

Lake Park Town Commission, Florida

**Commission Workshop on Sea Level Rise and Resiliency** 

#### Minutes

Commission Chamber, Town Hall, 535 Park Avenue, Lake Park, FL 33403 Saturday January 25, 2025 10am to 12pm

<b>Roger Michaud</b>	Mayor
Kimberly Glas Castro	 Vice Mayor
Michael Hensley	 Commissioner
Mary Beth Taylor	 Commissioner
Judith Thomas	 Commissioner
<b>Richard Reade</b>	 Town Manager
Thomas Baird	 Town Attorney
Laura Weidgans	 <b>Deputy Town Clerk</b>

PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision of the Town Commission, with respect to any matter considered at this meeting, such interested person will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Persons with disabilities requiring accommodations in order to participate in the meeting should contract the Town Clerk's office by calling 881-3311 at least 48 hours in advance to request accommodations.

#### CALL TO ORDER/ROLL CALL

10:04 am

PRESENT

Mayor Roger Michaud

Vice-Mayor Kimberly Glas-Castro

Commissioner Mary-Beth Taylor

Commissioner Judith Thomas

Commissioner Michael Hensley

#### PLEDGE OF ALLEGIANCE

The pledge was led by Paige Lewis.

#### **SPECIAL PRESENTATION/REPORT:**

#### 1. Community Workshop on Sea Level Rise and Resiliency.

Community Development Director Nadia DiTommaso and Public Works Director Jaime Morales presented to the Commission (Exhibit A).

Water Resources Management Associates, Inc. (WRMA) Principal Engineer, Raul Mercado provided information about the seawall surveys that were performed in 2021 and the repairs that are needed. Community Development Director DiTommaso spoke about the provisions of the draft proposed ordinance (Exhibit B). Grant Writer/Chief Public Information Officer Merrell Angstreich stated that grant funding is available and being pursued by the Town. She stated however, that these grants are only available to properties with public access. She provided a few examples of how private property owners could obtain funding for seawall repairs such as private funding and she also said that if property owners were willing to allow for public access, then those properties would be eligible for grant funding.

#### COMMISSION COMMENTS/DISCUSSION:

Commissioner Hensley stated he would like to see an Ordinance so that they can discuss. Commissioner Thomas stated that she would like to hear from the residents.

Commissioner Taylor would also like to hear from the residents.

Vice-Mayor Glas-Castro asked about the proposed ordinance regarding inundation mapping. Mr. Mercado advised that the mapping that should be used is the sea level rise and king tide map. Vice-Mayor Glas-Castro also asked that this language be included in the proposed ordinance. Vice-Mayor Glas-Castro asked where on the Town's website residents can find the seawall assessment reports. Community Development Director DiTommaso stated the reports are in the "residents" tab, sub tab "seawall information". Mayor Michaud asked if there can be a direct link to the reports placed on the information section of the website. Vice-Mayor Glas-Castro asked if the Town makes the repairs to public seawalls, will that create a necessity for private property owners to then make their repairs, since the public seawalls will be higher. Mr. Mercado advised that this would not be the case, since the impacts to the seawalls will not be felt until 2050. Vice-Mayor Glas-Castro asked if property owners will be cited for not making seawall repairs. Community Development Director DiTommaso advised that the risk is not immediate so they do not foresee citing property owners. Vice-Mayor Glas-Castro asked if the residents were to make repairs to their seawalls, would that then trigger total replacement. Community Development Director DiTommaso stated that it would not trigger total replacement. Mayor Michaud stated he would like to hear from residents.

#### **PUBLIC COMMENT:**

This time is provided for addressing items that do not appear on the Agenda. Please complete a comment card and provide it to the Town Clerk so speakers may be announced. Please remember comments are limited to a TOTAL of three minutes.

-Bob Olivio spoke about feeling skeptical because the seawall is intact and would like to see historical data on sea level rise. He spoke about a quote that they had received for total replacement of the seawall at 401 Lake Shore Drive for \$198,000. They were unable to replace their seawall because a moratorium was put in place preventing them from doing any seawall repairs. He would like to get a definition of public access in order to qualify for grants.

-John Leary spoke about the proposed ordinance and how citations could apply to property owners and would impose unrealistic requirements for completion of seawall repairs. He feels that they are being taken advantage of and asks that the Town abandon the proposed ordinance.

-Chris Steele spoke about the Town not having a king tide issue. He feels that there is a false sense of urgency for seawall repairs. He feels that the Town should be responsible for seawall repairs.

-Jim Drier spoke about another town he lived in previously where the entire town was responsible for paying to protect its residents. He does not feel that it is fair that they are expected to bear the entire cost of repairing the seawall.

-Michael O'Rourke spoke about residents already being hit hard due to other requirements. He feels that this issue is not imminent and we need to take a step back. He stated that the only thing that would create an imminent need is the ordinance, which he feels should be put aside.

-Dominick Tecce would like to table this until there is further discussion. He feels that the property owners should not be solely responsible for paying for the seawall repairs.

-John Linden has an issue with "climate change" and using it as a crutch. He feels that the assessment that was done in 2021 needs to be re-done. He said that he was expecting a community

workshop today with interaction, not a meeting. He would like to see a workshop be held where residents can have more input.

#### COMMISSION COMMENTS/DISCUSSION:

Town Attorney Baird advised the Commission that the purpose of this workshop is for residents to make their comments and staff to move forward to whatever the next step may be.

Vice-Mayor Glas-Castro asked if they could get clarification as to what the mandate from the State is to see if the Town is required to adopt an ordinance. She would also like information about how they could fund the project as a whole Town, not just the marina and park.

Commissioner Hensley agreed that the burden should not be placed on the residents for the seawall. He would also like clarification of the definition of "public access". He would like to be able to review the study from 2021.

Commissioner Thomas had concerns about making repairs to public property and how that might affect private properties. She stated that the cost of the repairs should be shared as a community. She stated that the language in the ordinance would need to be tightened up, but that this is a serious issue.

Mayor Michaud stated that there are a lot of questions that need to be studied. He would like to keep the dialogue open with residents. He requested for residents to provide them with the quotes that they had received for seawall repairs. He stated that this process will not be rushed.

Commissioner Taylor spoke about a previous workshop where a vote was taken about steps to break the waves and she wanted to know what happened with that. She also stated she would like to know the definition of "public access" and she stated that there is a very large discrepancy between the estimate the condo owners received and what the Town has received.

Workshop adjourned 11:34 am

Mayor Roger D. Michaud

Town Clerk, Vivian Mendez, MMC

Peputy Town Clerk, Laura Weidgans of <u>Febrikary</u>, 2025 9 Approved on this





### Exhibit A

## TOWN OF LAKE PARK COMMUNITY WORKSHOP



#### VULNERABILITY, RISK AND ADAPTATION ASSESSMENT TO CLIMATE CHANGE AND SEA LEVEL RISE

January 25, 2025



Public Workshop to discuss the history of the Town's efforts to address resiliency and identify methodologies and projects to ensure a reduction in environmental vulnerabilities that the Town is expected to face in the future.

