

ORDINANCE NO. 26-025

1 **AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF**
2 **BOYNTON BEACH, FLORIDA, AMENDING PART III, LAND**
3 **DEVELOPMENT REGULATIONS, CHAPTER 4, ARTICLE X "FLOOD**
4 **PREVENTION REQUIREMENTS," SECTION 1 "GENERAL," AND SECTION**
5 **5 "SPECIFIC REQUIREMENTS BY TYPE OF IMPROVEMENT OR**
6 **DEVELOPMENT," OF THE CITY CODE OF ORDINANCES TO ENSURE**
7 **COMPLIANCE WITH STATE STATUTE; PROVIDING FOR CODIFICATION;**
8 **PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND**
9 **PROVIDING FOR AN EFFECTIVE DATE.**

10
11 **WHEREAS,** the City Commission desires to amend the City Land Development
12 Regulations ("LDRs"), Part III, Chapter 4, Article X, Flood Prevention Requirements, Sections 1
13 and 5, by updating the triggering language in the applicable sections of the Code of
14 Ordinances; and

15 **WHEREAS,** the City Commission finds that Section 163.31795(2), Florida Statutes,
16 provides that local governments participating in the National Flood Insurance Program may
17 not adopt or enforce an ordinance imposing a cumulative substantial improvement period for
18 substantial improvements or repairs to a structure; and

19 **WHEREAS,** the proposed amendments will bring the ordinance into compliance with
20 Section 163.31795(2), Florida Statutes; and

21 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF**
22 **BOYNTON BEACH, FLORIDA THAT:**

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Section 1.

The foregoing "Whereas" clauses are true and correct and incorporated herein by this reference.

Section 2.

Part III "Land Development Regulations", Chapter 4 "Site Development Standards" Article X "Flood Prevention Requirements" is hereby amended to read as follows:

PART III LAND DEVELOPMENT REGULATIONS

...

CHAPTER 4. SITE DEVELOPMENT STANDARDS

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Article X. FLOOD PREVENTION REQUIREMENTS

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Sec 1. General

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C. Administration

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6. Inspections. The Floodplain Administrator shall make the required inspections for development that is not subject to the Florida Building Code, including buildings, structures and facilities exempt from the Florida Building Code, and manufactured homes. The Floodplain Administrator shall inspect flood hazard areas to determine if development is undertaken without issuance of a permit.

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D. Applicability.

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1. Scope. This article applies to all development of real property located within the city, including areas of special flood hazard. Development shall include but not be limited to the subdivision of land; filling, grading, and other site improvements and utility installations; construction, alteration, remodeling, enlargement, improvement, replacement, repair, relocation or demolition of buildings, structures, and facilities that are exempt from the Florida Building Code; placement, installation, or replacement of manufactured homes and manufactured buildings; installation or replacement of tanks; installation of swimming pools; and any other development.

2. Basis for Establishing Flood Hazard Areas. The Flood Insurance Study (FIS) for Palm Beach County, Florida and Incorporated Areas dated ~~October 5, 2017~~, December 20, 2024, and all subsequent amendments and revisions, and the accompanying FIRMs, and all subsequent amendments and revisions to such maps, are adopted by reference as a part of this article and shall serve as the minimum basis for establishing flood hazard areas. Studies and maps that establish flood hazard areas are on file in the Development Department at the city.

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Sec 5. Specific Requirements by Type of Improvement or Development.

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C. Manufactured Homes.

1. General. ~~Manufactured homes shall not be permitted in flood hazard areas. All manufactured homes installed in flood hazard areas shall be installed by an installer that is~~

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64 licensed pursuant to F.S. § 320.8249 and shall comply with the requirements of FAC Chapter
65 15C-1 and the requirements of this article. If located seaward of the CCCL, all manufactured
66 homes shall comply with the more restrictive of the applicable requirements.

