

Florida Building Commission

Attachment to the July 12 – 13, 1999 Minutes

**Facilitators' Report of the July 12 – 13, 1999
Commission Meeting**

St. Augustine, Florida

Meeting Design & Facilitation By:



Overview of Commission's Key Decisions

At July's meeting the Commission reviewed the proposed process, locations, and dates for public hearings to be conducted on Draft II of the Florida Building Code. They unanimously adopted the proposal as presented and agreed to conduct five facilitated hearings in locations throughout the state. The approved process, dates, locations, and agenda is detailed on page 3 of this report.

The Commission reviewed their workplan products and schedule on day one and unanimously approved it on day two. This plan details what tasks the Commission needs to complete and by when. In addition, the workplan identifies and assigns specific assignments to various TAC/TGs. The workplan will be updated and included in the Commission's agenda packet throughout the duration of the code development process.

At the request of Commission member Dan Shaw, the Commission unanimously agreed to approve changing the TAC/TG quorum rule from 66% to 51% for the Plumbing/Gas TAC. This was later expanded to apply to all TAC/TGs and will be effective immediately. The Commission felt that in light of the tight timelines that the TAC/TGs are operating under, it is important that they be able to conduct business without the constraints imposed by requiring at least 66% of the voting members to be in attendance.

On day one of July's meeting the Commission reviewed the wind load design issues. They were asked to review the options identified at June's meeting and to decide if there were any additional options that they would like to consider before proceeding to the ranking exercise.

Commissioner Brody identified an additional option which was assigned the letter M. This option was discussed by Commission members and the facilitators captured the pros and cons of the option on flipcharts.

Commissioners were then asked to fill out a ranking sheet which allowed them to rank each option on a scale from one to five, with five indicating wholehearted support and one indicating complete opposition to the option. It was explained that each proposal would be tallied and the corresponding score indicated. The higher the overall score, the more support members had for it. At the completion of this exercise the top five proposals were identified and Chairman Rodriguez appointed a drafting group to review the options and to refine a discrete option into a proposal to present at August's meeting. The results of this exercise are shown on pages four through nine of this report.

On day two of the Commission meeting, the Commission members began the discussion on code enforcement issues and how to address the concerns of South Florida. Commissioner D'Andrea suggested a separate chapter option which may serve to address windload design, roofing, and code enforcement issues (page 10 of this report. This option was discussed and pros and cons were captured on flipchart. At the completion of the discussion Chairman Rodriguez suggested that the drafting group he had assigned to address the windload issues should be expanded and should propose an option that addresses roofing

and code enforcement as well as windload design. The work group will consist of Chairman Raul Rodriguez, Vice Chair Doug Murdock, and Commission members Nick D'Andrea, Dick Browdy, Charlie Danger, and Med Kopczynski. It was agreed that the group would meet in Fort Lauderdale on Saturday, July 31, 1999.

Finally, the Commission determined that each TAC/TG should propose one person as their choice for the 12th. TAC/TG member. Each chair was asked to identify which category they felt a new member should be added and the Commission unanimously approved the following categories:

Joint Building/Fire/Fire Code	NA
Special Occupancy	General Interest
Accessibility	General Interest
Education	Producer
Energy	Producer
Code Enforcement	Producer
Mechanical	Producer
Product Approval	Producer
Plumbing	Producer
Electrical/Alarm	Producer
Building/Structural	Consumer

Florida Building Commission Approved Process & Locations For Draft II Public Hearings

On July 12, 1999 the Florida Building Commission approved the following process, locations, and dates for five facilitated public hearings on Draft II of the Florida Building Code. These hearings will be conducted in September, October, and early November of 1999.

Format:

The first portion of the hearing will be for general public comment, where the public may address the full Commission, however, the Commission will not respond. This will be followed by 3 blocks of time divided into topical areas where the public may address their questions and comments to the full commission and receive back responses from Commission members. This question, comment, discussion, and response portion of the hearing will be facilitated by a neutral professional facilitation team.

Agenda

- 1:00 Welcome and Introductions
- 1:10 Public Comment (speakers sign up and address the Commission members using an open microphone)
- 2:00 Block 1: Facilitated Q & A with the Commission
Questions and comments are invited on issues relative to:
Building/Structural, Electrical/Alarm, and Education.
- 2:50 Break
- 3:00 Block 2: Facilitated Q & A with the Commission
Questions and comments are invited on issues relative to: Product Approval, Accessibility, Special Occupancy/Specialty Codes, and Building/Fire.
- 3:50 Break
- 4:00 Block 3: Facilitated Q & A with the Commission
Questions and comments are invited on issues relative to: Code Enforcement, Mechanical/Elevator, Energy, and Plumbing/Gas.
- 4:50 Closing
- 5:00 Adjourn