During this meeting, we expect to address:

- History of Town's Resiliency Efforts & Vulnerability Assessment
- Projects Identified within the Vulnerability Assessment and their respective Updates (including cost)
- Clarify Engineering & Design Standards for all Projects (based on Draft Town Ordinance)
- Potential Funding Options for Town Seawall Project (Public Access Only)
- Next Steps
- Public Comments

PRIOR to 2021: The Town initiated and completed a flood mitigation project – "Lake Shore Drive Drainage Improvement Project".

2021: In response to climate change and associated sea level rise, the Town completed a vulnerability assessment to identify various projects that will serve to protect our most vulnerable areas within the Town from Flooding.

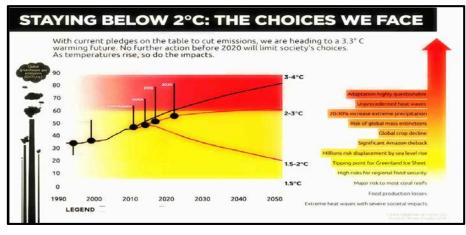
2023: Due to statutory updates (additional flood data requirements) and NOAA requirements, the Town updated its vulnerability assessment report.

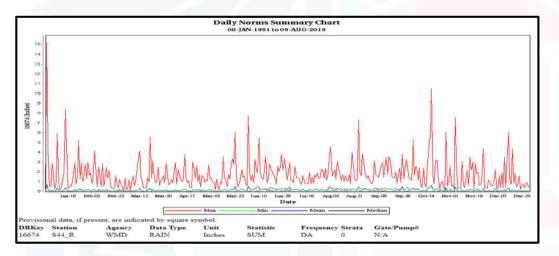
2025: State of Florida mandated all municipalities to submit local Vulnerability Assessment reports to the FDEP. As a result, the Town is in the process of updating its vulnerability assessment for a 2nd time based on the NOAA 2022 sea-level data curves and extended planning horizons to 2050 and 2080.

<u>Note</u>: The Town has provided numerous informational documents (Town Website – www.lakeparkflorida.gov) and has held various outreach meetings within our community, including the private properties along the east side of Lake Shore Drive

### **CURRENT TOWN CONDITIONS**

#### Higher Temperatures, Higher Rainfall Intensities, More Frequent Flooding









4th Street & Evergreen Drive

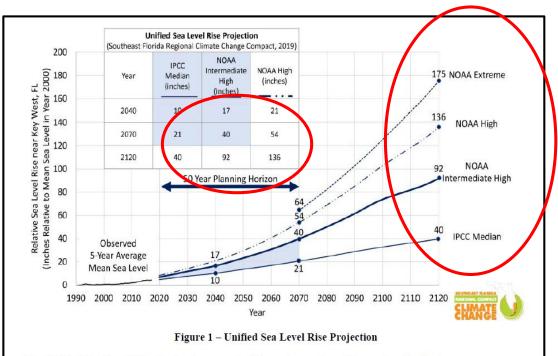


**Ilex Drive** 



### **CURRENT TOWN CONDITIONS**

#### Sea Level Rise & Seawall Overtopping



The Unified Sea Level Rise Projection, seen in Figure 1, consists of three planning horizons:

- 1. short term: by 2040, sea level is projected to rise 10 to 17 inches above 2000 mean sea level.
- 2. medium term: by 2070, sea level is projected to rise 21 to 54 inches above 2000 mean sea level.
- 3. long term: by 2120, sea level is projected to rise 40 to 136 inches above 2000 mean sea level.

#### SEA LEVEL RISE 42" Predicted By 2070



#### "Sunny day" flooding is already experienced during "king" fall tides along lake shore drive.



### TOWN EFFORTS TO ADDRESS MOST VULNERABILE AREAS

Green infrastructure helps the Town mitigate flooding by slowing down and reducing the amount of stormwater runoff, allowing more water to infiltrate the ground and prevents rapid surges in water levels and flooding during heavy rainfall events. The Town maintains a Stormwater Master Plan (SWMP) in conjunction with the Town's Vulnerability Assessment to identify and address our most vulnerable areas.





- Lake Shore Drive Drainage Improvement Project (Completed)- FEMA Grant (HMGP) \$4.2 million
- 2nd Street Roadside Bioswales Project (Completed) FDEP Grant (Resilient Florida) \$583,759
- Southern Outfall Priority Rehabilitation Program \$11.1 million:
  - Phase I Southern Outfall Priority Retrofit Project (In-Progress Construction) FDEO (CDBG-MIT) -\$3,053,300
  - Phase II Bert Bostrom Park Underground Chamber Filtration Project (In-Progress Construction) FDEO (CDBG-MIT) - \$2,572,500
  - Phase III 10th Street Green Infrastructure Improvement Project (In-Progress Design) Funding to be determined
- Inundation Mapping (Completed) FDEP Grant (Resilient Florida) \$75,000
- Additional Adaptation Pathways and Options (Potential future implementation)
- Seawall/Bulkhead Restoration/Reconstruction Project (Assessment Only Completed) FDEP Grant (Resilient Florida) - \$75,000

#### LAKE SHORE DRIVE DRAINAGE IMPROVEMENT PROJECT (COMPLETED)

• FEMA Grant (HMGP) - \$4.2 million

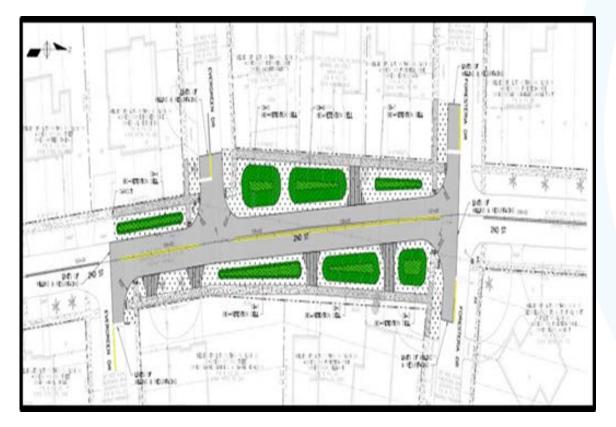






#### 2ND STREET ROADSIDE BIOSWALES PROJECT (COMPLETED)

• FDEP Grant (Resilient Florida) - \$583,759







#### SOUTHERN OUTFALL PRIORITY REHABILITATION PROGRAM

- \$11.1 million:
  - Phase I Southern Outfall Priority Retrofit Project (In-Progress -Construction) – FDEO (CDBG-MIT) - \$3,053,300
  - Phase II Bert Bostrom Park Underground Chamber Filtration Project (In-Progress - Construction) – FDEO (CDBG-MIT) -\$2,572,500
  - Phase III 10th Street Green Infrastructure Improvement Project (In-Progress – Design) – Funding to be determined



