

[Chapter 34 - FLOODS](#) ^[50]

[ARTICLE I. - IN GENERAL](#)

[ARTICLE II. - FLOOD DAMAGE PREVENTION](#)

FOOTNOTE(S):

⁽⁵⁰⁾ **Cross reference**— Buildings and building regulations, ch. 14; coastal construction and floodplain management codes, § 14-391 et seq.; environment, ch. 26; planning and development, ch. 54; streets and sidewalks, ch. 62; utilities, ch. 74; waterways, ch. 82; administration of land development regulations, ch. 90; planning and development, ch. 108; policy for flood hazard areas, § 108-821 et seq.; resources protection, ch. 110; floodplain protection, § 110-461 et seq.; subdivisions, ch. 118; zoning, ch. 122. ([Back](#))

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[DIVISION 1. - GENERALLY](#)

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Unless specifically defined in this section, words or phrases used in this article shall be interpreted so as to give them the meaning they have in common usage and to give this article the most reasonable application.

Appeal means a request for a review of the building official's interpretation of any section of this article or a request for a variance.

Area of special flood hazard means the land in the floodplain within a community subject to a one-percent or greater chance of flooding in any given year.

Base flood means the flood having a one-percent chance of being equalled or exceeded in any given year.

Breakaway wall means 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 portion of the building or the supporting foundation system.

Coastal high hazard area means the area subject to high velocity waters, including but not limited to hurricane wave wash or tsunamis. The area is designated on a flood insurance rate map as zone V1-30.

Development means any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations, or storage of materials or equipment.

Elevated building means a nonbasement building built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, columns (posts and piers), shear walls, or breakaway walls.

Flood and flooding mean 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.

Flood insurance rate map (FIRM) means an official map of a community, on which the Federal Insurance Administration has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

Floor means the top surface of an enclosed area in a building, including basement, i.e., top of slab in concrete slab construction or top of wood flooring in wood frame construction. The term does not include the floor of a garage used solely for parking vehicles.

Lowest floor means the lowest floor of the lowest enclosed area, including basement. An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, 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 applicable nonelevation design requirements of the flood damage prevention sections of this Code.

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 (*Languncularia racemosa*); and buttonwood (*Conocarpus erecta*).

Manufactured home means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle."

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.

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 floodplain. For purposes of this article, the term is synonymous with National Geodetic Vertical Datum (NGVD).

Mobile home means a manufactured home as defined in this section.

National Geodetic Vertical Datum (NGVD), as corrected in 1929, is a vertical control used as a reference for establishing varying elevations within the floodplain.

New construction means structures for which the start of construction commenced on or after the effective date of the ordinance from which this article derives and includes any walled and roofed addition which is connected by a firewall or is separated by independent perimeter loadbearing walls.

Recreational vehicle means a vehicle that is (a) built on a single chassis; (b) 400 square feet or less 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.

Sand dunes means naturally occurring accumulations of sand in ridges or mounds landward of the beach.

Start of construction includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement, or other improvement was within 180 days of the permit date. This shall not be deemed to create any additional rights or liabilities beyond those provided for by existing law and other sections of this Code. The actual start means either:

(1)

The first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or

(2)

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, footings, 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 as part of the main structure.

Structure means a walled and roofed building that is principally above ground, a manufactured home, a gas or liquid storage tank, or other manmade facilities or infrastructures.

Substantial damage shall mean 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 improvement means any reconstruction, rehabilitation, addition or other improvement of a structure the cost of which equals or exceeds 50 percent of the market value of the structure before the start of construction of the improvement. This term includes structures that have incurred "substantial damage", regardless of the actual repair work performed. Substantial improvement does not include either (a) any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications that have been identified by the local code enforcement official and that are the minimum necessary to assure safe living conditions; or (b) any alteration of an historic structure, provided that the alteration will not preclude the structure's continued designation as "historic." Substantial improvements shall be measured cumulatively over a five-year period.

Variance means a grant of relief to a person from the requirements of this article which permits construction in a manner otherwise prohibited by this article where specific enforcement would result in unnecessary hardship.

(Code 1986, § 31.129; Ord. 04-11, § 1, 6-2-2004)

Cross reference— Definitions generally, § 1-2.

Sec. 34-27. - Lands to which this article applies.

This article shall apply to all areas of special flood hazard within the jurisdiction of the city.

(Code 1986, § 31.130)

Sec. 34-28. - Basis for establishing areas of special flood hazard.

The areas of special flood hazard identified by the Federal Insurance Administration in its flood insurance study dated May 2, 1983, with accompanying maps and other supporting data and any revisions thereto, are adopted by reference and declared to be a part of this article.

