

CRS UNIFORM MINIMUM CREDIT FLORIDA

SUMMARY

The Community Rating System (CRS) provides Uniform Minimum Credit (UMC) for certain state laws, regulations, and standards that support floodplain management and have proven effective in reducing flood damage.

The following table summarizes UMC credit available to all communities. It also includes possible additional credit available for selected areas or state activities and creditable state model ordinance provisions. ISO/CRS Specialists and the communities need to determine which possible additional credits apply to their area. These UMCs do not necessarily apply to Tribal Nations.

The range of credit available to communities within the state is shown below, followed by an explanation of each activity. The credit is based on the 2013 *CRS Coordinator's Manual*.

Activity	Element	Coastal Credit	Non-Coastal Credit	Miami-Dade County Credit
Uniform Minimum Credit				
340	Other Disclosure Requirements (ODR)	10	0	0
430	Building Codes (BC)	48	48	48
430	State-mandated Standards (SMS)	20	20	20
430	Local Drainage Protection (LDP)	10	10	10
450	Stormwater Management Regulations (SMR)	0-29	0-29	157 - 165
450	Erosion and Sediment Control (ESC)	10	10	10
450	Water Quality Regulations (WQ)	20	20	20
	Total	118 – 147	108 – 137	265 – 273
SWFWMD				
450	Stormwater Management Regulations (SMR)	116 – 305		
	Total	116 - 305		
Possible Additional Credit				
410CE	Coastal Erosion Mapping (MCE)	25	0	25
420DB	Open Space Preservation – Special Hazard	35	0	35
430CE	Coastal Erosion Regulations (CER)	30	0	30
430	Coastal A Zone Regulations (CAZ)	50*	0	50*
430	State-Mandated Standards (SMS)	20	0	20
440CE	Coastal Erosion Data Maintenance (CEDM)	20	0	20
540	Stream Dumping Regulations (SDR)	15	15	15
630	State Dam Safety (SDS)	0 - 15	0 - 15	0 - 15
	Total	195 - 210	15 - 30	195 - 210
Additional Provisions Encouraged by the State of Florida				
430	Freeboard (FRB)	7.5 - 100	7.5 - 100	7.5 - 100
430	Cumulative Substantial Improvement (CSI)	20 - 60	20 - 60	20 - 60

430	Development Limitations (DL2)	10	10	10
430	Coastal A Zone Regulations (CAZ)	50*	0	50*
	Total	87.5 – 220	37.5 - 170	87.5 - 220

* Default value used so local governments have a realistic view of the potential credit.

Credit for activities in the 400 series can increase based on the Community Growth Adjustment. The CRS requires participating communities to maintain elevation certificates, which provide an additional 38 points. Five hundred points are needed for Class 9.

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Activity 340. Flood Hazard Disclosure

Other Disclosure Requirements (ODR) – 10 points are awarded for the requirement for a written disclosure in certain coastal communities in Florida with a Coastal Construction Control Line (CCCL). 2008 Florida Statutes require that sellers of property seaward of the coastal construction control line disclose to purchasers that:

- There is a Coastal Construction Line and the property being purchased is in a coastal area subject to coastal erosion and frequent and severe fluctuations;
- The property being purchased is subject to certain federal, state, or local regulations that govern coastal construction; and the Florida Department of Environmental Protection has additional information regarding property being purchased.

Legal basis: 2008 Florida Statutes, Title XI (County Organization and Intergovernmental Relations), Chapter 161 (Beach Shore and Preservation), Section 161.57 at

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0100-0199/0161/Sections/0161.57.html.

Annual UMC verification: ISO/CRS Specialists will verify that the regulations are still in effect.

Activity 430. Higher Regulatory Standards

Building Codes (BC) – 48 points are awarded if a community adopts and enforces the Florida Building Code. The Florida Building Code adopts the codes listed below. The State of Florida mandates specific building codes based on the International Building Codes. The state developed its own accessibility code and energy code. The electrical code is National Fire Protection Association (NFPA) 70, NEC. The Fire Marshall bases the fire code on NFPA 1 and NFPA 101. The code is adopted at the state level.

Communities do not formally adopt the code. Rather, they adopt an administrative chapter. Communities may modify the code but only to make it more restrictive.