## LAKE SHORE DRIVE DRAINAGE IMPROVEMENT PROJECT SOUTHERN OUTFALL PRIORITY REHABILITATION PROGRAM

#### TOWN OF LAKE PARK COASTAL ADAPTATION ALONG LAKE SHORE DRIVE

- Consolidation of outfalls to Lake Worth Lagoon and Valve Placement
- Installation of Sea Level Rise Pump Stations to offset high tides
  - Transitional (2020-2050) SLR Impact Efforts
  - Will address local drainage deficiency for tide-impacted outfalls
  - Will address "Sunny Day" flooding from King Tides

THESE PROJECTS WILL HOLD OFF SEA LEVEL RISE IMPACTS FOR THE NEXT 30 YEARS ONLY – BEGINNING IN 2050 SEWALLS WILL BE OVERTOPPED AND PUMP STATION EFFICIENCY WILL DECREASE SUBSTANTIALLY





### Bert Bostrom Park Underground Chamber Filtration Project

The SWMP goal is to convert 10% of impervious areas to GI in the

next 20 years to offset warming trends



**JANUARY 17, 2025** 



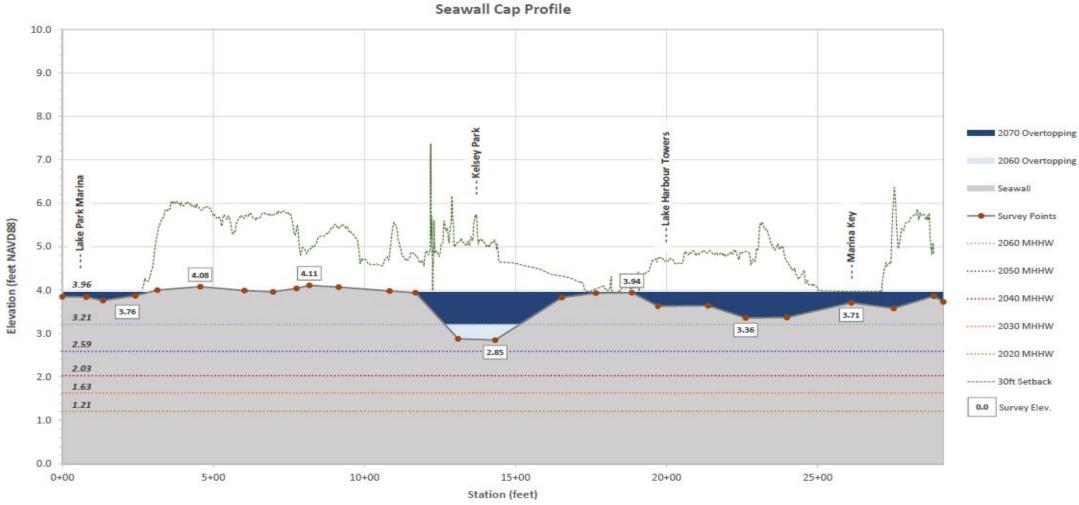
#### **INUNDATION MAPPING (COMPLETED)**

• - FDEP Grant (Resilient Florida) - \$75,000





### **TIDAL INUNDATION BY DECADES**



(Gray fill) – profile of the seawall cap

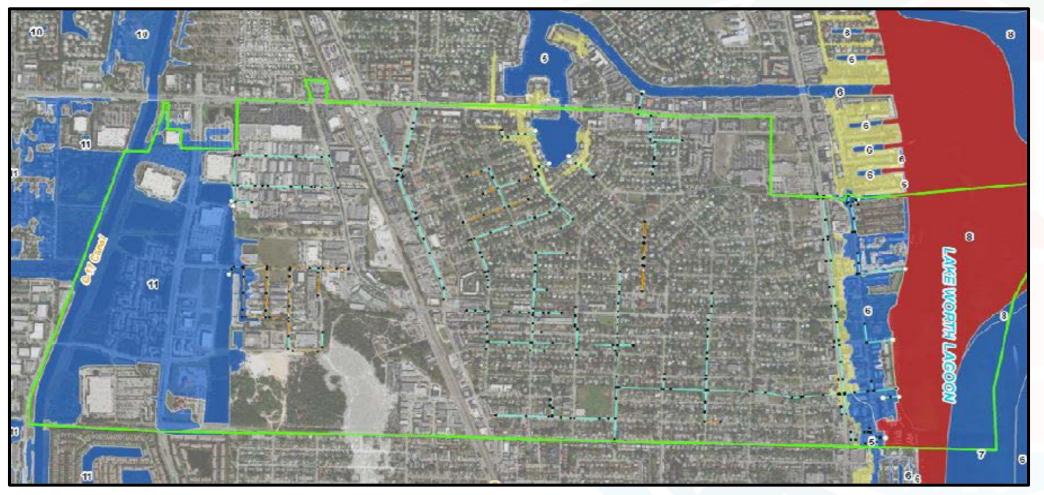
(Small dotted lines and blue fill) – elevations of the decadal MHHW

(Green dashed line) – ground elevation profile set back 30 feet westward from the seawall face



#### **COASTAL SURGE INUNDATION MAPPING**

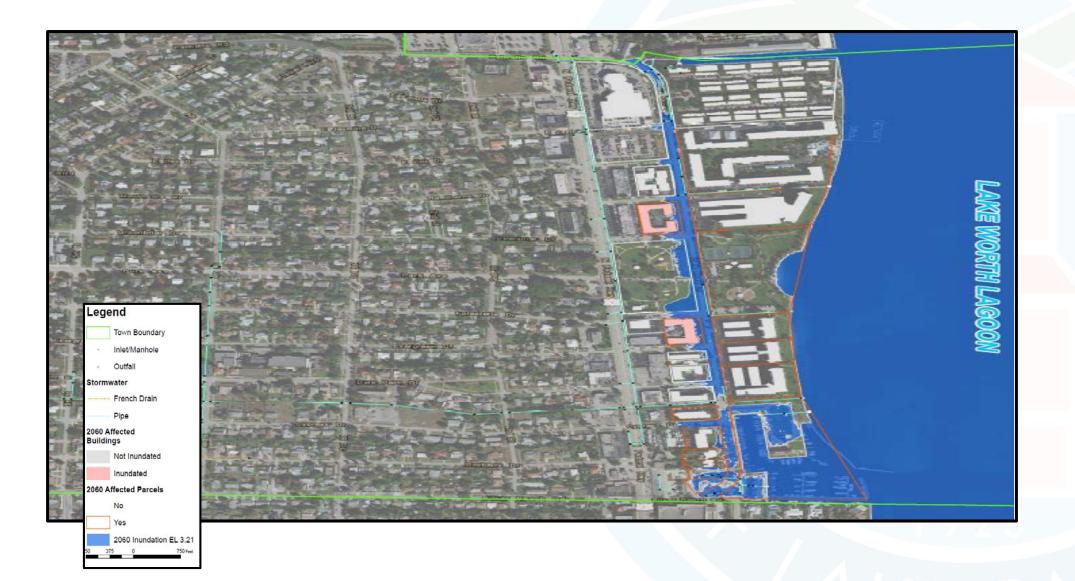
#### EFFECTIVE 2017 FEMA 100-YEAR (1%) FLOODING (2019 DFIRM'S UNDER FINAL REVIEW)



