

1 Introduced by the Council President at the request of the Mayor and
2 amended by the Neighborhoods, Community Services, Public Health and
3 Safety Committee:
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6 **ORDINANCE 2023-615-E**

7 AN ORDINANCE AMENDING VARIOUS SECTIONS OF CHAPTER
8 652 (FLOODPLAIN MANAGEMENT), *ORDINANCE CODE*, TO
9 INCORPORATE THE FLORIDA STATE FLOODPLAIN
10 MANAGEMENT OFFICE'S RECOMMENDATIONS FOR THE CITY
11 OF JACKSONVILLE TO MAINTAIN CURRENT RATINGS WITH
12 THE NATIONAL FLOOD INSURANCE PROGRAM ("NFIP")
13 COMMUNITY RATING SYSTEM ("CRS"); DIRECTING THAT
14 THE LOCAL TECHNICAL AMENDMENTS TO THE FLORIDA
15 BUILDING CODE PREVIOUSLY ACCOMPLISHED IN SECTION
16 321.109 (ELEVATION REQUIREMENTS), CHAPTER 321
17 (ADOPTION OF BUILDING CODE), *ORDINANCE CODE*, NOW
18 BE PROVIDED IN THE LAND DEVELOPMENT PROCEDURES
19 MANUAL BY THE DEVELOPMENT SERVICES DIVISION OF
20 THE PLANNING AND DEVELOPMENT DEPARTMENT TO ENABLE
21 THE PUBLIC TO HAVE EASY ACCESS TO THOSE
22 AMENDMENTS; REPEALING SECTION 321.109 (ELEVATION
23 REQUIREMENTS), CHAPTER 321 (ADOPTION OF BUILDING
24 CODE), *ORDINANCE CODE*, IN ITS ENTIRETY; CREATING
25 A NEW SECTION 321.109 (ELEVATION REQUIREMENTS),
26 CHAPTER 321 (ADOPTION OF BUILDING CODE),
27 *ORDINANCE CODE*, SO THAT THE LOCAL TECHNICAL
28 AMENDMENTS MADE TO THE FLORIDA BUILDING CODE READ
29 CORRECTLY BOTH ON-LINE AND IN PRINTED FORM;
30 AMENDING SECTION 321.110 (SUBSTANTIAL DAMAGE AND

1 SUBSTANTIAL IMPROVEMENT DEFINITIONS), CHAPTER
2 321 (ADOPTION OF BUILDING CODE), *ORDINANCE CODE*,
3 TO REMOVE REFERENCE TO THE EDITION OF THE FLORIDA
4 BUILDING CODE; AMENDING SECTION 652.203 (BASIS
5 FOR ESTABLISHING FLOOD HAZARD AREAS), PART 2
6 (APPLICABILITY), CHAPTER 652 (FLOODPLAIN
7 MANAGEMENT), *ORDINANCE CODE*, TO UPDATE THE
8 EFFECTIVE DATE OF THE FLOOD INSURANCE RATE MAPS;
9 AMENDING SECTION 652.705 (HISTORIC BUILDINGS),
10 PART 7 (VARIANCES AND APPEALS), CHAPTER 652
11 (FLOODPLAIN MANAGEMENT), *ORDINANCE CODE*, TO
12 UPDATE THE CHAPTER OF THE BUILDING CODE; CREATING
13 A NEW SECTION 652.709 (CERTAIN NON-ELEVATED
14 ACCESSORY STRUCTURES), PART 7 (VARIANCES AND
15 APPEALS), CHAPTER 652 (FLOODPLAIN MANAGEMENT),
16 *ORDINANCE CODE*, TO ADDRESS VARIANCES FOR CERTAIN
17 NON-ELEVATED ACCESSORY STRUCTURES IN A SPECIAL
18 FLOOD HAZARD AREA ("SFHA"); AMENDING SECTION
19 652.900 (GENERAL), PART 9 (DEFINITIONS), CHAPTER
20 652 (FLOODPLAIN MANAGEMENT), *ORDINANCE CODE*, TO
21 DELETE A REFERENCE TO SECTION 652.900 (GENERAL),
22 ADD AND REVISE DEFINITIONS, AND INCORPORATE THE
23 LOCAL TECHNICAL AMENDMENTS MADE TO THE
24 DEFINITIONS OF "SUBSTANTIAL DAMAGE" AND
25 "SUBSTANTIAL IMPROVEMENT"; AMENDING SECTION
26 652.1001 (BUILDINGS AND STRUCTURES), PART 10
27 (FLOOD RESISTANT DEVELOPMENT), CHAPTER 652
28 (FLOODPLAIN MANAGEMENT), *ORDINANCE CODE*, TO
29 INCREASE THE FINISHED FLOOR ELEVATION
30 REQUIREMENT IN FLOOD AREAS; REPEALING SECTION
31 652.1100 (SUBDIVISIONS), SECTION 652.1200 (SITE

1 IMPROVEMENTS, UTILITIES AND LIMITATIONS),
2 SECTION 652.1300 (MANUFACTURED HOMES), SECTION
3 652.1400 (RECREATIONAL VEHICLES AND PARK
4 TRAILERS), SECTION 652.1500 (TANKS), AND SECTION
5 1600 (OTHER DEVELOPMENT), PART 10 (FLOOD
6 RESISTANT DEVELOPMENT), CHAPTER 652 (FLOODPLAIN
7 MANAGEMENT), *ORDINANCE CODE*, IN THEIR ENTIRETY;
8 CREATING NEW PARTS TO CHAPTER 652 (FLOODPLAIN
9 MANAGEMENT), *ORDINANCE CODE*, SPECIFICALLY: PART
10 11 (FLOOD RESISTANT DEVELOPMENT - SUBDIVISIONS),
11 PART 12 (FLOOD RESISTANT DEVELOPMENT - SITE
12 IMPROVEMENTS, UTILITIES AND LIMITATIONS), PART
13 13 (FLOOD RESISTANT DEVELOPMENT - MANUFACTURED
14 HOMES), PART 14 (FLOOD RESISTANT DEVELOPMENT -
15 RECREATIONAL VEHICLES AND PARK TRAILERS), PART
16 15 (FLOOD RESISTANT DEVELOPMENT - TANKS) AND PART
17 16 (FLOOD RESISTANT DEVELOPMENT - OTHER
18 DEVELOPMENT), TO MAINTAIN CONSISTENCY IN
19 FORMATTING, INCORPORATE THE CHANGES REQUIRED BY
20 THE STATE OFFICE OF FLOODPLAIN MANAGEMENT,
21 INCREASE THE FINISHED FLOOR ELEVATION
22 REQUIREMENT IN FLOOD AREAS AND REVISE THE
23 INFORMATION TO BE REQUIRED ON THE PLAT OF A
24 SUBDIVISION IN FLOOD AREAS; AMENDING SECTION
25 654.126 (DESIGN STANDARDS: LOTS), CHAPTER 654
26 (CODE OF SUBDIVISION REGULATIONS), *ORDINANCE*
27 *CODE*, TO INCORPORATE CERTAIN ELEVATION
28 REQUIREMENTS PREVIOUSLY ESTABLISHED BY THE
29 COUNCIL THROUGH A LOCAL TECHNICAL AMENDMENT TO
30 THE FLORIDA BUILDING CODE; PROVIDING FOR
31 APPLICABILITY; PROVIDING FOR SEVERABILITY;

