

ORDINANCE NO. 87-36

AN ORDINANCE AMENDING ORDINANCE NO. 84-13 KNOWN AS THE NASSAU COUNTY FLOOD PLAIN ORDINANCE; AMENDING ARTICLE III - DEFINITIONS; AMENDING ARTICLE V - ADMINISTRATION; AMENDING ARTICLE VI - PROVISIONS FOR FLOOD HAZARD REDUCTION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, FEMA has provided the Board of County Commissioners with amendments to the existing Flood Ordinance, and

WHEREAS, the Board has reviewed these amendments and held Public Hearings,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY that Ordinance 84-13 be amended as follows:

ARTICLE III: DEFINITIONS

Section 3.01 - Addition (to an existing building)

Means any walled and roofed expansion to the perimeter of a building in which the addition is connected by a common load-bearing wall other than a fire wall. Any walled and roofed addition which is connected by a fire wall or is separated by independent perimeter load-bearing walls is new construction.

~~Section 3.01~~ Section 3.02 - Appeal

~~Section 3.02~~ Section 3.03 - Area of Shallow Flooding

~~Section 3.03~~ Section 3.04 - Area of Special Flood Hazard

~~Section 3.04~~ Section 3.05 - Base Flood

~~Section 3.05~~ Section 3.06 - Basement

Section 3.07 - Breakaway wall

Means 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.

~~Section 3.06~~ Section 3.08 - Building

~~Section 3.07~~ Section 3.09 - Coastal High Hazard Area

~~Section-3-08~~ Section 3.10 - Development

Section 3.11 - Elevated Building

Means 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.

~~Section-3-11~~ Section 3.12 - "Flood" or "Flooding"

~~Section-3-12~~ Section 3.13 - Flood Hazard Boundary Map (FHBM)

~~Section-3-13~~ Section 3.14 - Flood Insurance Rate Map (FIRM)

~~Section-3-14~~ Section 3.15 - Flood Insurance Study

~~Section-3-15~~ Section 3.16 - Floodway

~~Section-3-16~~ Section 3.17 - Floor

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, seafood processing facilities. The term does not include long-term storage, manufacture, sales, or service facilities.

~~Section-3-17~~ Section 3.19 - Highest Adjacent Grade

~~Section-3-18~~ Section 3.20 - Mangrove Stand

Section 3.21 - Manufactured Homes - As set forth in Florida Statutes, 553.36(21)

~~Section-3-19~~ Section 3.22 - Mean Sea Level

~~Section-3-20~~ Section 3.23 - Mobile Homes

Means a structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. ~~It does not include recreational vehicles or travel trailers.~~ The term also includes park trailers, travel trailers, and similar transportable structures placed on a site for one

hundred eighty (180) consecutive days or longer and intended to be improved property.

~~Section 3.21~~ Section 3.24 - National Geodetic Verticle Datum (NGVD)

~~Section 3.22~~ Section 3.25 - New Construction

~~Section 3.23~~ Section 3.26 - New Mobile Home Park or Mobile Home Subdivision

~~Section 3.24~~ Section 3.27 - Sand Dunes

~~Section 3.25~~ Section 3.28 - Start of Construction

~~Means--the--first--placement--of--permanent--construction--of--a structure--(other--than--a--mobile--home)--on--a--site,--such--as--the pouring--of--slabs--or--footings--or--any--work--beyond--the--state--of exeavation,--including--the--relocation--of--a--structure;--Permanent construction--does--not--include--the--installation--of--streets/and/or walkways;--nor--does--it--include--excavation--for--a--basement, footings;--piers--or--foundations--or--the--erection--of--temporary forms;--nor--does--it--include--the--installation--on--the--property--of accessory--buildings,--such--as--garages--or--sheds--not--occupied--as dwelling--units--or--not--a--part--of--the--main--structure;--For--a structure--(other--than--a--mobile--home)--without--a--basement--or--a poured--footing,--the--"start--of--construction"--includes--the--first permanent--framing--or--assembly--of--the--structure--or--any--part thereof--on--its--piling--or--foundation;--For--mobile--homes--not--within a--mobile--home--park,--or--mobile--home--subdivision,--"start--of construction"--means--the--affixing--of--the--mobile--home--to--its permanent--site;--For--mobile--homes--within--mobile--home--parks--or mobile--home--subdivisions,--"start--of--construction"--is--the--date--on which--the--construction--of--facilities--for--servieing--the--site--on which--the--mobile--home--is--to--be--affixed--(including,--at--a--minimum, the--construction--of--streets,--either--final--site--grading--or--the~~

~~pouring--of--concrete--pads--and--installation--of--utilities)~~--is completed:

(For other than new construction or substantial improvements under the Coastal Barrier Resources Act (P. L. 97-348)), includes substantial improvement, and means the date the building permit was issued, provided the actual state of construction, repair, reconstruction, or improvement was within one hundred eighty (180) days of the permit date. The actual start means the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation or the placement of a manufactured home on a foundation. Permanent construction does not include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundation or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.

~~Section 3.26~~Section 3.29 - Structure

~~Section 3.27~~Section 3.30 - Substantial Improvement

~~Section 3.28~~Section 3.31 - Variance

Is a grant of relief ~~to a person~~ from the requirements of this ordinance which permits construction in a manner otherwise prohibited by this ordinance where specific enforcement would result in unnecessary hardship.

Article V - Administration

Section 5.03 - Duties and Responsibilities of the Local Administrator

(2) Advise ~~permitted~~ permittee that additional federal or state permits may be ~~require~~ required, and if specific federal or

state permits are know, require that copies of such permits be provided and maintained on file with the development permit.

Section 5.04 - Variance Procedures

(1) The Appeal Board shall be established by the Nassau County Board of County Commissioners and shall hear and decide appeals and requests for variances from the requirements of this ordinance. The Board of County Commissioners may be the Appeal Board.

Article VI - Provisions for Flood Hazard Reduction

Section 6.01 - General Standards

(2) Mobile homes 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 resisting wind forces.

+2) (3)

+3) (4)

+4) (5)

+5) (6)

+6) (7)

+7) (8)

(9) 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.

Section 6.02 - Specific Standards

(4) Elevated Buildings.

New construction or substantial improvements 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 floodwaters 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 coverings or devices provided they permit the automatic flow of floodwaters in both direction.

(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.

+4) (5) Floodways

(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 base flood discharge;

(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 provided the anchoring standards of Article 6, Section (3), and the elevation standards of this Ordinance are met.

~~(5)~~ (6) Coastal High Hazard Areas (V Zones)

~~(d) Pilings or columns used as structural support shall be designed and anchored so as to withstand all applied loads of the base flood flow;~~

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 annual chance flood).

(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;

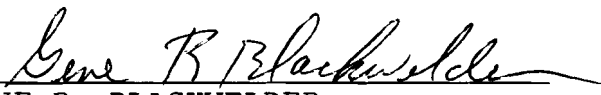
(ii) Volume and distribution of fill will not cause wave deflection to adjacent properties; and

(iii) Slope of fill will not cause wave run-up or ramping.

(i) 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 of vehicles, building access, or limited storage of maintenance equipment used in connection with the premises.

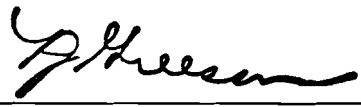
DONE and ADOPTED in regular session this 19 day of May, 1987.

BOARD OF COUNTY COMMISSIONERS
OF NASSAU COUNTY, FLORIDA



GENE R. BLACKWELDER
Its: Chairman

ATTEST:



T. J. GREESON
Its: Ex-Officio Clerk