Blue: 100-Year Flood Boundaries / Yellow: 500-Year Flood Boundaries



### SEA LEVEL RISE INUNDATION MAPPING (2060)





#### TIDAL INUNDATION BY DECADES

### **2080 Tidal Flooding**





South Lake

Lagoon



### **TIDAL INUNDATION DAMAGES & RISK ASSESSMENT**

To determinate monetary damages incurred in each decadal coastal flood scenario, three (3) types of costs were estimated for every flooded building using the FEMA/US Army Corps of Engineers Methodology:

<u>Structural damage – Physical damage to building structures</u>

**<u>Contents damage</u>** – Damage to items within the structure that are not permanently installed

<u>Permanent Loss of Function (PLOF)</u> – Costs associated with not being able to inhabit the structure until physical damages are restored

### **TIDAL INUNDATION DAMAGES & RISK ASSESSMENT**



Scenario Year	Buildings Inundated	Buildings Blocked	Parcel Units (PLOF)	PLOF Costs	Risks	Overall Risk Assessment
2020	0	0	0	-	120	Low
2030	0	0	0		King Tides	Low
2040	0	0	0	-	King Tides	Low
2050	0	0	0	1	Drainage + King Tides	Moderate
2060	3	31	433	\$105,362,000	Drainage + King Tides	High
2070	15	107	692	\$154,675,000	Drainage + Overtopping	Severe



### RESILIENCY PLANNING & VULNERABILITY ASSESSMENT ADDITIONAL ADAPTATION PATHWAYS AND OPTIONS (POTENTIAL FUTURE IMPLEMENTATION)



## **ADDITIONAL ADAPTATION PATHWAYS & OPTIONS (continued)**

#### **DRY FLOOD-PROOFING**

- If ceiling heights permit, raising the first-floor elevation may be practical for facilities near the fringe of the floodplain
- Floodwalls (permanent or deployable) at an appropriate future BFE
- A quick estimation for the future BFE is to take the current FEMA BFE and add an amount of sea level appropriate for the expected useful life of the facility





## **ADDITIONAL ADAPTATION PATHWAYS & OPTIONS (continued)**

#### WET FLOOD-PROOFING

- Not occupying the first floor (still usable for storage and access purposes)
- Raising vulnerable utilities and infrastructure within the first floor above the future BFE



### **ADDITIONAL ADAPTATION PATHWAYS & OPTIONS (continued)**

#### **RAISING ROADS**

- Build road base to accommodate additional wearing surface layers later
- Elevate culverts or provide in-line valves

Design That Can Adapt to Changing Conditions





### SEAWALL/BULKHEAD RESTORATION/RECONSTRUCTION PROJECT (ASSESSMENT ONLY - COMPLETED)

• - FDEP Grant (Resilient Florida) - \$75,000

#### STRUCTURAL ASSESSMENT



- 1. Topographic Survey Javier Bidot Associates
- 2. Structural Condition Assessment

**Coastal Systems International** 

3. Repair/Replacement Cost Coastal Systems International

Note: Three (3) Technical Reports are available for download on the Town's Website in the 'Residents' tab

#### **STRUCTURAL CONDITION ASSESSMENT - ENGINEER FIELD INVESTIGATION**



#### Structural Assessment

A team of two engineers used snorkel equipment and completed the above- and below-water inspection.

#### **Exploratory Excavation**

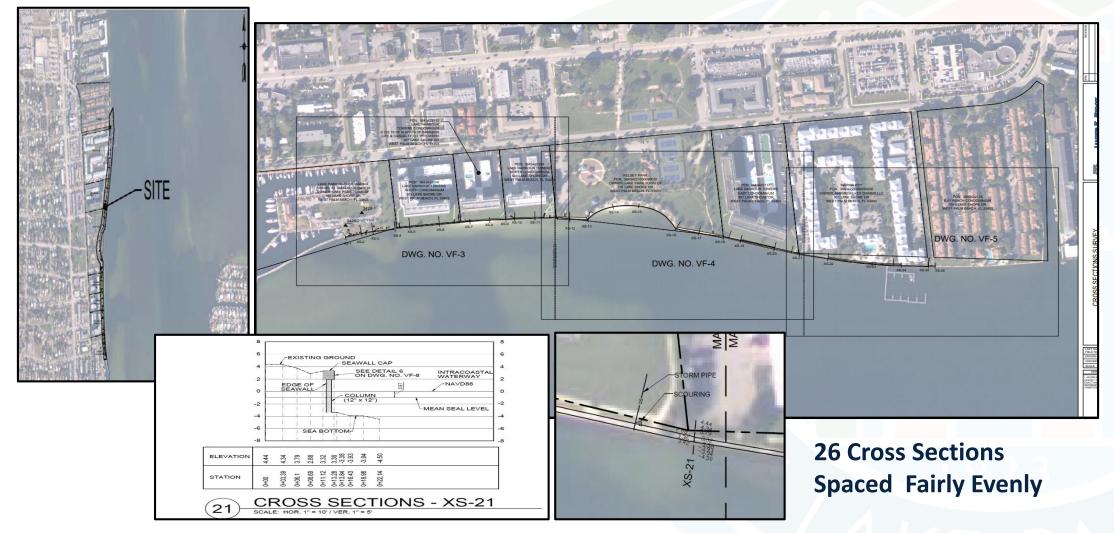
Four (4) locations were selected to perform exploratory excavations to reveal the condition of the tie-back systems. Assistance from the Lakeshore Harbor Towers HOA's was provided with testing areas of the existing seawall owned and maintained by the HOA's.

#### Probing, Coring, Testing

Ten (10) concrete core samples were obtained from the concrete cap and concrete panel of the existing seawall and sent to a laboratory for compressive strength and chloride content testing.



#### **TOPOGRAPHIC SURVEYING**





#### **ENGINEER FIELD INVESTIGATION LOCATIONS**



Tie-Back Excavation Locations



#### **Concrete Coring Locations**



#### **STRUCTURAL CONDITION ASSESSMENT – ENGINEER FIELD INVESTIGATION**



#### **ENGINEER FIELD INVESTIGATION**

#### Underwater, Below Deck Assessment Documentation & Tie Back Excavation

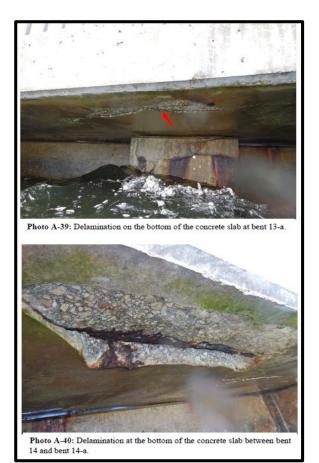




Photo E-55: Deterioration on soldier piles at the easement bulkhead.



