



Floodplain Management Overview

Floodplain Management Origins



National Flood Insurance Program (NFIP) An Agreement:

Federal Government



Assists in mapping flood risks, makes Federally-backed flood insurance available within the community, & provides disaster assistance grants



Local Communities



Adopt and enforce floodplain regulations that meet FEMA requirements and Florida's higher standards



Floodplain Regulations

Guidance at Each Level:

Federal



- National Flood Insurance Act of 1968
- 44 CFR Sections 49 – 65
- FEMA Technical Bulletins, Documents, and Guidance

State



- Florida Building Code
- Technical guidance
- Community Assistance Visits (CAV)

Local



- Local flood ordinance

Florida Building Code & Flood Ordinances



FBC

- Provisions meeting or exceeding NFIP
- Ex: Base Flood Elevation (BFE) + 1ft.
- Communities must enforce the FBC



Flood Ordinances

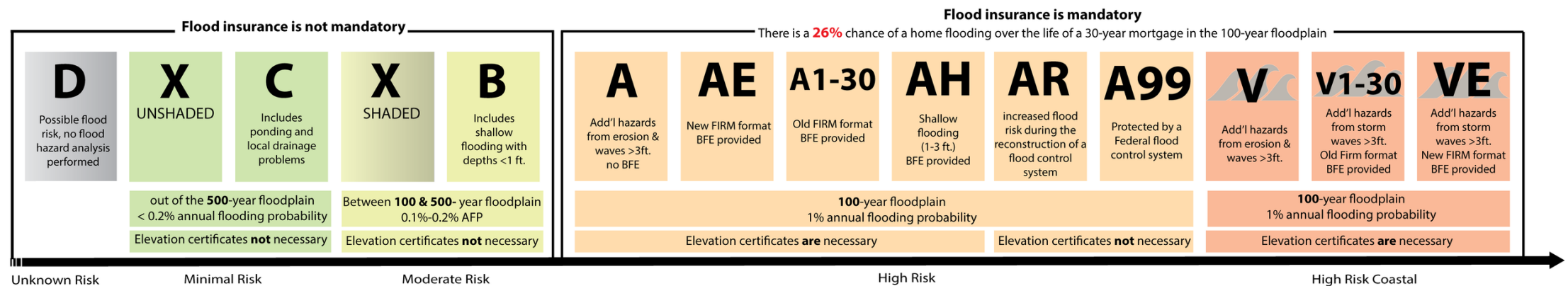
- Local flood ordinances are reviewed and approved by FDEM Office of Floodplain Management and FEMA for compliance with the NFIP
- Local ordinances may contain standards higher than the NFIP minimum standards



Special Flood Hazard Area (SFHA)

100-Year Floodplain

- Also known as the Special Flood Hazard Area (SFHA)
- Also known as the 1% annual chance floodplain
- 26% chance of flooding over the lifetime of a 30-year mortgage



Flood Insurance Rate Maps (FIRM)



FIRMS

- FEMA maps the floodplain to show the 1% annual chance floodplain (SFHA)
- These maps help determine flood insurance rates, base flood elevations (BFE), as well as where communities must regulate development

Flood Insurance Rate Maps (FIRM)





Compliance

Compliance

- Participating NFIP communities must maintain compliance
- Non-compliant communities risk probation and/or suspension from the NFIP
- Non-compliant CRS communities can also face class retrogrades which decrease flood insurance discounts for the community



Probation

- FEMA Region 4 makes this decision after assistance and consultation fail to resolve community compliance issues
- Flood insurance and disaster assistance still available
- Flood insurance policies are assessed a \$50 surcharge



Suspension

- Decision is made by FEMA Headquarters
- Only after probationary period and further attempts at enforcement
- No new policies are written
- No policy renewals
- Limited disaster assistance opportunities, specifically in the Special Flood Hazard Area



Ensuring Compliance



Three Instances

There are 3 instances in floodplain management that initiate the need for compliance.

