

ORDINANCE 2005 - 21

AN ORDINANCE AMENDING ORDINANCE 84-13, AS AMENDED, KNOWN AS THE NASSAU COUNTY FLOOD PLAIN ORDINANCE; SPECIFICALLY AMENDING ARTICLE III, DEFINITIONS; ARTICLE VI, PROVISIONS FOR FLOOD HAZARD REDUCTION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners has found it necessary to further amend Ordinance 84-13, as amended.

NOW, THEREFORE, BE IT ORDAINED this 11th day of April, 2005, by the Board of County Commissioners of Nassau County, Florida, that Ordinance 84-13, as amended, shall be further amended as follows:

1. ARTICLE III: DEFINITIONS

**Section 3.18 - Functionally Dependent Facility**

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

**Section 3.28 - Recreational Vehicle**

Means a vehicle which is:

- a. Built on a single chassis;

b. Six hundred (600) square feet or less when measured at the largest horizontal projection;

c. Designed to be self-propelled or permanently towable ~~by a light duty truck~~;

d. Designed primarily not for use as a permanent dwelling only, as temporary living quarters for recreational, camping, travel, or seasonal use; and

e. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanent attached additions.

### **Section 3.34 - Substantial Improvement**

Means the total cost of reconstruction, alteration, rehabilitation, addition, or other improvements to a building (including electrical, plumbing, heating and air conditioning) taking place during a ~~ten (10)~~ five (5) year period, the cost of which equals or exceeds fifty (50) percent of the market value of the building. The market value of the building is the appraised or assessed value of the building prior to the damage occurring. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the

external dimensions of the structure. This timer includes structures which have incurred "substantial damage" regardless of the actual repair work performed. It does not include repairs for damage from any origin which are determined to be less than "substantial damage" as defined in this Section. The term does not, however, include:

1. Any project for improvement of a building required to correct existing violations of State or local health, sanitary or safety code specifications which have been identified by the Code Enforcement Official, which have been cause for issuance of a citation or condemnation, and which are solely the minimum necessary to assure safe living conditions; or

2. Any alteration of a "historical structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure", and for which a variance has been granted pursuant to this Chapter.

## 2. ARTICLE VI: PROVISIONS FOR FLOOD HAZARD REDUCTION

### **Section 6.02, Specific Standards**

In all areas of special flood hazard where base flood elevation data has been provided, as set forth in Article IV, Section 4.02, or Article V, Section 5.03(11), the following provisions are required:

1. Residential Construction: New construction or substantial improvement of any residential structure shall have the lowest floor, elevated no lower than one foot above that shown on the FIRM or elevation established by County Ordinance.

2. Non-Residential Construction: New construction or substantial improvement of any commercial, industrial or other non-residential structure shall either have the lowest floor, elevated no lower than one foot above that shown on the insurance rate map or established by County Ordinance, together with attendant utility and sanitary facilities. Structure shall be flood-proofed so that all areas of the structure below the required elevation is water tight and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects 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 Building Official as set forth in Article V, Section 5.02(3).

3. Mobile Homes:

a. No mobile home shall be placed in a floodway or coastal high hazard area, except in an existing mobile home park or existing manufactured home subdivision.

b. Replacement of existing mobile homes within existing mobile home parks and subdivision. Section 60.3(c)(12) of the National Flood Insurance Program requires that such mobile homes be either elevated to or above the base flood elevation or installed on permanent foundation systems that are no less than thirty-six (36) inches in height above grade.

c. All mobile homes shall be anchored to resist flotation, collapse, or lateral movement by providing over-the-top and frame ties to ground anchors. Specific requirements shall be as follows:

i. Over-the-top ties shall be provided at each end of the mobile home, with one additional tie per side at an intermediate location on mobile homes of less than fifty (50) feet and two additional ties per side for mobile homes of fifty (50) feet or more;

ii. Frame ties shall be provided at each corner of the home with four (4) additional ties per side at intermediate points for mobile homes less than fifty (50) feet long and one additional tie for mobile homes fifty (50) feet or longer;

iii. All components of the anchoring system shall be capable of carrying a force of 4,800 pounds;

iv. Any additions to mobile homes must be similarly anchored.

d. For new manufactured home parks and subdivisions; for expansions to existing manufactured home parks and subdivisions; for existing manufactured parks and subdivisions where the repair, reconstruction or improvement of the streets, utilities and pads exceeds fifty (50) percent of the value of the streets, utilities, and pads before the repair, reconstruction or improvement has commenced; and for manufactured homes not placed in a manufactured home park or subdivision shall require that:

i. Stands or lots are elevated on compacted fill or on pilings so that the lowest floor of the manufactured home will be at one (1) foot above the base flood level;

ii. Adequate surface drainage and access for a hauler are provided;

iii. In the instance of elevation on pilings;

- Lots are large enough to permit steps without violation of zoning set back requirement;

- Piling foundations are placed in stable soil no more than ten (10) feet apart;

- And reinforcement is provided for pilings more than six (6) feet above the ground.

iv. Recreational vehicles located on approved sites located within Zones A1-30, AH, and AE shall comply with **one** of the following:

- Be on the site for fewer than one hundred eighty (180) days and be fully licensed and be ready for highway use; or

- Meet the elevation and anchoring requirements for "mobile homes" (manufactured homes) as stipulated elsewhere in this section.