Photo E-56: Deterioration on soldier piles at the easement bulkhead.



Photo A-69: Excavation Location 1 at Exhibit 1, Section 2, station 1+35.



Photo A-70: An old bulkhead was revealed behind the existing bulkhead. A tieback was revealed at station 1+34.



# CONDITION ASSESSMENT RATINGS, REMAINING USEFUL LIFE, & RECOMMENDATIONS



Exhibit 1 – Lake Park Marina Exhibit 2 – Lake Harbour Towers (301, 401, 501) Exhibit 3 – Kelsey Park Exhibit 4 – Lake Harbour Towers East (801) Exhibit 5 – Marina Key (901)

Exhibit 6 – Bay Reach

Initial **Repair/Replacement Remaining Useful Life after** Location \*Rating Urgency **Performing the Repairs** 20 years w/periodic Exhibit 1 – Section 1 (Pier 7) Fair Repair within 6 months maintenance 20 years w/periodic Fair Exhibit 1 – Section 1 (Pier 6) Repair within 6 months maintenance Exhibit I - Section 2 30 years w/periodic (Bulkhead) Satisfactory maintenance Replacement within Exhibit 2 Serious 6 months Design life ended 25 years w/periodic Exhibit 3 \*\*Serious Repair within 6 months maintenance 15 years w/periodic Fair Exhibit 4 Repair within 6 months maintenance Repair of piles and replacement of cap 15 years w/periodic Exhibit 5 - Section 1 Fair within 5 years maintenance Exhibit 5 - Section 2 Replacement within 6 months Design life ended (Easement) Serious 40 years w/periodic maintenance - recently Exhibit 6 replaced Good

### TOTAL COST - \$7 MILLION (BASED ON 2021 ENGINEERING COST ESTIMATE)

#### **INITIAL REPAIR/REPLACEMENT COST**

The initial repair/replacement cost as recommended for the full length of the bulkhead is approximately \$5 Million.

<u>NOTE</u>: This value does not account for the periodic maintenance that is required for the remaining useful life of the structures.

#### SEA LEVEL RISE ADJUSTMENT COST

Raising bulkhead caps and installing tie-backs is recommended to account for sea level rise is estimated to be approximately \$2 Million.

<u>Note</u>: The proposed engineering cost estimate outlined above would be to replace the entire seawall within the Town of Lake Park (both Town maintained seawall and private property maintained seawall).



### TOTAL COST - \$7 MILLION (BASED ON 2021 ENGINEERING COST ESTIMATE)

Description	Quantity	Unit	Unit Cost	Extended Cost
Exhibit 1				
Pier 7 – Crack Repairs	135	LF	\$ 360.00	\$ 48,600
Pier 6 - Crack Repairs	523	LF	\$ 360.00	\$ 18,280
Exhibit 2				
Complete Bulkhead Replacement	775	LF	\$ 3,500.00	\$ 2,712,500
Exhibit 3				
Cap – Crack Repair	866	LF	\$ 120.00	\$ 103,920
Piles and Panels - Gap Repair	16	EA	\$ 1,500.00	\$ 24,000
Exhibit 4				
Batter Piles - Major Repair	41	EA	\$ 1,200.00	\$ 49,200
King Piles - Repair	9	EA	\$ 800.00	\$ 7,200
Cap – Crack Repair	370	LF	\$ 120.00	\$ 44,400
Exhibit 5				
Batter Piles - Repair	25	EA	\$ 800.00	\$ 20,000
King Piles – Repair	8	EA	\$ 800.00	\$ 6,400
Cap - Replacement	624	LF	\$ 50.00	\$ 156,000
Exhibit 5 Easement				
Complete Bulkhead Replacement	32	LF	\$ 3,500.00	\$ 112,000
Sub-Total	\$ 3,472,500			
General Conditions (10%)	\$ 374,250			
Mobilization (5%)	\$ 173,625			
Bond and Insurance (5%)	\$ 173,625			
Contractor Overhead and Profit (10%)	\$ 347,250			
Contingency (10%	\$ 347,250			
Total Probable Construction Cost				\$ 4,861,500



#### **SEA LEVEL RISE ADJUSTMENT COST (2021)**

Description	Quantity	Unit	Unit C	Cost	Extend	led Cost
Exhibit 1						
Raising the Bulkhead Cap	242	LF	\$	250.00	\$	60,500
Additional Tieback Anchors	40	EA	S	3,000.00	\$	120,000
Exhibit 3		9 13		207 -	0	15
Raising the Bulkhead Cap	866	LF	S	250.00	\$	216,500
Additional Tieback Anchors	110	EA	S	3,000.00	\$	330,000
Exhibit 4		¥ - ¥				
Raising the Bulkhead Cap	370	LF	S	250.00	\$	92,500
Additional Tieback Anchors	50	EA	\$	3,000.00	\$	150,000
Exhibit 5						
Raising the Bulkhead Cap	624	LF	\$	250.00	\$	156,000
Additional Tieback Anchors	80	EA	\$	3,000.00	\$	240,000
Sub-Total					\$1	,365,500
General Conditions (10%)					\$	136,550
Mobilization (5%)					\$	68,275
Bond and Insurance (5%)					\$	68,275
Contractor Overhead and Profit (10%)					\$	136,550
Contingency (10%				\$	136,550	
<b>Total Probable Construction Co</b>	ost				\$1	,911,700



#### **REPLACEMENT OPTIONS – STRUCTURAL**

#### **Steel Sheet Piles Bulkhead**



#### **Concrete Pile and Panel**



#### Truline Bulkhead





### **REPLACEMENT OPTIONS – SUSTAINABLE**

Living Shoreline (Currie Park)



#### **Bio-enhanced Concrete Forms**



**Gabion Bulkhead** 



#### **Combination Gabion Bulkhead & Living Shoreline**



Preferred Town Option for Kelsey Park Seawall Replacement

### **STRUCTURAL & SUSTAINABLE REPLACEMENT OPTIONS COST (2021)**

### **Structural Replacement Cost (Per Lineal Foot)**

Description	Unit	Unit Cost		
<b>Replacement Cost per Linear Feet of Bulkhead</b>				
Concrete King Pile and Panels Bulkhead	LF	\$	1,500.00	
ECO Seawall	LF	\$	2,000.00	
Steel Sheet Pile Bulkhead	LF	\$	2,500.00	
Concrete Sheet Pile Bulkhead with GFRP/CFRP	LF	\$	5,500.00	