(Code 1986, § 31.131)

Sec. 34-29. - Compliance required.

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

(Code 1986, § 31.133)

Sec. 34-30. - Abrogation and greater restrictions.

This article is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where the flood damage prevention sections of this article and other provisions conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

(Code 1986, § 31.134)

Sec. 34-31. - Interpretation.

In the interpretation and application of this article, all sections shall be:

- (1) Considered as minimum requirements;
- (2) Liberally construed in favor of the city commission; and
- (3) Deemed neither to limit nor repeal any other powers granted under state statutes.

(Code 1986, § 31.135)

Sec. 34-32. - Warning and disclaimer of liability.

The degree of flood protection required by this article 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 manmade or natural causes. This article 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 damages. This article shall not create liability on the part of the city or by any officer or employee thereof for any flood damages that result from reliance on this article or any administrative decision lawfully made under this article.

(Code 1986, § 31.136)

Sec. 34-33. - Penalties for violation.

Violation of this article or failure to comply with any of the requirements of this article, including violation of conditions and safeguards established in connection with grants of variances or special exceptions, shall be unlawful. Any person who violates this article or who fails to comply with any of the requirements of this article shall, upon conviction, be punished as provided in section 1-15 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 contained in this section shall prevent the city from taking such other lawful action as is necessary to prevent or remedy any violation.

(Code 1986, § 31.137)

Secs. 34-34—34-60. - Reserved.

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DIVISION 2. - ADMINISTRATION ^[51]

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Sec. 34-61. - Designation of building official as administrator.

The building official is appointed to administer and implement this article.

(Code 1986, § 31.138)

Sec. 34-62. - Duties and responsibilities of building official.

Duties of the building official shall include but not be limited to the following:

- (1) Review of all development permits to ensure that the permit requirements of this article have been satisfied.
- (2) Advise the permittee that additional federal or state permits may be required, and if specific federal or state permits

are known, require that copies of such permits be provided and maintained on file with the development permit.

- (3) Verify and record the actual elevation, in relation to mean sea level, of the lowest floor, including basement, of all new or substantially improved structures. For such structures located within coastal high hazard areas, the building official shall verify and record the actual elevation, in relation to mean sea level, of the bottom of the lowest structural member of the lowest floor.
- (4) Verify and record the actual elevation, in relation to mean sea level, to which the new or substantially improved structures have been floodproofed.
- (5) 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. In coastal high hazard areas, the building official shall review plans for adequacy of breakaway walls in accordance with section 34-120(9).
- (6) When floodproofing is utilized for a particular structure, the building official shall obtain certification from a registered professional engineer or architect.
- (7) Where interpretation is needed as to the exact location of the boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions), the building official 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 section 34-65.
- (8) All records pertaining to this article shall be maintained in the office of the building official and shall be open for public inspection.

(Code 1986, § 31.139)

Sec. 34-63. - Development permit required.

A development permit shall be required in conformance with this article prior to the commencement of any development activities.

(Code 1986, § 31.132)

Sec. 34-64. - Permit procedures.

Application for a development permit shall be made to the building official on forms furnished by him prior to any development 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) *Application stage.*
 - a. Elevation in relation to mean sea level of the lowest floor, including basement, of all structures.
 - b. Elevation in relation to mean sea level to which any nonresidential structure has been floodproofed.
 - c. A certificate from a registered professional engineer or architect that any nonresidential floodproofed structure meets the floodproofing criteria in section 34-118.
 - d. Description of the extent to which any watercourse will be altered or relocated as a result of the proposed development.
- (2) *Construction stage.* Provide a floor elevation or floodproofing certification after the lowest floor is completed or, when the structure is subject to the regulations applicable to coastal high hazard areas, after placement of the horizontal structural members of the lowest floor. Upon placement of the lowest floor or floodproofing 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 building official a certification of the elevation of the lowest floor, floodproofed 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. Such certification shall be prepared by or under the direct supervision of a registered land surveyor or professional engineer and certified by the surveyor or engineer. When floodproofing is utilized for a particular building, such certification shall be prepared by or under the direct

supervision of a professional engineer or architect and certified by the engineer or architect. Any work undertaken prior to submission of the certification shall be at the permit holder's risk. The building official shall review the floor 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 the corrections required by this subsection shall be cause to issue a stop work order for the project.

(Code 1986, § 31.140)

Sec. 34-65. - Variance procedures.