1. New construction and placement/replacement of manufactured homes
2. Substantial Improvements
3. Substantial Damage

Ensuring Compliance



New Development

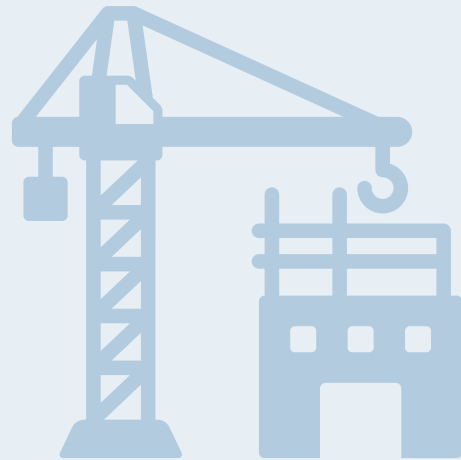
All new development must be permitted in the SFHA and meet all applicable codes, including flood.

- Structures are built so that lowest floor is at Base Flood Elevation (BFE) + 1 foot per the FBC
- Enclosures below BFE are used for storage, parking, access only
- All non-structural development (grading, filling, dredging, paving, etc.) are permitted and follows floodplain review criteria
- Structures and communities are mitigated against flood

Ensuring Compliance



What is **Substantial Improvement**?



As defined in 44 CFR § 59.1:

- **Any** reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which **equals or exceeds 50 percent** of the market value of the structure before the start of construction of the improvement.
- This also includes repairs to substantially damaged structures.

Ensuring Compliance



What is **Substantial Damage**?



As defined in 44 CFR § 59.1:

- “Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would be equal or exceed 50 percent of the market value of the structure before the damage occurred”



Ensuring Compliance

Substantial Damage and Substantial Improvement

Structures must be brought into compliance:

- When the structure is damaged, and the amount of damage is more than 50% of the Market Value of the structure; or
- When the structure is undergoing renovations, and the cost is more than 50% of the Market Value of the structure.

Local Flood Ordinance determines how the community will determine market value



Ensuring Compliance



Determining Market Value

Two options:

- Actual cash value (ACV) determined by a qualified independent appraiser (includes in-kind replacement cost depreciated for age, wear and tear, neglect, and quality of construction)
- Tax assessment value adjusted to the approximate market value by a factor provided by the county property appraiser



Ensuring Compliance



Community Responsibilities

- Monitor Special Flood Hazard Area (SFHA)
- Your community Floodplain Administrator (FPA)
- Building Official
- Code enforcement
- Ensure all work and development is permitted!



Ensuring Compliance



Floodplain Managers

- Substantial Damage Estimations (SDEs)
- SDEs are submitted to the community's Floodplain Administrator (FPA) and Building Official
- Substantial Damage Determinations (SDDs)
- SD letters





Comparing PDAs & SDE

What is a Preliminary Damage Assessment (PDA)?



Quick 'rapid assessments' by the local community to assess the extent of damage



Yields a **broad characterization** of the # of buildings affected and the level of anticipated damage



Specific process used to gather supporting information for a **Presidential Disaster Declaration**



Split into IA (residential) and PA (public facilities)



Data can be used for Substantial Damage evaluations



What is a Substantial Damage Estimate (SDE)?



The cost of repairing a structure to its pre-damaged condition compared to the market value of the structure prior to the damage

If the cost of the repairs meets or exceeds 50% of the market value of the structure, the structure is considered substantially damaged

Substantially damaged buildings must be mitigated & brought up to current ordinance standards

