicants who submit hydrologic and hydraulic engineering analyses to support permit applications to submit to FEMA the data and information necessary to maintain the Flood Insurance Rate Maps if the analyses propose to change base flood elevations, flood hazard area boundaries, or floodway designations; such submissions shall be made within 6 months of such data becoming available;
- D. Review required design certifications and documentation of elevations specified by this ordinance and the *Florida Building Code* and this ordinance to determine that such certifications and documentations are complete;
- E. Notify the Federal Emergency Management Agency when the corporate boundaries of Santa Rosa County are modified; and
- F. Advise applicants for new buildings and structures, including substantial improvements, that are located in any unit of the Coastal Barrier Resources System established by the Coastal Barrier Resources Act (Pub. L. 97-348) and the Coastal Barrier Improvement Act of 1990 (Pub. L. 101-591) that federal flood insurance is not available on such construction; areas subject to this limitation are identified on Flood Insurance Rate Maps as “Coastal Barrier Resource System Areas” and “Otherwise Protected Areas.”

10.02.09 Floodplain Management Records. Regardless of any limitation on the period required for retention of public records, the Floodplain Administrator shall maintain and permanently keep and make available for public inspection all records that are necessary for the administration of this ordinance and the flood resistant construction requirements of the *Florida Building Code*, including Flood Insurance Rate Maps; Letters of Change; records of issuance of permits and denial of permits; determinations of whether proposed work constitutes substantial improvement or repair of substantial damage; required design certifications and documentation of elevations specified by the *Florida Building Code* and this ordinance; notifications to adjacent communities, FEMA, and the state related to alterations of watercourses; assurances that the flood carrying capacity of altered watercourses will be maintained; documentation related to appeals and variances, including justification for issuance or denial; and records of enforcement actions taken pursuant to this ordinance and the flood resistant construction requirements of the *Florida Building Code*. These records shall be available for public inspection at Development Services Offices, 6051 Old Bagdad Hwy, Room 202, Milton, FL 32583.

10.03.00 PERMITS

10.03.01 Permits required. Any owner or owner’s authorized agent (hereinafter “applicant”) who intends to undertake any development activity within the scope of this ordinance, including buildings, structures and facilities exempt from the *Florida Building Code*, which is wholly within or partially within any flood hazard area shall first make

application to the Floodplain Administrator, and the Building Official if applicable, and shall obtain the required permit(s) and approval(s). No such permit or approval shall be issued until compliance with the requirements of this ordinance and all other applicable codes and regulations has been satisfied.

10.03.02 Floodplain development permits or approvals. Floodplain development permits or approvals shall be issued pursuant to this ordinance for any development activities not subject to the requirements of the *Florida Building Code*, including buildings, structures and facilities exempt from the *Florida Building Code*. Depending on the nature and extent of proposed development that includes a building or structure, the Floodplain Administrator may determine that a floodplain development permit or approval is required in addition to a building permit.

10.03.03 Buildings, structures and facilities exempt from the *Florida Building Code*. Pursuant to the requirements of federal regulation for participation in the National Flood Insurance Program (44 C.F.R. Sections 59 and 60), floodplain development permits or approvals shall be required for the following buildings, structures and facilities that are exempt from the *Florida Building Code* and any further exemptions provided by law, which are subject to the requirements of this ordinance:

- A. Railroads and ancillary facilities associated with the railroad.
- B. Nonresidential farm buildings on farms, as provided in section 604.50, F.S.
- C. Temporary buildings or sheds used exclusively for construction purposes.
- D. Mobile or modular structures used as temporary offices.
- E. Those structures or facilities of electric utilities, as defined in section 366.02, F.S., which are directly involved in the generation, transmission, or distribution of electricity.
- F. Chickees constructed by the Miccosukee Tribe of Indians of Florida or the Seminole Tribe of Florida. As used in this paragraph, the term “chickee” means an open-sided wooden hut that has a thatched roof of palm or palmetto or other traditional materials, and that does not incorporate any electrical, plumbing, or other non-wood features.
- G. Family mausoleums not exceeding 250 square feet in area which are prefabricated and assembled on site or preassembled and delivered on site and have walls, roofs, and a floor constructed of granite, marble, or reinforced concrete.

H. Temporary housing provided by the Department of Corrections to any prisoner in the state correctional system.

I. Structures identified in section 553.73(10)(k), F.S., are not exempt from the Florida Building Code if such structures are located in flood hazard areas established on Flood Insurance Rate Maps.

10.03.04 Application for a permit or approval. To obtain a floodplain development permit or approval the applicant shall first file an application in writing on a form furnished by the community. The information provided shall:

A. Identify and describe the development to be covered by the permit or approval.

B. Describe the land on which the proposed development is to be conducted by legal description, street address or similar description that will readily identify and definitively locate the site.

C. Indicate the use and occupancy for which the proposed development is intended.

D. Be accompanied by a site plan or construction documents as specified in Section 10.04.00 of this ordinance.

E. State the valuation of the proposed work.

F. Be signed by the applicant or the applicant's authorized agent.

G. Give such other data and information as required by the Floodplain Administrator.

10.03.05 Validity of Permit or Approval. The issuance of a floodplain development permit or approval pursuant to this ordinance shall not be construed to be a permit for, or approval of, any violation of this ordinance, the Florida Building Codes, or any other ordinance of this community. The issuance of permits based on submitted applications, construction documents, and information shall not prevent the Floodplain Administrator from requiring the correction of errors and omissions.

10.03.06 Expiration. A floodplain development permit or approval shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized is suspended or abandoned for a period of 180 days after the work commences. Extensions for periods of not more than 180 days each shall be requested in writing and justifiable cause shall be demonstrated.

10.03.07 Suspension or Revocation. The Floodplain Administrator is authorized to suspend or revoke a floodplain development permit or approval if the permit was issued in error, on the basis of incorrect, inaccurate or incomplete information, or in violation of this ordinance or any other ordinance, regulation or requirement of this community.

