



STATE OF FLORIDA

Date of Verification: Spring 2024

The Community Rating System (CRS) provides credit to communities for certain state laws, regulations, and standards that support floodplain management within a state and have proven effective in reducing flood damage. This Verification Report is provided to explain the recommendations of Insurance Services Office, Inc. (ISO) to DHS/FEMA concerning state-based credits under the CRS program within the above state.

There are two sections to this report: State-based credit, and other potential credit.

State-based credit is awarded to communities for activities that are implemented and enforced by the state. The credit is provided to each community in the state and documentation is not needed from the community.

Other potential credit lists the CRS activities for which communities may receive CRS credit based on, or due to, state or regional programs or regulations that are implemented within the community. There is also information regarding the use of a state-based model ordinance, if available in the state. The potential credits must be verified by the ISO/CRS Specialists within each community since enforcement is done at the community (or regional) level.

The following is a summary of state-based credit and other potential credit based on the *2017 CRS Coordinator's Manual* and *2021 Addendum*:

State-Based Credit

ACTIVITY	ELEMENT	POINTS
430 (Higher Regulatory Standards)	BC1–building codes	48
	LDP3–local drainage protection	10

Activity 430 (Higher Regulatory Standards) Element BC1, Building Codes

The 8th edition (2023) Florida Building Code (effective December 31, 2023) is based on the 2021 International Building Code and International Residential Code. The state has also adopted codes based on the 2021 International Plumbing Code, International Mechanical Code, and International Fuel Gas Code. IBC Appendix G is not adopted.

<https://www.floridadisaster.org/dem/mitigation/floodplain/community-resources/>

Every 3 years, the Florida Building Commission develops the next edition of the FBC, which communities must follow – “*The Florida Building Code shall be applied, administered, and enforced uniformly and consistently from jurisdiction to jurisdiction*” ([Chapter 553 Section 72 - 2023 Florida Statutes](#)). Communities may amend the FBC to be more restrictive (local amendments allowed by Sec. 553.75(4), FS). Local amendments for flood higher standards, if properly adopted, do not sunset every three years (Sec. 553.73(5), FS).

Resource: *Flood Resistant Provisions in the 8th Edition Florida Building Code (2023)*:
https://www.floridadisaster.org/globalassets/8th-ed_fbc_floodprovisions_dec20232.pdf

Activity 430 (Higher Regulatory Standards) Element LDP3, Local Drainage Protection

The state’s building code includes the IBC requirement for fill/grading to be compacted and to slope away from buildings to provide positive drainage and minimize erosion. Provided the community can document enforcement of the positive drainage provisions, 10 points is available. *Citation: Section §1804.4 of the [2023 Florida Building Code](#)*

Other Potential Credit

ISO/CRS Specialists and the communities need to determine which credits apply to their area. The following is a summary of activities with potential credits:

ACTIVITY	ELEMENT
340 (Hazard Disclosure)	ODR—other disclosure requirements
430 (Higher Regulatory Standards)	CAZ—coastal A zone FRB—freeboard
450 (Stormwater Management)	ESC—erosion & sedimentation control WQ—water quality
540 (Drainage System Maintenance)	SDR—stream dumping regulations
630 (Dams)	SDS—state dam safety

Activity 340 (Hazard Disclosure) Element ODR, Other Disclosure Requirements

This credit *only* applies where there is a defined [Coastal Construction Control Line \(CCCL\)](#) (state.fl.us) and the map shows the general location. Check with each community or go to this FL DEP website and zoom in on the map.

If a CCCL exists there may be some minimal CAZ credit, if there are AE zones seaward of the CCCL, as construction seaward of the CCCL must be permitted by the state and has to comply

with V zone construction standards. However, this is rare/minimal, as occurrences of AE zones seaward of this line are the exception not the norm. (Per S. Harper, January 2023)

Citation and source: Pursuant to Section 161.053, Florida Statutes, the Coastal Construction Control Line is a line of jurisdiction, defining the landward limit of the FL Department of Environmental Protection's authority to regulate construction.

<https://flsenate.gov/Laws/Statutes/2021/0161.57>

F.S. 161.57 Coastal properties disclosure statement.

(1) The Legislature finds that it is necessary to ensure that the purchasers of interests in real property located in coastal areas partially or totally seaward of the coastal construction control line as defined in s. [161.053](#) are fully apprised of the character of the regulation of the real property in such coastal areas and, in particular, that such lands are subject to frequent and severe fluctuations.

(2) At or prior to the time a seller and a purchaser both execute a contract for sale and purchase of any interest in real property located partially or totally seaward of the coastal construction control line as defined in s. [161.053](#), the seller must give a written disclosure statement in the following form to the prospective purchaser which may be set forth in the contract or in a separate writing:

The property being purchased may be subject to coastal erosion and to federal, state, or local regulations that govern coastal property, including the delineation of the coastal construction control line, rigid coastal protection structures, beach nourishment, and the protection of marine turtles. Additional information can be obtained from the Florida Department of Environmental Protection, including whether there are significant erosion conditions associated with the shoreline of the property being purchased.

(3) Unless otherwise waived in writing by the purchaser, at or prior to the closing of any transaction where an interest in real property located either partially or totally seaward of the coastal construction control line as defined in s. [161.053](#) is being transferred, the seller shall provide to the purchaser an affidavit, or a survey meeting the requirements of chapter 472, delineating the location of the coastal construction control line on the property being transferred.