PDA vs. SDEs



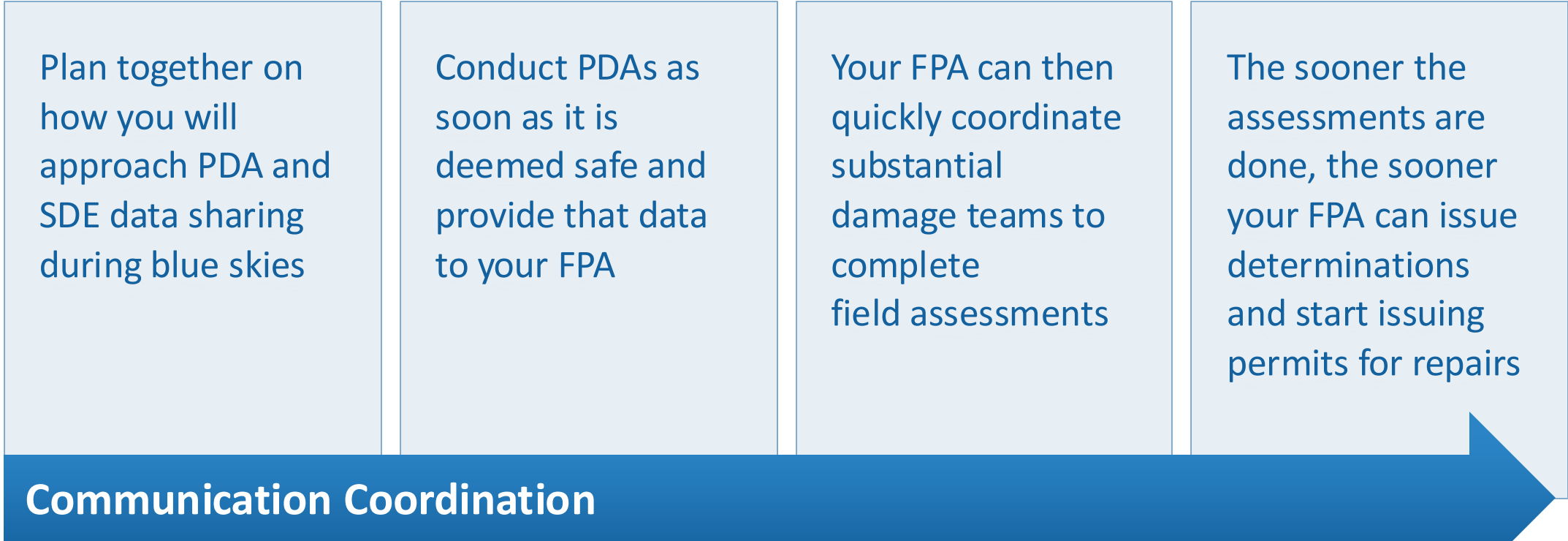
PDA

- Purpose is to determine whether a Disaster Declaration is warranted
- PA, IA, other federal assistance
- Enables FEMA and SLTT partners to determine the magnitude of damage and impact of disasters

SDEs

- Assess structures of all types in the Special Flood Hazard Area for damage
- SDEs go to the Floodplain Administrator and Building Officials to make SDDs
- Determinations help enforce flood compliance measures as people repair and build back

How Does it Get Done?





Preparing Your Community for Assessments

Preparation is Key!



What level of damage is the community facing?

- Record flood?
- Community's capabilities?
- High water marks?

Be proactive!

- Benefits: SDD needed for ICC claim
- Need to know the "universe" of damage in the SFHA

What equipment is needed?

- Technology/chargers
- Personal Protective Equipment (PPE)
- Clip boards, tape measurers

Communicating with Your Local Officials



Plan ahead to communicate to elected officials, community managers, and floodplain administrators!

Ask yourself the following Pre-Disaster Questions:

- Have you explained to your Community Manager/Elected Officials about your post-disaster activities? Are they aware of the requirements?
- Have you informed your Elected Officials & Community Managers about the roles you must serve?
- Do you coordinate with your Floodplain Administrator before, during, and after an event? Do they understand the difference between PDAs and SDEs?
- Have you gone over ‘what if’ scenarios with your Building Official regarding SDEs and property owner challenges?