Basis of State Codes	Code in Effect	Credit
International Building Code	yes	20
International Residential Code, NFPA 5000's Building Construction and Safety Code	yes	20
Other codes credit: (adoption of all the following or equivalent)		
International Plumbing Code or Uniform Plumbing Code	yes	3
International Mechanical Code or Uniform Mechanical Code	yes	3
International Fuel Gas Code	yes	2
International Private Sewage Disposal Code	no	
Other codes in effect		
IEBC	yes	
Accessibility Code	yes	
Electric Code - NFPA 70, NEC	yes	
Energy Code	yes	
Fire Code based on NFPA 1 and NFPA 101	yes	
Total		48

Legal basis: Title XXXIII, Part IV, Chapter 553 of the Florida Statutes requires triennial review; the Commission is required to select the latest model codes. The 2007 Building Code is effective March 1, 2009 based on the 2006 I-Codes. Codes may be found at <http://www.floridabuilding.org/c/default.aspx> and the state law is at

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0500-0599/0553/0553PARTIVContentsIndex.html.

Annual UMC verification: ISO/CRS Specialists will verify that the law and codes are still in effect.

State-mandated Standards (SMS) - 20 points are awarded for state-mandated regulatory standards, except for communities in Miami - Dade County which would receive a maximum of points. Credit is equal to 0.1 times the total credit points for state-mandated regulations. Total SMS is limited to 20 points.

State-mandated Standards			
Activity	Element	Credit (Outside Miami-Dade)	Miami-Dade County Credit
430	Building codes (BC)	48	48
450	Stormwater management regulations (SMR)	190	165
430	Local Drainage Protection (LDP)	10	10
	Total	248	223
	X 0.1	20	20

Source: Section 432.n of the CRS Coordinator's Manual.

Local Drainage Protection (LDP) – 10 points are awarded for the Florida Building Code which requires positive drainage away from the foundation. The Florida Building Code is based on the IRC which requires drainage away from all buildings, not just those in special hazard areas (IRC R401.3). IRC Chapter 18 has various requirements about foundation drainage, drainage for foundations, on or adjacent to slopes (Sec. 1808.7), but does not explicitly require lots to be graded to drain away. IBC Appendix J addresses drainage, but it is effective only if explicitly adopted.

Legal basis: Section 1803, Florida Building Code; IBC Chapter 18; IRC Chapter 4 (e.g. R 401.3 and R406).

Verified by: ISO/CRS Specialists will review permits, site plans, and similar documents that demonstrate enforcement.

Annual UMC verification: ISO/CRS Specialists will verify that the regulations still are in effect.

Activity 450. Stormwater Management

Stormwater Management Regulations (SMR) – Up to 29 points are awarded to Florida communities where a state highway is located as a result of stormwater management regulations adopted and enforced by the Florida Department of Transportation (FDOT). The optional minimum credit of 15% is used, which results in 29 points of credit. Within Miami-Dade County 90 points for Size (SZ) and 100 points for Design Storm (DS) are awarded for the uniform criteria within the county.

A minimum of 157 points are awarded to Miami-Dade County and 165 points are awarded to all other communities within the County. The rationale for credit is based on memos sent by Dave Carlton in 2013. Below is a chart of the SMR scores for Florida communities:

	Stormwater Management Regulations (SMR)		
	All Communities in Miami-Dade County	Miami-Dade County Only	FL Communities with a state highway
SZ	90	90	90
DS	75	75	100
PUB	0	0	0
SMR	165	165	190
rSMR	1.0	0.95	0.15
cSMR	165	157	29

Legal basis: For Miami-Dade County, see Dave Carlton's memo to Cristina Martinez dated July 3, 2013. For the rest of the state, see Dave Carlton's memo to Cristina Martinez dated July 3, 2013. See Section 14-86 of the Rules of the Florida Department of Transportation (FDOT) may be found at <https://www.flrules.org/gateway/readFile.asp?sid=0&type=1&tid=1335319&file=14-86.003.doc>.

Verification: The technical reviewer will verify credit according to the *CRS Specialist's Manual*. For communities receiving only the statewide minimum credit for the activities of FDOT, no drainage reports are required. Drainage reports are required for all other communities including those within Miami-Dade County.