1 PROVIDING FOR CODIFICATION INSTRUCTIONS;
2 PROVIDING AN EFFECTIVE DATE.
3

4 **WHEREAS**, the Legislature of the State of Florida has, in
5 Chapter 125 (County Government) and Chapter 166 (Municipalities),
6 *Florida Statutes*, conferred upon local governments the authority to
7 adopt regulations designed to promote the public health, safety, and
8 general welfare of its citizenry; and

9 **WHEREAS**, the NFIP Community Rating System ("CRS") is a
10 voluntary incentive program that recognizes and encourages community
11 floodplain management activities, and in 2020 certain minimum
12 prerequisites were established for communities to qualify for or
13 maintain CRS class ratings; and

14 **WHEREAS**, citizens who purchase NFIP flood insurance policies
15 in CRS participating communities are eligible for premium discounts;
16 and

17 **WHEREAS**, the City of Jacksonville participates in the National
18 Flood Insurance Program and participates in the NFIP's Community
19 Rating System, and the City currently exceeds the minimum CRS program
20 requirements of Class 8 and has achieved a CRS rating of Class 6; and

21 **WHEREAS**, the City Council has determined that it is in the
22 public interest to amend the floodplain management regulations to
23 continue participating in the Community Rating System at the current
24 class rating; and

25 **WHEREAS**, the Federal Emergency Management Agency released FEMA
26 Policy #104-008-03 Floodplain Management Requirements for
27 Agricultural Structures and Accessory Structures (the "FEMA Policy"),
28 which acknowledges the unique characteristics and uses of the
29 agricultural structures and accessory structures within the SFHA to
30 ensure sound development and promote public health, safety and
31 welfare; and

1 **WHEREAS**, the FEMA Policy provides for non-residential
2 structures used for specific agriculture purposes and for specific
3 accessory structure uses to be exceptions to the requirements of
4 increased elevation and allow wet floodproofing in certain
5 circumstances; and

6 **WHEREAS**, the Jacksonville City Council has determined it
7 appropriate to adopt regulations that are consistent with the FEMA
8 Policy to allow issuance of permits for non-elevated wet floodproofed
9 accessory structures that are not larger than the certain sizes; now
10 therefore

11 **BE IT ORDAINED** by the Council of the City of Jacksonville:

12 **Section 1. Directing that the current language in Section**
13 **321.109 (Elevation requirements), Chapter 321 (Adoption of Building**
14 **Code), Ordinance Code, be added to the Land Development Procedures**
15 **Manual by the Development Services Division of the Planning and**
16 **Development Department.** Section 321.109 (Elevation requirements),
17 Chapter 321 (Adoption of Building Code), *Ordinance Code*, is currently
18 written to show the changes that were approved by a local technical
19 amendment to the Florida Building Code, 6th Edition (2017). Those
20 changes were required to be published and easily obtained by the
21 public, so they were codified in strike-out and underline format in
22 the *Ordinance Code* showing those changes. It is the intent of the
23 Council to have those changes, in strike-out and underline format,
24 be provided in the Land Development Procedures Manual rather than in
25 the *Ordinance Code* so that the public can easily see the changes made
26 by the local technical amendments. It is the further intent of the
27 Council, pursuant to F.S. § 553.73(5), that those changes do not
28 expire with subsequent editions of the Florida Building Code.

29 **Section 2. Repealing Section 321.109 (Elevation**
30 **requirements), Chapter 321 (Adoption of Building Code), Ordinance**
31 **Code, in its entirety.** Section 321.109 (Elevation requirements),

1 Chapter 321 (Adoption of Building Code), *Ordinance Code*, a copy of
2 which is attached hereto as **Revised Exhibit 1**, labeled as "Revised
3 Exhibit 1, Code Section, October 16, 2023 - NCSPHS" is hereby repealed
4 and replaced in its entirety.

5 **Section 3. Creating a new Section 321.109 (Elevation**
6 **requirements), Chapter 321 (Adoption of Building Code), Ordinance**
7 **Code.** Section 321.109 (Elevation requirements), Chapter 321
8 (Adoption of Building Code), *Ordinance Code*, is hereby created to
9 read as follows:

10 **CHAPTER 321 - ADOPTION OF BUILDING CODE**

11 * * *

12 **Sec. 321.109. - Elevation requirements.**

13 The elevation requirements in this Section 321.109 were adopted
14 as local technical amendments to the Florida Building Code, 6th Edition
15 (2017). However, it is the intent of the City that, pursuant to F.S.
16 § 553.73(5), those changes not expire with subsequent editions of the
17 Florida Building Code. The "6th Edition (2017)" is only mentioned
18 for reference. Those changes are to be memorialized in the Land
19 Development Procedures Manual by the Development Services Division
20 of the Planning and Development Department. In that document, the
21 strike-out and underlined text will identify the specific
22 modifications to the Florida Building Code through the local technical
23 amendment.

24 For the purposes of this Section 321.109, the term "flood hazard
25 area" shall mean "special flood hazard area" and "adjusted special
26 flood hazard area" as those terms are defined in Section 652.904,
27 *Ordinance Code*.

