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3 **ORDINANCE 2021-10 - AN ORDINANCE BY THE CITY COMMISSION**
4 **OF THE CITY OF LAKE WORTH BEACH AMENDING CHAPTER 23 OF**
5 **THE LAKE WORTH BEACH CODE OF ORDINANCES RELATED TO**
6 **FLOODPLAIN MANAGEMENT STANDARDS FOR MANUFACTURED**
7 **HOMES AND PROVIDING FOR IDENTICAL ELEVATION STANDARDS;**
8 **PROVIDING FOR APPLICABILITY, SEVERABILITY, CONFLICTS,**
9 **CODIFICATION, AND AN EFFECTIVE DATE.**

10
11 WHEREAS, the City Commission of the City of Lake Worth Beach, Florida (“the
12 City”), pursuant to the authority granted in Chapters 163 and 166, Florida Statutes, is
13 authorized to adopt regulations designed to promote the public health, safety, and general
14 welfare of its citizenry; and

15
16 WHEREAS, the City has adopted floodplain management regulations as set forth
17 in Chapter 23, Land Development Regulations, Article 7. Floodplain Management, of the
18 City Code of Ordinances “the Floodplain Management Ordinance”); and

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20 WHEREAS, the Federal Emergency Management Agency has identified special
21 flood hazard areas within the boundaries of the City of Lake Worth Beach and such areas
22 may be subject to periodic inundation which may result in loss of life and property, health
23 and safety hazards, disruption of commerce and governmental services, extraordinary
24 public expenditures for flood protection and relief, and impairment of the tax base, all of
25 which adversely affect the public health, safety and general welfare, and

26
27 WHEREAS, the City was accepted for participation in the National Flood Insurance
28 Program on August 2, 1974 and the City Commission desires to continue to meet the
29 requirements of Title 44 Code of Federal Regulations, Sections 59 and 23, necessary for
30 such participation; and

31
32 WHEREAS, the City Commission has determined that it is in the public interest to
33 amend the Floodplain Management Ordinance accordingly.

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35 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**
36 **CITY OF LAKE WORTH BEACH, FLORIDA, that:**

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38 **Section 1.** The foregoing recitals are incorporated herein by reference and made
39 a part hereof.

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41 **Section 2.** Chapter 23, Land Development Regulations, Article 7. Floodplain
42 Management, Section 23-7-10, Definitions, is hereby amended as follows (words stricken
43 are deletions; words underlined are additions):

44
45 Sec. 23-7-10. Definitions.

46
47 ~~Existing manufactured home park or subdivision: A manufactured home park~~
48 ~~or subdivision for which the construction of facilities for servicing the lots on~~
49 ~~which the manufactured homes are to be affixed (including, at a minimum, the~~

50 installation of utilities, the construction of streets, and either final site grading or
51 the pouring of concrete pads) is completed before November 6, 1978.

52
53 ~~Expansion to an existing manufactured home park or subdivision: The~~
54 ~~preparation of additional sites by the construction of facilities for servicing the~~
55 ~~lots on which the manufactured homes are to be affixed (including the~~
56 ~~installation of utilities, the construction of streets, and either final site grading or~~
57 ~~the pouring of concrete pads).~~

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59 ~~New manufactured home park or subdivision: A manufactured home park or~~
60 ~~subdivision for which the construction of facilities for servicing the lots on which~~
61 ~~the manufactured homes are to be affixed (including at a minimum, the~~
62 ~~installation of utilities, the construction of streets, and either final site grading or~~
63 ~~the pouring of concrete pads) is completed on or after November 6, 1978.~~

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66 **Section 3.** Chapter 23, Land Development Regulations, Article 7. Floodplain
67 Management, Section 14, Manufactured Homes, is hereby amended as follows (words
68 stricken are deletions; words underlined are additions):

69 SECTION 23.7-14. - MANUFACTURED HOMES
70

71 a) *General.* All manufactured homes installed in flood hazard areas shall be
72 installed by an installer that is licensed pursuant to section 320.8249, F.S.
73 and shall comply with the requirements of Chapter 15C-1, F.A.C. and the
74 requirements of this ordinance. If located seaward of the coastal
75 construction control line, all manufactured homes shall comply with the
76 more restrictive of the applicable requirements.

77
78 1. Limitations on installation in floodways and coastal high hazard areas
79 (Zone V). New installations of manufactured homes shall not be
80 permitted in floodways and coastal high hazard areas (Zone V).

81
82 b). Foundations. All new manufactured homes and replacement manufactured
83 homes installed in flood hazard areas shall be installed on permanent,
84 reinforced foundations that:

85 1. In flood hazard areas (Zone A) other than coastal high hazard areas,
86 are designed in accordance with the foundation requirements of the
87 *Florida Building Code, Residential* Section R322.2 and this Chapter.
88 ~~Foundations for manufactured homes subject to Section 23.7-~~
89 ~~14(d)(2) of this Chapter are permitted to be reinforced piers or other~~
90 ~~foundation elements of at least equivalent strength.~~

91 2. In coastal high hazard areas (Zone V), are designed in accordance
92 with the foundation requirements of the *Florida Building Code,*
93 *Residential* Section R322.3 and this ordinance.

