

AN ORDINANCE AMENDING ORDINANCE NUMBER 93-9 RELATING TO DEVELOPMENT AND BUILDING ACTIVITY IN FLOOD HAZARD AND FLOOD PRONE AREAS IN FRANKLIN COUNTY, FLORIDA; MAKING FINDINGS OF FACT; ESTABLISHING THE PURPOSE OF THE ORDINANCE; ESTABLISHING THE DEFINITIONS; ADOPTING FLOOD INSURANCE RATE MAPS, FLOOD BOUNDARY AND FLOODWAY MAPS AND FLOOD HAZARD AREAS; ESTABLISHING STANDARDS FOR CONSTRUCTION IN FLOOD HAZARD AREAS AND FLOODWAYS; ESTABLISHING DUTIES OF THE COUNTY; PROVIDING FOR APPEALS AND VARIANCES; PROVIDING FOR ENFORCEMENT AND SEVERABILITY; REPEALING SPECIAL DISTRICT S-2; FLOOD HAZARD DISTRICT OF ORDINANCE 83-5 AND OTHER CONFLICTING ORDINANCES OR PARTS THEREOF; AND PROVIDING AN EFFECTIVE DATE.

**ORDINANCE NO. 2003-39
FRANKLIN COUNTY, FLORIDA**

WHEREAS, THE BOARD OF COUNTY COMMISSIONERS FINDS THAT:

- (1) The flood hazard areas of Franklin County are subject to periodic inundation which results in loss of life, disruption of commerce and governmental service, extraordinary public expenditure for flood protection and relief, and impairment of the tax base, all of which adversely affects the public health, safety and general welfare.
- (2) These flood losses are caused by the cumulative effect of obstructions in flood plains causing increases in flood heights and velocities, and by the location in flood hazard areas of uses vulnerable to floods or hazardous to other structures which are inadequately elevated, constructed, flood-proofed or otherwise protected from flood damages, and by the alteration and destruction of natural sand dunes and other natural barriers; and

WHEREAS, the purpose of this ordinance is to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- (1) Restrict or prohibit uses which are dangerous to the health, safety and property due to flood heights or velocities;
- (2) Require that uses vulnerable to floods including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- (3) Control the alteration of natural flood plains, streams, channels, and natural protective barriers which are involved in the accommodations of flood waters;
- (4) Control filling, grading, dredging and other development which may increase erosion or flood damage;

- (5) Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands; and

WHEREAS, the objectives of this ordinance are:

- (1) To protect human life and health;
- (2) To minimize expenditure of public money for costly flood control projects;
- (3) To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (4) To minimize prolonged business interruptions;
- (5) To minimize damage to public facilities and utilities such as water, electricity, telephone and sewer lines, and streets and bridges located in flood plains;
- (6) 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
- (7) To provide data from which flood prone areas within the county may be identified to insure that potential home buyers are notified that property is in a flood area.

BE IT ORDAINED AND ESTABLISHED BY THE FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS OF FRANKLIN COUNTY THAT:

The provisions of this ordinance shall constitute and be known and may be titled as the **Flood Plain Management Ordinance** of Franklin County, Florida and shall be effective throughout the unincorporated areas of Franklin County.

Definitions: as used in this ordinance, the following terms shall mean as follows:

- (1) **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.
- (2) **Appeal** - A request for review of the county's interpretation of any provision of this ordinance or a request for a variance.
- (3) **Area of Shallow Flooding** - A designated AO of VO zone on the Flood Insurance Rate Map (FIRM) with base flood depth from one to three 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.
- (4) **Area of Special Flood Hazard** - The land in the floodplain subject to a one percent or greater chance of flooding in any given year.