Property Owner Responsibilities

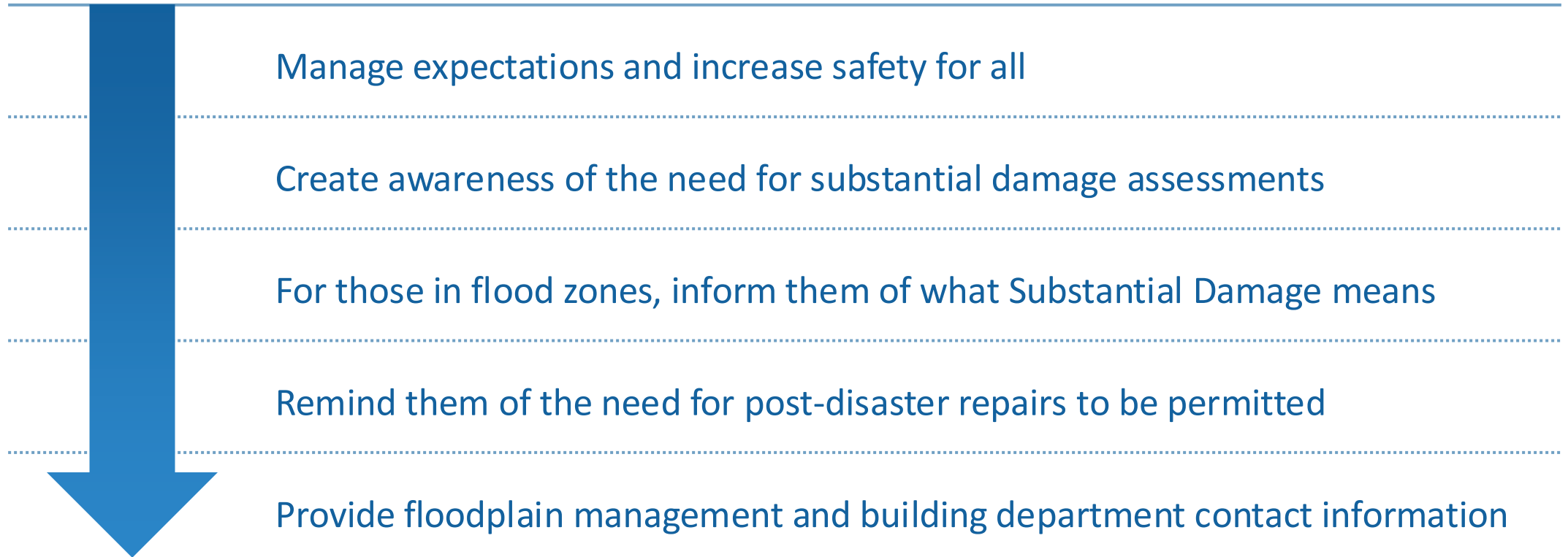


- 1 Obtain safety inspections before going into damaged structures
- 2 Photograph all building damage and damaged contents
- 3 Contact insurance companies about NFIP insured properties
- 4 Seek emergency assistance by registering in-person or online
- 5 Apply for permits and provide necessary documentation
- 6 Obtain and submit Elevation Certificates, as required by the FBC
- 7 Determine what is required to bring buildings into compliance
- 8 Work with local officials and contractors to obtain permits

Communicating with Your Constituents



Have key messages prepared before a disaster that can support your community's floodplain management program.

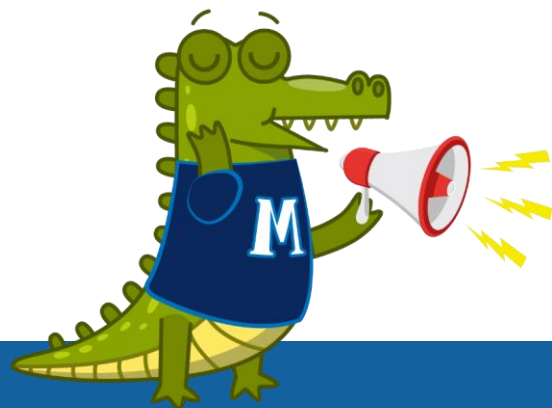


The Importance of Communication



REMEMBER THAT COMMUNICATION STARTS BEFORE THE DISASTER!

- Communication should be year-round, not just during hurricane season
- Communities must be ready to explain to their citizens how and why they are conducting post-disaster assessments
- Local officials should already have written procedures for consistent messaging
 - If not already in existence, procedures should be created pre-disaster





Preparing for Data Collection

There are many different data sources that are available post-disaster:

- Your local PDAs
- IA and NFIP claims data
- High Water Marks and other flood data
- Post-disaster imagery
- Substantial Damage Assessments

All of these can be used to inform where substantially damaged structures are likely to be.



SDEs and PDAs Require Teams

Large and widespread disasters can easily overwhelm communities.

- As we see Florida's population continue to grow, it is important to identify potential challenges during Blue Sky operations
- Identify procedures and who will be on damage assessment teams and consider if those teams would be able to effectively and efficiently conduct damage assessments
- Consider your building departments!

