

9/24/2015 5:32pm P.H.

ORDINANCE NO. 2015- 37

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS AMENDING THE ESCAMBIA COUNTY CODE OF ORDINANCES PART I, CHAPTER 14, ART. III, SECTIONS 14-61 THROUGH 14-65 BUILDINGS AND BUILDING REGULATIONS; ESTABLISHING LOCAL ADMINISTRATIVE AND TECHNICAL AMENDMENTS TO THE FLORIDA BUILDING CODE SPECIFIC TO SANTA ROSA ISLAND; PROVIDING FOR APPLICABILITY; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

**WHEREAS**, Chapter 553, Fla. Stat., was adopted by the Florida Legislature to provide a mechanism for the uniform adoption, updating, amending, interpretation and enforcement of a state building code, called the *Florida Building Code*; and

**WHEREAS**, the Escambia County Board of County Commissioners is adopting a requirement to (1) regulate the area within the jurisdiction of the Santa Rosa Island Authority as coastal high hazard areas and (2) require accumulation of costs of improvements and repairs of buildings, based on issued building permits, over a 10-year period, for the purpose of participating in the National Flood Insurance Program's Community Rating System, and, pursuant to s. 553.73(5), Fla. Stat., is formatting those requirements to coordinate with the Florida Building Code; and

**WHEREAS**, the Escambia County Board of County Commissioners previously adopted requirements to (1) increase the minimum elevation requirement for buildings and structures; and (2) require nonconversion agreements for certain enclosed areas below elevated buildings, prior to July 1, 2010 and pursuant to s. 553.73(b), Fla. Stat., is formatting that requirement to coordinate with the Florida Building Code; and

**WHEREAS**, the Board of County Commissioners has determined that it is in the public interest to adopt the proposed floodplain management regulations that are coordinated with the *Florida Building Code*; and

**WHEREAS**, the Board of County Commissioners finds this ordinance serves the health, safety, welfare of the residents to and visitors to Escambia County, Florida.

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA:**

Therefore, this ordinance creates Part I, Chapter 14, Art. III, Sections 14-61 through 14-65, Local Amendments to the Florida Building Code Applicable in Pensacola Beach under the Control of the Santa Rosa Island Authority.

**SECTION 1.** Thereby created as follows, with additions to the Florida Building Code indicated with underlines and deletions with ~~strikethroughs~~:

Date: 9/30/2015 Verified By: J. Lanier

**Sec. 14-61. – Short title.** This article shall be known and may be cited as the “Local Amendments to the Florida Building Code Applicable in Pensacola Beach under the Control of the Santa Rosa Island Authority.”

**Sec. 14-62. – Local administrative amendments to the Florida Building Code, Building.** The *Florida Building Code, Building* is hereby amended by the following administrative amendment.

Modify Sec. 107.3.5 as follows:

**107.3.5 Minimum plan review criteria for buildings.**

**Commercial Buildings: Building**

8. Structural requirements shall include:

Flood requirements in accordance with Section 1612, including lowest floor elevations, enclosures, flood damage-resistant materials, and nonconversion lease amendment.

**Residential (one- and two-family)**

6. Structural requirements shall include:

Flood hazard areas, flood zones, design flood elevations, lowest floor elevations, enclosures, equipment, flood damage-resistant materials, and nonconversion lease amendment.

**Sec. 14-63. – Local technical amendments to the Florida Building Code, Building Amendments.** The *Florida Building Code, Building* is hereby amended by the following technical amendments.

(1) Add a new definition in Section 202 as follows:

**SUBSTANTIAL IMPROVEMENT.** Any combination of repair, reconstruction, rehabilitation, alteration, addition or improvement of a building or structure taking place during a 10-year period, the cumulative cost of which equals or exceeds 50 percent of the market value of the structure before the improvement or repair is started. For each building or structure, the 10-year period begins on the date of the first permit issued for improvement or repair of that building or structure subsequent to the date of this ordinance. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either:

1. Any project for improvement of a building required to correct existing health, sanitary or safety code violations identified by the Escambia County Building Official and that are the minimum necessary to assure safe living conditions.
2. Any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.

(2) Add a new Sec. 1612.4.1 as follows:

**1612.4.1 SRIA specific requirements.**

1. All buildings and structures within the jurisdiction of the SRIA shall be designed and constructed in accordance with the requirements of ASCE 24 applicable to coastal high hazard areas.
2. The minimum elevation requirements shall be as specified in ASCE 24 or the base flood elevation plus 3 feet, whichever is higher.

**Sec. 14-64. – Local technical amendments to the Florida Building Code, Residential.** The *Florida Building Code, Residential* is hereby amended by the following technical amendment.