### Sustainable Construction Cost (Unit Cost)

			-		-	
Description	Quantity	Unit	Un	it Cost	Extend	ed Cost
Living Shoreline (for 100 Linear Feet of s	horeline)		dec.			
Riprap Breakwater	185	CY	\$	120.00	\$	22,200
Soil Mix for Planter	370	CY	\$	30.00	\$	11,100
Mangrove	2500	SF	\$	0.40	\$	1,000
Total (for 100 Linear Feet of shoreline)					\$	34,300
		•••				
Eco-Concrete Unit Costs	Unit	Unit Co	ost			
ECO Seawall Panels	SF	\$ 70	0.00			
ECO Mat (8 ft by 15 ft)	EA	\$ 1,500	0.00			
Tide Pool Armor (4 ft by 4 ft by 4ft block)	EA	\$ 900	0.00			



### **PROPOSED TOWN ORDINANCE PROVISIONS**

The Town's staff, along with the Town's consulting Building Official and Resiliency Consultant, have developed proposed language to be included within a Town Ordinance that may be considered by the Town Commission at a later date. If approved, the proposed Ordinance would develop provisions within the Town's Land Development Regulations (LDR's) to permit for the development of adequate flood protections against rising flood waters.

- The proposed Ordinance, if approved, would require all repairs/reconstruction project to adhere to the Florida Building Code and National Oceanic and Atmospheric Administration (NOAA) North American Vertical Datum (NAVD) specifications/requirements, as amended.
- The proposed Ordinance was developed utilizing language from various Counties and surrounding municipalities.

<u>Note</u>: A determination on the completion date for flood protection measures (i.e., seawall/bulkhead restoration/reconstruction project, etc.) will need to be identified prior to consideration.

### **PROPOSED FLOOD PROTECTION/RESILIENCY**



### PROPOSED TOWN ORDINANCE PROVISIONS EXAMPLES OF MINIMUM ELEVATIONS FROM OTHER FLORIDA COMMUNITIES

Political	Minimum Elevation	Notes			
Jurisdiction	(NAVD)				
Village of North Palm Beach	5 Feet				
Palm Beach County	At least one foot above the flood depth specified by FEMA. If FEMA doesn't specify a flood depth, the minimum elevation is at least two feet above the highest adjacent grade.				
Delray Beach	4.2 Feet (Now)	5.0 Feet (In the future)			
Broward County	4.0 Feet (by 2035)	5.0 Feet (by 2050)			
City of Miami Beach	5.7 Feet				



### **PROPOSED TOWN ORDINANCE PROVISIONS**

- The Town implemented a moratorium on the acceptance of seawall related applications from August 2023 to August 2024
  - Since the beginning of this moratorium (2023) to date, the Town has not received any inquiries and/or held meetings with any private property owners and/or representing engineering firms related to any seawall repair/reconstruction project within our community.
  - Further, the Town staff, including the Town's consulting Building Official, has not discussed with any private property owners and/or representing engineering firms the Town's proposed development standards to repair/reconstruction seawalls within our community.
  - Since the beginning of the moratorium (2023) to date, the Town has not formally developed and/or reviewed development plans from developers (i.e., preliminary site plan, site plans, engineering design plans, etc.) for the repair/reconstruction of any seawall sections within the Town on Private property that include a public access component.

### POTENTIAL FUNDING SOURCES

### SEAWALL/BULKHEAD RESTORATION/RECONSTRUCTION PROJECT

Grants Available for Town & Permanent Public Access Properties:

Florida Inland Navigation District (FIND) WAP Grant Programs - Waterways Assistance Programs (WAP)

 Aim is to enhance public access to the Atlantic Intracoastal Waterway and related waterways within the District. Authorized under Section 374.976 of the Florida Statutes and governed by Chapter 66B-2 of the Florida Administrative Code, the program serves local governmental agencies, including municipalities, counties, port authorities, and special taxing districts across the twelve counties in the District.

FDEP Resilient Florida Program - Implementation Grants

 <u>Available to counties, municipalities and certain special districts</u> for infrastructure projects that address risks identified in a local government vulnerability assessment.

### POTENTIAL FUNDING SOURCES

### SEAWALL/BULKHEAD RESTORATION/RECONSTRUCTION PROJECT

Grants Available for Town & Permanent Public Access Properties - Continued:

FEMA Flood Mitigation Assistance

 Federal funds are available to state, territory and local governments and Tribal Nations to reduce or eliminate the risk of repetitive flood damage to buildings insured under the National Flood Insurance Program (NFIP) from participating communities

Palm Beach County Division of Emergency Management - Local Mitigation Strategy (LMS) Prioritized Project List (PPL)

 Inclusion on this list also makes the project eligible through the FEMA Hazard Mitigation Grant Program (HMGP) if funds become available

<u>Note</u>: <u>At this time, the Town has not found grant funding opportunities for the repair/reconstruction of</u> <u>seawall's on Private Property without a Public Access component</u>. However, the Town's Grant Writer is continuously looking to identify grant funding to support this project. However, grant funding does not appear to be available for private properties at this time.



Grants Available for Town & Permanent Public Access Properties - Continued:

At this time, the Town has not found grant funding opportunities for the repair/reconstruction of seawall's on Private Property without a Public Access component. However, the Town's Grant Writer is continuously looking to identify grant funding to support this project. However, grant funding does not appear to be available for private properties at this time.

Potential Funding Options for Private Properties:

- 1. Private Property Financing
- 2. Special Assessment (Potentially Town Attorney Reviewing Options without Public Dedication Component)
- 3. Create a 501(c)(3) to potentially apply for grant funding opportunities
- 4. Provide Permanent Public Access for limited portions of Private Property to enable Town to include project within Town Grant opportunities/applications



### VULNERABILITY, RISK AND ADAPTATION ASSESSMENT TO CLIMATE CHANGE AND SEA LEVEL RISE

- Consider adoption of the proposed Town's Flood Protection/Resiliency Ordinance to establish standards that adhere the Florida Building Code and National Oceanic and Atmospheric Administration (NOAA) – North American Vertical Datum (NAVD) specifications/requirements, as amended
- 2. Update repair/reconstruction costs for Town' seawall (i.e., design and construction)
- 3. Determine Town Implementation Strategy and Timeline for the repair/reconstruction of the Town's seawall
  - Apply/Accept grant funding to support the needed repairs/reconstruction costs associated with the Town's portion of the seawall
- 4. Work with local, private property owners to determine if there is a desire to participate within the Town's design and construction process for repair/reconstruction of the seawall to ensure lower total project costs (i.e., single engineering firm, single construction contractor, reduced mobilization costs, etc.) to ensure consistency in the repair/reconstruction of the entire seawall within Lake Park.
  - This may enable both the Town and the private property owners to develop a long-term plan to address maintenance responsibilities and costs that may be experienced over a determined time period