Managing SD Teams



When managing SI/SD Teams, ask yourself the following questions:

- Have the designated people received SD training?
- How many people will be on a team?
 - Who will lead this team?
- Are there established timeframes?
 - $(\# \text{ of homes} \times \# \text{ of minutes per home inspection}) \div \# \text{ of teams} = \# \text{ of hours}$
- How will information be recorded in the field?
- What system will be used?
- Do you need more capacity?

Be prepared to listen, answer questions, and help if possible!

SD Tools



There are many different systems a community could use to collect SDE data:

- FEMA SDE Tool
- Paper data collection
- Locally built or procured system or tool to collect data
 - Forerunner
 - Crisis Track
 - Generic survey or Microsoft Form
 - Other systems or tools?



Preparation is Key!

Is outside assistance needed?

- County, State, and Federal resources
- Building Association of Florida (BOAF) or Florida Floodplain Management Association (FFMA)
- Vendor support

Has a plan for post-disaster assessments already been created?

- If so, review the existing plan
- If not, prepare to make one for future reference
- Templates are available online for download



Post-Disaster Permitting



What are Permits?

What are permits and why do we have them?

- Permits are a County, City, or Town's written authorization to repair, construct, or remodel a property
- Most construction and remodeling activities require a building permit to ensure building, construction, and zoning code compliance, in addition to a safe working environment
- Permit fees may be waived post-disaster, but permits are still required

Activities in SFHAs that Require Local Permits and Approvals



- Construction of new buildings
- Additions to buildings
- Substantial improvements of buildings
- Renovation of building interiors
- Repair of substantially damaged buildings
- Placement of manufactured (mobile) homes
- Subdivision of land
- Construction or placement of temporary buildings and accessory structures
- Construction of agricultural buildings
- Construction of roads, bridges, and culverts
- Placement of fill, grading, excavation, mining, and dredging
- Alteration of stream channels


Floodplain development or building permits must be obtained before these and ANY land-disturbing activities occur in flood zones.



Temporary Occupancy of Substantially Damaged Structures



- Property owners can move back into their damaged home prior to SD inspection
 - **Only** if deemed safe to reoccupy
- Building Officials can issue temporary occupancy certificates for SD homes
- Still keep track of permits for all repairs and improvements!

 **FEMA** Fact Sheet

Federal Insurance and Mitigation Administration

Temporary Occupancy of Substantially Damaged Structures after a Disaster

This fact sheet is designed to help Floodplain Administrators and Building Code Officials understand whether communities may allow displaced property owners to occupy potential or declared Substantially Damaged (SD) residential structures until the structure can be brought into compliance with local floodplain management ordinances or building codes.

Occupancy Before a Substantial Damage (SD) Inspection

There is no National Flood Insurance Program (NFIP) requirement that SD determination inspections must be performed prior to a property owner moving back into their damaged home. If a community has determined that a structure is safe to occupy, the NFIP has no restrictions on the issuance of temporary occupancy certificates for homeowners after a catastrophic event. Property owners are encouraged to contact their community. Communities participating in the NFIP are responsible for making determinations as to whether the costs to improve or repair a damaged building have exceeded the 50 percent threshold of the building's market value.

Substantial Damage means:
Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Note: Some communities enforce a more restrictive definition of substantial damage, such as 40 percent instead of 50 percent.