- (5) **Base Flood** - A flood having a one percent chance of being equaled or exceeded in any given year.
- (6) **Base Flood Elevation** - The crest elevation in relation to mean sea level (NGVD) expected to be reached during a flood which encompasses the regulatory flood plain.
- (7) **Basement** - That portion of a building having its floor below ground level on all sides.
- (8) **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 portions of the building or the supporting foundation system.
- (9) **Building** - Any structure built for support, shelter, or enclosure for any occupancy or storage.
- (10) **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.
- (11) **Development** - Means any man-made change to improved or unimproved real estate, including but not limited to, building or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations, or storage of materials.
- (12) **Elevated Building** - Means a non-basement building which has its lowest elevated floor raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns.
- (13) **Existing Manufactured Home Park or Subdivision** - Means 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 the effective date of the first floodplain management regulations.
- (14) **Expansion to an Existing Manufactured Home Park or Subdivision** - Means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).
- (15) **Flood or Flooding** - Means a general and temporary condition of partial or complete inundation of normally dry land areas from: (1) the overflow of inland or tidal waters; (2) the unusual and rapid accumulation or runoff of surface waters from any source.
- (16) **Flood Hazard Boundary Map (FHBM)** - Means an official map of a community, issued by the Federal Emergency Management Agency, where the boundaries of the area of special flood hazard have been defined as zone "A".

- (17) **Flood Insurance Rate Map (FIRM)** - Means an official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.
- (18) **Flood Insurance Study** - Is the official report provided by the Federal Emergency Management Agency. The report contains flood profiles, as well as the flood boundary floodway map and the water surface elevation of the base flood.
- (19) **Floodway** - Means the channel of a river or other 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 foot.
- (20) **Functionally Dependant 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 a docking or port facility necessary for the loading and unloading of cargo or passengers, shipbuilding, ship repair, or seafood processing facilities. The term does not include long-term storage, manufacture, sales or service facilities.
- (21) **Highest Adjacent Grade** - Means the highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a structure.
- (22) **Historic Structure**- Means any structure that is
- a. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register:
 - b. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district:
 - c. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the interior; or
 - d. Individually listed on a local inventory of historic places in communities with historic programs that have been certified either:
 1. By an approved state program as determined by the Secretary of the Interior, or
 2. Directly by the Secretary of the Interior in states without approved programs.
- (23) **Lowest Floor** - Means the lowest floor of the lowest enclosed area (including basement). An

unfinished or flood resistant enclosure, used solely for parking of vehicles, building access, or storage, in an area other than a basement, 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 non-elevation design standards of this ordinance.

- (24) **Mangrove Stand** - Means an assemblage of mangrove trees which is mostly low trees noted for a copious development of interlacing adventitious roots above the ground and which contain one or more of the following species: black mangrove (Avicennia nitida); red mangrove (Rhizophora mangle); white mangrove (Longunculariacemosa); and buttonwood (Conocarpus erecta).
- (25) **Manufactured Building** - Includes open and closed structures that have been approved by and which bear the insignia of approval from the State of Florida. Such structures may require further approval by the County in accordance with Section 301 of the Franklin County Zoning Ordinance including the submission of a complete set of plans and specifications for each installation.
- (26) **Manufactured Home** - 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. The term also includes mobile homes, modular homes, park trailers, travel trailers, and similar transportable structures placed on a site for 180 consecutive days or longer and intended to be improved property and further defined in accordance with Section 220.44 of the Franklin County Zoning Ordinance.
- (27) **Manufactured Home Park or Subdivision** - Means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.
- (28) **Mean Sea Level** - Means the average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the flood plain. For purposes of this ordinance, the term is synonymous with National Geodetic Vertical Datum (NGVD).
- (29) **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.
- (30) **New Construction** - Means structures for which the "start of construction" commences on or after the effective date of the first floodplain management ordinance. This term includes subsequent improvements to such structures.
- (31) **New Manufactured Home Park or Subdivision** - Means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which 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 the effective date of floodplain management regulations adopted by a community.