<u>Date</u>	<u>City</u>	<u>Schedule</u>	<u>Time</u>
September 8, 1999 (The Commission will meet for 2 1/2 days after the hearing)	Panama City		8:00 – 12:00
September 22, 1999	Miami		1:00 – 5:00
October 13, 1999 (The Commission will meet for 2 1/2 days prior to the hearing)	Orlando		1:00 – 5:00
October 27, 1999	Gainesville		1:00 – 5:00
November 8, 1999 (The Commission will meet for 2 1/2 days after the hearing)	Ft. Myers		8:00 – 12:00

Wind Load Design Options

In June, 1999, members first discussed the nature of the various code standards related to wind load design. Members agreed in reviewing the options, that if no member spoke in support of an option it would not be ranked or further considered. In July, 1999, Commission members reviewed the options and agreed to add one additional option labeled as Option M. In addition, the members engaged in a ranking exercise in order to determine which of the options were considered by Commission members to be the most viable. Following represents the pros and cons and the overall rank of each of the options. The top five options are identified with an additional overall ranking.

A. Adopt the South Florida Building Code as a supplement to the Florida Building Code and seeking legislative authority for this. Adopt the South Florida Building Code as a supplement to the Florida Building Code. This approach would allow local jurisdictions to select either the state maintained Florida Building Code or the Miami-Dade and Broward Counties maintained South Florida Building Code. *Option A will address the hurricane resistant design issues by allowing those communities which want the higher standards to adopt the South Florida Building Code, which includes higher standards of performance for hurricane resistance, in lieu of the state building code.*

Pros

Provides delivery system for areas that want it without compromising the amendment process

Cons

Counter to Governor's intent
Will double the size of the code document
Will create enclave that works only for SE Florida not rest of state and vice versa
Creates a second code- violates intent of single unified code

Ranking Score: 43

B. Seek Legislative Exemption of Miami-Dade & Broward from the Statewide Code Recommend revision of the law to exempt Miami-Dade and Broward counties from the statewide unified code. *Will address Miami-Dade and Broward Counties concerns for maintaining the standards adopted in response to hurricane Andrew by exempting them from the state code and allowing their continued use of the South Florida Building Code.*

Pros

Best deal for citizens of South Florida

Cons

Can't exempt just one location
Need uniform code- this cuts against that
Doesn't provide mechanism to enhance and update code in future
Will create enclave that works only for SE Florida not rest of state and vice versa

Ranking Score: 29

C. Relax Criteria regarding Local Amendments

~~Recommend revision of the law to eliminate the review of local amendments to the statewide code and rescinding of those not adopted into the code at every three year update. This would eliminate the primary oversight feature established for state control of unwarranted and unjustifiable local amendments. Review and rejection of local amendments by the commission coupled with the ability to appeal local amendments to the state commission establish the incentive for local self control.~~

No member spoke in support of this option and was therefore was not ranked and was eliminated from consideration.

D. Adopt IBC 2000, 1998 ASCE 7.

Adopt the proposed requirements for the 2000 International Building Code and the International Residential Code, which are based on the 1998 edition of ASCE Standard 7, as the sole standard for all buildings directly within chapter 16 of the Florida Building Code. *Option D would impose the ASCE 7-98 standards of design on all buildings in all communities (see description of major requirements for ASCE 7-98 below). However, it adds a simplified option for conducting the design calculations for buildings under 60 feet in height which is the same as the procedure (not performance requirement) as is currently in section 1606.2 of the Standard Building Code.*

Pros

Addresses concerns of S.F. and keeps code consistent
Good start- doesn't address all needs
Support- modify to address S. Fl. Concerns
Offers best shot at a solution
Brings all the needed components into code
Incorporates latest design standards
Provides uniformity on criteria w/rest of the Country

Cons

No evaluation of the cost impact
New provision- needs analysis

Ranking Score: 68 Overall ranking: 1

E. Exempt Miami-Dade, Broward and others From 1606.1.1 Exceptions.

Amend the current requirements of chapter 16, section 1606.1.1 of the Florida Building Code to specify that Miami-Dade county, Broward county and other jurisdictions that so request are exempt from the exceptions of section 1606.1.1. This exemption will result in all buildings designed and constructed in those jurisdictions complying with ASCE Standard 7, 1998 edition. *Option E allows the greater hurricane protection standards by exempting communities who want the higher standards from the Standard Building Codes alternative requirements for buildings under 60 feet in height does not require window and door protections. Options E does not include the simplified calculation method for low rise buildings which option D has included (from the 2000 International Building Code)*

Pros

Addresses immediate need and will facilitate
Adoption of statewide code
Consider combining D & E

Cons

Creates precedent for exempting
local areas- may allow other exemptions
Multiplicity of codes in state

