Building Codes & Floodplain Management: Making it Work with Florida's 468 NFIP Communities

Steve Martin, CFM, Florida State Floodplain Management Office
Rebecca C. Quinn, CFM, RCQuinn Consulting, Inc.
WE’RE MORE THAN HALF WAY THERE!
Mid-2008 – FEMA HQ meets with FDEM
Early 2009 – FEMA planning grant awarded
Late 2011 – Request RIV approval of Model Ord
March 2012 – 2010 FBC effective (with flood)
January 2013 – Receive RIV written approval
May 2015 – 60% communities adopted/in process
2017 – projected completion
FEMA promotes reliance on I-Codes – deemed to meet or exceed the NFIP minimums for buildings

The 2007 FBC was stripped of flood provisions

State obtained mitigation planning grant to work with the Building Commission

- Restore flood provisions
- Develop code-coordinated model ordinance
By law, the FBC governs the design of buildings

Local enforcement required

State agencies required to comply
FBC and Flood

- Issues identified and resolved, in part by statutory change
  - Adoption of FIS/FIRMs in local ordinances
  - Variances
  - Coordination with Floodplain Administrator (often in different department)
  - Higher standards
Locally adopted higher standards

- Many Florida communities adopt higher flood standards – especially freeboard
- Statute permits local higher standards in FBC, but they “sunset” every three years
- Statute was changed so higher standards for flood are permanent
Specific to Florida, environmental focus

Pre-dates FEMA’s current method for determining wave height

Requirements are similar to Zone V, but different enough to cause problems
Model Ordinance

- Designed to “work with” the FBC
- Also includes specific requirements to help address issue that have been problematic
  - Specific process for SI/SD determinations
  - Buildings exempt from the FBC – must still regulate!
  - Manufactured homes
  - Tanks
  - Roads and bridges/culverts
  - Fences in floodways
  - Concrete slabs, decks, nonstructural fill in Zone V
Model Ordinance

- Stakeholder input
  - Florida Floodplain Managers Association
  - Building Officials of Florida

- Some coordination concerns
  - Buildings exempt from the code must still get local floodplain development permits, e.g., agricultural structures
  - The FBC allows issuance based on affidavit
FEMA’S REVIEW & APPROVAL

- FEMA Regional Office review
- Involved FEMA HQ to resolve some issues
- Issued written approval
Benefits of Model Ordinance

- Uniformity across the State
- Eliminates possibility of FPM regulations for buildings being deemed “invalid”
- One-page checklist for FEMA approval
- Regional Office review can be fast, critical when communities push LFD deadlines
Documents Available Online

- FAQs
- Model Ordinances (Zone A only, and Zone V&A) with Instructions
- NFIP compliance checklist
- Instructions for most common higher standards (freeboard, enclosure limits, Coastal A Zone, cumulative SI, limits on MFH)
- Excerpts of flood provisions in the FBC
CHALLENGES

- Having two regulatory instruments with similar requirements, but some differences, is a problem:
  - Who resolves differences and are those resolutions applied uniformly across the State?
  - Imposes burdens on communities, property owners, builders, design professionals
  - Could statute be interpreted to “invalidate” local FPM requirements for buildings?
  - Liability
CHALLENGES

- Getting the Regional Office fully on-board to promote use of building code coordinated Model Ordinance
- Mixed message when FEMA issues Letters of Final Determination
  - Boiler plate letters do not reinforce Model Ordinance
  - Boiler plate changes requested by FDEM not yet implemented
HOW TO GET 468 COMMUNITIES...

To adopt new FPM regs in 5 years or less?

- Bring in qualified consultant to meet demand
- Offer free (and fast) help when communities use the Model Ordinance
- Communities with map revision deadlines are easy to engage
- The challenge is motivating the rest
When communities pay attention

- Have clear instructions

- When communities read the instructions, the average takes fewer than 5 hours, including initial review, interim review, and checklist after adoption

- More typical is 8-10 hours, especially to pick up local higher standards
There’re always a few...

- Communities that push back, typically because they’re comfortable with the regs they’ve used for years
- We sometimes make the “hard sell”
  - Remind them the FBC governs buildings
  - Lean on value of FEMA approval
  - Do not offer assistance to communities that decide to “fix” their existing regulations (can take +25 hours of our time!)
OUR MESSAGE FOR YOU

- Read NEW *Reducing Flood Losses Through the International Codes*
- Get experienced support
- Engage your building code agency
OUR MESSAGE FOR YOU

- Get FEMA’s approval *in writing* – that goes a long way

- But get it early in the process – which should be easy because FEMA promotes reliance on building codes (and now has a code-coordinated model)

  - RIV approval took nearly a year, which meant some communities had to backtrack
QUESTIONS

- Steve.Martin@em.myflorida.com
- RCQuinn@earthlink.net