10.03.08 Other Permits Required. Floodplain development permits and building permits shall include a condition that all other applicable state or federal permits be obtained before commencement of the permitted development, including but not limited to the following:

- A. The Northwest Florida Water Management District; section 373.036, F.S.**
- B. Florida Department of Health for onsite sewage treatment and disposal systems; section 381.0065, F.S. and Chapter 64E-6, F.A.C.**
- C. Florida Department of Environmental Protection for construction, reconstruction, changes, or physical activities for shore protection or other activities seaward of the coastal construction control line; section 161.141, F.S.**
- D. Florida Department of Environmental Protection for activities subject to the Joint Coastal Permit; section 161.055, F.S.**
- E. Florida Department of Environmental Protection for activities that affect wetlands and alter surface water flows, in conjunction with the U.S. Army Corps of Engineers; Section 404 of the Clean Water Act.**
- F. Federal permits and approvals.**

10.04.00 SITE PLANS AND CONSTRUCTION DOCUMENTS

10.04.01 Information for development in flood hazard areas. The site plan or construction documents for any development subject to the requirements of this ordinance shall be drawn to scale and shall include, as applicable to the proposed development:

- A. Delineation of flood hazard areas, floodway boundaries and flood zone(s), base flood elevation(s), and ground elevations if necessary for review of the proposed development.**
- B. Where base flood elevations, or floodway data are not included on the FIRM or in the Flood Insurance Study, they shall be established in accordance with Section 10.04.02(B) or (C) of this ordinance.**
- C. Where the parcel on which the proposed development will take place will have more than 50 lots or is larger than 5 acres and the base flood elevations are not included on the FIRM or in the Flood Insurance Study, such elevations shall be established in accordance with Section 10.04.02(A) of this ordinance.**

- D. Location of the proposed activity and proposed structures, and locations of existing buildings and structures; in coastal high hazard areas, new buildings shall be located ten (10) feet landward of the reach of mean high tide.
- E. Location, extent, amount, and proposed final grades of any filling, grading, or excavation.
- F. Where the placement of fill is proposed, the amount, type, and source of fill material; compaction specifications; a description of the intended purpose of the fill areas; and evidence that the proposed fill areas are the minimum necessary to achieve the intended purpose.
- G. Delineation of the Coastal Construction Control Line or notation that the site is seaward of the coastal construction control line, if applicable.
- H. Extent of any proposed alteration of sand dunes or mangrove stands, provided such alteration is approved by the Florida Department of Environmental Protection.
- I. Existing and proposed alignment of any proposed alteration of a watercourse.

The Floodplain Administrator is authorized to waive the submission of site plans, construction documents, and other data that are required by this ordinance but that are not required to be prepared by a registered design professional if it is found that the nature of the proposed development is such that the review of such submissions is not necessary to ascertain compliance with this ordinance.

10.04.02 Information in flood hazard areas without base flood elevations (approximate Zone A). Where flood hazard areas are delineated on the FIRM and base flood elevation data have not been provided, the Floodplain Administrator shall:

- A. Require the applicant to include base flood elevation data prepared in accordance with currently accepted engineering practices.
- B. Obtain, review, and provide to applicants base flood elevation and floodway data available from a federal or state agency or other source or require the applicant to obtain and use base flood elevation and floodway data available from a federal or state agency or other source.
- C. Where base flood elevation and floodway data are not available from another source, where the available data are deemed by the Floodplain Administrator to not reasonably reflect flooding conditions, or where the available data are known to be scientifically or technically incorrect or otherwise inadequate:

1. Require the applicant to include base flood elevation data prepared in accordance with currently accepted engineering practices; or

2. Specify that the base flood elevation is two (2) feet above the highest adjacent grade at the location of the development, provided there is no evidence indicating flood depths have been or may be greater than two (2) feet.

D. Where the base flood elevation data are to be used to support a Letter of Map Change from FEMA, advise the applicant that the analyses shall be prepared by a Florida licensed engineer in a format required by FEMA, and that it shall be the responsibility of the applicant to satisfy the submittal requirements and pay the processing fees.

10.04.03 Additional analyses and certifications. As applicable to the location and nature of the proposed development activity, and in addition to the requirements of this section, the applicant shall have the following analyses signed and sealed by a Florida licensed engineer for submission with the site plan and construction documents:

A. For development activities proposed to be located in a regulatory floodway, a floodway encroachment analysis that demonstrates that the encroachment of the proposed development will not cause any increase in base flood elevations; where the applicant proposes to undertake development activities that do increase base flood elevations, the applicant shall submit such analysis to FEMA as specified in Section 10.04.04 of this ordinance and shall submit the Conditional Letter of Map Revision, if issued by FEMA, with the site plan and construction documents.

B. For development activities proposed to be located in a riverine flood hazard area for which base flood elevations are included in the Flood Insurance Study or on the FIRM and floodways have not been designated, hydrologic and hydraulic analyses that demonstrate that the cumulative effect of the proposed development, when combined with all other existing and anticipated flood hazard area encroachments, will not increase the base flood elevation more than one (1) foot at any point within the community. This requirement does not apply in isolated flood hazard areas not connected to a riverine flood hazard area or in flood hazard areas identified as Zone AO or Zone AH.

C. For alteration of a watercourse, an engineering analysis prepared in accordance with standard engineering practices which demonstrates that the flood-carrying capacity of the altered or relocated portion of the watercourse will not be decreased, and certification that the altered watercourse shall be maintained in a manner which preserves the channel's flood-carrying

capacity; the applicant shall submit the analysis to FEMA as specified in Section 10.04.04 of this ordinance.