28 (a) A new Section 1612.4.3 in the Florida Building Code, Building,
29 (renumbered from Section 1612.4.2), was adopted as a local technical
30 amendment to read as follows:

31 **1612.4.3 Elevation requirements.** The minimum elevation

1 requirements shall be as specified in ASCE 24 or the base
2 flood elevation plus 2 feet (610 mm), whichever is higher.

3 (b) Section R322.2.1 (Elevation requirements), R322.2 (Flood
4 hazard areas (including A Zones)), in the Florida Building Code,
5 Residential, was amended as a local technical amendment to read as
6 follows:

7 **R322.2.1 Elevation requirements.**

8 (1) Buildings and structures in flood hazard areas, including
9 flood hazard areas designated as Coastal A Zones, shall have
10 the lowest floors elevated to or above the base flood
11 elevation plus 2 feet (610 mm), or the design flood elevation,
12 whichever is higher.

13 (2) In areas of shallow flooding (AO Zones), buildings and
14 structures shall have the lowest floor (including basement)
15 elevated to a height above the highest adjacent grade of not
16 less than the depth number specified in feet (mm) on the FIRM
17 plus 2 feet (610 mm), or not less than 4 feet (1,220 mm) if
18 a depth number is not specified.

19 (3) Basement floors that are below grade on all sides shall be
20 elevated to or above base flood elevation plus 2 feet (610
21 mm), or the design flood elevation, whichever is higher.

22 **Exception:** Enclosed areas below the design flood elevation,
23 including basements with floors that are not below grade on
24 all sides, shall meet the requirements of Section R322.2.2.

25 (c) Section R322.3.2 (Elevation requirements), R322.3 (Coastal
26 high-hazard area (including V Zones and Coastal A Zones, where
27 designated)), in the Florida Building Code, Residential, was amended
28 as a local technical amendment to read as follows:

29 **R322.3.2 Elevation requirements.**

30 (1) Buildings and structures erected within coastal high-hazard
31 areas and Coastal A Zones shall be elevated so that the bottom

1 of the lowest horizontal structural members supporting the
2 lowest floor, with the exception of pilings, pile caps,
3 columns, grade beams and bracing, is elevated to or above the
4 base flood elevation plus 2 feet (610 mm), or the design flood
5 elevation, whichever is higher.

6 (2) Basement floors that are below grade on all sides are
7 prohibited.

8 (3) The use of fill for structural support is prohibited.

9 (4) Minor grading, and the placement of minor quantities of fill,
10 shall be permitted for landscaping and for drainage purposes
11 under and around buildings and for support of parking slabs,
12 pool decks, patios and walkways.

13 (5) Walls and partitions enclosing areas below the design flood
14 elevation shall meet the requirements of Sections R322.3.5
15 and R322.3.6.

16 * * *

17 **Section 4. Amending Section 321.110 (Substantial damage and**
18 **substantial improvement definitions), Chapter 321 (Adoption of**
19 **Building Code), Ordinance Code.** Section 321.110 (Substantial damage
20 and substantial improvement definitions), Chapter 321 (Adoption of
21 Building Code), *Ordinance Code*, is hereby amended to read as follows:

22 **CHAPTER 321 - ADOPTION OF BUILDING CODE**

23 * * *

24 **Sec. 321.110. - Substantial damage and substantial improvement**
25 **definitions.**

26 The definitions for "substantial damage" and "substantial
27 improvement" in Chapter 652 (Floodplain Management), Part 9
28 (Definitions), Section 652.904 (Definitions) ~~were~~are adopted in this
29 Chapter 321 by reference, as a local technical amendment to the
30 Florida Building Code ~~(6th Edition (2017))~~, as more particularly
31 stated in Section 652.904, Ordinance Code.

1 **Section 5. Amending Section 652.203 (Basis for establishing**
2 **flood hazard areas), Part 2 (Applicability), Chapter 652 (Floodplain**
3 **Management), Ordinance Code.** Section 654.203 (Basis for establishing
4 flood hazard areas), Part 2 (Applicability), Chapter 652 (Floodplain
5 Management), *Ordinance Code*, is hereby amended to read as follows:

6 **CHAPTER 652 - FLOODPLAIN MANAGEMENT**

7 * * *

8 **PART 2. - APPLICABILITY**

9 * * *

10 **Sec. 652.203. - Basis for establishing flood hazard areas.**

11 The Flood Insurance Study for the City of Jacksonville, Duval
12 County, Florida and Incorporated Areas, dated November 2, 2018~~June~~
13 ~~3, 2013~~, and the accompanying Flood Insurance Rate Maps (FIRM), and
14 all subsequent amendments and revisions to such maps, are adopted by
15 reference as a part of this Chapter and shall serve as the minimum
16 basis for establishing flood hazard areas, along with the supporting
17 data and flood hazard areas included in the Master Stormwater
18 Management Plan. Studies and maps that establish flood hazard areas
19 are on file at the City of Jacksonville, Planning and Development
20 Department, Edward Ball Building, Suite 300, 214 North 2nd Floor, 240
21 Hogan Street, Jacksonville, Florida~~FL~~ 32202.

22 * * *

23 **Section 6. Amending Section 652.705 (Historic Buildings),**
24 **Part 7 (Variances and Appeals), Chapter 652 (Floodplain Management),**
25 **Ordinance Code.** Section 652.705 (Historic Buildings), Part 7
26 (Variances and Appeals), Chapter 652 (Floodplain Management),
27 *Ordinance Code*, is hereby amended to read as follows:

28 **CHAPTER 652 - FLOODPLAIN MANAGEMENT**

29 * * *

30 **PART 7. - VARIANCES AND APPEALS**

31 * * *

Sec. 652.705. - 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 ~~1211~~ 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.

* * *

Section 7. Creating a new Section 652.709 (Certain Non-Elevated Accessory Structures), Part 7 (Variances and Appeals), Chapter 652 (Floodplain Management), Ordinance Code. Section 652.709 (Certain Non-Elevated Accessory Structures), Part 7 (Variances and Appeals), Chapter 652 (Floodplain Management), *Ordinance Code*, is hereby created to read as follows:

CHAPTER 652 - FLOODPLAIN MANAGEMENT

* * *

PART 7. - VARIANCES AND APPEALS

* * *

Sec. 652.709. - Certain non-elevated accessory structures.