- (32) **Recreational Vehicle** - Means a vehicle which is:
- a. built on a single chassis;
 - b. 400 square feet when measured at the largest horizontal projection;
 - c. designed to be self-propelled or permanently towable by a light duty truck; and
 - d. designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.
- (33) **Sand Dunes** - Means naturally occurring accumulations of sand in ridges or sounds landward of the beach.
- (34) **Special Flood Hazard Area** - (See Area of Special Flood Hazard) Means an area having special flood hazard and shown on a FHBM or FIRM as Zone A, AO, A1 - A30, AE, A99, AH, V1 - V30, VE or V.
- (35) **Start of Construction** - (For other than new construction or substantial improvements under the Coastal Barrier Resource Act P.L. 97-348), includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within 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 land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footing, 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 part of the main structure.
- (36) **Structure** - Means a walled and roofed building that is principally above ground, a manufactured home, a gas or liquid storage tank, or other man-made facilities or infrastructures.
- (37) **Substantial Damage** - Means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. Substantial damage also means flood-related damages sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.
- (38) **Substantial Improvement** - Means any combination of repairs, reconstruction, alteration, or improvements to a building, taking place during the life of a building, in which the cumulative cost equals or exceeds fifty percent of the market value of the building. The market value of the building should be (1) the appraised value of the building prior to the start of the initial repair or improvement; or (2) in the case of damage, the value of the building prior to the

damage occurring. The term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. For the purpose 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 building. The term does not, however, include any project for improvement of a building required to comply with existing health, sanitary, or safety code specifications which have been identified by the Code Enforcement Official and which are solely necessary to assure safe living conditions.

- (39) **Substantially Improved Existing Manufactured Home Parks or Subdivisions** - Is where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds 50 percent of the value of the streets, utilities and pads before the repair, reconstruction or improvement commenced.
- (40) **Variance** - Is a grant of relief 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. Variances may be issued in accordance with section 315.04 of the Franklin County Zoning Ordinance.

Section A. General Provisions:

This ordinance shall apply to all areas of special flood hazard within the jurisdiction of Franklin County as identified by the FIRM's, and FHBM's, promulgated by the Federal Emergency Management agency dated July 18, 1983, and any revision thereto are adopted by reference and declared to be a part of this ordinance:

Section B. Establishment of Development Permits:

A development or building permit shall be required in conformance with the provisions of this ordinance prior to the commencement of any development or building activities.

Section C. Compliance:

No structure or land shall hereafter be located, extended, converted, or structurally altered without full compliance with the terms of this ordinance and other applicable regulations.

Section D. Abrogation and Greater Restrictions:

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

Section E. Interpretation:

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

- (1) considered as minimum requirements;
- (2) liberally construed in favor of the governing body; and
- (3) deemed neither to limit nor repeal any other powers granted under Florida Statutes.

Section F. Warning and Disclaimer of Liability:

The degree of flood protection required by this Ordinance 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 caused. 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 damage. This ordinance shall not create liability on the part of Franklin 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 thereunder.

Section G. Penalties for Violation:

Violation of the provisions of this ordinance or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variances or special exceptions, shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more that \$200 or imprisoned for more than ten days, or both, and in addition shall pay all costs and expenses involved, in the case. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the Board of County Commissioners from taking such other lawful action as is necessary to prevent or remedy any violation.

Section H. Designation of Administrator:

The Franklin County Planning and Building Department is hereby appointed to administer and implement the provisions of this ordinance.

Section I. Permit Procedures:

Applications for development and building permits shall be made to the County Planning and Building Department on forms furnished by the Department, prior to any development or building activities, and may include, but not be limited to, the following plans 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 the foregoing. Specifically, the following information is required:

- (1) Elevation in relation to mean sea level of the proposed lowest floor of all structures.
- (2) Elevation in relation to mean sea level to which any non residential structure will be flood-proofed.
- (3) Provide a certificate from a registered professional engineer or architect that the non-residential flood-proofed structure meets the flood-proofing criteria as established in this ordinance.
- (4) Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.
- (5) Provide a flood elevation or flood-proofing certification after the lowest floor is complete or in instances where the structure is subject to the regulations applicable to Coastal High Hazard Areas, after placement of the horizontal structural member of the lowest floor. Upon establishment of the lowest floor 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 Planning and Building Department 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 or under the direct supervision of a professional engineer or architect and certified by same. Any work prior to submission of the certification shall be at the permit holder's risk. The County Planning and Building Department shall review the Flood 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.

