

ORDINANCE NO. \_\_\_\_

**AN ORDINANCE BY THE {community's governing body} AMENDING THE {insert appropriate code of ordinances or land development chapter/section numbers} TO {insert description of amendments}; TO {adopt or amend local administrative and/or technical} AMENDMENTS TO THE FLORIDA BUILDING CODE; PROVIDING FOR APPLICABILITY AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

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**WHEREAS**, the Legislature of the State of Florida has, in **{Chapter 125 – County Government or Chapter 166 – Municipalities}**, Florida Statutes, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

**WHEREAS**, the **{name of community}** participates in the National Flood Insurance Program and **{participates in the NFIP's Community Rating System, a voluntary incentive program that recognizes and encourages community floodplain management activities that exceed the minimum program requirements}**; and

**WHEREAS**, Chapter 553, Florida Statutes, allows for local administrative and technical amendments to the *Florida Building Code* that provide for more stringent requirements than those specified in the Code and allows adoption of local administrative and local technical amendments to the Florida Building Code to implement the National Flood Insurance Program and incentives; and

**WHEREAS**, the **{community's governing body}** previously adopted local amendments to the Florida Building Code and is reformatting those amendments as part of the floodplain management regulations; and

**WHEREAS**, the **{community's governing body}** is amending a previously adopted local amendment to **{insert a brief description of the higher standard or standard or standards}** for buildings and structures in flood hazard areas for the purpose of participating in the National Flood Insurance Program's Community Rating System and, pursuant to section 553.73(5), F.S., is formatting that requirement to coordinate with the *Florida Building Code*; and

**WHEREAS**, the **{community's governing body}** is adopting a requirement to **{insert a brief description of the higher standard or standard or standards}** for buildings and structures in flood hazard areas for the purpose of participating in the National Flood Insurance Program's Community Rating System and, pursuant to section 553.73(5), F.S., is formatting that requirement to coordinate with the *Florida Building Code*; and

**WHEREAS**, the **{community's governing body}** has determined that it is in the public interest to adopt the proposed local technical amendments to the *Florida Building Code*, and the proposed amendments are not more stringent than necessary to address the need identified, do

not discriminate against materials, products or construction techniques of demonstrated capabilities, are in compliance with section 553.73(4), Florida Statutes.

#### **Sec. xx Florida Building Code, Administrative and Technical Amendments.**

- (1) *Nonconversion agreements.* Applications for buildings with enclosures below the required elevation shall include signed declarations of land restrictions (nonconversion agreements), as defined in Section 82-2. The agreements shall be recorded on the property deed prior to issuance of the Certificate of Occupancy.
- (2) *Cumulative substantial improvement.* In the Florida Building Code, Building, and Florida Building Code, Existing Building, definitions for the term "Substantial Improvement" shall be as defined in Section 82-2 .
- (3) *Repetitive flood damage.* In the Florida Building Code, Building, and Florida Building Code, Existing Building, definitions for the term "Substantial Damage " shall be as defined in Section 82-2 .
- (4) *Minimum building elevations.* All buildings and structures in flood hazard areas shall have the lowest floor, dry floodproofing measures, or the bottom of the lowest horizontal structural member of the lowest floor, as applicable to occupancy and flood zone, at or above the base flood elevation plus four (4) feet, or the design flood elevation, whichever is higher.
- (5) *Limitation on use of fill and backfilled stem walls.* Except for buildings and structures essential for emergency management support:
  - (a) Fill shall not be used to support foundations.
  - (b) Backfilled stem walls shall not be used.
- (6) *Coastal A Zone.*
  - (a) Buildings within the scope of the Florida Building Code, Building, that are located in Coastal A Zones shall not be permitted to be dry floodproofed and shall not be permitted to have backfilled stem wall foundations.
  - (b) Dwellings within the scope of the Florida Building Code, Residential, that are located in Coastal A Zones shall not be permitted to have backfilled stem wall foundations.
- (7) *Foundation design requirements for one- and two-family dwellings.* Construction documents for one- and two-family dwellings in flood hazard areas shall include documentation, prepared and sealed by a registered design professional, that the foundation design and methods of construction account for site-specific flood loads and meet the applicable criteria of the code.
- (8) *Limit enclosures below elevated buildings.* Enclosed areas below the required elevation for buildings in flood hazard areas shall be limited as follows:
  - (a) Enclosed areas shall not be larger than 299 square feet in area.

(b) The interior portion of enclosed areas shall not be partitioned or finished into separate rooms except for stairwells, ramps, and elevators, unless a partition is required by the fire code.

(c) Where perimeter wall (crawl space) foundations are permitted for dwellings, the limitation on partitions does not apply to interior load bearing walls.

(d) Access to enclosed areas below dwellings shall be the minimum necessary to allow for the parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the building (stairway or elevator).

Lines up FBC amendments from existing texts in Chapter 14		
R Zone A R322.2.2 Enclosed areas, including crawl spaces, that are below the design flood elevation shall:	R Zone V & CAZ R322.3.6 Walls and partitions are permitted below the elevated floor, provided that such walls are not part of the structural support of the building or structure and:	Bldg 1612.4.4 In addition to the requirements of ASCE 24, enclosed areas below the design flood elevation and
<p>The interior portion of such enclosed areas shall not be partitioned or finished into separate rooms except for stairwells, ramps, and elevators, unless a partition is required by the fire code.</p> <p>The limitation on partitions does not apply to load bearing walls interior to perimeter wall (crawl space) foundations.</p> <p>Access to enclosed areas shall be the minimum necessary to allow for the parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the building (stairway or elevator).</p> <p>Be not more than 299 square feet in total area, <b>except for crawlspace foundations that have a wall height less than 36 inches.</b></p>	<p>The interior portion of such enclosed area shall not be partitioned or finished into separate rooms except for stairwells, ramps, and elevators, unless a partition is required by the fire code.</p> <p>Access to enclosed areas shall be the minimum necessary to allow for the parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the building (stairway or elevator).</p> <p>be not more than 299 square feet in area</p>	<p>shall not be partitioned or finished into separate rooms except for stairwells and elevators.</p> <p>shall be not more than 299 square feet in area</p>

*Zone V R322.3.2 Elevation requirements.*

6. Gutters and downspouts are required on any new commercial or residential buildings, including any new additions.