A request for a variance is authorized to be heard and decided by the Chief Building Official for the construction or substantial improvement of non-elevated accessory structures located in Special Flood Hazard Areas (Zone A/AE) other than coastal high hazard areas that are larger than the size limits specified in Section 652.1006, *Ordinance Code*, provided the requirements of this Section are

1 satisfied, the accessory structures are used only for parking or
2 storage, and the accessory structures:

3 (a) Represent minimal investment and have low damage potential.

4 (b) Are one story and not larger than 1,200 square feet in size
5 and have flood openings in accordance with Section R322.2 of the
6 Florida Building Code, Residential.

7 (c) Are anchored to resist flotation, collapse or lateral
8 movement resulting from flood loads.

9 (d) Have flood damage-resistant materials used below the base
10 flood elevation plus one foot.

11 (e) Have mechanical, plumbing and electrical systems, including
12 plumbing fixtures, elevated to or above the base flood elevation plus
13 two feet.

14 **Section 8. Amending Section 652.900 (General), Part 9**
15 **(Definitions), Chapter 652 (Floodplain Management), Ordinance Code.**
16 Section 652.900 (General), Part 9 (Definitions), Chapter 652
17 (Floodplain Management), *Ordinance Code*, is hereby amended to read
18 as follows:

19 **CHAPTER 652 - FLOODPLAIN MANAGEMENT**

20 * * *

21 **PART 9. - GENERAL DEFINITIONS**

22 **~~SECTION 652.900. - GENERAL~~**

23 **Sec. 652.901. - Scope.**

24 Unless otherwise expressly stated, the following words and terms
25 shall, for the purposes of this Chapter, have the meanings shown in
26 this Section.

27 **Sec. 652.902. - Terms defined in the Florida Building Code.**

28 Where terms are not defined in this Chapter and are defined in
29 the Florida Building Code, such terms shall have the meanings ascribed
30 to them in that code.

31 **Sec. 652.903. - Terms not defined.**

1 Where terms are not defined in this Chapter or the Florida
2 Building Code, such terms shall have ordinarily accepted meanings
3 such as the context implies.

4 **Sec. 652.904. - Definitions.**

5 Accessory structure. A structure on the same parcel of property
6 as a principal structure and the use of which is limited to parking
7 and storage incidental to the use of the principal structure.

8 *Alteration of a watercourse.* A dam, impoundment, channel
9 relocation, change in channel alignment, channelization, or change
10 in cross-sectional area of the channel or the channel capacity, or
11 any other form of modification which may alter, impede, retard or
12 change the direction and/or velocity of the riverine flow of water
13 during conditions of the base flood.

14 *Adjusted Special Flood Hazard Area (Adjusted SFHA).* Land located
15 within the Scale Distance of the boundary between Coastal High Hazard
16 Areas (Zone V) and other flood hazard areas (Zone A).

17 * * *

18 ~~*Existing manufactured home park or subdivision.* A manufactured~~
19 ~~home park or subdivision for which the construction of facilities for~~
20 ~~servicing the lots on which the manufactured homes are to be affixed~~
21 ~~(including, at a minimum, the installation of utilities, the~~
22 ~~construction of streets, and either final site grading or the pouring~~
23 ~~of concrete pads) is completed before June 10, 1975.~~

24 ~~*Expansion to an existing manufactured home park or subdivision.*~~
25 ~~The preparation of additional sites by the construction of facilities~~
26 ~~for servicing the lots on which the manufactured homes are to be~~
27 ~~affixed (including the installation of utilities, the construction~~
28 ~~of streets, and either final site grading or the pouring of concrete~~
29 ~~pads).~~

30 * * *

31 *Historic structure.* Any structure that is determined eligible

1 for the exception to the flood hazard area requirements of the Florida
2 Building Code, Existing Building, Chapter 1211 Historic Buildings.

3 * * *

4 ~~Market value. The price at which a property will change hands~~
5 ~~between a willing buyer and a willing seller, neither party being~~
6 ~~under compulsion to buy or sell and both having reasonable knowledge~~
7 ~~of relevant facts.~~ As used in this Chapter, the term refers to the
8 ~~market~~ value of buildings and structures, excluding the land and
9 other improvements on the parcel. Market value ~~may be established by~~
10 ~~a qualified independent appraiser,~~ is the Actual Cash Value (in-kind
11 replacement cost depreciated for age, wear and tear, neglect, and
12 quality of construction) determined by a qualified independent
13 appraiser, or tax assessment value adjusted to approximate market
14 value by a factor provided by the Duval County Property Appraiser.

15 *New construction.* For the purposes of administration of this
16 Chapter and the flood resistant construction requirements of the
17 Florida Building Code, structures for which the "start of
18 construction" commenced on or after June 10, 1975, and includes any
19 subsequent improvements to such structures.

20 ~~*New manufactured home park or subdivision.* A manufactured home~~
21 ~~park or subdivision for which the construction of facilities for~~
22 ~~servicing the lots on which the manufactured homes are to be affixed~~
23 ~~(including at a minimum, the installation of utilities, the~~
24 ~~construction of streets, and either final site grading or the pouring~~
25 ~~of concrete pads) is completed on or after June 10, 1975.~~

26 * * *

27 ~~*Substantial damage.* Damage of any origin sustained by a building~~
28 ~~or structure whereby the cost of restoring the building or structure~~
29 ~~to its before-damaged condition would equal or exceed 50 percent of~~
30 ~~the market value of the building or structure before the damage~~
31 ~~occurred. The term also includes flood-related damage sustained by a~~

~~structure on two separate occasions during a ten-year period for which the cost of repairs at the time of each such flood event, on average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.~~

~~This definition is adopted as a local technical amendment to the Florida Building Code (6th Edition (2017)) in Florida Building Code, Building, Section 1612.2 and in Florida Building Code, Existing Building, Section 202 (with the addition of "For the purpose of determining compliance with the flood provisions of this code," at the beginning of the definition, as necessary to reflect the slight differentiation in wording between Florida Building Code, Building, and Florida Building Code, Existing Building). The underlined text identifies the specific modifications to the Florida Building Code.~~

~~Substantial improvement. Any combination of repair, alteration, reconstruction, rehabilitation, addition, or other improvement of a building or structure taking place during a ten-year period, the cumulative cost of which equals or exceeds 50 percent of the market value of the building or structure before the improvement or repair is started. For each building or structure, the ten-year period begins on the date of the first improvement or repair of that building or structure. 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:~~

~~(a) 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.~~

~~(b) Any alteration of a historic structure provided the alteration will not preclude the structure's continued designation as a historic structure.~~

This definition is adopted as a local technical amendment to the Florida Building Code 6th Edition (2017) in Florida Building Code, Building, Section 1612.2, and in Florida Building Code, Existing Building, Section 202 (with the addition of "For the purpose of determining compliance with the flood provisions of this code," at the beginning of the definition, as necessary to reflect the slight differentiation in wording between Florida Building Code, Building, and Florida Building Code, Existing Building). The underlined text identifies the specific modifications to the Florida Building Code.