D. For activities that propose to alter sand dunes or mangrove stands in coastal high hazard areas (Zone V), an engineering analysis that demonstrates that the proposed alteration will not increase the potential for flood damage.

10.04.04 Submission of additional data. When additional hydrologic, hydraulic or other engineering data, studies, and additional analyses are submitted to support an application, the applicant has the right to seek a Letter of Map Change from FEMA to change the base flood elevations, change floodway boundaries, or change boundaries of flood hazard areas shown on FIRMs, and to submit such data to FEMA for such purposes. The analyses shall be prepared by a Florida licensed engineer in a format required by FEMA. Submittal requirements and processing fees shall be the responsibility of the applicant.

10.05.00 INSPECTIONS

10.05.01 General. Development for which a floodplain development permit or approval is required shall be subject to inspection.

10.05.01.01 Development other than buildings and structures. The Floodplain Administrator shall inspect all development to determine compliance with the requirements of this ordinance and the conditions of issued floodplain development permits or approvals.

10.05.01.02 Buildings, structures and facilities exempt from the *Florida Building Code*. The Floodplain Administrator shall inspect buildings, structures and facilities exempt from the *Florida Building Code* to determine compliance with the requirements of this ordinance and the conditions of issued floodplain development permits or approvals.

10.05.01.02.01 Buildings, structures and facilities exempt from the *Florida Building Code*, lowest floor inspection. Upon placement of the lowest floor, including basement, and prior to further vertical construction, the owner of a building, structure or facility exempt from the *Florida Building Code*, or the owner's authorized agent, shall submit to the Floodplain Administrator:

A. If a design flood elevation was used to determine the required elevation of the lowest floor, the certification of elevation of the lowest floor prepared and sealed by a Florida licensed professional surveyor; or

B. If the elevation used to determine the required elevation of the lowest floor was determined in accordance with Section 10.04.02(C)(2) of this ordinance, the documentation of height of the lowest floor above highest adjacent grade, prepared by the owner or the owner's authorized agent.

10.05.01.02.02 Buildings, Structures and Facilities Exempt from the *Florida Building Code*, Final Inspection. As part of the final inspection, the owner or owner's authorized agent shall submit to the Floodplain Administrator a final certification of elevation of the lowest floor or final documentation of the height of the lowest floor above the highest adjacent grade; such certifications and documentations shall be prepared as specified in Section 10.05.01.02.01 of this ordinance.

10.05.01.03 Manufactured Homes. The Floodplain Administrator shall inspect manufactured homes that are installed or replaced in flood hazard areas to determine compliance with the requirements of this ordinance and the conditions of the issued permit. Upon placement of a manufactured home, certification of the elevation of the lowest floor shall be submitted to the Floodplain Administrator.

10.06.00 VARIANCES AND APPEALS

10.06.01 General. The Santa Rosa County Board of County Commissioners shall hear and decide on requests for appeals and requests for variances from the strict application of this ordinance. Pursuant to section 553.73(5), F.S., the Santa Rosa County Board of County Commissioners shall hear and decide on requests for appeals and requests for variances from the strict application of the flood resistant construction requirements of the *Florida Building Code*. This section does not apply to Section 3109 of the *Florida Building Code, Building*.

10.06.02 Appeals. The Santa Rosa County Board of County Commissioners shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Floodplain Administrator in the administration and enforcement of this ordinance. Any person aggrieved by the decision of Santa Rosa County Board of County Commissioners may appeal such decision to the Circuit Court, as provided by Florida Statutes.

10.06.03 Limitations on Authority to Grant Variances. The Santa Rosa County Board of County Commissioners shall base its decisions on variances on technical justifications submitted by applicants, the considerations for issuance in Section 10.06.06 of this ordinance, the conditions of issuance set forth in Section 10.06.07 of this ordinance, and the comments and recommendations of the Floodplain Administrator and the Building Official. The Santa Rosa County Board of County Commissioners has the right to attach such conditions as it deems necessary to further the purposes and objectives of this ordinance.

10.06.03.01 Restrictions in floodways. A variance shall not be issued for any proposed development in a floodway if any increase in base flood elevations would result, as evidenced by the applicable analyses and certifications required in Section 10.04.03 of this ordinance.

10.06.04 Historic buildings. A variance is authorized to be issued for the repair, improvement, or rehabilitation of a historic building that is determined eligible for the exception to the flood resistant construction requirements of the *Florida Building Code, Existing Building*, Chapter 11 Historic Buildings, upon a determination that the proposed repair, improvement, or rehabilitation will not preclude the building's continued designation as a historic building and the variance is the minimum necessary to preserve the historic character and design of the building. If the proposed work precludes the building's continued designation as a historic building, a variance shall not be granted and the building and any repair, improvement, and rehabilitation shall be subject to the requirements of the *Florida Building Code*.

10.06.05 Functionally Dependent Uses. A variance is authorized to be issued for the construction or substantial improvement necessary for the conduct of a functionally dependent use, as defined in this ordinance, provided the variance meets the requirements of Section 10.06.00, is the minimum necessary considering the flood hazard, and all due consideration has been given to use of methods and materials that minimize flood damage during occurrence of the base flood.

10.06.06 Considerations for Issuance of Variances. In reviewing requests for variances, the Santa Rosa County Board of County Commissioners shall consider all technical evaluations, all relevant factors, all other applicable provisions of the *Florida Building Code*, this ordinance, and the following:

- A. The danger that materials and debris may be swept onto other lands resulting in further injury or damage;
- B. The danger to life and property due to flooding or erosion damage;
- C. The susceptibility of the proposed development, including contents, to flood damage and the effect of such damage on current and future owners;
- D. The importance of the services provided by the proposed development to the community;
- E. The availability of alternate locations for the proposed development that are subject to lower risk of flooding or erosion;
- F. The compatibility of the proposed development with existing and anticipated development;
- G. The relationship of the proposed development to the comprehensive plan and floodplain management program for the area;
- H. The safety of access to the property in times of flooding for ordinary and emergency vehicles;

- I. The expected heights, velocity, duration, rate of rise and debris and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and
- J. The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, streets and bridges.