- (a) The board of adjustment as established by section 90-96 shall hear and decide appeals and requests for variances from the requirements of this article.
- (b) The 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 building official in the enforcement or administration of this article.
- (c) Any person or taxpayer, or any department, board or bureau of the city aggrieved by any decision of the board of adjustment may, within 30 days after the filing of such decision in the office of the city clerk, but not thereafter, apply to the courts for relief in the manner provided by the laws of the state.
- (d) 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, except for subsections (g)(1) and (4) of this section, and provided the proposed reconstruction, rehabilitation, or restoration will not result in the structure losing its historic designation.
- (e) In passing upon such application, the board of adjustment shall consider all technical evaluations, all relevant factors, standards specified in other sections of this article, and:
- (1) The danger that materials may be swept onto other lands to the injury of others;
 - (2) The danger to life and property due to flooding or erosion damage;
 - (3) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 - (4) The importance of the services provided by the proposed facility to the community;
 - (5) The necessity to the facility of a waterfront location, where applicable;
 - (6) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
 - (7) The compatibility of the proposed use with existing and anticipated development;
 - (8) The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
 - (9) The safety of access to the property in time of flood for ordinary and emergency vehicles;
 - (10) The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and
 - (11) The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.
- Generally, variances may be issued for new construction and substantial improvements to be erected on a lot one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, provided subsections (e)(1) through (11) of this section have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.
- (f) Upon consideration of the factors listed in subsection (e) of this section and the purposes of this article, the board of adjustment may attach such conditions to the granting of variances as it deems necessary to further the purposes of this article.
- (g) Conditions for variances shall be as follows:

- (1) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief and, for 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.
- (2) Variances shall only be issued upon (i) a showing of good and sufficient cause; (ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant; and (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
- (3) 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.
- (4) The building official shall maintain the records of all appeal actions and report any variances to the Federal Insurance Administration upon request.

(Code 1986, § 31.141)

[Secs. 34-66—34-90.](#) - Reserved.

FOOTNOTE(S):

⁽⁵¹⁾ **Cross reference**— Administration, ch. 2. ([Back](#))

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[Subdivision I. - In General](#)

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[Sec. 34-91.](#) - General standards.

In all areas of special flood hazard, the following are required:

- (1) All new construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure according to a registered architect's or engineer's design.
- (2) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage. Further, electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities, including ductwork, shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
- (3) All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage.
- (4) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system.
- (5)

New and replacement sanitary sewer systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into floodwaters.

(6)

On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.

(7)

Any alteration, repair, reconstruction, or improvements to a structure on which the start of construction was begun after the effective date of the ordinance from which this article derives shall meet the requirements of new construction as contained in this article.

(Code 1986, § 31.142; Ord. No. 04-11, § 2, 6-2-2004)

Sec. 34-92. - Subdivision proposals.

(a)

All subdivision proposals shall be consistent with the need to minimize flood damage.

(b)

All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage.

(c)

All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards.

(d)

Base flood elevation data shall be provided for subdivision proposals and other proposed development, including manufactured home parks and subdivisions, which is greater than the lesser of 50 lots or five acres.

(Code 1986, § 31.144)

Secs. 34-93—34-115. - Reserved.

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Subdivision II. - Specific Standards

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Sec. 34-116. - Scope.

In all areas of special flood hazard where base flood elevation data has been provided as set forth in section 34-28, the sections of this subdivision are required.

(Code 1986, § 31.143)

Sec. 34-117. - Residential construction.

New construction or substantial improvement of any residential structure shall have the lowest floor, including basement, elevated to or above base flood elevation. If solid foundation perimeter walls are used to elevate a structure, openings sufficient to facilitate the unimpeded movement of floodwaters shall be provided in accordance with section 34-121.

(Code 1986, § 31.143(a))

Sec. 34-118. - Nonresidential construction.

New construction or substantial improvement of any commercial, industrial or other nonresidential structure shall have the

lowest floor, including basement, elevated to or above the level of the base flood elevation. A registered professional engineer or architect shall certify that the standards of this section are satisfied. Such certification shall be provided to the official as set forth in section 34-64(2). Structures located in A zones may be floodproofed in lieu of being elevated, provided that all areas of the structure below the required elevation are 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. Where a nonresidential structure is intended to be made watertight below the base flood level, a registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction and shall certify that the design and methods of construction are in accordance with accepted standards of practice and that the standards of the section are satisfied. Such certification shall be provided to the building official as set forth in section 34-64(2), and the building official shall maintain a record of such certification which shall include the specific elevation, in relation to mean sea level, to which such structures are floodproofed.

(Code 1986, § 31.143(b))

Sec. 34-119. - Manufactured homes.