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. The term also includes flood-related damage sustained by a structure on two separate occasions during a ten-year period for which the cost of repairs at the time of each such flood event, on average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.

Note: In accordance with Section 321.110, Ordinance Code, the local amendment to this definition of "substantial damage" was adopted as a local technical amendment to the Florida Building Code, Building and the Florida Building Code, Existing Building.

Substantial improvement. Any combination of repair, alteration, reconstruction, rehabilitation, addition, or other improvement of a building or structure taking place during a ten-year period, the cumulative cost of which equals or exceeds 50 percent of the market value of the building or structure before the improvement or repair is started. For each building or structure, the ten-year period begins on the date of the first improvement or repair of that building or structure. If the structure has incurred "substantial damage",

1 any repairs are considered substantial improvement regardless of the
2 actual repair work performed. The term does not, however, include
3 either:

4 (a) Any project for improvement of a building required to correct
5 existing health, sanitary, or safety code violations identified by
6 the building official and that are the minimum necessary to assure
7 safe living conditions.

8 (b) Any alteration of a historic structure, provided the
9 alteration will not preclude the structure's continued designation
10 as a historic structure.

11 Note: In accordance with Section 321.110, Ordinance
12 Code, the local amendment to this definition of
13 "substantial improvement" was adopted as a local
14 technical amendment to the Florida Building Code,
15 Building and the Florida Building Code, Existing
16 Building.

17 *Variance.* A grant of relief from the requirements of this
18 Chapter, or the flood resistant construction requirements of the
19 Florida Building Code, which permits construction in a manner that
20 would not otherwise be permitted by this Chapter or the Florida
21 Building Code.

22 *Watercourse.* A river, creek, stream, channel or other topographic
23 feature in, on, through, or over which water flows at least
24 periodically.

25 **Section 9. Amending Section 652.1001 (Buildings and**
26 **Structures), Part 10 (Flood Resistant Development), Chapter 652**
27 **(Floodplain Management), Ordinance Code.** Section 652.1001 (Buildings
28 and Structures), Part 10 (Flood Resistant Development), Chapter 652
29 (Floodplain Management), *Ordinance Code*, is hereby amended to read
30 as follows:

31 **CHAPTER 652 - FLOODPLAIN MANAGEMENT**

* * *

PART 10. - FLOOD RESISTANT DEVELOPMENT - BUILDINGS AND STRUCTURES

SECTION 652.1001. - BUILDINGS AND STRUCTURES

* * *

Sec. 652.1005. - Elevation requirements.

As provided in Section 321.109, Ordinance Code, buildings and structures in Special Flood Hazard Areas and Adjusted Special Flood Hazard Areas shall have the lowest floors elevated to or above the base flood elevation plus two feet, or the design flood elevation, whichever is higher. In order to elevate the lowest floor to this level, off-grade or stem wall construction techniques shall be used such that the lot itself is not filled more than one foot above base flood elevation at the site of any structure, as permitted by the current edition of the Florida Building Code.

Sec. 652.1006. - Non-elevated accessory structures.

Accessory structures are permitted below elevations required by the Florida Building Code, provided the accessory structures are used only for parking or storage and:

(a) If located in Special Flood Hazard Areas (Zone A/AE) other than coastal high hazard areas, are one-story and not larger than 600 square feet and have flood openings in accordance with Section R322.2 of the Florida Building Code, Residential.

(b) If located in coastal high hazard areas (Zone V/VE), are not located below elevated buildings and are not larger than 100 square feet.

(c) Are anchored to resist flotation, collapse or lateral movement resulting from flood loads.

(d) Have flood damage-resistant materials used below the base flood elevation plus two feet.

(e) Have mechanical, plumbing and electrical systems, including plumbing fixtures, elevated to or above the base flood elevation plus

1 two feet.

2 **Section 10. Repealing Section 652.1100 (Subdivisions),**
3 **Section 652.1200 (Site Improvements, Utilities and Limitations),**
4 **Section 652.1300 (Manufactured Homes), Section 652.1400 (Recreational**
5 **Vehicles and Park Trailers), Section 652.1500 (Tanks), and Section**
6 **1600 (Other Development), Part 10 (Flood Resistant Development),**
7 **Chapter 652 (Floodplain Management), Ordinance Code, in their**
8 **entirety.** Section 652.1100 (Subdivisions), Section 652.1200 (Site
9 Improvements, Utilities and Limitations), Section 652.1300
10 (Manufactured Homes), Section 652.1400 (Recreational Vehicles and
11 Park Trailers), Section 652.1500 (Tanks), and Section 1600 (Other
12 Development), Part 10 (Flood Resistant Development), Chapter 652
13 (Floodplain Management), *Ordinance Code*, a copy of which is attached
14 hereto as **Exhibit 2**, are hereby repealed in their entirety.

15 **Section 11. Creating a new Part 11, Part 12, Part 13, Part**
16 **14, Part 15 and Part 16, Chapter 652 (Floodplain Management),**
17 **Ordinance Code.** Part 11, Part 12, Part 13, Part 14, Part 15 and Part
18 16, Chapter 652 (Floodplain Management), *Ordinance Code*, are hereby
19 created to read as follows:

20 **CHAPTER 652 - FLOODPLAIN MANAGEMENT**

21 * * *

22 **PART 11. FLOOD RESISTANT DEVELOPMENT - SUBDIVISIONS**

23 **Sec. 652.1101. - Minimum requirements.**

24 Subdivision proposals, including proposals for manufactured home
25 parks and subdivisions, shall be reviewed to determine that:

26 (a) Such proposals are consistent with the need to minimize flood
27 damage and will be reasonably safe from flooding;

28 (b) All public utilities and facilities such as sewer, gas,
29 electric, communications, and water systems are located and
30 constructed to minimize or eliminate flood damage; and

31 (c) Adequate drainage is provided to reduce exposure to flood

1 hazards; in Zones AH and AO, adequate drainage paths shall be provided
2 to guide floodwaters around and away from proposed structures.