10.06.07 Conditions for issuance of variances. Variances shall be issued only upon:

- A. Submission by the applicant, of a showing of good and sufficient cause that the unique characteristics of the size, configuration, or topography of the site limit compliance with any provision of this ordinance or the required elevation standards;
- B. Determination by the Santa Rosa County Board of County Commissioners that:
 - 1. Failure to grant the variance would result in exceptional hardship due to the physical characteristics of the land that render the lot undevelopable; increased costs to satisfy the requirements or inconvenience do not constitute hardship;
 - 2. The granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, nor create nuisances, cause fraud on or victimization of the public or conflict with existing local laws and ordinances; and
 - 3. The variance is the minimum necessary, considering the flood hazard, to afford relief;
- C. Receipt of a signed statement by the applicant that the variance, if granted, shall be recorded in the Office of the Clerk of the Court in such a manner that it appears in the chain of title of the affected parcel of land; and
- D. If the request is for a variance to allow construction of the lowest floor of a new building, or substantial improvement of a building, below the required elevation, a copy in the record of a written notice from the Floodplain Administrator to the applicant for the variance, specifying the difference between the base flood elevation and the proposed elevation of the lowest floor, stating that the cost of federal flood insurance will be commensurate with the increased risk resulting from the reduced floor elevation (up to amounts as high as \$25 for \$100 of insurance coverage), and stating that construction below the base flood elevation increases risks to life and property.

10.07.00 VIOLATIONS

10.07.01 Violations. Any development that is not within the scope of the *Florida Building Code* but that is regulated by this ordinance that is performed without an issued permit, that is in conflict with an issued permit, or that does not fully comply with this ordinance, shall be deemed a violation of this ordinance. A building or structure without the documentation of elevation of the lowest floor, other required design certifications, or other evidence of compliance required by this ordinance or the *Florida Building Code* is presumed to be a violation until such time as that documentation is provided.

10.07.02 Authority. For development that is not within the scope of the *Florida Building Code* but that is regulated by this ordinance and that is determined to be a violation, the Floodplain Administrator is authorized to serve notices of violation or stop work orders to owners of the property involved, to the owner's agent, or to the person or persons performing the work.

10.07.03 Unlawful continuance. Any person who shall continue any work after having been served with a notice of violation or a stop work order, except such work as that person is directed to perform to remove or remedy a violation or unsafe condition, shall be subject to penalties as prescribed by law.

10.08.00 DEFINITIONS

10.08.01 See Article 3 Santa Rosa County Land Development Code for all definitions.

10.08.02 GENERAL

10.08.03 Scope. Unless otherwise expressly stated, the following words and terms shall, for the purposes of this ordinance, have the meanings shown in this section.

10.08.04 Terms defined in the *Florida Building Code*. Where terms are not defined in this ordinance and are defined in the *Florida Building Code*, such terms shall have the meanings ascribed to them in that code.

10.08.05 Terms not defined. Where terms are not defined in this ordinance or the *Florida Building Code*, such terms shall have ordinarily accepted meanings such as the context implies.

10.09.00 FLOOD RESISTANT DEVELOPMENT

10.09.01 BUILDINGS AND STRUCTURES

10.09.02 Design and Construction of Buildings, Structures and Facilities Exempt from the *Florida Building Code*. Pursuant to Section 10.05.01.02 of this ordinance, buildings, structures,

and facilities that are exempt from the *Florida Building Code*, including substantial improvement or repair of substantial damage of such buildings, structures and facilities, shall be designed and constructed in accordance with the flood load and flood resistant construction requirements of ASCE 24. Structures exempt from the *Florida Building Code* that are not walled and roofed buildings shall comply with the requirements of Section 10.13.00 of this ordinance.

10.09.03 Buildings and structures seaward of the coastal construction control line. If extending, in whole or in part, seaward of the coastal construction control line and also located, in whole or in part, in a flood hazard area:

- A. Buildings and structures shall be designed and constructed to comply with the more restrictive applicable requirements of the *Florida Building Code*, *Building Section 3109* and *Section 1612* or *Florida Building Code, Residential Section R322*.
- B. Minor structures and non-habitable major structures as defined in section 161.54, F.S., shall be designed and constructed to comply with the intent and applicable provisions of this ordinance and ASCE 24.

10.09.04 SUBDIVISIONS

10.09.05 Minimum requirements. Subdivision proposals, including proposals for manufactured home parks and subdivisions, shall be reviewed to determine that:

- A. Such proposals are consistent with the need to minimize flood damage and will be reasonably safe from flooding;
- B. All public utilities and facilities such as sewer, gas, electric, communications, and water systems are located and constructed to minimize or eliminate flood damage; and
- C. Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwaters around and away from proposed structures.

10.09.06 Subdivision Plats. Where any portion of proposed subdivisions, including manufactured home parks and subdivisions, lies within a flood hazard area, the following shall be required:

- A. Delineation of flood hazard areas, floodway boundaries and flood zones, and design flood elevations, as appropriate, shall be shown on preliminary plats;
- B. Where the subdivision has more than 50 lots or is larger than 5 acres and base flood elevations are not included on the FIRM, the base flood elevations determined in accordance with Section 10.04.02(A) of this ordinance; and

- C. Compliance with the site improvement and utilities requirements of Section 10.09.07 of this ordinance.