94 c) *Anchoring.* All new manufactured homes and replacement manufactured
95 homes shall be installed using methods and practices which minimize

96 flood damage and shall be securely anchored to an adequately anchored
 97 foundation system to resist flotation, collapse or lateral movement.
 98 Methods of anchoring include, but are not limited to, use of over-the-top
 99 or frame ties to ground anchors. This anchoring requirement is in
 100 addition to applicable state and local anchoring requirements for wind
 101 resistance.

102 d). ~~Elevation. Manufactured homes that are placed, replaced, or substantially~~
 103 ~~improved shall comply with subsections 23.7-14(d)(1) or (2) of this~~
 104 ~~ordinance, as applicable. All manufactured homes that are placed,~~
 105 ~~replaced, or substantially improved in flood hazard areas shall be elevated~~
 106 ~~such that the bottom of the frame is at or above the elevation required, as~~
 107 ~~applicable to the flood hazard area, in the *Florida Building Code,*~~
 108 ~~*Residential* Section R322.2 (Zone A) or Section R322.3 (Zone V and~~
 109 ~~*Coastal A Zone*).~~

110
 111 1. ~~General elevation requirement. Unless subject to the requirements of~~
 112 ~~Section 23.7-14(d)(2) of this ordinance, all manufactured homes that~~
 113 ~~are placed, replaced, or substantially improved on sites located: (a)~~
 114 ~~outside of a manufactured home park or subdivision; (b) in a new~~
 115 ~~manufactured home park or subdivision; (c) in an expansion to an~~
 116 ~~existing manufactured home park or subdivision; or (d) in an existing~~
 117 ~~manufactured home park or subdivision upon which a manufactured~~
 118 ~~home has incurred "substantial damage" as the result of a flood, shall~~
 119 ~~be elevated such that the bottom of the frame is at or above the~~
 120 ~~elevation required, as applicable to the flood hazard area, in the~~
 121 ~~*Florida Building Code, Residential* Section R322.2 (Zone A) or~~
 122 ~~Section R322.3 (Zone V).~~

123
 124 2. ~~Elevation requirement for certain existing manufactured home parks~~
 125 ~~and subdivisions. Manufactured homes that are not subject to Section~~
 126 ~~23.7-14(d)(1) of this Chapter, including manufactured homes that are~~
 127 ~~placed, replaced, or substantially improved on sites located in an~~
 128 ~~existing manufactured home park or subdivision, unless on a site~~
 129 ~~where substantial damage as result of flooding has occurred, shall be~~
 130 ~~elevated such that either the:~~

131 A. ~~Bottom of the frame of the manufactured home is at or above~~
 132 ~~the elevation required, as applicable to the flood hazard area,~~
 133 ~~in the *Florida Building Code, Residential* Section R322.2 (Zone~~
 134 ~~A) or Section R322.3 (Zone V); or~~

135 B. ~~Bottom of the frame is supported by reinforced piers or other~~
 136 ~~foundation elements of at least equivalent strength that are not~~
 137 ~~less than forty-eight (48) inches in height above grade.~~

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 140 **Section 4. Applicability.** This ordinance shall apply to all applications for
 141 development in the City of Lake Worth Beach, Florida, including building permit
 142 applications and subdivision proposals, submitted on or after the effective date of this
 143 ordinance.

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Section 5: Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 6: Repeal of Laws in Conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 7: Codification. The sections of the ordinance may be made a part of the City Code of Laws and ordinances and may be re-numbered or re-lettered to accomplish such, and the word "ordinance" may be changed to "section", "division", or any other appropriate word.

Section 14: Effective Date. This ordinance shall become effective 10 days after passage.

The passage of this ordinance on first reading was moved by _____, seconded by _____ and upon being put to a vote, the vote was as follows:

- Mayor Betty Resch
- Vice Mayor Herman Robinson
- Commissioner Sarah Malega
- Commissioner Christopher McVoy
- Commissioner Kimberly Stokes

The Mayor thereupon declared this ordinance duly passed on first reading on the _____ day of _____, 2021.

The passage of this ordinance on second reading was moved by _____, seconded by _____, and upon being put to a vote, the vote was as follows:

- Mayor Betty Resch
- Vice Mayor Herman Robinson
- Commissioner Sarah Malega
- Commissioner Christopher McVoy
- Commissioner Kimberly Stokes

The Mayor thereupon declared this ordinance duly passed on the _____ day of _____, 2021.

LAKE WORTH CITY COMMISSION
By: _____
Betty Resch, Mayor

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193 ATTEST:

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195 Deborah M. Andrea, City Clerk