# **THANK YOU**

<u>Merrell Angstreich</u> – Grant Writer/Public Information Officer – mangstreich@lakeparkflorida.gov <u>Nadia Di Tommaso</u> – Community Development Director – nditommaso@lakeparkflorida.gov <u>Jaime Morales</u> – Public Works Director – jmorales@lakeparkflorida.gov

<u>WRMA</u> – Raul Mercado, Principal Engineer - raul.mercado@wrmaeng.com Coastal Systems International (subcontractor or WRMA) <u>Judson Dulany</u> – CAP Government, Regional Operations Manager (Building Official Services) - judson.dulany@bureauveritas.com <u>Samuel Sangiorgi</u> – CAP Government, Building Official – ssangiorgi@capfla.com



#### ORDINANCE NO. \_\_-2025

### Exhibit B

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 76 TO CREATE A NEW A NEW ARTICLE VI, ENTITLED "RESILIENCY STANDARDS FOR TIDAL FLOOD PROTECTION"; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR THE REPEAL OF ALL LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the Town of Lake Park, Florida is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

**WHEREAS**, Chapter 76, of the Town Code establishes general waterways regulations; and

**WHEREAS**, the Community Development Department has recommended that the Town Commission amend the Town code, Chapter 76 to create a new Article VI to create new resiliency standards for tidal flood protection.

## NOW THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA:

**Section 1.** The whereas clauses are incorporated herein as true an correct and as the legislative findings of the Town Commission.

**Section 2.** Chapter 76 is hereby amended to create a new Article VI, and the sections within to read as follows:

#### ARTICLE VI. RESILIENCY STANDARDS FOR TIDAL FLOOD PROTECTION

#### Sec. 76-155. Purpose and intent.

The purpose of this article is to establish a consistent minimum elevation for tidal flood barriers that will:

(a) Provide a standard for flood mitigation infrastructure that serves as a barrier to

- tidal flooding, not seepage, by accounting for water levels predicted under combined conditions of sea level rise, high tides, and high frequency storm surge through the year 2070; and
- (b) Ensure new shoreline structures and major shoreline improvements are designed for use as tidal flood barriers through the application of consistent standards that account for future predicted tidal flood conditions and coastal water levels associated with sea level rise in accordance with the current regional sea level rise projections, as updated and adopted by the Town of Lake Park and/or Palm Beach County.

#### Sec. 76-156. Applicability.

This article applies to all new tidal flood barriers, the substantial repair or substantial rehabilitation of shorelines and shoreline structures, and the installation of any fixed infrastructure attached to tidal flood barriers (such as mooring structures).

#### Sec. 76-157. Definitions.

For the purposes of this article, the following terms, phrases, words, and their derivation shall have the meanings given herein, except when the context clearly indicates a different meaning. In the interpretation and application of this article, the definitions provided for herein shall control over definitions that may be included in other documents or manuals, including, but not limited to, the Florida Building Code. Words used in the present tense include the future tense, words in the plural number include the singular number, and words in the singular number include the plural number.

Bank means the level space separating a waterway from an inland area, often elevated and constructed of compacted soil.

<u>Berm means an earthen mound designed with impermeability to resist the flow of tidal waters through it to an adjacent property or public right-of-way.</u>

<u>Coastal area means any area that borders the land and that is adjacent to a water</u> <u>body such as a lake or intracoastal waterway.</u>

<u>Flood barrier means any structure or shoreline feature including, but not limited to, banks, berms, green-grey infrastructure, seawalls, seawall caps, upland stem walls, or other infrastructure that impedes tidal waters from flowing onto adjacent property or public right-of-way, and located within or along a tidally influenced area. This definition is not meant to include rip-rap, derelict erosion control structures, or permeable earthen mounds that do not provide an impermeable water barrier to tidal flooding.</u>

<u>Green-grey infrastructure or green-grey materials means a combination of</u> engineered and natural features that provide environmental qualities and ecosystem value.

<u>Mooring structure means a boat dock, slip, davit, hoist, lift, floating vessel platform,</u> mooring pile, or similar structure attached to land or to a seawall, to which a vessel can <u>be moored.</u>

<u>North American Vertical Datum (NAVD88) means the vertical control for datum of</u> orthometric height established for vertical control surveying in the United States of <u>America based upon the General Adjustment of the North American Datum of 1988.</u>

<u>Public nuisance means a condition injurious to the public health or safety of the</u> community or neighborhood, or injurious to any considerable number of persons, or a condition that obstructs the free passage or use, in the customary manner, of any public right-of-way.

*Rip-rap* means a foundation of unconsolidated boulders, stone, rubble, concrete without protruding rebar, or similar materials placed on or near a shoreline to mitigate wave impacts and prevent erosion.

<u>Seawall means a vertical or near vertical (often interlocking) structure placed</u> between an upland area and a waterway or waterbody for erosion control. For the purposes of Section 76-157, a rip-rap is not considered a seawall.

<u>Seawall cap means a concrete box structure (usually reinforced) that connects</u> seawall panels, piles, and anchoring system (if present) together at the top.

Shoreline means a tidally influenced area where land meets water.

Substantial repair or substantial rehabilitation means:

- (a) Any modification to the shoreline or a shoreline structure along more than fifty percent (50%) of the length of the property's shoreline; or
- (b) Any modification, alteration, or installation of an appurtenant structure (such as a mooring structure) that exceeds fifty percent (50%) of the cost of a tidal flood barrier along the property's shoreline.

<u>Tidally influenced area means the real property adjacent to, or affected by a</u> waterway with water <u>Tidal</u> level changes in response to the daily tide.

#### Sec. 76-158. Minimum elevations, construction and maintenance standards for coastal area infrastructure within tidally influenced areas.

- (a) All new or substantially repaired or substantially rehabilitated banks, berms, greengrey infrastructure, seawalls, seawall caps, upland stem walls, or other similar infrastructure shall be designed and constructed to perform as tidal flood barriers. Tidal flood barriers shall have a minimum elevation of five (5) feet NAVD88.
- (b) All property owners shall maintain a tidal flood barrier in good repair. A tidal flood barrier is presumed to be in disrepair if it allows tidal waters to flow unimpeded

through or over the barrier and onto adjacent property or public right-of-way. A property owner's failure to maintain a tidal flood barrier in good repair shall be subject to citation for the violation of this article. A property owner of the tidal flood barrier shall demonstrate progress towards repairing the cited defect within 60 days after receiving a citation. If the required repair or rehabilitation meets the substantial

repair or substantial rehabilitation threshold, the property owner shall design, obtain permits, cause to be constructed, and obtain a final inspection and approval of the seawall improvements that meet the minimum elevation and design requirements no later than 365 days after receipt of the citation.