10.09.07 SITE IMPROVEMENTS, UTILITIES AND LIMITATIONS

10.09.08 Minimum requirements. All proposed new development shall be reviewed to determine that:

- A. Such proposals are consistent with the need to minimize flood damage and will be reasonably safe from flooding;**
- B. All public utilities and facilities such as sewer, gas, electric, communications, and water systems are located and constructed to minimize or eliminate flood damage; and**
- C. Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwaters around and away from proposed structures.**

10.09.09 Sanitary sewage facilities. All new and replacement sanitary sewage facilities, private sewage treatment plants (including all pumping stations and collector systems), and on-site waste disposal systems shall be designed in accordance with the standards for onsite sewage treatment and disposal systems in Chapter 64E-6, F.A.C. and ASCE 24 Chapter 7 to minimize or eliminate infiltration of floodwaters into the facilities and discharge from the facilities into flood waters, and impairment of the facilities and systems.

10.09.10 Water supply facilities. All new and replacement water supply facilities shall be designed in accordance with the water well construction standards in Chapter 62-532.500, F.A.C. and ASCE 24 Chapter 7 to minimize or eliminate infiltration of floodwaters into the systems.

10.09.11 Limitations on sites in regulatory floodways. No development, including but not limited to site improvements, and land disturbing activity involving fill or regrading, shall be authorized in the regulatory floodway unless the floodway encroachment analysis required in Section 10.04.03(A) of this ordinance demonstrates that the proposed development or land disturbing activity will not result in any increase in the base flood elevation.

10.09.12 Limitations on placement of fill. Subject to the limitations of this ordinance, fill shall be designed to be stable under conditions of flooding including rapid rise and rapid drawdown of floodwaters, prolonged inundation, and protection against flood-related erosion and scour. In addition to these requirements, if intended to support buildings and

structures (Zone A only), fill shall comply with the requirements of the Florida Building Code.

10.09.13 Limitations on sites in coastal high hazard areas (Zone V). In coastal high hazard areas, alteration of sand dunes and mangrove stands shall be permitted only if such alteration is approved by the Florida Department of Environmental Protection and only if the engineering analysis required by Section 10.04.03(D) of this ordinance demonstrates that the proposed alteration will not increase the potential for flood damage. Construction or restoration of dunes under or around elevated buildings and structures shall comply with 10.13.08(C) of this ordinance.

10.09.14 Limitations on Hazardous Materials. Structural storage facilities for chemicals, explosives, buoyant materials, flammable liquids, or other hazardous or toxic materials shall be located outside of special flood hazard areas to the extent possible and feasible. If these facilities cannot be located outside special flood hazard areas, the design and construction of such facilities shall be dry flood proofed in accordance with the Florida Building Code.

10.09.15 Limitations on Alteration of Natural Functions. Limit the alteration of natural flood plains, stream channels, and natural protection barriers which are involved in the accommodation of floodwaters. This includes restrictions or prohibitions on unnecessary or incompatible filling, grading, dredging, drainage, and other development which will result in a damaging increase in erosion, habitat, destruction, or adverse impacts on the water quality treatment function of the flood plain.

10.09.16 Solid Waste Disposal Sites. New solid waste disposal sites within special flood hazard areas are prohibited.

10.09.17 Forestry Activities. Adequate buffers to reduce any adverse impact from forestry activities are required.

10.10.00 MANUFACTURED HOMES

10.10.01 General. All manufactured homes installed in flood hazard areas shall be installed by an installer that is licensed pursuant to section 320.8249, F.S., and shall comply with the requirements of Chapter 15C-1, F.A.C. and the requirements of this ordinance. If located seaward of the coastal construction control line, all manufactured homes shall comply with the more restrictive of the applicable requirements.

10.10.02 Limitations on Installation in Floodways, Coastal A Zones, and Coastal High Hazard Areas (Zone V). Installation of manufactured homes shall not be permitted in Floodways, Coastal A Zones, and Coastal High Hazard Areas (Zone V).

10.10.03 Foundations. All new manufactured homes and replacement manufactured homes installed in flood hazard areas shall be installed on permanent, reinforced foundations that:

- A. In flood hazard areas (Zone A) other than coastal high hazard**
- B. In coastal high hazard areas (Zone V) and Coastal A Zones, are designed in accordance with the foundation requirements of the *Florida Building Code, Residential* Section R322.3 and this ordinance.**

10.10.04 Anchoring. All new manufactured homes and replacement manufactured homes shall be installed using methods and practices which minimize flood damage and shall be securely anchored to an adequately anchored foundation system to resist flotation, collapse or lateral movement. Methods of anchoring include, but are not limited to, use of over-the-top or frame ties to ground anchors. This anchoring requirement is in addition to applicable state and local anchoring requirements for wind resistance.

10.10.05 Elevation. Manufactured homes that are placed, replaced, or substantially improved shall comply with Section 10.10.05.01 or 10.10.05.02 of this ordinance, as applicable.

10.10.05.01 General elevation requirement. Unless subject to the requirements of Section 10.10.05.01 of this ordinance, all manufactured homes that are placed, replaced, or substantially improved on sites located: (a) outside of a manufactured home park or subdivision; (b) in a new manufactured home park or subdivision; (c) in an expansion to an existing manufactured home park or subdivision; or (d) in an existing manufactured home park or subdivision upon which a manufactured home has incurred "substantial damage" as the result of a flood, shall be elevated such that the bottom of the frame is at or above the elevation required, as applicable to the flood hazard area, in the *Florida Building Code, Residential* Section R322.2 (Zone A)

10.10.05.02 Elevation requirement for certain existing manufactured home parks and subdivisions. Manufactured homes that are not subject to Section 304.4.1 of this ordinance, including manufactured homes that are placed, replaced, or substantially improved on sites located in an existing manufactured home park or subdivision, unless on a site where substantial damage as result of flooding has occurred, shall be elevated such that either the:

- A. Bottom of the frame of the manufactured home is at or above the elevation required, as applicable to the flood hazard area, in the *Florida Building Code, Residential* Section R322.2 (Zone A); or**
- B. Bottom of the frame is supported by reinforced piers or other foundation elements of at least equivalent strength that are not less than 36 inches in height above grade.**

10.10.06 Enclosures. Enclosed areas below elevated manufactured homes shall comply with the requirements of the *Florida Building Code, Residential Section R322* for such enclosed areas, as applicable to the flood hazard area.