67 2. Foundations. All new manufactured homes and replacement manufactured
68 homes installed in flood hazard areas shall be installed on permanent, reinforced foundations
69 that:

70 a. In flood hazard areas (Zone A) other than coastal high hazard areas, are
71 designed in accordance with the foundation requirements of the FBC, Residential Section
72 R322.2, and this article. Foundations for manufactured homes subject to Section 5.C.6 below
73 are permitted to be reinforced piers or other foundation elements of at least equivalent
74 strength.

75 b. In coastal high-hazard areas (Zone V), are designed in accordance with the
76 foundation requirements of the FBC, Residential Section R322.3, and this article.

77 3. Anchoring. All new manufactured homes and replacement manufactured
78 homes shall be installed using methods and practices that minimize flood damage and shall
79 be securely anchored to an adequately anchored foundation system to resist flotation,
80 collapse, or lateral movement. Methods of anchoring include, but are not limited to, the use
81 of over-the-top or frame ties to ground anchors. This anchoring requirement is in addition to
82 applicable state and local anchoring requirements for wind resistance.

83 4. Elevation. Manufactured homes that are placed, replaced, or substantially
84 improved shall comply with Section 5.C.5. or Section 5.C.6. below, as applicable.

85 5. General Elevation Requirement. Unless subject to the requirements of Section
86 5.C.6. below, all manufactured homes that are placed, replaced, or substantially improved on
87 sites located: 1) outside of a manufactured home park or subdivision; 2) in a new manufactured
88 home park or subdivision; 3) in an expansion to an existing manufactured home park or
89 subdivision; or 4) in an existing manufactured home park or subdivision upon which a
90 manufactured home has incurred "substantial damage" as the result of a flood, shall be
91 elevated such that the bottom of the frame is at or above the elevation required, as applicable
92 to the flood hazard area, in the FBC, Residential Section R322.2 (Zone A) or Section R322.3
93 (Zone V).

94 6. Elevation Requirement for Certain Existing Manufactured Home Parks and
95 Subdivisions. Manufactured homes that are not subject to Section 5.C.5. of this article,
96 including manufactured homes that are placed, replaced, or substantially improved on sites
97 located in an existing manufactured home park or subdivision, unless on a site where
98 substantial damage as a result of flooding has occurred, shall be elevated such that either the:

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a. Bottom of the frame of the manufactured home is at or above the elevation required, as applicable to the flood hazard area, in the FBC, Residential Section R322.2 (Zone A) or Section R322.3 (Zone V); or

b. Bottom of the frame is supported by reinforced piers or other foundation elements of at least equivalent strength that are not less than thirty-six (36) inches in height above grade.

7. Enclosures. Enclosed areas below elevated manufactured homes shall comply with the requirements of the FBC, Residential Section R322 for such enclosed areas, as applicable to the flood hazard area.

8. Utility Equipment. Utility equipment that serves manufactured homes, including electrical, heating, ventilation, plumbing, air conditioning, and other service facilities, shall comply with the requirements of the FBC, Residential Section R322, as applicable to the flood hazard area.

Section 3: Codification. It is the intention of the City Commission of the City of Boynton Beach, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code and Ordinances of the City of Boynton Beach, Florida. The City Clerk is hereby directed to incorporate this Ordinance into the Code, and to make such section renumbering, re-lettering, and formatting changes as may be necessary to accomplish such intent, including the correction of typographical errors and the updating of cross-references.

Section 4: Severability. If any clause, section, or other part of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and in no way affecting the validity of the other provisions of this Ordinance.

Section 5: Conflicts.

Section 6: Effective Date.

[SIGNATURES ON THE FOLLOWING PAGE]

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FIRST READING this ____ day of _____, 2026.

CITY OF BOYNTON BEACH, FLORIDA

YES NO

Mayor – Rebecca Shelton _____

Vice Mayor – Thomas Thurkin _____

Commissioner – Angela Cruz _____

Commissioner – Mack McCray _____

Commissioner – Aimee Kelley _____

VOTE _____

ATTEST:

Tammy Stanzione
City Clerk

Rebecca Shelton
Mayor

APPROVED AS TO FORM:

(Corporate Seal)

Shawna G. Lamb
City Attorney