

MEMORANDUM


Development Services

ADMINISTRATIVE MEMO NO. 18 - 024

DATE: January 17, 2018

TO: Mayor Lamar Fisher,
Vice Mayor Charlotte Burrie,
Commissioner Michael Sobel, Commissioner Rex Hardin, Commissioner
Beverly Perkins, Commissioner Barry Moss

VIA: David Recor, Development Services Director 

FROM: Jean E. Dolan, AICP, Principal Planner 
Paola West, CFM, ISA CA, Principal Planner/CRS Coordinator 

RE: Chapter 152 (Floodplain) Code Amendments
First Reading on February 13, 2018

A detailed report was previously provided to the City Commission (October 24, 2018) explaining the Community Rating System (CRS) Program and recent changes to the CRS requirements which has led to *the first set* of proposed changes to the CRS program for the City of Pompano Beach. All of these initial changes are related to the standards in Ordinance 152, known as the Floodplain Regulations.

In brief, the CRS program is a national program developed by the Federal Emergency Management Agency (FEMA) which provides the means by which cities can be awarded ratings that result in premium discounts for flood insurance policy holders within the City.

The requirements of the CRS program have changed and the City of Pompano Beach is looking at ways to maintain and possibly improve the current CRS rating of 7 which awards all flood insurance policy holders within a flood zone, referred to as a Special Flood Hazard Areas (SFHA), a 15% discount on their flood insurance premiums. The City's program will be re-evaluated during the 2018 CRS Cycle Visit which is scheduled to occur on June 7, 2018.

On October 24, 2017, Staff obtained Commission approval before making the attached amendments to Chapter 152. It is the intent to have these regulations adopted prior to the 2018 CRS Cycle Visit on June 7, 2018 at which time the City's CRS program will be re-evaluated to determine if the current rating of 7 will be maintained under the updated CRS Manual requirements. Additional recommendations for changes to the City's CRS program may be forthcoming as the Cycle Visit approaches with the goal to move to a CRS rating of 6 (20% discount) or even 5 (25% discount) once the changes are in place and evaluated by the CRS inspectors.

The attached changes to Chapter 152 are summarized as follows:

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- (1) **Freeboard Standard (500 Points Maximum)¹:** For properties within a SFHA, this will require new residential construction (Single family (SF), duplex, triplex and townhomes only) and “substantial improvement” to existing residential (SF, duplex, triplex and townhomes only) to be built at 1-foot above Base Flood Elevation (BFE) or 18” above the crown of the adjacent road, whichever is greater. Currently, these unit types are required to be built at BFE or 18” above the crown of the adjacent road, whichever is greater.
- (2) **Substantial Improvement and Substantial Damage Definitions (20 CRS Points Maximum)¹:**
As previously recommended, the definition of “substantial improvement” and “substantial damage” in Chapter 152 have been changed from 50% of the building’s fair market value to 49% of the building’s fair market value. This means that additions and renovations to existing SF, duplex, triplex and townhomes in a SFHA will have to exceed 49% of the fair market value of the building before the Freeboard standard noted above would have to be met. Any improvement to a building meeting the “substantial damage” definition is considered a “substantial improvement”.
- (3) **Protection of Critical Facilities (80 CRS Points Maximum)¹:** The definition of “critical facility” has been added to Chapter 152.21 and those facilities are required to be built at 2 feet above base flood elevation when located in a SFHA. A critical facility provides services and functions essential to a community, especially during and after a disaster. These facilities are known as Risk Category IV buildings in the Building Code. New Risk Category IV buildings are already required to meet the 2 feet above BFE standard. Typical critical facilities include hospitals, fire stations, police stations, the Emergency Operations Center, public shelters, daycare centers and schools, critical equipment storage, storage of critical records, water and wastewater plants and related facilities, power generation facilities and other critical infrastructure.
- (4) **Enclosure Limits (240 CRS Points Maximum)¹:** Currently, the National Flood Insurance Program (NFIP) limits the use of space built below the design flood elevation to storage, parking or building access. Chapter 152 has been revised to require agreements with the property owners that prohibit conversion of these spaces to additional living/habitable space. *It must be noted that the 240 point maximum in this category requires much more than just these agreements. It is expected that the points awarded for these agreements alone will not exceed 30 points.*
- (5) **Manufactured Home Park (15 Points Maximum):** The attached revisions to Chapter 152 require that manufactured homes meet the Freeboard standard of 1 foot above Base Flood Elevation (BFE).

¹ The “maximum” points is not necessarily what will be awarded to Pompano. There are many details associated with these broad categories and until Pompano’s standards are evaluated by the CRS staff, it is not clear how many points will be awarded. For example, the freeboard standard proposed is not likely to be awarded more than 100 points and the enclosure limit agreements described in #4 are not likely to be awarded more than 30 points.