Section J. Duties of the County Planning and Building Department shall include, but not be limited to :

- (1) Review all development and building permits to assure that the permit requirements of this ordinance have been satisfied.
- (2) Advise permittee that additional federal or state permits may be required, and if specific permits are known, require that copies of such permits be provided and

maintain them on file with the development or building permit.

- (3) Notify adjacent communities and the state coordinating agency prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.
- (4) Assure that maintenance is provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.
- (5) Verify and record the actual elevation (in relation to mean sea level) of the lowest floor of all new or substantially improved structures.
- (6) Verify and record the actual elevation (in relation to mean sea level) to which the new or substantially improved structures have been flood proofed.
- (7) 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 waters and hurricane wave wash.
- (8) In Coastal High Hazard Areas, the County Planning and Building Department shall review plans for the adequacy of breakaway walls in accordance with provisions of this ordinance.
- (9) When flood-proofing is utilized for a particular structure, the County Planning and Building Department shall obtain certification from a registered professional engineer or architect.
- (10) Where interpretation is needed as to the exact location of the boundaries of the areas of special flood hazard, the County Planning and Building Department shall make the necessary interpretation. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this ordinance.
- (11) When base flood elevation data or floodway data has not been provided then the County Planning and Building Department shall obtain, review, and reasonably utilize any base flood elevation data available from other sources, in order to administer the provisions of this ordinance.
- (12) All records pertaining to the provisions of this ordinance shall be maintained in the office of the County Planning and Building Department and shall be open for public inspection.

Section K. Variance Procedures:

- (1) The County Board of Adjustment as established by the Board of County Commissioners in accordance with Section 315.04 of Franklin County Ordinance shall hear and decide appeals and requests for variances from the requirements of this ordinance.
- (2) The Franklin County Board of Adjustment shall hear and decide appeals when it is alleged there is an error in any requirement, decision or determination made by the County Planning and Building Department in the enforcement or administrative of this ordinance.
- (3) Any person aggrieved by the decision of the Franklin County Board of Adjustment may appeal such decision to the Circuit Court of the Second Judicial Circuit.
- (4) 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 provided the repairs or rehabilitation will not preclude the structure's continued designation as an historic structure.
- (5) In acting upon applications for variances, the Franklin County Board of Adjustment shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this ordinance, and:
 - (a) the danger that materials may be swept onto other lands to the injury of others;
 - (b) the danger to life and property due to flooding or erosion damage;
 - (c) the susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 - (d) the importance of the services provided by the proposed facility to the community;
 - (e) the necessity of the facility in a water front location, in the case of a functionally dependant facility;
 - (f) the availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
 - (g) the compatibility of the proposed use with existing and anticipated development;

- (h) the relationship of the proposed use to the comprehensive plan and flood plain management for that area;
 - (i) the safety of access to the property in times of flood for ordinary and emergency vehicles;
 - (j) the expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and effects of wave action, if applicable, expected at the site; and,
 - (k) the costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities including streets and bridges.
- (6) Conditions for Variances.
- (a) Variances shall be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief and in the instance of a historical building, a determination that the variance is the minimum necessary so as not to destroy the historic character and design of the building.
 - (b) Variances shall not only be issued upon a showing of good and sufficient causes; a determination that failure to grant the variance would result in exceptional hardship to the applicant; and 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;
 - (c) 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.
 - (d) The County Planner shall maintain the records of all appeal actions and report any variances to the Federal Management Agency upon request.

Provisions for Flood Hazard Reduction.

Section L. General Standards:

- (1) All new construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure.

