INDIAN RIVER COUNTY, FLORIDA
MEMORANDUM

TO: Jason E. Brown; County Administrator

FROM: Richard B. Szpyrka, P.E., Public Works Director

DATE: May 5, 2022

SUBJECT: Consideration of a Proposed Land Development Regulation Amendment to Section 930.07 to Require New Manufactured Homes within the Flood Hazard Area, Coastal High-Hazard Areas, or Coastal A Zones to be Elevated One Foot Above Base Flood Elevation

It is requested that the data herein presented be given formal consideration by the Board of County Commissioners (BCC) at its regular meeting of May 17, 2022.

DESCRIPTION AND CONDITIONS

Floodplain Management Changes

On July 3, 1978, Indian River County was accepted for participation in the National Flood Insurance Program (NFIP). The Stormwater Management and Flood Protection Code under Chapter 930 was first established in 1990 under Ordinance 90-16. The Board of County Commissioners subsequently adopted Ordinance No. 2012-036 on November 6, 2012 to revise the floodplain management regulations to coordinate with the Florida Building Code. The Board of County Commissioners understood the need to reduce vulnerability to future flooding. Proposed changes will serve to improve resiliency to the potential of more frequent and potentially more severe flooding. Participation in the NFIP's Community Rating System (CRS) is a voluntary incentive program that recognizes and encourages community floodplain management activities that exceed the minimum program requirements.

Indian River County has achieved a CRS rating Class 6 out of 10 with 1 being the best. In 2020 the NFIP Community Rating System established certain minimum prerequisites for communities to qualify for or maintain class ratings of Class 8 or better. The floodplain management revisions will serve to improve the groundwork laid to maintain or improve the County's Class 6 rating.

In January 2021, the CRS implemented a new Class 8 prerequisite for freeboard for all participating and new CRS communities. The change will require communities to change 2 items to become or remain a Class 8 community. In order to be a Class 8 or better:

    (1)   The community must meet all the Class 9 prerequisites. If the minimum Class 9 perquisites are not met, the county will be retrograded to a class 10.

(2)   The community must adopt and enforce at least a 1-foot freeboard requirement (including machinery and equipment) for all residential buildings constructed, substantially improved, and/or reconstructed due to substantial damage, throughout its Special Flood Hazard Area (SFHA) where base flood elevations have been determined on the Flood Insurance Rate Map (FIRM) or in the Flood Insurance Study (FIS), except those areas that receive open space credit under Activity 420 (Open Space Preservation)."

In order to fully implement this requirement, language currently in our ordinance that relates to Mobile Homes in areas where the BFE is not available will be revised. Currently, Mobile Homes located in un-numbered A zones shall have a BFE of 36" above the BFE, with the 1.0' freeboard requirement. This rule will be revised to no longer allow the 36" rule.

The new language will now state that Manufactured homes that are placed, replaced, or substantially improved that are located in a flood hazard area, coastal high-hazard areas and Coastal A Zones shall be elevated such that the bottom of the frame is at or above the base flood elevation plus one (1) foot.

Staff has modified the 6th Whereas clause to make the clause consistent with the proposed changes.

PLANNING AND ZONING COMMISSION (PZC) RECOMMENDATION:

At its April 14, 2022 meeting, the PZC conducted a public hearing and considered the proposed ordinance. The PZC voted 4-0 to recommend that the BCC adopt the proposed ordinance.

The BCC is now to consider the proposed manufactured home ordinance and adopt, adopt with modifications, or deny the proposed ordinance.

RECOMMENDATION:

Staff recommends that the Board of County Commissioners adopt the proposed manufactured home flood zone ordinance.

ATTACHMENT

1. Draft Ordinance Clean Version