Would require different design criteria from buildings of different heights, by maintaining current outdated low rise provisions

Ranking Score: 45

F. Adopt 1998 ASCE#7

Adopt an appendix that establishes the 1998 edition of ASCE 7 as the standard for wind resistant design for all buildings. The appendix could be adopted in lieu of the chapter 16 requirements of the code which allow buildings under 60 feet in height to be designed to an alternative lesser standard. *Option F is a local option approach allowing local jurisdictions to adopt the ASCE 7-98 standard voluntarily by local amendment and exempt those amendments from the three year review and possible need for re-adoption. In other words, local amendments to adopt ASCE 7-98 would be pre-approved by the code.*

Pros

Provides an option for using ASCE 7 or others
Allows local government to amend and adopt ASCE 7.
Addresses the issues and doesn't hurt amendment process

Cons

Doesn't have criteria for when
May create same problem as Draft I
Oppose technical appendices- vs. info
Doesn't address issues for other areas of state
Doesn't put up to date criteria in appendix while keeping outdated low rise provision

Ranking Score: 52 Overall ranking: 5

G. Pre-Approved Local Option ASCE 7-98.

Amend present statutory requirements regarding local amendments to establish a presumption that adoption provision of ASCE 7-98 would be stricter than provisions of FBC and locally justified in jurisdictions that are within the zones greater than 120 mph and anywhere within 1 mile of the coast hurricane wind zones depicted on maps that accompany ASCE 7-98. No economic impact analysis would be required to support these local amendments and they would not need to be re-adopted after the 3 year period and would not be subject to appeal to local review boards or to the FBC. *Option G is also a local option approach allowing local jurisdictions to adopt the ASCE 7-98 standard voluntarily by local amendment and exempt those amendments from the three year review and possible need for re-adoption. In other words, local amendments to adopt ASCE 7-98 would be pre-approved by the legislature. This option would require legislative revision of the current law.*

Pros

Provides a method for local areas to enhance their code criteria
Allows local government to adopt ASCE 7 Without local process

Cons

Adjacent jurisdictions may have different standards
Should be provided as local amendment in the code.
"Orange wind areas" take into account that some coastal areas only need more stringent standards one mile from the coast

Ranking Score: 52 Overall ranking: 5

H. Stay with Draft I including its provisions for amendments (consistent with existing law).

Pros

Law is appropriate and should be followed
Miami-Dade and Broward can achieve in
Amendment process with support of builders
Regulators and politicians

Cons

Different criteria
Ignores current knowledge
What about needs for other areas-
PB, Monroe County.

Ranking Score: 41

I. Storm Survivability Rating System

Establish a rating System for all structures in the state provide a minimum rating standard as a supplement to the Code treatment of wind design

Pros

Goes to issue of consumer knowing what they
Are buying
Allows builders to market quality levels
A good comparison- but doesn't
Address the issue worth considering as a
supplement

Cons

Doesn't directly address wind load issue
Could negatively impact the real estate
market
Insurability
Liability
Create a state bureaucracy

Ranking Score: 57 Overall ranking: 3

This was not considered a stand alone option, instead it is an enhancement to other options.

J. Combine D & E

Ranking Score: 48 Overall Ranking: 6

K. Regional Provisions

This chapter incorporates provisions determined to be supplemental to the code and shall apply on a regional basis to those counties applying for this status prior to the FBC adoption of its final rule draft in December, 1999. These provisions are "regional" and supplemental to the base code and provide for an increased level of enforcement regulations, enhanced wind loading standards and mandatory windborne debris protection standards. All counties and municipal jurisdictions contained within those regions adopting approved regional provisions will be governed by and enforce these provisions.

Pros

Allows other counties to easily adopt
i.e. Monroe, PB etc

Cons

Says Commission won't make a
decision
Picking and choosing is inappropriate
and doesn't follow
Intent of the code.

Ranking Score: 56 Overall ranking: 4

L. Option D exempting the Panhandle

Pros

Allows Panhandle jurisdictions to opt out
And not subvert the rest of the code

Cons

Can't change ASCE wind standards

Ranking Score: 39 Overall ranking:

M. Adopt ASCE 7-98 with Miami-Dade, Broward, Palm Beach, and Monroe counties classified as wind borne debris regions.

Pros

Maintain integrity of uniform building code

Gives regions to address and exceed ASCE 7-98
Not lowering state standards

Allow South Florida to keep their standards

Cons

Doesn't provide adequate safety for rest
of the state

Doesn't address (impact standards,
roofing) prescriptive methods

ASCE 7-98 is only part of a system to resolve this
issue

Every county should be able to adopt

Possible Amendments

Allow for options on wind borne debris standard (i.e., ASCE 7-98, ASTM 96, Miami-Dade
protocol)