3 **Sec. 652.1102. - Subdivision plats.**

4 Where any portion of a proposed subdivision, including townhomes
5 platted as individual fee simple lots, and manufactured home parks
6 and subdivisions, lies within a flood hazard area, the following
7 shall be required:

8 (a) In the General Notes, state the following:

9 "At the time of recordation of this plat, all or portions
10 of the platted lands herein were in a Special Flood
11 Hazard Area ("SFHA"). This plat is not the source of
12 Federal Emergency Management Agency ("FEMA")
13 information. Inquiries relating to FEMA information,
14 Flood Insurance Rate Maps ("FIRM"), or other floodplain
15 management documents should be made to the City of
16 Jacksonville's Department of Planning and Development,
17 Development Services Division."

18 (b) Where the subdivision has more than 50 lots or is larger than
19 five acres and base flood elevations are not included on the FIRM,
20 the base flood elevations determined in accordance with Section
21 652.502(a), Ordinance Code; and

22 (c) Compliance with the site improvement and utilities
23 requirements of Part 12 (Flood Resistant Development - Site
24 Improvements, Utilities and Limitations), Chapter 652, Ordinance
25 Code.

26 **PART 12. - FLOOD RESISTANT DEVELOPMENT - SITE IMPROVEMENTS,**
27 **UTILITIES AND LIMITATIONS**

28 **Sec. 652.1201. - Minimum requirements.**

29 All proposed new development shall be reviewed to determine that:

30 (a) Such proposals are consistent with the need to minimize flood
31 damage and will be reasonably safe from flooding;

1 (b) All public utilities and facilities such as sewer, gas,
2 electric, communications, and water systems are located and
3 constructed to minimize or eliminate flood damage; and

4 (c) Adequate drainage is provided to reduce exposure to flood
5 hazards; in Zones AH and AO, adequate drainage paths shall be provided
6 to guide floodwaters around and away from proposed structures.

7 **Sec. 652.1202. - Sanitary sewage facilities.**

8 All new and replacement sanitary sewage facilities, private
9 sewage treatment plants (including all pumping stations and collector
10 systems), and on-site waste disposal systems shall be designed in
11 accordance with Florida Administrative Code (F.A.C.) Rule 64E-6,
12 Chapter entitled *Standards for Onsite Sewage Treatment and Disposal*
13 *Systems*, and ASCE (American Society of Civil Engineers) 24, Chapter
14 7, to minimize or eliminate infiltration of floodwaters into the
15 facilities and discharge from the facilities into flood waters, and
16 impairment of the facilities and systems.

17 **Sec. 652.1203. - Water supply facilities.**

18 All new and replacement water supply facilities shall be designed
19 in accordance with the water well construction standards in Rule 62-
20 532.500, F.A.C. and ASCE 24, Chapter 7, to minimize or eliminate
21 infiltration of floodwaters into the systems.

22 **Sec. 652.1204. - Limitations on sites in regulatory floodways, and**
23 **floodway setbacks.**

24 No development, including but not limited to site improvements
25 and land disturbing activity involving fill or regrading, shall be
26 authorized in the regulatory floodway, or in the floodway setback,
27 unless the floodway encroachment analysis required in Section
28 652.503(a), Ordinance Code, demonstrates that the proposed
29 development or land disturbing activity will not result in any
30 increase in the base flood elevation.

31 **Sec. 652.1205. - Limitations on placement of fill.**

1 All fill shall be AASHTO (American Association of State Highway
2 and Transportation Officials) Class A-3 Soil, unless a Certified
3 Geotechnical Engineer provides a pre-development versus post-
4 development analysis showing that alternative fill will not adversely
5 impact groundwater levels on adjacent property. Subject to the
6 limitations of this Chapter, fill shall be designed to be stable
7 under conditions of flooding including rapid rise and rapid drawdown
8 of floodwaters, prolonged inundation, and protection against flood-
9 related erosion and scour. In addition to these requirements, if
10 intended to support buildings and structures (Zone A only), fill
11 shall comply with the requirements of the Florida Building Code.

12 **Sec. 652.1206. - Limitations on sites in coastal high hazard areas**
13 **(Zone V) and in Adjusted SFHAs.**

14 In coastal high hazard areas and Adjusted SFHAs, alteration of
15 sand dunes and mangrove stands shall be permitted only if such
16 alteration is approved by the Florida Department of Environmental
17 Protection and only if the engineering analysis required by Section
18 652.503(4) of this Chapter demonstrates that the proposed alteration
19 will not increase the potential for flood damage. Construction or
20 restoration of dunes under or around elevated buildings and structures
21 shall comply with Section 652.1608(c), Ordinance Code.

22 **PART 13. - FLOOD RESISTANT DEVELOPMENT - MANUFACTURED HOMES**

23 **Sec. 652.1301. - General.**

24 All manufactured homes installed in flood hazard areas shall be
25 installed by an installer that is licensed pursuant to F.S. § 320.8249
26 and shall comply with the requirements of Rule 15C-1, F.A.C. and the
27 requirements of this Chapter. If located seaward of the coastal
28 construction control line, all manufactured homes shall comply with
29 the more restrictive of the applicable requirements.

30 **Sec. 652.1302. - Foundations.**

31 All new manufactured homes and replacement manufactured homes

1 installed in flood hazard areas shall be installed on permanent,
2 reinforced foundations that:

3 (a) In flood hazard areas (Zone A) other than coastal high hazard
4 areas, are designed in accordance with the foundation requirements
5 of the Florida Building Code, Residential, Section R322.2 and this
6 Chapter.

7 (b) In coastal high hazard areas (Zone V) and Adjusted SFHAs, are
8 designed in accordance with the foundation requirements of the Florida
9 Building Code, Residential, Section R322.3 and this Chapter.

10 **Sec. 652.1303. - Anchoring.**

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

19 **Sec. 652.1304. - Elevation.**

20 All manufactured homes that are placed, replaced, or
21 substantially improved in flood hazard areas shall be elevated such
22 that the bottom of the frame is at or above the base flood elevation
23 plus two feet.