- (2) Manufactured homes (mobile homes and trailers) 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.
- (3) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
- (4) All new construction and substantial improvements shall be constructed by methods and practices that minimize flood damage.
- (5) 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.
- (6) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.
- (7) 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.
- (8) On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.
- (9) Any alteration, repair, reconstruction, or improvements to a structure which is in compliance with the provisions of this ordinance, shall meet the requirements of "new construction" as contained in this ordinance.

Section M Specific Standards:

In all areas of special flood hazard where base flood elevation data has been provided, the following provisions are required:

- (1) Residential Construction: New construction or substantial improvement of any residential structure in an A Zone shall have the lowest floor, including basement, elevated at or above base flood elevation.
- (2) Non-residential Construction: New construction or substantial improvement of any commercial, industrial, or non-residential structure in an A Zone shall have the lowest floor, including basement, elevated at 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 plus one foot are water tight with walls substantially impermeable to the passage of water, and

structural components have the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied .

- (3) Elevated Buildings: New construction or substantial improvements of elevated buildings in A Zones 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 openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
 - (ii) The bottom of all openings shall be no higher than one 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 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.
- (4) Standards for Manufactured Homes and Recreational Vehicles:
- (a) All manufactured homes placed, or substantially improved, on individual lots or parcels, in expansions to existing manufactured home parks or subdivisions, in a new manufactured home park or subdivision or in substantially improved manufactured home parks or subdivisions, must meet all the requirements for new construction, including elevation and anchoring.
 - (b) All manufactured homes placed or substantially improved in an existing manufactured home park or subdivision must be elevated so that;

- (i). The lowest floor of the manufactured home is elevated no lower than the level of the base flood elevation, or
 - (ii). The manufactured home chassis is supported by reinforced piers or other foundation elements of at least an equivalent strength, of no less than 36 inches in height above grade.
 - (iii). The manufactured home must be securely anchored to the adequately anchored foundation system to resist flotation, collapse and lateral movement.
 - (iv). In an existing manufacturing home park or subdivision on which a manufactured home has incurred "substantial damage" as the result of a flood, any manufactured home placed or substantially improved must meet the standards of Article 5, Section B (4) (b) (i) and (iii) above.
- (c) All recreational vehicles placed on sites must either:
- (i) Be on the site for fewer than 180 consecutive days,
 - (ii). Be fully licensed and ready for highway use (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 utilities and security devices and has no permanently attached additions), or
 - (iii). Meet all the requirements for manufactured homes, including anchoring and elevation requirements.

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 permanently attached structures.

- (5) Floodways: Located within areas of special flood hazard 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 base flood discharge:
 - (b) All new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of this ordinance.

- (c) Prohibit the placement of manufactured homes (mobile homes), except in an existing manufactured homes (mobile homes) park. A replacement manufactured home may be placed on a lot in an existing manufactured home (mobile home) park provided the anchoring standards and elevation standards of this ordinance are met.

- (6) Coastal High Hazard areas (V Zones): Located within the area of special flood hazard are areas designated as Coastal High Hazard areas. These areas have special flood hazards associated with wave wash, therefore; the following shall apply.
 - (a) All buildings or structures shall be located at least fifty feet landward of the reach of the mean high tide.

 - (b) All buildings or structures shall be elevated so that the bottom of the lowest supporting horizontal member (excluding piling 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. Residential structures in the Coastal High Hazard (V Zones) may be authorized for limited solid wall construction below the lowest supporting member in accordance with the following standards and provisions:
 - (i). Non-supporting breakaway walls may not exceed 300 square feet or fifteen (15) percent of the heated floor area of the main floor of the building, whichever is lesser.

 - (ii). Breakaway walls may not be attached to any structural support of the building and must be 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 the following design specifications are met.
 - (A) Design safe loading resistance of each wall shall be not less than 10 or more than 20 pounds per square foot; or

 - (B) If more than 20 pounds per square foot, a registered professional engineer or architect shall certify that the design wall collapse would result from a water load less than that which would occur during the base flood event, and 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 during the base flood event. Maximum wind and water loading values to

be used in this determination shall each have one percent chance of being equaled or exceeded in any given year (100-year mean recurrence interval).