4. Elevated Buildings: New construction or substantial improvement of elevated buildings that include fully enclosed areas formed by foundation and other exterior walls below the base flood elevation shall be designed to preclude finished living space and designed to allow for the entry and exit of floodwater to automatically equalize hydrostatic flood forces on exterior walls.

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

i. Provide a minimum of two (2) openings having a total net area of not less than one (1) square

inch for every square foot of enclosed area subject to flooding;

ii. The bottom of all openings shall be no higher than one (1) foot above grade; and

iii. Openings may be equipped with screens, louvers, valves or other covering or devices provided they permit the automatic flow of floodwater in both directions.

b. Electrical, plumbing and other utility connections are prohibited below the base flood elevation;

c. Access to the enclosed area 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

d. The interior portion of such enclosed area shall not be partitioned or finished into separate rooms.

5. Floodways: Located within areas of special flood hazard established in Article IV, Section 4.02, 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 provisions shall apply:

a. Prohibit encroachments, including fill, new construction, substantial improvements and other



developments 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 flood discharge;

b. If Article VI, Section 6.02(4)(a), is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Article VI.

c. Prohibit the placement of any mobile homes, except in an existing mobile home park or existing mobile home subdivision. A replacement mobile home may be placed on a lot in an existing mobile home park or subdivision providing the anchoring standards of Article IV, Section 6.02(3)(d), and the elevation standards of this Ordinance are met.

d. In areas designated A1-30 and AE on the FIRM that a floodway has not been designated, no new construction, substantial improvement, or other development (including fill) shall be permitted unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water

surface elevation of the base flood more than one foot (1') at any point within the County.

6. Coastal High Hazard Areas (V Zones): Located within the areas of special flood hazard established in Article IV, Section 4.02, are areas designated as coastal high hazard areas. These areas have special flood hazards associated with wave wash, therefore, the following provisions shall apply:

a. No buildings or structures shall be located eastward of the Coastal Construction Control Line, unless compliant with Section 3107 of the Florida Building Code and the following:-

b. All buildings or structures shall be elevated so that the lowest supporting horizontal member (excluding pilings or columns) is located no lower than that shown on the flood insurance rate map 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, any such open lattice work or decorative screening must be designed to wash away in the event of abnormal wave action and in accordance with Article VI, Section 6.02(6)(h).

c. All buildings or structures shall be securely anchored on pilings or columns;

d. 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 one hundred (100) year mean recurrence interval (one percent (1%) annual chance of flood).

e. Compliance with provisions contained in Article VI, Section 6.02(6)(b), (c), and (d) shall be certified to be a professional engineer or architect;

f. 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 of obstruction) prior to generating excessive loading forces, ramping effects, or wave deflection. The Administrator shall approve design plans for landscaping/aesthetic fill only after the applicant has provided an analysis by an engineer, architect, and/or soil scientist, which demonstrates that the following factors have been fully considered:

i. Particle composition of fill material does not have a tendency for excessive natural compaction;

ii. Volume and distribution of fill will not cause wave deflection to adjacent properties;

iii. Slope fill will not cause wave run-up or ramping; and

iv. If aesthetic lattice works or screening are utilized, such enclosed space shall not be used for human habitation; but shall be designed to be used only for parking vehicles, building access, or limited storage of maintenance equipment used in connection with the premises.

g. There shall be no alteration of sand dunes or mangrove stands which would increase potential flood damage;

h. Lattice work or decorative screening shall be allowed below the base flood provided they are designed 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:

i. No solid walls shall be allowed; and

ii. Material shall consist of wood or mesh screening only.

i. If aesthetic lattice works or screening are utilized, such enclosed space shall not be used for human habitation;


j. Prior to construction, plans for any structure that will have lattice work or decorative screening must be submitted to the Local Administrator for approval;

k. Prohibit the replacement of manufactured homes, except in an existing manufactured home park or existing manufactured home subdivision; or replacement of manufactured homes must be banned.

l. Any alteration, repair, reconstruction or improvements to a structure shall not enclose the space below the lowest floor except for lattice work or decorative screening.

3. EFFECTIVE DATE: This Ordinance shall become effective upon its being filed in the Office of the Secretary of State.

BOARD OF COUNTY COMMISSIONERS  
NASSAU COUNTY, FLORIDA

  
\_\_\_\_\_  
~~ANSLEY W. ACREE~~ THOMAS D. BRANAN, JR.  
Its: Chairman

ATTEST:

  
\_\_\_\_\_  
JOHN A. CRAWFORD  
Its: Ex-Officio Clerk

Approved as to form by the  
Nassau County Attorney

A handwritten signature in black ink, appearing to read "M. S. Mullin", written over a horizontal line.

MICHAEL S. MULLIN

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