24 **Sec. 652.1305. - Enclosures.**

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

29 **Sec. 652.1306. - Utility equipment.**

30 Utility equipment that serves manufactured homes, including
31 electric, heating, ventilation, plumbing, and air conditioning

1 equipment and other service facilities, shall comply with the
2 requirements of the Florida Building Code, Residential, Section R322,
3 as applicable to the flood hazard area.

4 **PART 14. - FLOOD RESISTANT DEVELOPMENT - RECREATIONAL VEHICLES AND**
5 **PARK TRAILERS**

6 **Sec. 652.1401. - Temporary placement.**

7 Recreational vehicles and park trailers placed temporarily in
8 flood hazard areas shall:

9 (a) Be on the site for fewer than 180 consecutive days; or

10 (b) Be fully licensed and ready for highway use, which means the
11 recreational vehicle or park model is on wheels or jacking system,
12 is attached to the site only by quick-disconnect type utilities and
13 security devices, and has no permanent attachments such as additions,
14 rooms, stairs, decks and porches.

15 **Sec. 652.1402. - Permanent placement.**

16 Recreational vehicles and park trailers that do not meet the
17 limitations in Section 652.1401, Ordinance Code, for temporary
18 placement shall meet the requirements of Part 13 of this Section for
19 manufactured homes.

20 **PART 15. FLOOD RESISTANT DEVELOPMENT - TANKS**

21 **Sec. 652.1501. - Underground tanks.**

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

26 **Sec. 652.1502. - Above-ground tanks, not elevated.**

27 Above-ground tanks that do not meet the elevation requirements
28 of Section 652.1503, Ordinance Code shall:

29 (a) Be permitted in flood hazard areas (Zone A) other than coastal
30 high hazard areas, provided the tanks are anchored or otherwise
31 designed and constructed to prevent flotation, collapse or lateral

1 movement resulting from hydrodynamic and hydrostatic loads during
2 conditions of the design flood, including the effects of buoyancy
3 assuming the tank is empty and the effects of flood-borne debris.

4 (b) Not be permitted in coastal high hazard areas (Zone V) and
5 Adjusted SFHAs.

6 **Sec. 652.1503. - Above-ground tanks, elevated.**

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

13 **Sec. 652.1504. - Tank inlets and vents.**

14 Tank inlets, fill openings, outlets and vents shall be:

15 (a) At or above the design flood elevation or fitted with covers
16 designed to prevent the inflow of floodwater or outflow of the
17 contents of the tanks during conditions of the design flood; and

18 (b) Anchored to prevent lateral movement resulting from
19 hydrodynamic and hydrostatic loads, including the effects of
20 buoyancy, during conditions of the design flood.

21 **PART 16. FLOOD RESISTANT DEVELOPMENT - OTHER DEVELOPMENT**

22 **Sec. 652.1601. - General requirements for other development.**

23 All development, including man-made changes to improved or
24 unimproved real estate for which specific provisions are not specified
25 in this Chapter or the Florida Building Code, shall:

26 (a) Be located and constructed to minimize flood damage;

27 (b) Meet the limitations of Section 652.1204, Ordinance Code, if
28 located in a regulated floodway, or in a floodway setback;

29 (c) Be anchored to prevent flotation, collapse or lateral
30 movement resulting from hydrostatic loads, including the effects of
31 buoyancy, during conditions of the design flood;

1 (d) Be constructed of flood damage-resistant materials; and

2 (e) Have mechanical, plumbing, and electrical systems above the
3 design flood elevation, except that minimum electric service required
4 to address life, safety and electric code requirements is permitted
5 below the design flood elevation provided it conforms to the
6 provisions of the electrical part of the Florida Building Code for
7 wet locations.

8 **Sec. 652.1602. - Fences in regulated floodways, or in floodway**
9 **setbacks.**

10 Fences in regulated floodways, or in floodway setbacks, that have
11 the potential to block the passage of floodwaters, such as stockade
12 fences and wire mesh fences, shall meet the limitations of Section
13 652.1204, Ordinance Code.

14 **Sec. 652.1603. - Retaining walls, sidewalks and driveways in**
15 **regulated floodways, or in floodway setbacks.**

16 Retaining walls and sidewalks and driveways that involve the
17 placement of fill in regulated floodways, or in floodway setbacks,
18 shall meet the limitations of Section 652.1204, Ordinance Code.

19 **Sec. 652.1604. - Roads and watercourse crossings in regulated**
20 **floodways, or in floodway setbacks.**

21 Roads and watercourse crossings, including roads, bridges,
22 culverts, low-water crossings and similar means for vehicles or
23 pedestrians to travel from one side of a watercourse to the other
24 side, that encroach into regulated floodways, or into floodway
25 setbacks, shall meet the limitations of Section 652.1204, Ordinance
26 Code. Alteration of a watercourse that is part of a road or
27 watercourse crossing shall meet the requirements of Section
28 652.503(c), Ordinance Code.

29 **Sec. 652.1605. - Concrete slabs used as parking pads, enclosure**
30 **floors, landings, decks, walkways, patios and similar nonstructural**
31 **uses in coastal high hazard areas (Zone V) and Adjusted SFHAs.**

1 In coastal high hazard areas and Adjusted SFHAs, concrete slabs
2 used as parking pads, enclosure floors, landings, decks, walkways,
3 patios and similar nonstructural uses are permitted beneath or
4 adjacent to buildings and structures provided the concrete slabs are
5 designed and constructed to be:

6 (a) Structurally independent of the foundation system of the
7 building or structure;

8 (b) Frangible and not reinforced, so as to minimize debris during
9 flooding that is capable of causing significant damage to any
10 structure; and

11 (c) Have a maximum slab thickness of not more than four inches.

12 **Sec. 652.1606. - Decks and patios in coastal high hazard areas (Zone**
13 **V) and Adjusted SFHAs.**

14 In addition to the requirements of the Florida Building Code, in
15 coastal high hazard areas and Adjusted SFHAs, decks and patios shall
16 be located, designed, and constructed in compliance with the
17 following:

18 (a) A deck that is structurally attached to a building or
19 structure shall have the bottom of the lowest horizontal structural
20 member at or above the design flood elevation and any supporting
21 members that extend below the design flood elevation shall comply
22 with the foundation requirements that apply to the building or
23 structure, which shall be designed to accommodate any increased loads
24 resulting from the attached deck.