10.10.07 Utility equipment. Utility equipment that serves manufactured homes, including electric, heating, ventilation, plumbing, and air conditioning equipment and other service facilities, shall comply with the requirements of the *Florida Building Code, Residential Section R322*, as applicable to the flood hazard area.

10.11.00 RECREATIONAL VEHICLES AND PARK TRAILERS

10.11.01 Temporary placement. Recreational vehicles and park trailers placed temporarily in flood hazard areas shall:

- A. Be on the site for fewer than 180 consecutive days; or**
- B. Be fully licensed and ready for highway use, which means the recreational vehicle or park model is on wheels or jacking system, is attached to the site only by quick-disconnect type utilities and security devices, and has no permanent attachments such as additions, rooms, stairs, decks and porches.**

10.11.02 Permanent placement. Recreational vehicles and park trailers that do not meet the limitations in Section 10.11.01 of this ordinance for temporary placement shall meet the requirements of Section 10.10.00 of this ordinance for manufactured homes.

10.12.00 TANKS

10.12.01 Underground tanks. Underground tanks in flood hazard areas shall be anchored to prevent flotation, collapse or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood, including the effects of buoyancy assuming the tank is empty.

10.12.02 Above-ground tanks, not elevated. Above-ground tanks that do not meet the elevation requirements of Section 10.12.03 of this ordinance shall:

- A. Be permitted in flood hazard areas (Zone A) other than coastal high hazard areas, provided the tanks are anchored or otherwise designed and constructed to prevent flotation, collapse or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood, including the effects of buoyancy assuming the tank is empty and the effects of flood-borne debris.**

B. Not be permitted in coastal high hazard areas (Zone V).

10.12.03 Above-ground tanks, elevated. Above-ground tanks in flood hazard areas shall be attached to and elevated to or above the design flood elevation on a supporting structure that is designed to prevent flotation, collapse or lateral movement during conditions of the design flood. Tank-supporting structures shall meet the foundation requirements of the applicable flood hazard area.

10.12.04 Tank inlets and vents. Tank inlets, fill openings, outlets and vents shall be:

A. At or above the design flood elevation or fitted with covers designed to prevent the inflow of floodwater or outflow of the contents of the tanks during conditions of the design flood; and

B. Anchored to prevent lateral movement resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, during conditions of the design flood.

10.13.00 OTHER DEVELOPMENT

10.13.01 General requirements for other development. All development, including man-made changes to improved or unimproved real estate for which specific provisions are not specified in this ordinance or the *Florida Building Code*, shall:

A. Be located and constructed to minimize flood damage;

B. Meet the limitations of Section 10.09.11 of this ordinance if located in a regulated floodway;

C. Be anchored to prevent flotation, collapse or lateral movement resulting from hydrostatic loads, including the effects of buoyancy, during conditions of the design flood;

C. Be constructed of flood damage-resistant materials; and

D. Have mechanical, plumbing, and electrical systems above the design flood elevation, except that minimum electric service required to address life safety and electric code requirements is permitted below the design flood elevation provided it conforms to the provisions of the electrical part of building code for wet locations.

10.13.02 Fences in regulated floodways. Fences in regulated floodways that have the potential to block the passage of floodwaters, such as stockade fences and wire mesh fences, shall meet the limitations of Section 10.09.11 of this ordinance.

10.13.03 Retaining walls, sidewalks and driveways in regulated floodways. Retaining walls and sidewalks and driveways that involve the placement of fill in regulated floodways shall meet the limitations of Section 10.09.11 of this ordinance.

10.13.04 Roads and watercourse crossings in regulated floodways. Roads and watercourse crossings, including roads, bridges, culverts, low-water crossings and similar means for vehicles or pedestrians to travel from one side of a watercourse to the other side, that encroach into regulated floodways shall meet the limitations of Section 10.09.11 of this ordinance. Alteration of a watercourse that is part of a road or watercourse crossing shall meet the requirements of Section 10.04.03(C) of this ordinance.

10.13.05 Concrete slabs used as parking pads, enclosure floors, landings, decks, walkways, patios and similar nonstructural uses in coastal high hazard areas (Zone V) and Coastal A Zones. In coastal high hazard areas and Coastal A Zones, concrete slabs used as parking pads, enclosure floors, landings, decks, walkways, patios and similar nonstructural uses are permitted beneath or adjacent to buildings and structures provided the concrete slabs are designed and constructed to be:

- A. Structurally independent of the foundation system of the building or structure;**
- B. Frangible and not reinforced, so as to minimize debris during flooding that is capable of causing significant damage to any structure; and**
- C. Have a maximum slab thickness of not more than four (4) inches.**

10.13.06 Decks and patios in coastal high hazard areas (Zone V) and Coastal A Zones. In addition to the requirements of the *Florida Building Code*, in coastal high hazard areas and Coastal A Zones decks and patios shall be located, designed, and constructed in compliance with the following:

- A. A deck that is structurally attached to a building or structure shall have the bottom of the lowest horizontal structural member at or above the design flood elevation and any supporting members that extend below the design flood elevation shall comply with the foundation requirements that apply to the building or structure, which shall be designed to accommodate any increased loads resulting from the attached deck.**
- B. A deck or patio that is located below the design flood elevation shall be structurally independent from buildings or structures and their foundation systems, and shall be designed and constructed either to remain intact and in place during design flood conditions or to break apart into small pieces to**

minimize debris during flooding that is capable of causing structural damage to the building or structure or to adjacent buildings and structures.