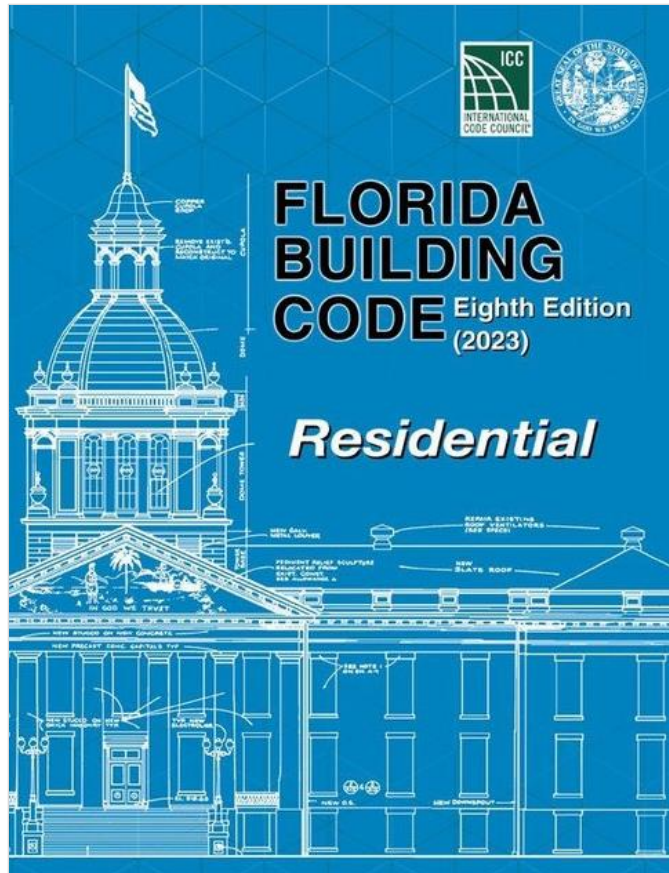
Temporary Occupancy After a Substantial Damage Determination

Following a disaster, there may not be sufficient alternative housing available and residents may want the option to live in their SD home in the Special Flood Hazard Area until the residence can be elevated. The NFIP does not prohibit communities from issuing temporary occupancy certificates for SD homes while homeowners are waiting to obtain the resources or the funding to complete repairs and reconstruct the structure according to the communities ordinances and codes. Communities should establish their own policies and procedures for issuing temporary occupancy certificates. However, any permits for minimal repairs (i.e., electrical, mechanical, plumbing and structural) granted for temporary occupancy must be included in the calculation for substantial damage determination. Therefore, a community may allow displaced residents to occupy their damaged homes on a temporary basis as long as the community has determined the structure is safe for habitation; only minimal repairs are made so the residence is safe to live in; and no other improvements are made until the structure meet the SD requirements of the local ordinance.

Below outlines a process when a community allows temporary occupancy of SD structures until the structure can be brought into compliance.

1. **Determine whether the home is safe to live in.** Before temporary occupancy, the community should assess the

Florida Building Code Requirements



- Must be met regardless of the damage
 - Flood, fire, wind... all damage
- Waiving fees is not the same as waiving permits
- Permits can be recommended even when not normally required to document



Protocols are in Place, Now What?

- Staff may be asked to incorporate new routines into their processing steps
- Minimize multiple systems of record whenever possible
- What questions need to be asked prior to review that aren't asked now?
- What is the messaging when applicants disagree?





SB 180 & HB 803 – Additional State Requirements

SB 180: "Emergencies Bill"



- Signed into law on June 26, 2025
- Purpose: Intended to speed up post-hurricane recovery by preventing local planning pauses.
- Litigation currently underway challenging certain provisions within SB 180 challenging its constitutionality and impact on local planning.

1206 Related Provisions within SB180



- 1. Website requirements:** Each county and municipality must post on its publicly accessible website recovery related information including the post-storm permitting plan for special building permits and inspection procedures after a hurricane or tropical storm. Additionally, each jurisdiction must have an online option for receiving, reviewing, and accessing substantial damage and substantial improvement letters.
- 2. Building Permit or Inspection Fees:** Fees cannot be increased after a state of emergency is declared within the declared area.
- 3. Permitting Office:** Counties and municipalities must have an office open 40 hours per week after a disaster.
- 4. Ordinance Changes Regarding Substantial Improvements or Repairs:** Local governments may not adopt or enforce an ordinance for substantial improvements or repairs to a structure which includes a cumulative substantial improvement period.
- 5. Procurement:** Additional language to be included in contract riders regarding vendors responsibilities and penalty for failure to respond.

HB 803: Building Permits and Inspections



- Takes effect July 1, 2026
- Waives local building permit requirements for single-family residential projects valued at less than \$7,500.
 - Exceptions: Local governments may still require permits for less than \$7.5k work involving electrical, gas, or plumbing.
 - Does not apply to work in flood hazard area.

HB 803: Building Permits and Inspections



- Allows certain out-of-state licensed building officials to work for one-year after a declared state of emergency.