

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	=====	=====	=====	=====	=====
No. ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included In Current Budget? Yes No

Budget Account No.: Fund _____ Department _____ Unit _____
 Object _____ Reporting Category _____

B. Recommended Sources of Funds/Summary of Fiscal Impact:

No fiscal impact associated with this agenda item.

C. Departmental Fiscal Review: Brenda J Conner

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

[Signature] 8/15/17
 OFMB ET 8/15

[Signature] 8/18/17
 Contract Dev. and Control
 8/18/17

B. Legal Sufficiency:

Anne Delgant 8-18-17
 Assistant County Attorney

C. Other Department Review:

 Department Director

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2 **Section 1. FLOOD HAZARD AREAS. CHAPTER 7, ARTICLE IV, SECTION 7-52 OF THE**
3 **PALM BEACH COUNTY CODE, SECTION 104.10.1 is amended as follows:**
4

5 **104.10.1 Flood hazard areas.** Modifications in flood hazard areas may only be granted by the
6 The Flood Damage Prevention Board, established in pursuant to Article 18 of the Palm Beach
7 County Unified Land Development Code (ULDC), shall not grant modifications to any provision
8 required in flood hazard areas as established by Section 1612.3 of this code and Article 18 of the
9 ULDC, unless a determination has been made that:

- 10 1. ~~A showing of good and sufficient cause that the unique characteristics of the size,~~
11 ~~configuration or topography of the site render the elevation standards of Section 1612~~
12 ~~inappropriate or Article 18 of the ULDC.~~
- 13 2. ~~A determination that failure to grant the variance would result in exceptional hardship by~~
14 ~~rendering the lot undevelopable.~~
- 15 3. ~~A determination that the granting of a variance will not result in increased flood heights,~~
16 ~~additional threats to public safety, extraordinary public expense, cause fraud on or~~
17 ~~victimization of the public, or conflict with existing laws or ordinances.~~
- 18 4. ~~A determination that the variance is the minimum necessary to afford relief, considering the~~
19 ~~flood hazard.~~
- 20 5. ~~Submission to the applicant of written notice specifying the difference between the design~~
21 ~~flood elevation and the elevation to which the building is to be built, stating that the cost of~~
22 ~~flood insurance will be commensurate with the increased risk resulting from the reduced~~
23 ~~floor elevation, and stating that construction below the flood elevation design increases risks~~
24 ~~to life and property.~~

25 **Section 2. REPEAL OF LAWS IN CONFLICT:**

26 All ordinances, or parts of ordinances of Palm Beach County, Florida, which are in conflict with
27 this Ordinance are hereby repealed. All or any part of these laws, which pertain to Palm Beach County,
28 Florida, which conflict with this Ordinance, or parts of this Ordinance are hereby repealed.

29 **Section 3. INCLUSION IN THE CODE OF LAWS AND ORDINANCES:**

30 The provisions of this Ordinance shall become and be made part of the Code of Laws and
31 Ordinances of Palm Beach County, Florida. The sections of this Ordinance may be renumbered or
32 relettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or other
33 appropriate word.

34 **Section 4. SAVINGS CLAUSE:**

35 All provisions of Ordinance 2015-028 Palm Beach County Amendments to the Florida Building
36 Code, 5th Edition (2014), as originally enacted and amended, are specifically preserved and remain in full
37 force and effect for the limited purpose of enforcing any alleged violations, enforcement orders, ongoing
38 enforcement actions, permits, and all other orders relating to said Ordinance, which occurred prior to its
39 amendment.

40 **Section 5. SEVERABILITY:**

41 If any section, paragraph, sentence, clause, or word of this ordinance is for any reason held by the
42 Court to be unconstitutional, inoperative or void, such holding shall not affect the remainder of the
43 Ordinance.

1 **Section 6. EFFECTIVE DATE:**

2 The provisions of this Ordinance shall become effective October 5, 2017.

3 APPROVED and ADOPTED by the Board of County Commissioners of Palm Beach County,
4 Florida, on the ____ day of _____ 2017.

5
6 **ATTEST:**

7
8 **SHARON R. BOCK,**
9 **CLERK AND COMPTROLLER**

**PALM BEACH COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS**

10
11
12 By: _____
13 **Deputy Clerk**

By: _____
Paulette Burdick, Mayor

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16 **APPROVED AS TO FORM AND
17 LEGAL SUFFICIENCY**

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19
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21 By: *Anne Odegent*
22 **County Attorney**

23
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25 Filed with the Department of State on the ____ day of _____, 20 __.