Impact adjustment: For Miami-Dade County communities, see Les Bond's memo to Heidi Liles dated March 10, 2009. For the rest of the state, rSMR = 0.15.

Annual UMC Verification: The ISO/CRS Specialist should obtain documentation from FDOT annually that this rule remains in effect throughout Florida and that FDOT receives and reviews permit requests and requires compliance with Section 14-86 of the Rules of the Florida DOT. A copy of this documentation should be sent to the Stormwater Technical Reviewer each year.

Stormwater Management Regulations (SMR) – Between 116 to 305 points are awarded to Florida communities within the Southwest Florida Water Management District (SWFWMD). The size of development regulations apply to is based on projects greater than one acre or 9,000 square feet (SZ = 60 points) of impervious surface and the design storm requires matching of the 25-year storm and retention of the excess 100-year runoff in closed basins, which results in controlling the total volume released for all storms (DS = 36 or 225). Maintenance of facilities is also required (PUB = 20). If no impact adjustment map is provided, the community receives a minimum credit of 116 points.

Legal basis: Environmental Resource Permit Applicant's Handbook, Volume II, Effective October 1, 2013, SWFWMD and Section 62-330.020 FAC, October 1, 2013

Verification: This credit is valid until June 1, 2017. See Dave Carlton's memo dated 5/21/14.

Annual UMC Verification: In five years, the Specialist should obtain documentation from SWFWMD and provide to the technical reviewer to re-verify the credit.

Erosion & Sedimentation Control (ESC) – 10 points are awarded for the state’s regulation of soil erosion and sediment control. Permits are required for construction sites of more than one acre. This follows the Nation Pollutant Discharge Elimination System (NPDES), Phase II Program, which requires all construction activities greater than one acre to obtain a permit from the Environmental Protection Agency, a delegate state, or community with a MS4 permit 1.

Legal basis: The Department of Environmental Protection’s authority to administer the NPDES program is set forth in Section 403.0885, Florida Statutes (F.S.).

Verification: ISO/CRS Specialists will verify credit by reviewing permits and erosion control plans.

Annual UMC Verification: ISO/CRS Specialists will verify that the regulations still exist at the state level.

Water Quality Regulations (WQ) – 20 points are awarded to all communities in Florida for “best management practices” to improve surface water quality.

Legal basis: The legal basis for WQ is Part IV, Chapter 373 of the Florida Administrative Code “Management and Storage of Surface Waters,” at http://www.flsenate.gov/Laws/Statutes/2012/Chapter373/Part_IV. Subsequent Operating Agreements between the state and WMDs include South Florida WMD - 40E-4.381; Southwest Florida WMD - FAC 40D-4.381(1)(c); St. Johns River WMD - FAC 40C-42.023 and 40C-42.025; Northwest Florida WMD - FAC 62-346.051(10); Suwannee River WMD - 40B-4.2010 and the ERP Applicant’s Handbook, Sections 12.2.4.1 and 12.2.4.2.

Verification: ISO/CRS Specialists will verify credit by reviewing the local ordinance and permit records to ensure best management practices for water quality are being implemented and enforced.

Annual UMC Verification: ISO/CRS Specialists will verify that the regulations are still in effect.

POSSIBLE ADDITIONAL CREDIT

Some state standards are eligible for CRS credit, but may not be in effect in every community. These standards are addressed below. ISO/CRS Specialists and the communities need to determine whether they are creditable in their area.

Activity 410CE. Additional Flood Data

Mapping Coastal Erosion (MCE) – 25 points are awarded for the site-specific erosion rates determined at the time of application for development permits.

Legal basis: *Section 120.60, Florida Statutes, and Rule 62B-33.008, Florida Administrative Code* at http://www.dep.state.fl.us/legal/rules/beach/62b-33/62B-33_FAC.pdf.

Verification: Copies of Florida Department of Environmental Protection permits will be provided to the technical reviewer.

Annual UMC Verification: ISO/CRS Specialists will verify that the regulations are still in effect.

Activity 420CE. Open Space Preservation

Coastal Erosion Open Space (CEOS) - 35 points are awarded for at least 5 acres of preserved open space in coastal dune and beach areas protected by coastal setback regulations.