(4) A seller's failure to deliver the disclosure, affidavit, or survey required by this section does not impair the enforceability of the sale and purchase contract by either party, create any right of rescission by the purchaser, or impair the title to any such real property conveyed by the seller to the purchaser.

History.—s. 36, ch. 85-55; s. 22, ch. 87-224; s. 1, ch. 2006-273.

Activity 430 & Potential Higher Regulatory Standards in the State's Model Ordinance

State Model Flood Damage Prevention Ordinance

The Florida State Floodplain Management Office is a unit in the Florida Division of Emergency Management, Bureau of Mitigation. Florida Building Commission develops the Florida Building Code; there is no standard model ordinance language on the NFIP coordinator's page. However,

there are some suggestions for higher regulatory standards on that page, as well as [a link about CRS at Community Rating System \(CRS\) | Florida Disaster](#)

Guidance and sample higher standard ordinance amendments are available under: <https://www.floridadisaster.org/dem/mitigation/floodplain/community-resources/>

The higher standards with suggested model language are:

- Additional Elevation ([Freeboard](#))
- [Cumulative Substantial Improvement](#)
- Coastal A Zone ([regulating as Zone V](#))
- [Repetitive Loss Flooding](#) (as part of substantial damage)
- Enclosures ([prohibit or no](#) partitions, [limit size](#), or require [nonconversion agreement](#))
- [Remove 36-inch option](#) (CRS Class 8 Prerequisite) - (*revised Nov. 2021*)

Activity 430 (Higher Regulatory Standards) Element CAZ, Coastal A Zone regulations

For areas with a Limit of Moderate Wave Action (LiMWA), waterward of the LiMWA, Coastal A zones are regulated similar to V zones in the Florida Building Code (R322). The 2023 Florida building code includes ASCE 24's stem wall allowance in CAZs in 322.3.

Verification: Check with local community if a local higher standard amendment to the state building code prohibits stem walls in CAZs; if so, additional CRS credit is likely available.

Sec. R322.2.2 Enclosed area below required elevation (Zone A/AE). Modified to clarify that elevator shafts and utilities chases are not required to comply with this section (i.e., no flood openings).

Sec. R322.3.2 Elevation requirements (Zone VE and CAZ). Added:

- a. To specify the location of the bottom of the lowest horizontal structural member of stem wall foundations.
- b. To specify requirements for detached and attached accessory structures that are consistent with FEMA policy and guidance.

Sec. R322.3.3 Foundations. Reorganized in list format, clarify requirements for columns, and require design in accordance with ASCE 24.

Sec. R322.3.5 Walls below required elevation (Zone VE and CAZ). Modified to clarify that elevator shafts and utilities chases are not required to comply with this section (i.e., no breakaway walls).

Activity 430 (Higher Regulatory Standards) Element FRB, Freeboard

The Florida building code includes the IBC requirement that the design and construction of buildings and structures located in flood hazard areas, including coastal high hazard areas and coastal A zones, shall be in accordance with Chapter 5 of ASCE 7 and ASCE 24 which requires at least 1 foot of freeboard.

Specialists will verify with each community whether machinery/utilities and ductwork are required to be elevated and/or protected, to determine credit (CRS Manual page 430-13).

- Note the CRS Class 8 prerequisite: The community must adopt and enforce at least a 1-foot freeboard requirement (including machinery or equipment) for all new and SI/SD residential buildings in areas where BFEs have been determined. This includes the replacement of manufactured homes in pre-FIRM manufactured home parks.

Activity 450 (Stormwater Management)

ESC–EROSION AND SEDIMENTATION CONTROL WQ–WATER QUALITY

A general permit is issued by DEP under the authority of [Florida Statutes § 403.0885](#), authorizing the state to implement the National Pollutant Discharge Elimination System (NPDES) Phase II Program, which requires all construction activities greater than 1 acre to obtain a permit. Coverage under the FL [Construction Generic Permit](#) (CGP) is required for discharges from construction activities that:

- Disturb at least one or more acres of land or disturb less than one acre of land but are part of a common plan of development or sale.
- Discharge stormwater to surface waters of the state or to surface waters of the state through a municipal separate storm sewer system (MS4).

Source: <https://floridadep.gov/Water/Stormwater>

Activity 540 (Drainage System Maintenance) Element SDR, Stream Dumping Regulations

Florida State Statutes prohibit 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: FL State Statutes, Article XL, Chapter 704.06(1)(b) and (f):
<http://www.flsenate.gov/Laws/Statutes/2022/704.06>

Activity 630 (Dams) Element SDS, State Dam Safety

Credit available for activities of the state's dam safety program is based on the Dam Safety Program Management Tool. Credit for element SDS 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.

- Florida dam safety program website: <https://floridadep.gov/water/engineering-hydrology-geology/content/florida-dam-safety-program>. Contact: Tracy.Woods@FloridaDEP.gov

The U.S. Army Corps of Engineers National Inventory of Dams webpage at <https://nid.sec.usace.army.mil/#/> documents the dams and flood inundation maps information. [FEMA's Dam Safety](#) Office annually verifies element SDS credit.