25 (b) A deck or patio that is located below the design flood
26 elevation shall be structurally independent from buildings or
27 structures and their foundation systems and shall be designed and
28 constructed either to remain intact and in place during design flood
29 conditions or to break apart into small pieces to minimize debris
30 during flooding capable of causing structural damage to the building
31 or structure or to adjacent buildings and structures.

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

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

14 **Sec. 652.1607. - Other development in coastal high hazard areas (Zone**
15 **V) and Adjusted SFHAs.**

16 In coastal high hazard areas and Adjusted SFHAs, development
17 activities other than buildings and structures shall be permitted
18 only if also authorized by the appropriate federal, state or local
19 authority; if located outside the footprint of, and not structurally
20 attached to, buildings and structures; and if analyses prepared by
21 qualified registered design professionals demonstrate no harmful
22 diversion of floodwaters or wave run-up and wave reflection would
23 increase damage to adjacent buildings and structures. Such other
24 development activities include, but are not limited to:

25 (a) Bulkheads, seawalls, retaining walls, revetments, and similar
26 erosion control structures;

27 (b) Solid fences and privacy walls, and fences prone to trapping
28 debris, unless designed and constructed to fail under flood conditions
29 less than the design flood or otherwise function to avoid obstruction
30 of floodwaters; and

31 (c) On-site sewage treatment and disposal systems defined in Rule

64E-6.002, F.A.C., as filled systems or mound systems.

Sec. 652.1608. - Nonstructural fill in coastal high hazard areas (Zone V) and Adjusted SFHAs.

In coastal high hazard areas and Adjusted SFHAs:

(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 no harmful diversion of floodwaters or wave run-up and wave reflection would increase damage to adjacent buildings and structures.

(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.

Section 12. Amending Section 654.126 (Design standards: lots), Chapter 654 (Code of Subdivision Regulations), Ordinance Code.

Section 654.126 (Design standards: lots), Chapter 654 (Code of Subdivision Regulations), *Ordinance Code*, is hereby amended to read as follows:

Chapter 654 - CODE OF SUBDIVISION REGULATIONS

* * *

Sec. 654.126. - Design standards: lots and elevation requirements.

(a) The lot ~~size, width, depth, shape and orientation and the~~

1 ~~minimum building setback lines~~ shall be appropriate for the location
2 of the subdivision and for the type of development and use
3 contemplated. Lot arrangement and design shall be such that all lots
4 will provide satisfactory and desirable building sites.

5 (b) Lot dimensions and the minimum building setbacks shall
6 conform to the requirements of the Zoning Code and shall meet the
7 following additional requirements:

8 (1) Residential lots proposed with individual wells and/or septic
9 tank disposal fields shall conform to the standards of
10 Jacksonville's environmental protection rules, the
11 ~~Neighborhoods Department and the State Department of Health~~
12 Florida Department of Environmental Protection rules and
13 regulations, and any other state agency regulating septic
14 systems, and the City of Jacksonville's Comprehensive Plan.

15 (2) Depth and width of properties reserved or laid out for
16 commercial and industrial purposes shall be adequate to
17 provide for facilities required by the type of use and
18 development contemplated.

19 (c) Corner lots for residential use shall have extra width,
20 greater than a corresponding interior lot, to accommodate the required
21 building setbacks from an orientation to both streets.

22 (d) The subdivision shall provide each lot with satisfactory and
23 permanent access to a public street or approved private street.

24 (e) As provided in Section 321.109, Ordinance Code, and Part 10,
25 Chapter 652, Ordinance Code, buildings and structures in Special
26 Flood Hazard Areas and Adjusted Special Flood Hazard Areas shall have
27 the lowest floors elevated to or above the base flood elevation plus
28 two feet, or the design flood elevation, whichever is higher. In
29 order to elevate the lowest floor to this level, off-grade or stem
30 wall construction techniques shall be used such that the lot itself
31 is not filled more than one foot above base flood elevation at the

1 site of any structure, as permitted by the current edition of the
2 Florida Building Code.

3 (f) As provided in Part 10, Chapter 652, Ordinance Code, accessory
4 structures are permitted below elevations required by the Florida
5 Building Code, provided the accessory structures are used only for
6 parking or storage and:

7 (1) If located in Special Flood Hazard Areas (Zone A/AE) other
8 than coastal high hazard areas, are one-story and not larger
9 than 600 square feet and have flood openings in accordance
10 with Section R322.2 of the Florida Building Code,
11 Residential.

12 (2) If located in coastal high hazard areas (Zone V/VE), are not
13 located below elevated buildings and are not larger than 100
14 square feet.

15 (3) Are anchored to resist flotation, collapse or lateral
16 movement resulting from flood loads.

17 (4) Have flood damage-resistant materials used below the base
18 flood elevation plus two feet.

19 (5) Have mechanical, plumbing and electrical systems, including
20 plumbing fixtures, elevated to or above the base flood
21 elevation plus two feet.

22 * * *

23 **Section 13. Applicability.**

24 For the purposes of jurisdictional applicability, this Ordinance
25 shall apply to all lands within the City, except within the Second,
26 Third, Fourth and Fifth Urban Services Districts. All applications
27 for development in flood hazard areas submitted on or after the
28 effective date of this Ordinance shall adhere to the requirements set
29 forth herein.

30 **Section 14. Severability.**

31 If any section, subsection, sentence, clause or phrase of this

1 Ordinance is, for any reason, declared by the courts to be
2 unconstitutional or invalid, such decision shall not affect the
3 validity of the Ordinance as a whole, or any part thereof, other than
4 the part so declared.

5 **Section 15. Codification Instructions.** The Codifier and the
6 Office of General Counsel are authorized to make all chapter and
7 division "table of contents" consistent with the changes set forth
8 herein. Such editorial changes and any other necessary changes to
9 make the Ordinance Code consistent with the intent of this legislation
10 are approved and directed herein, and the changes to the Ordinance
11 Code shall be made forthwith and when inconsistencies are discovered.

12 **Section 16. Effective Date.** This Ordinance shall become
13 effective upon signature by the Mayor or upon becoming effective
14 without the Mayor's signature.

15
16 Form Approved:

17
18 /s/ Mary E. Staffopoulos

19 Office of General Counsel

20 Legislation Prepared By: Susan C. Grandin and Geoffrey Sample

21 GC-#1595410-v1-2023-615-E.docx