- (a) No manufactured home shall be placed in a coastal high hazard area, except in a manufactured home park or subdivision.
- (b) All manufactured homes shall be anchored to resist flotation, collapse, or lateral movement by providing over-the-top and frame ties to ground anchors. Specific requirements shall be that:
 - (1) Over-the-top ties are provided at each end of the manufactured home, with one additional tie per side at an intermediate location on manufactured homes of less than 50 feet and one additional tie per side for manufactured homes of 50 feet or more;
 - (2) Frame ties are provided at each corner of the home with four additional ties per side at intermediate points for manufactured homes less than 50 feet long and one additional tie for manufactured homes of 50 feet or longer;
 - (3) All components of the anchoring system are capable of carrying a force of 4,800 pounds; and
 - (4) Any additions to the manufactured home are similarly anchored.
- (c) For manufactured home parks or subdivisions where the repair, reconstruction or improvement of the streets, utilities and pads equals or exceeds 50 percent of value of the streets, utilities and pads before the repair, reconstruction or improvement has commenced and for manufactured homes not placed in a manufactured home park or subdivision, the following are required:
 - (1) Stands or lots elevated on compacted fill or on pilings so that the lowest floor of the manufactured home will be at or above the base flood level;
 - (2) Provision for adequate surface drainage and access for a hauler; and
 - (3) For elevation on pilings:
 - a. Lots large enough to permit steps;
 - b. Piling foundations placed in stable soil no more than ten feet apart; and
 - c. Reinforcement provided for pilings more than six feet above the ground level.
- (d) All manufactured homes to be placed or substantially improved within zone A10 shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is at or above the base flood elevation and shall be securely anchored to an adequate foundation system in accordance with subsections (b) and (c) of this section and with section 108-891.

(Code 1986, § 31.143(c))

Sec. 34-120. - Coastal high hazard areas.

Located within the areas of special flood hazard established in section 34-28 are areas designated as coastal high hazard areas. These areas have special flood hazards associated with high velocity waters from tidal surge and hurricane wave wash; therefore, the following shall apply:

- (1) All buildings or structures shall be located landward of the reach of the mean high tide.
- (2) All buildings or structures shall be elevated so that the bottom of the lowest supporting horizontal member, excluding pilings or columns, is located at or above the base flood elevation level, with all space below the lowest supporting member open so as not to impede the flow of water. Breakaway walls may be permitted and must be designed to wash away if abnormal wave action occurs and in accordance with this section.
- (3) All buildings or structures shall be securely anchored on pilings or columns.
- (4) All pilings and columns and the attached structures shall be anchored to resist flotation, 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 hundred-year mean recurrence interval (one-percent annual chance flood).
- (5) A registered professional engineer or architect shall certify that the design, specifications, and plans for construction are in compliance with subsections (2), (3) and (4) of this section.
- (6) There shall be no fill used as structural support. Noncompacted 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 building official 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:
 - a. Particle composition of fill material does not have a tendency for excessive natural compaction;
 - b. Volume and distribution of fill will not cause wave deflection to adjacent properties; and
 - c. Slope of fill will not cause wave runup or ramping.
- (7) There shall be no alteration of sand dunes or mangrove stands which would increase potential flood damage.
- (8) The placement of manufactured homes, except in a manufactured home park or subdivision, is prohibited.
- (9) Nonsupporting breakaway walls, open latticework, or mesh screening shall be allowed below the base flood elevation provided they are not part of the structural support of the building and are designed so as to break away, under abnormally high tides or wave action, without damage to the structural integrity of the building on which they are to be used and provided the following design specifications are met:
 - a. Design safe loading resistance of each wall shall be not less than ten nor 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 a one-percent chance of being equaled or exceeded in any given hundred-year mean recurrence interval.
- (10) If breakaway walls are utilized, such enclosed space shall not be designed to be usable for human habitation but shall be designed to be usable only for parking of vehicles, building access, or limited storage of maintenance equipment used in connection with the premises.
- (11) Prior to construction, plans for any structures that will have breakaway walls must be submitted to the building official for approval.
- (12) Any alteration, repair, reconstruction, or improvement to a structure shall not enclose the space below the lowest floor except with breakaway walls, as provided for in subsections (9) and (10) of this section.

(Code 1986, § 31.143(d))

Sec. 34-121. - Fully enclosed areas below base flood elevation.

- (a)** For all new construction and substantial improvements, fully enclosed areas below the lowest floor that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters.
- (b)** Designs for meeting the requirement in subsection (a) of this section must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:
- (1)** 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 shall be provided.
 - (2)** The bottom of all openings shall be no higher than one foot above grade.
 - (3)** Openings may be equipped with screens, louvers, valves, or other coverings or devices, provided that they permit the automatic entry and exit of floodwaters.
- (c)** Electrical, plumbing and other utility connections are prohibited below the base flood elevation.
- (d)** 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).
- (e)** The interior portion of such enclosed area shall not be partitioned or finished into separate rooms.

(Code 1986, § 31.143(e))