(1) Modify Sec. R322.2 as follows:

**R322.2 Flood hazard areas (including A Zones).**~~All buildings and structures within the jurisdiction of the SRIA shall be designed and constructed in accordance with Section R322.3. All areas that have been determined to be prone to flooding but not subject to high-velocity wave action shall be designated as flood hazard areas. Flood hazard areas that have been delineated as subject to wave heights between 11/2 feet (457 mm) and 3 feet (914 mm) shall be designated as Coastal A Zones. All building and structures constructed in whole or in part in flood hazard areas shall be designed and constructed in accordance with Sections R322.2.1 through R322.2.3.~~

(2) Modify Sec. R322.3.2 as follows:

**R322.3.2 Elevation requirements.**

1. ~~All buildings and structures erected within coastal high hazard areas shall be elevated so that the lowest portion of all structural members supporting the lowest floor, with the exception of piling, pile caps, columns, grade beams, mat and raft foundations, and bracing, is elevated to or above the base flood elevation plus 3 feet or the design flood elevation, whichever is higher.~~
2. Cross bracing shall not be permitted unless a building or structure does not have walls designed to break away and provided the bracing is located above

the base flood elevation plus 3 feet or the design flood elevation, whichever is higher, and provided such bracing is perpendicular to the shoreline. Cross bracing shall not be used as part of the structural calculations to meet the required design criteria.

3. Basement floors that are below grade on all sides are prohibited.
4. The use of fill for structural support is prohibited.
5. Minor grading, and the placement of minor quantities of fill, shall be permitted for landscaping and for drainage purposes under and around buildings and for support of parking slabs, pool decks, patios and walkways.

**Exception:** Walls and partitions enclosing areas below the design flood elevation shall meet the requirements of Sections R322.3.4 and R322.3.5.

(3) Modify Sec. R322.3.4 as follows:

**R322.3.4 Walls below design flood elevation.** Walls and partitions are permitted below the elevated floor, provided that such walls and partitions are not part of the structural support of the building or structure and:

1. Electrical, mechanical, and plumbing system components are not to be mounted on or penetrate through walls that are designed to break away under flood loads; and
2. The walls are constructed with insect screening or open lattice; or
3. The walls are designed to break away or collapse without causing collapse, displacement or other structural damage to the elevated portion of the building or supporting foundation system. Such walls, framing and connections shall have a design safe loading resistance of not less than 10 (470 Pa) and no more than 20 pounds per square foot (958 Pa); or
4. Where wind loading values of this code exceed 20 pounds per square foot (958 Pa), the construction documents shall include documentation prepared and sealed by a registered design professional that:
  - 4.1. The walls and partitions below the design flood elevation have been designed to collapse from a water load less than that which would occur during the design flood.
  - 4.2. The elevated portion of the building and supporting foundation system have been designed to withstand the effects of wind and flood loads acting simultaneously on all building components (structural and nonstructural). Water

loading values used shall be those associated with the design flood. Wind loading values used shall be those required by this code.

5. Walls shall be provided with flood openings that meet the criteria in R322.2.2, Item 2.

**Sec. 14-65. – Local technical amendments to the Florida Building Code, Existing Building.** The *Florida Building Code, Existing Building* is hereby amended by the following technical amendment.

Modify a definition in Section 202 as follows:

**SUBSTANTIAL IMPROVEMENT.** Any combination of repair, reconstruction, rehabilitation, alteration, addition or improvement of a building or structure taking place during a 10-year period, the cumulative cost of which equals or exceeds 50 percent of the market value of the structure before the improvement or repair is started. For each building or structure, the 10-year period begins on the date of the first permit issued for improvement or repair of that building or structure subsequent to the date of this ordinance. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either:

1. Any project for improvement of a building required to correct existing health, sanitary or safety code violations identified by the Escambia County Building Official and that are the minimum necessary to assure safe living conditions.
2. Any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.

## **SECTION 2. Fiscal Impact Statement.**

In terms of design, plan application review, construction and inspection of buildings and structures, the cost impact as an overall average is negligible in regard to the local technical amendments because all development has been subject to the requirements of the local floodplain management ordinance adopted for participation in the National Flood Insurance Program. In terms of lower potential for flood damage, there will be continued savings and benefits to consumers.

## **SECTION 3. Applicability.**

For the purposes of jurisdictional applicability, this ordinance shall apply within jurisdiction of the Santa Rosa Island Authority. This ordinance shall apply to all applications for development approval, including building permit applications and subdivision proposals, submitted on or after the effective date of this ordinance.

**SECTION 4. Severability.**

If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any Court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

**SECTION 5. Inclusion in Code.**

It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall be codified as required by F.S. § 125.68, and that the sections, subsections and other provisions of this Ordinance may be renumbered or re-lettered and the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intentions.

**SECTION 6. Effective Date.**

This Ordinance shall become effective upon filing with the Department of State.

**DONE AND ENACTED** this 24th day of September, 2015.

BOARD OF COUNTY COMMISSIONERS  
OF ESCAMBIA COUNTY, FLORIDA

By:   
Steven Barry, Chairman

Date Executed

9/29/2015

ATTEST: PAM CHILDERS  
Clerk of the Circuit Court

By:   
Deputy Clerk

Approved as to form and legal  
sufficiency.

By/Title:   
Date: 9/14/15



ENACTED: September 24, 2015

FILED WITH THE DEPARTMENT OF STATE: September 30, 2015

EFFECTIVE DATE: September 30, 2015