C. A deck or patio that has a vertical thickness of more than twelve (12) inches or that is constructed with more than the minimum amount of fill necessary for site drainage shall not be approved unless an analysis prepared by a qualified registered design professional demonstrates no harmful diversion of floodwaters or wave run-up and wave reflection that would increase damage to the building or structure or to adjacent buildings and structures.

D. A deck or patio that has a vertical thickness of twelve (12) inches or less and that is at natural grade or on nonstructural fill material that is similar to and compatible with local soils and is the minimum amount necessary for site drainage may be approved without requiring analysis of the impact on diversion of floodwaters or wave run-up and wave reflection.

10.13.07 Other development in coastal high hazard areas (Zone V) and Coastal A Zones. In coastal high hazard areas and Coastal A Zones, development activities other than buildings and structures shall be permitted only if also authorized by the appropriate federal, state or local authority; if located outside the footprint of, and not structurally attached to, buildings and structures; and if analyses prepared by qualified registered design professionals demonstrate no harmful diversion of floodwaters or wave run-up and wave reflection that would increase damage to adjacent buildings and structures. Such other development activities include but are not limited to:

A. Bulkheads, seawalls, retaining walls, revetments, and similar erosion control structures;

B. Solid fences and privacy walls, and fences prone to trapping debris, unless designed and constructed to fail under flood conditions less than the design flood or otherwise function to avoid obstruction of floodwaters; and

C. On-site sewage treatment and disposal systems defined in 64E-6.002, F.A.C., as filled systems or mound systems.

10.13.08 Nonstructural fill in coastal high hazard areas (Zone V) and Coastal A Zones. In coastal high hazard areas and Coastal A Zones:

A. Minor grading and the placement of minor quantities of nonstructural fill shall be permitted for landscaping and for drainage purposes under and around buildings.

B. Nonstructural fill with finished slopes that are steeper than one unit vertical to five units horizontal shall be permitted only if an analysis prepared by a qualified registered design professional demonstrates

- 1. Particle composition of fill material does not have a tendency for excessive natural compaction and will wash out during storm surge;**
- 2. Volume and distribution of fill will not cause wave deflection to adjacent properties; and.**
- 3. Slope of fill will not cause wave run-up or ramping.**

C. Where authorized by the Florida Department of Environmental Protection or applicable local approval, sand dune construction and restoration of sand dunes under or around elevated buildings are permitted without additional engineering analysis or certification of the diversion of floodwater or wave run-up and wave reflection if the scale and location of the dune work is consistent with local beach-dune morphology and the vertical clearance is maintained between the top of the sand dune and the lowest horizontal structural member of the building.

ARTICLE TWELVE

COASTAL MANAGEMENT/CONSERVATION

~~12.04.00 — CONSTRUCTION REQUIREMENTS: Construction within the zones established and regulated pursuant to this article shall meet the requirements of this article together with the requirements set forth in Article 10 of this ordinance. In the event that requirements contained in this article differ from those contained in Article 10, the more stringent requirements shall apply.~~

~~A. — All structures shall be designed so as to minimize damage to life, property and the natural environment. All major structures located within the zones designated by this article shall be designed by an architect or engineer, registered in the state, and such plans shall include a certification by the architect or engineer that the design, specifications and plans comply with all state and local laws as well as the requirements of this ordinance.~~

~~B. — FEMA V Zone Construction Standards shall apply to all major structures on Navarre Beach.~~

~~12.04.01 — Anchoring~~

~~A. — Generally All major structures shall be anchored to their foundations in such a manner as to prevent flotation, collapse or lateral displacement. Foundation design and construction shall~~

~~consider all anticipated loads resulting from design storm conditions, including wave, hydrodynamics, hydrostatic and wind loads rating simultaneously with dead loads. Erosion computations for foundation design shall account for all vertical and lateral erosion and scour-producing forces, including localized scour due to the presence of structural components. Pile foundations shall be required for all major structures located on Navarre Beach, in the FEMA V-Zones, or where impacted by wave action (see Article 10).~~

~~B. Minimum Standards—The following minimum standards as to anchoring shall apply to all major structures located within the coastal building zone:~~

~~1. Pile Dimensions~~

- ~~a. Not less than eight (8) inches on a side for square timber piles.~~
- ~~b. Not less than ten (10) inches in diameter measured three (3) feet from the butt not less than six (6) inches tip diameter for round timber piles.~~
- ~~c. Dimensions of other types of piling shall be as required to resist the loads set forth in this article and Article 10.~~

~~2. Pile Spacing~~

- ~~a. No less than six (6) feet center to center spacing. Spacing requirements shall not apply to pile clusters.~~
- ~~b. Ratio of pile spacing to pile diameter not less than 6:1.~~

~~3. Pile Embedment~~

- ~~a. Pile tip elevation shall not be above minus twelve (-12) feet NGVD.~~
- ~~b. Pile embedment greater than that specified in subpart (a) above shall be to the depth required to produce the design bearing capacity as determined by a design engineer registered in the state and certified by same on a form provided by the Building Official.~~

~~4. Pile Clusters: If a foundation is to include pile clusters, the maximum elevation of the top of the pile cap is to be below the design stable soil elevation and in no case shall the top of the pile cap be less than two (2) feet below the existing grade.~~

~~5. Bracing~~

- ~~a. If lateral or diagonal bracing is used between columns, bracing which would increase the area of the foundation pile system exposed to wave attack shall not be constructed between the lowest structural member (excluding piles) and the pile cap.~~
- ~~b. If lateral or diagonal bracing is used between piles, bracing which would increase the areas of the foundation pile system exposed to wave attack shall not be constructed between the lowest structural member (excluding piles) and the design stable soil~~

~~elevation. This provision does not apply to lateral or diagonal bracing in the vertical plane between pile rows perpendicular to the shoreline nor to the cable or rod type tension bracing in any plane.~~