Escambia County? (not consistent with intent)

Other counties can seek amendment to the code later

Add definition of high hurricane region to option M to equal Miami-Dade standard

Ranking Score: 66 Overall ranking: 2

WINDLOAD DESIGN OPTIONS – RANK RESULTS

Option	Rank	5	4	3	2	1	Totals
A		1	1	5	6	7	43
B		1	1	1	8	9	29
C							
D	1	5	6	5	4	0	68
E		0	2	5	9	4	45
F	5	2	1	8	6	2	52
G	5	1	3		7	3	52
H		1	0	4	9	6	41
I	3	2	1	7	8	1	57
J	6	1	1	6	9	3	48
K	4	1	5	6	5	3	56
L		0	1	2	12	5	39
M	2	6	5	1	5	3	66

- Options with highest point total = D
 - Option with highest 5 = M
 - Options with most 5s/4s = D
 - Option with least 2s/1s = D
 - Option with most 1s = B
 - Option with most 1s/2s = B & L
- β

High Hurricane Hazard Region Option Identified at July's Meeting

ASSUMPTIONS

- Recognize that the law allows local jurisdictions to write administrative chapters and adopt by local amendments*
- Consistent with minimum plan review, inspections and C.O. in FBC
- * Not subject to state oversight or action – no 3 year review

”HIGH HURRICANE HAZARD REGION”

Areas of state within the high hurricane hazard region as defined in Chapter 2 definitions, FBC, shall use Chapter 1 B (new) for their administrative provisions (Miami-Dade/Broward administrative provisions consistent with law)

Roofing – use Chapter 15 (B) new (Miami-Dade roofing protocol)

Wind load design – use 16 (B) new (ASCE 7-98 as modified by Miami- Dade)

Issues Identified by Commission Members:

1. How to opt a region in
2. Are changes subject to amendment requirements as defined by law regarding opting out/in
3. South Florida integration issue driven by hurricane concerns only – need confirmation [A] yes per Charlie]
4. How to keep other areas from being forced into region – define region as Miami-Dade/Broward
5. Local amendment process can still be utilized based on existing criteria – FBC review
6. How to define regions – Dade/Broward – what about other areas with same exposure? Creates a problem for other areas to adopt Chapter B
7. Addresses South Florida's concerns
8. What happens with another storm in the meantime
9. Don't want to support changing ASCE 7-98 by ignoring other areas with same exposure (i.e., wind borne debris requirements)
10. What about Panhandle – storm frequency
11. Enforceability must be considered – keep code changes enforceable
12. Need education on provisions of code
13. Good administrative section serves to educate and enforce code provisions
14. Concern for cost issues

**Florida Building Commission
July 12 - 13, 1999
St. Augustine, Florida**

**Results of the
Meeting Evaluation Form**

How well did the Commission achieve the meeting objectives?

Circle One

	<u>Good</u>	<u>Poor</u>	<u>Avg</u>
• To Review and Adopt the Revised Commission Workplan with Drafting Assignments	5 4 3 2 1		4.50
• To Hear Additional Presentations on State Agency Issues and Review Key Questions and Decisions for the Commission	5 4 3 2 1		4.42
• To Continue the Review of South Florida Code Integration Issues, Hear Presentations on Wind Design Code Issues, Rank and Discuss Options for Addressing Issues	5 4 3 2 1		4.25
• To Review Enforcement Issues and Identify Options for addressing in Draft II	5 4 3 2 1		4.00
• To Review Staff Recommendations for 12 th TAC/TG Members	5 4 3 2 1		3.91
• To hear TAC/TG reports and begin addressing consent and discussion agenda Items	5 4 3 2 1		4.22

Rate the following aspects of the meeting?

Clarity of the meeting purpose and plan	5 4 3 2 1	3.75
Balance of structure and flexibility	5 4 3 2 1	4.33
Group involvement and productivity	5 4 3 2 1	4.33
Facilitation	5 4 3 2 1	4.50
Facility	5 4 3 2 1	4.83

Comments:

Very nice facility. Appreciated facilitator with TAC meeting.

Nice Facility and amenities.

Very, very committed commissioners – generous with their time.

What did you like best about the meeting?

The work of the 33 page agenda package, the update/outline of issues/tasks/work due dates, etc, was excellent

Smoothly run. Good discussion on certain issues. Moving in right direction. Good Chairman.

Getting to move the ball forward.

South Florida integration issues were advanced. Appreciated Rick D'Andrea's initiative as to how?

How could the meeting have been improved?

Hold some of the TAC meetings in the evenings rather than a 4th day.

Recommend minimizing process and maximize time to discuss and resolve difficult technical issues.

Under the constraints we have, we have done very well.