



Pinellas County

Legislation Details (With Text)

File #: 21-1903A **Version:** 1

Type: Ordinance **Status:** Passed

File created: 9/15/2021 **In control:** Board of County Commissioners

On agenda: 10/12/2021 **Final action:** 10/12/2021

Title: Ordinance amending Part III of the Pinellas County Code, Land Development Code, Chapter 158 Floodplain Management providing the basis for all development that is wholly or partially in a flood hazard area. (Companion to Item No. 8)

Sponsors:

Indexes:

Code sections:

Attachments: 1. State-Filed ORD 21-25, 2. Adopted ORD 21-25, 3. AATF'd Ch 158 Proposed Ordinance Updated BM 100121, 4. AATF'd Ch 158 Ordinance Updated BM 093021, 5. Ch 158 Proposed Ordinance Updated BM 100121, 6. Ch 158 Ordinance Updated BM 093021, 7. Electronic Affidavit of Publication, 8. Affidavit of Publication, 9. New FEMA Maps 10-12-21 Floodplain Ordinance

Date	Ver.	Action By	Action	Result
10/12/2021	1	Board of County Commissioners	approved	Pass

Subject:

Ordinance amending Part III of the Pinellas County Code, Land Development Code, Chapter 158 Floodplain Management providing the basis for all development that is wholly or partially in a flood hazard area. (Companion to Item No. 8)

Recommended Action:

Approve and adopt the ordinance amending Part III of the Pinellas County Code, Land Development Code, Chapter 158 Floodplain Management providing the basis for all development that is wholly or partially in a flood hazard area.

- Adopts the new Federal Emergency Management Agency (FEMA) Flood Insurance Study and the Flood Insurance Rate Map and the Pinellas County Sea Level Rise and Storm Surge Vulnerability Assessment (RESTORE Act Vulnerability Assessment, 2021).
- Restricts development activities that flood neighboring properties.
- Clarifies definitions and provisions pertaining to substantial improvement, floodway encroachment analysis, and Coastal A Zones to ensure compliance with intent of the National Flood Insurance Program.
- Defines and adds provisions for agricultural and accessory structure consistent with FEMA and State Floodplain Management guidelines.
- Our amendments have been shared with stakeholders, including our cities and Forward Pinellas, and have been amended and approved by State of Florida.
- Ordinance amendments were heard by the Local Planning Agency on September 17, 2021. The amendments were approved 5-0.

Strategic Plan:

Ensure Public Health, Safety, and Welfare

2.1 Provide planning, coordination, prevention, and protective services to ensure a safe and secure community

2.5 Enhance pedestrian and bicycle safety

Practice Superior Environmental Stewardship

3.3 Protect and improve the quality of our water, air, and other natural resources

3.5 Foster a sustainable and resilient community that is prepared for sea level rise and a changing climate

Foster Continual Economic Growth and Vitality

4.2 Invest in communities that need the most

4.3 Catalyze redevelopment through planning and regulatory programs

Summary:

Chapter 158 Floodplain Management, of the County Land Development Code, is intended to protect lives and minimize property damage from flooding; encourage appropriate construction practices to minimize future damage; and protect water supply, sewer treatment, and natural drainage. The Code is intended to reduce financial burden and displacement of residents in the future. This is achieved through review of all activities proposed within identified floodplains, and by the issuance of permits for those activities that comply with the objectives of Chapter 158. The companion Legistar No. 21-1907A includes a resolution allowing the Pinellas County Construction Licensing Board to approve local technical amendments to the Florida Building Code, pertaining to floodplain management and flood damage prevention.

Background Information:

The updated Code responds to and reflects the changing conditions of the County and updated flood hazard data. The purpose of the proposed amendments is to establish necessary regulatory framework to ensure that the County's regulations are in compliance with intent of the National Flood Insurance Program (NFIP), Community Rating System (CRS), and the updated Federal Emergency Management Agency (FEMA) Flood Insurance Study (FIS) and Flood Insurance Rate Map (FIRM), which took effect on August 24, 2021. It also adopts the Pinellas County Sea Level Rise and Storm Surge Vulnerability Assessment (RESTORE Act Vulnerability Assessment, 2021).

The proposed amendments were prepared based on coordination with the County's Floodplain Administrator and multiple County departments, as well as FEMA, the CRS Task Force, the Office of the State Floodplain Management Office, and several stakeholder groups. Drafts of the amendments were also provided to the State for review. Their comments have been incorporated into the proposal and the State has approved the revised ordinance and FBC amendments. Drafts of the amendments were also provided to Forward Pinellas for consistency review with the Countywide Comprehensive Plan. Ordinance amendments were heard by the Local Planning Agency (LPA) on September 17, 2021. The amendments were approved 5-0.

Fiscal Impact:

N/A

Staff Member Responsible:

Kelli Hammer Levy, Director, Public Works

Partners:

N/A

Attachments:

Ordinance

Ordinance-redlined