- (c) Tidal flood barriers below a minimum five feet NAVD88 elevation shall be improved, designed, and constructed so as to prevent tidal waters from impacting adjacent properties or any public right-of-way. Causing, suffering, or allowing the trespass of tidal waters onto adjacent property or public right-of-way is hereby declared a public nuisance and a violation of this article which shall be corrected. The property owner shall demonstrate progress toward addressing the cited concern within 60 days after receipt of the citation and complete the construction of an approved remedy no later than 365 days after receipt of the citation of a violation.
- (d) Tidal flood barriers shall be designed and constructed to prevent tidal waters from flowing through the barrier, while still allowing for the release of upland hydrostatic pressure.
- (e) To the extent practicable, tidal flood barriers shall be designed and constructed to adjoin immediately proximate tidal flood barriers to close gaps and prevent trespass of tidal water.
- (f) All tidal flood barriers undergoing substantial repair or substantial rehabilitation shall be constructed along the property's entire shoreline.
- (g) All tidal flood barriers shall be constructed with natural limerock rip-rap, or other approved habitat enhancement, at the waterward face of the structure.

(h) Property owners are encouraged to use approaches and materials that enhance the biological value of traditional (flat surface) seawalls and flood barriers with the incorporation of living shoreline features, use of hybrid green-grey materials, and the use of biological forms on a case by case basis.

(i) This section shall not be construed to require the installation of a seawall where other flood protection measures serve as an equally effective tidal flood barrier.

(j) Tidal flood barriers capable of automatically being elevated in advance of high tides to prevent tidal flooding are permissible, provided that automation cannot require daily human intervention. However, these will be approved in a case-by-case basis.

(k) Property owners shall ensure that any contractor working on a property installs and maintains an approved turbidity screen during any and all clearing, excavating, jetting and back filling operations which totally encloses any site under construction. Screens are to remain in place 24 hours minimum after construction ceases, or until turbidity level is 20 or less Nephelometric Turbidity Units (NTU) above the pre-construction turbidity level. Screens shall be extended from the water surfaces to, the bottom of the waterway and be adequately weighted such that they are in place during all construction activities and operations. There shall be adequate floatation at the surface of the water to prevent overflow. This floatation must be brightly colored to maximize its visibility.

(I) Any seawall design of new or existing seawalls shall be designed and sealed by a Florida Registered Professional Engineer.

(m) Design specifications: Design shall be in accordance with the current edition of Florida Building Code, ASCE/SEI 24 flood resistant design and construction, ASCE 7 minimum design loads for buildings and other structures, ACI 318 building code requirements for structural concrete, and U.S. Army Corps of Engineers Engineering and Design Manual EM 1110-2-2504 design of sheet pile walls.

(n) New alternative systems are encouraged, such as 3D concrete printing technology for coastal area infrastructure, flat composite or vinyl form systems with cast-in-place concrete, corrugated composite or vinyl sheet pile wall systems with cast-in-place concrete or other Professional Engineer designed prototype systems.

#### THIS SECTION HAS BEEN SIMPLIFIED

(o) Any selected method may be installed in front of the existing precast concrete seawall (may remain in place) subject to the following criteria (subject to the approval by the U.S. Army Corps of Engineers or other responsible agency for encroachment into the waterway.): A seawall is presumed to be in disrepair if it allows for upland erosion, transfer of material through the seawall, or allows tidal waters to flow unimpeded through the seawall to adjacent properties or public right-of-way.

- i. <u>Existing seawall cap must be sound, within original vertical alignment (+- 1/2"),</u> and within original horizontal alignment (with no outward movement in towards the canal / intracoastal).
- ii. <u>Existing precast seawall panel must have less than 2" horizontal movement</u> (landward) from its original plumb installation. No horizontal movement (waterward) is allowed.
- iii. <u>If the existing precast seawall (to remain in place) does not meet the above</u> <u>criteria, the existing precast wall may be demolished entirely and a new</u> <u>alternative system such as listed above may be installed in the original location</u> <u>meeting the Professional Engineers specifications.</u>

(p) Back fill shall be compacted to a stable density such that no appreciable settlement occurs after completion of walls.

(q) All job sites shall have seawall permits posted on an approved permit board with rain shield prior to beginning any construct.

(r) Contractors shall complete the construction of the seawall within 180 days after commencing work.

(s) Applications for new or substantially repaired or substantially rehabilitated tidal flood barriers submitted prior to January 1, 2035, may be permitted with a minimum elevation pursuant to the latest inundation mapping projections to ensure a long-term resiliency reconstruction is implemented of four (4) feet NAVD88, if designed and constructed to accommodate a minimum elevation of five (5) feet NAVD88 by January 1, 2050.

(The seawall is already at 4 feet and updated inundation mapping projections already show 6 feet as being required by 2060 therefore, this requires further research and discussion prior to being finalized)

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Propose to Remove (this is NOT a requirement per State Statute and is OPTIONAL by the municipality): Sec. 76-159. Required disclosure in contract for sale of real estate.

Any contract for the sale of real estate located in tidally influenced areas of the Town of Lake Park which is executed after (date), shall include a rider to the contract which contains the following disclosure in not less than fourteen-point, capitalized, bold-faced type:

THIS REAL ESTATE IS LOCATED IN A TIDALLY INFLUENCED AREA. THE OWNER MAY BE REQUIRED BY COUNTY OR MUNICIPAL ORDINANCE TO MEET MINIMUM TIDAL FLOOD BARRIER ELEVATION STANDARDS DURING CONSTRUCTION OR SUBSTANTIAL REPAIR OR SUBSTANTIAL REHABILITATION OF SEAWALLS, BANKS, BERMS, AND SIMILAR INFRASTRUCTURE OR WHEN REQUIRED TO ABATE NUISANCE FLOODING.



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Meeting Date 1/25/25

Cards must be submitted before the item is discussed!! \*\*\*Three (3) minute limitation on all comments

30B OLIVIO Name: Address: 401 LABESHILE DRIVE 766

I would like to make comments on the following <u>Agenda Item</u>: Ser 129-11

I would like to make comments on the following Non-Agenda Item(s):

Instructions: Please complete this card, including your name and address; once the card has been completed, give it to the Town Clerk. The Mayor will call your name when it is time for you to speak. Comments are limited to three (3) minutes per individual.



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Name: JOHN LEANY Address: JOI LAKE SHORE DR

If you are interested in receiving Town information through Email, please provide your E-mail address: \_\_\_\_\_

I would like to make comments on the following Agenda Item:

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Meeting Date 1-25-2025

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Name: JIM PRIER Address: 501 LAKESHORE PR

I would like to make comments on the following <u>Agenda Item</u>: Sea Wall

I would like to make comments on the following <u>Non-Agenda Item(s)</u>:

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Name: // Pook Av Address: 225

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ICCCT ) MINICK Name: SCI LARE Address:

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Meeting Date 1/25

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Name: John Linder Address: 568 N, Relwood

If you are interested in receiving Town information through Email, please provide your E-mail address:

CLIMATE Chang I would like to make comments on the following Agenda Item: Heeling 55 WORK Shop ASSMENT

I would like to make comments on the following Non-Agenda Item(s):

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