Legal basis: *Section 120.60, Florida Statutes, and Rule 62B-33.008, Florida Administrative Code* at http://www.dep.state.fl.us/legal/rules/beach/62b-33/62B-33_FAC.pdf.

Verification: Documentation that at least five acres of open space are seaward of the frontal dune should be sent to the technical reviewer.

Annual UMC Verification: ISO/CRS Specialists will verify that the regulations are still in effect.

Activity 430CE. Erosion Regulations

Coastal Erosion Regulations (CER) – Most beachfront communities will be eligible for 30 points based on the setback regulations. The 30-year erosion projection line is the

projected location of the seasonal high water line (SHWL), thirty years following submittal of an application for a permit. The SHWL is defined by Section 161.053, Florida Statutes, as "...the line formed by the intersection of the rising shore and the elevation of 150 percent of the local mean tidal range above local mean high water."

Legal basis: *The Florida Coastal Management Program, Chapter 161, Florida Statutes.* Rule: Chapter 62B-33.024 Florida Administrative Code at http://www.dep.state.fl.us/legal/rules/beach/62b-33/62B-33_FAC.pdf.

Verification: Copies of the Florida Department of Environmental Protection permits should be provided to the technical reviewer.

Annual UMC Verification: ISO/CRS Specialists will verify that the regulations are still in effect.

Activity 430. Coastal A Zone Regulations (CAZ)

Coastal A Zone (CAZ) - Up to 500 points are available when local governments adopt regulations that require the foundation design in Coastal A zones comply with the more stringent requirements applied to V zones. An additional 150 points are available if the jurisdiction also prohibits enclosures below the elevated structure.

Legal basis: *The Florida Coastal Management Program, Chapter 161, Florida Statutes.* Rule: Chapter 62B-33.005 Florida Administrative Code at http://www.dep.state.fl.us/legal/rules/beach/62b-33/62B-33_FAC.pdf.

Verification: A map showing the CAZ area should be provided to the technical reviewer. This could be a map showing the area seaward of the CCCL is mapped as an A-Zone. The maps may be part of the Florida Department of Environmental Protection permit. Permit documents to show the buildings meet the V-Zone requirements should also be sent to the technical reviewer.

Annual UMC Verification: ISO/CRS Specialists will verify that the regulations are still in effect.

Activity 440CE. Flood Data Maintenance

Coastal Erosion Data Maintenance (CEDM) - This credit is for updating erosion data on a least a five-year cycle and adopting the new rates as part of the coastal management regulations. In Florida, the State Office of Beaches and Coastal Systems collects erosion data for one-quarter of the state's sandy coast each year. Digital aerial photography is

collected for the same area each year. Florida beach communities with a CCCL are awarded 20 points credit for this effort.

Legal basis: *The Florida Coastal Management Program, Chapter 161, Florida Statutes. Rule Chapter 62B-26 Florida Administrative Code at <https://www.flrules.org/gateway/ChapterHome.asp?Chapter=62B-26> and <https://www.flrules.org/gateway/readFile.asp?sid=0&tid=0&cno=62B-26&caid=373467&type=4&file=62B-26.doc>*

Verification: The technical reviewer verifies credit.

Annual UMC Verification: ISO/CRS Specialists will verify that the regulations are still in effect.

State-mandated Standards (SMS) - An additional 20 points are awarded for state-mandated regulatory standards in coastal areas. Credit equals 0.10 times the sum of credit points for floodplain management regulatory standards. Total SMS is limited to 20 points.

Activity	Element	Coastal Area Credit
410CE	Coastal Erosion Mapping (MCE)	25
420DB	Open Space Preservation - Special Hazard	35
430CE	Coastal Erosion Regulations (CER)	30
430	Coastal A Zone Regulations	500
440CE	Flood Data Maintenance	20
	Total	610
	x 0.1	20

Source: Section 432.n of the *CRS Coordinator’s Manual*.

Activity 540. Drainage System Maintenance

Stream Dumping Regulations (SDR) - 15 points are awarded for language in two sections of the Florida State Statutes prohibiting the dumping of waste or other materials that are detrimental to drainage and flood control. This credit is only applied if the community also receives credit for channel debris removal (CDR) in Activity 540.

