

# TOWN OF PALM BEACH

Information for Town Council Meeting on: May 11, 2022

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To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

From: Wayne Bergman, Director of Planning, Zoning & Building

Re: Ordinances 009-2022 and 010-2022, Amending Chapters 18 and 50 of the Town Code of Ordinances, Changes Relating to Floodplain Management

Date: May 2, 2022

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## **STAFF RECOMMENDATION**

Staff recommends that the Town Council approve Ordinances 009-2022, Chapter 18, and 010-2022, Chapter 50. The changes to these two Chapters are driven by new FEMA policy, updates to the Florida Building Code and changes made to the Community Rating System (CRS) program.

## **GENERAL INFORMATION**

The Town adopted its version of the Florida model floodplain management ordinance in 2017. Since that time, the Florida Building Code has been updated and changes are required to the Town's floodplain management program. FEMA introduced Policy #104-008-03 regarding the regulation of accessory buildings located within a special flood hazard area. The Town in 2020 was awarded a Class 6 rating in its administration of the Community Rating System (CRS), an ISO measure of the activities and enforcement of FEMA regulations with regards to flood prevention. This improved rating also requires changes to the code. All of these recent changes trigger the need to amend certain Town regulations.

The State of Florida, Department of Emergency Management (FDEM), has been in contact with PZB over the past month to help create new Town code to implement all of the changes referenced above. The changes result in one ordinance to update Chapter 18, Buildings and Building Regulations, and one ordinance to update Chapter 50, Floods. These changes can be viewed as changes to the Florida model floodplain ordinance that was adopted in 2017. Collectively, these two ordinances and their embedded changes will "update" the Town floodplain management and flood prevention strategies.

Ordinance 009-2022 shifts NGVD to NAVD, a change triggered by FEMA. Also, the Town's technical amendments to the Florida Building Code are deleted, as the new Florida Building Codes contains updated provisions.

Ordinance 010-2022 reflect the actual changes to the model floodplain ordinance of 2017. There are several deletions and amendments to definitions, and a new section relating to accessory buildings. Finally, there are elevation and foundation regulation changes mandated by the CRS program.

#### **TOWN ATTORNEY / CONSULTANT REVIEW**

The Town Attorney has reviewed the proposed Ordinance for legal form and sufficiency. Both ordinances were reviewed by Lyn Collins with FDEM and by both the Town and State CRS consultants (Lori Lehr and Rebecca Quinn). The ordinances are ready to move forward on First Reading.

#### **Attachments**

Proposed Ordinances 009-2022 (Chapter 18) and 010-2022 (Chapter 50)