- (iii) If breakaway wall are utilized, such enclosed space shall not be designed to be useable for human habitation but shall be designed to be useable only for parking of vehicles, building access, or limited storage of maintenance equipment used in connection with the premises.
 - (iv) Prior to construction, plans for any structures that will have breakaway walls must be submitted to the Planning and Building Department for approval.
- (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 floatation, 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).
- (e) A registered professional engineer or architect shall certify that the design, specifications and plans for construction are in compliance with the provisions of this ordinance.
- (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 Planning and Building Department 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 compaction 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.
- (g) There shall be no alteration of sand dunes other than the actual building site.

- (h) Prohibit the placement of manufactured homes (mobile homes or trailers) except in an existing manufactured homes (mobile homes or trailers) park. Replacement manufactured home may be placed on a lot in an existing manufactured home park provided the anchoring standards and the elevation standards of this ordinance are met.
- (i) Any alteration, repair, reconstruction or improvement to a structure shall not enclose the space below the lowest floor except in accordance with provisions of this ordinance.

Section N. Standards for Areas of Shallow Flooding (AO Zones):

Located within the areas of special flood hazard are areas designated as shallow flooding. These areas have flood hazards of one to three feet where a clearly defined channel does not exist and where the path of flooding is unpredictable, therefore; the following provisions apply:

- (1) All new construction and substantial improvements of residential structures shall have the lowest floor, elevated to a depth number specified on the FIRM, in feet, above the highest adjacent grade. If no depth number is specified, the lowest floor, shall be elevated at least two feet above the highest adjacent grade.
- (2) All new construction and substantial improvements of non-residential structures shall:
 - (a) have the lowest floor elevated to the depth number specified on the FIRM, in feet, above the highest adjacent grade. If no depth number is specified, the lowest floor shall be elevated at least two (2) feet above the highest adjacent grade or,
 - (b) together with utility and sanitary facilities be completely flood proofed to or above the level so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.

Section O. Standards for Subdivision Proposals:

- (1) All subdivision proposals shall be consistent with the need to minimize flood damage.
- (2) All subdivision proposals shall have public utilities and facilities located and constructed to minimize flood damage.
- (3) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards.
- (4) Base flood elevation data shall be provided for subdivision proposals and other

proposed development which is greater than five acres or fifty units.

Section P. Standards for Small Streams Without Established Base Flood Elevations and/or Floodways:

Located within the area of special flood hazard established in Section A of this ordinance, where streams exist but where no base flood elevation data has been provided or where no floodway data has been provided, the following provisions apply:

- (1) When base flood elevation data or floodway data have not been provided in accordance with Section A of this ordinance, then the local administrator shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a federal, state, or other source, in order to administer the Provisions for Flood Hazard Reduction.
- (2) In special flood hazard areas without base flood elevation and floodway data, new construction and substantial improvements of existing structures shall have the lowest floor of the lowest enclosed area (including basement) elevated no less than two (2) feet above the highest adjacent grade at the building site.

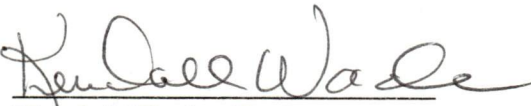
This Ordinance adopted in open regular meeting this 16TH day of DECEMBER, 2003, after receipt of favorable recommendation of the Franklin County Planning and Zoning Commission.

This Ordinance was adopted after such notice of intent to consider such an ordinance has been made and kept in The Ordinance Book of the Clerk of this Board for at least 15 days exclusive of Sundays and legal holidays, and the title and substance hereof published according to Chapter 125, Florida, Statutes, in the *Apalachicola Times*, a newspaper of general circulation within the County.

**THE BOARD OF COUNTY COMMISSIONERS
OF FRANKLIN COUNTY, FLORIDA**

BY: 
Cheryl Sanders, Chairman

ATTEST:


Kendall Wade, Clerk