Legal basis: *2008 State Statutes, Article XL, Chapter 704.06 (b) and (f) may be found at <http://www.flsenate.gov/Laws/Statutes/2012/704.06>.*

Verification: ISO/CRS Specialists will verify that the standard has been adopted locally and that local enforcement procedures are in place.

Annual UMC Verification: ISO/CRS Specialists will verify that the regulations are still in effect.

Activity 630. Dams

State Dam Safety (SDS) - Up to 15 points of credit for State Dam Safety Program activities based on the Dam Safety Program Management Tool. The 15 points is for implementing Condition Assessment activities.

Verification: ISO/CRS Specialists will verify that the community is in compliance with the State Dam Safety Program. SDS credit is limited to communities that would be affected by a flood from the failure of a high-hazard-potential dam. This must be documented with a description and a map.

Annual UMC verification: The Federal Emergency Management Agency's Dam Safety Office annually verifies SDS credit.

MODEL ORDINANCES AND ADDITIONAL PROVISIONS

Florida has two state model ordinances; one for coastal communities and one for non-coastal communities. Even though these model ordinances do not contain higher standards, the state of Florida encourages higher standards to be implemented and provides guidance to communities on its website. A number of provisions listed on the site provide more protection from flooding in communities that adopt them and some of these provisions are eligible for CRS credit. They are summarized below and can be found at the following link:

http://www.floridadisaster.org/Mitigation/SFMP/lobc_resources.htm

Activity 430. Higher Regulatory Standards

Freeboard (FRB) – From 7.5 to 100 points are awarded for requiring the lowest floor, including basement, to be elevated no lower than one foot (1') above the Base Flood Elevation. This includes all residential, non-residential and manufactured home construction. Specific freeboard levels are not required in AO Zones. Although the basement has to be 1' above the BFE, credit can be reduced by 25 percent if any equipment servicing the building is located outside the basement and below the FRB level. The credit is further reduced if the community has Approximate A Zones in its floodplain and flood elevations are not required to be determined in those areas.

Legal basis: [Additional Elevation](#) (freeboard)

Verification: ISO/CRS Specialists will review elevation certificates, permits, site plans, and similar documents for new developments in the regulatory floodplain.

Annual UMC verification: ISO/CRS Specialists will verify that the regulation is still in effect.

Cumulative Substantial Improvement (CSI) – From 20 to 60 points may be available for adoption of the definition for Repetitive Loss, which includes the note for tracking damages over a 10-year period. 20 points are awarded for the definition of Repetitive Loss and 40 points are awarded if the community adds language to track damages over a 10-year period. Additional credit may be eligible if the period to track substantial improvements/damages is less than 10-years. The maximum credit possible for this element is 90 points.

Legal basis: [Cumulative Substantial Improvement](#) and [Repetitive Loss Flooding](#) (to qualify for Increased Cost of Compliance benefits)

Verification: ISO/CRS Specialists will verify credit by reviewing the local ordinance and permit records for building improvements or repairs in the regulatory floodplain.

Annual UMC verification: ISO/CRS Specialists will verify that the model ordinance provisions remain in effect.

Development Limitations (DL2) – 10 points may be available for adopting a provision that prohibits manufactured homes from being placed in the floodplain or floodway. This is a prorated amount of credit, since the development restrictions do not apply to all buildings.

Legal basis: [Location Limits for Manufactured Homes](#)

Verification: ISO/CRS Specialists will verify credit by reviewing elevation certificates, permits, site plans, and similar documents for new developments.

Annual UMC verification: ISO/CRS Specialists will verify that the model ordinance provisions remain in effect.

Coastal A Zones (CAZ) – From 50 to 500 points may be awarded if all new buildings in the coastal A Zone must meet the requirements for buildings in V Zones and for openings in A Zones.

Legal Basis: [Coastal A Zone](#) (regulating as V Zone)

Verification: ISO/CRS Specialists will review V Zone certificates and collect permit records, as-built building plans, impact adjustment maps and ordinance provisions to send to the Technical Reviewer for verification. Photos of finished construction showing at least two sides of the structure with a clear view of the foundation will also be needed.

Annual UMC verification: ISO/CRS Specialists will annually verify that the provision is still in the model ordinance.