~~6. Pile Forces~~

- ~~a. Pile foundation systems shall be designed for appropriate horizontal loads applied to any single row of piles parallel to the shoreline.~~
- ~~b. In addition to normal foundation, analysis shall include consideration of piles in column action from the bottom of the structure to the stable soil elevation of the site.~~
- ~~c. Column action stresses are to be derived from loads resulting from wind and waves superimposed on normal structure loads. Structures shall be adequately secured to the foundations to ensure stability against loads resulting from winds and waves.~~

~~C. Substantial Walls and Partitions: Except as is provided in Article 10, no substantial walls or partitions shall be constructed below the level of the first finished floor. This does not preclude the construction of:~~

- ~~1. Stairways~~
- ~~2. Shearwalls essentially perpendicular to breaking waves.~~
- ~~3. Shearwalls essentially parallel to breaking waves which do not exceed a maximum of twenty (20) percent of the building length.~~
- ~~4. Wind or sand screens constructed of fabric or wire mesh.~~
- ~~5. Light, open lattice partitions with individual wooden lattice strips no greater than three-quarters of an inch thick or three (3) inches wide.~~
- ~~6. Elevator shafts.~~
- ~~7. Breakaway or frangible walls.
 - ~~a. Breakaway walls located in FEMA V Zones or Navarre Beach require Engineer's seal on forms provided by the Building Official.~~~~
- ~~8. Substantial walls constructed above the wave action and storm surge expected under design storm conditions.~~
- ~~9. Restrooms for "public swimming pools" as defined in the Florida Building Code that are no larger than 150 square feet combined, have hydrostatic vents installed as outlined in Section 10.03.02.C.1 and are constructed of flood resistant materials in accordance with FEMA Technical Bulletin 2-93.~~

~~12.04.02 Minimum Elevation for Underside of Building Support Structure:~~

~~A. — Navarre Beach — The minimum elevation for the underside of the building support structure (lowest horizontal supporting member) shall be seventeen (17) feet in those areas designated as V-Zones by FEMA and Twelve (12) feet NGVD in all other areas in the Navarre Beach Administrative (Planning) Area.~~

~~B. — Mainland — The minimum elevation for the underside of the building support structure (excluding foundation, piles and columns) shall be equal to or above the minimum elevations established by FEMA and as delineated on the Flood Insurance Rate Maps. In the case of areas of the County where flood elevations have not been determined by FEMA, the minimum elevation shall be determined by the Design Engineer in cooperation with the County Engineer and the County Building Official. The County government specifically reserves the right to approve or disapprove any calculations submitted by the Design Engineer.~~

~~12.04.03 — Elevation of Soil Surface: The elevation of the soil surface to be used in the design of foundations, calculations of pile reactions and bearing capacities shall not be greater than that which would result from the erosion reasonably anticipated as a result of design storm conditions. Calculation of the design grade shall take into account localized scour due to the presence of structural components. Erosion computations for foundation design shall consider all vertical and lateral erosion and scour producing forces.~~

~~12.04.04 — Calculations for Wave Forces: Calculations for wave forces resulting from design storm conditions on building foundations and superstructures may be based upon the minimum criteria and methods prescribed in the U.S. Department of the Army Corps of Engineers' Shore Protection Manual, or other professionally recognized methodologies which produce equivalent design criteria. Breaking, broken and non-breaking waves shall be considered as applicable. Design wave loading analysis shall consider vertical uplift pressures and all lateral pressures to include impact as well as dynamic loading and the harmonic intensification resulting from repetitive waves.~~

~~12.04.05 — Calculation for Hydrostatic Loads: Calculations for hydrostatic loads shall consider the maximum water pressure resulting from a fully peaked, breaking wave super-imposed upon the design storm surge with dynamic wave setup. Both free and hydrostatic loads shall be considered. Hydrostatic loads which are confined shall be determined using the maximum elevation to which the confined water would freely rise if unconfined. Vertical hydrostatic loads shall be considered both vertically downward and upward on horizontal and inclined surfaces of major structures (e.g., floors, slabs, roofs, walls). Lateral hydrostatic loads shall be considered as forces acting horizontally above and below grade on vertical or inclined surfaces. Hydrostatic loads on irregular or curved geometric surfaces shall be determined by considering the separate vertical and horizontal components acting simultaneously under the distribution of the hydrostatic pressures.~~

~~12.04.06 — Calculations for Hydrodynamic Loads: Hydrodynamic loads shall consider the maximum water pressures resulting from the motion of the water mass associated with the design storm. Full intensity loading shall be applied on all structural surfaces above the design grade which would affect the flow velocities.~~

~~12.04.07 — Foundations for Major Structures: Foundations for all major structures shall be~~

designed for horizontal and vertical pressures generated by wave forces between the elevation of the design breaking wave crests or wave up-rush superimposed upon the storm surge and the stable soil elevation of the site.

~~12.04.08 Wind Velocity Pressures: Shall be in accordance with the Florida Building Code.~~

~~12.04.09 Non habitable major structures shall be designed to produce the minimum adverse impact on the beach and dune system or other natural resources and shall comply with the applicable standards of construction found elsewhere in this ordinance in that they shall be designed to produce the minimum adverse impact on the natural resources and the beach and dune systems and shall comply with the applicable standards of construction found elsewhere in this ordinance. All new sewage treatment and public water supply systems shall be flood proofed to prevent infiltration of surface water anticipated under design storm conditions. Underground utilities, excluding pad transformers and vaults, shall be flood proofed to prevent infiltration of surface water expected under design storm conditions or shall otherwise be designed to function when submerged under such storm conditions.~~

~~12.04.10 Minor structures need not meet the specific structural requirements of major structures, except that they shall be designed to produce the minimum adverse impact on the beach and dune system and shall comply with the applicable standards of construction found elsewhere in this article.~~

~~**12.04.00** *(Left Intentionally Blank)*~~