

ORDINANCE 2019-05

AN ORDINANCE OF THE CITY OF CLEAR LAKE SHORES, TEXAS AMENDING CHAPTER 38, FLOOD DAMAGE PREVENTION, ARTICLE III – GENERAL PROVISIONS, SECTION 38-62 BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD; ARTICLE IV – ADMINISTRATION, SECTION 38-92 (9) and (10) - DUTIES AND RESPONSIBILITIES OF THE FLOODPLAIN ADMINISTRATOR ; ARTICLE V – PROVISIONS FOR FLOOD HAZARD REDUCTION, SECTION 38-122 SPECIFIC STANDARDS (4 – a,b,c) MANUFACTURED HOMES and (5) RECREATIONAL VEHICLES OF THE CODE OF ORDINANCES OF THE CITY OF CLEAR LAKE SHORES, TEXAS BY ADOPTING THE MODIFICATION OF CHAPTER 38.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLEAR LAKE SHORES, TEXAS, THAT:

Section 1. Municipal Code: That the Clear Lake Shores Municipal Code be and same is hereby amended by adopting the modification of Chapter 38, Art. III, Sec. 38-62:

Section 2. Current Structure: The current structure of Chapter 38, Art., III Sec. 38-62: The areas of special flood hazard identified by the Federal Emergency Management Agency in the current scientific and engineering report entitled, “The Flood Insurance Study (FIS) for the City of Clear Lake Shores”, dated April 4, 1983, with accompanying Flood Insurance Rate Maps and/or Flood Boundary-Floodway Maps (FIRM and/or FBFM), dated April 4, 1983, and any revisions thereto are hereby adopted by reference and declared to be a part of this chapter.

Section 3. Modification of structure: The modification of Chapter 38, Art., III Sec. 38-62: The areas of special flood hazard identified by the Federal Emergency Management Agency in the current scientific and engineering report entitled, “The Flood Insurance Study (FIS) for the City of Clear Lake Shores”, dated August 15, 2019, with accompanying Flood Insurance Rate Maps and/or Flood Boundary-Floodway Maps (FIRM and/or FBFM), dated August 15, 2019, and any revisions thereto are hereby adopted by reference and declared to be a part of this chapter.

Section 4. Municipal Code: That the Clear Lake Shores Municipal Code be and same is hereby amended by adopting the modification of Chapter 38, Art. IV, Sec. 38-92 (9) and (10):

Section 5. Current Structure: The current structure of Chapter 38, Art. IV, Sec. 38-92 (9) and (10):

(9) When a regulatory floodway has not been designated, the floodplain administrator must require that no new construction, substantial improvement, or other development (including fill) shall be permitted within Zones A1-30 and AE on the community’s FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

(10) Under the provisions of 44 CFR Chapter 1, Section 65.12, of the National Flood Insurance Program regulations, a community may approve certain development in Zones A1-30, AE, AH on the community's FIRM which increases the water surface elevation of the base flood by more than one foot, provided that the community first completes all of the provisions required by Section 65.12.

Section 6. Modification of Structure: The modified structure of Chapter 38, Art. IV, Sec. 38-92 (9) and (10):

(9) When a regulatory floodway has not been designated, the floodplain administrator must require that no new construction, substantial improvement, or other development (including fill) shall be permitted within Zones AE and VE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

(10) Under the provisions of 44 CFR Chapter 1, Section 65.12, of the National Flood Insurance Program regulations, a community may approve certain development in Zones AE and VE on the community's FIRM which increases the water surface elevation of the base flood by more than one foot, provided that the community first completes all of the provisions required by Section 65.12.

Section 7. Municipal Code: That the Clear Lake Shores Municipal Code be and same is hereby amended by adopting the modification of Chapter 38, Art. V, Sec. 38-122 (4 – a,b,c) and (5):

Section 8. Current Structure: The current structure of Chapter 38, Art. V, Sec. 38-122:

(4) Manufactured homes.

a. Require that all manufactured homes to be placed within Zone A on a community's FIRM or FIRM shall be installed using methods and practices which minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement., Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors,. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces.

b. Require that manufactured homes that are placed or substantially improved within Zone A1-30, AH, and AE on the community's FIRM on sites: (i) outside of a manufactured home park or subdivision; (ii) in a new manufactured home park or subdivision; (iii) in an expansion to an existing manufactured home park or subdivision; (iv) in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to 12 inches above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation collapse, and lateral movement.

c. Require that manufactured homes be placed or substantially improved on sites in an existing manufactured home park or subdivision with Zones A1-30, AH and AE on the community's FIRM that are not subject to the provisions of this subsection (4) of this section be elevated so

that either: 1. The lowest floor of the manufactured home is elevated to 12 inches above the base flood elevation; or 2. The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation collapse, and lateral movement.

(5) Recreational vehicles.

Require that recreational vehicles be placed on sites within Zones A1-30, AH and AE on the community's FIRM either: (i) be on the site for fewer than 180 executive days; or (ii) be fully licensed and ready for highway use; or (iii) meet the requirements for of subsection 38-93(1), and the elevation and anchoring requirements for "manufactured homes" in subsection (4) of this section. A recreational vehicle is ready for high use if it is on its wheels or jacking system, is attached to the site only by quick-disconnect type utilities and security devices, and has no permanently attached additions.

Section 9. Modified Structure: The modified structure of Chapter 38, Art. V, Sec. 38-122:

(4) Manufactured homes.

a. Require that all manufactured homes to be placed within Zone AE and VE on a community's FHBM or FIRM shall be installed using methods and practices which minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement., Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors,. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces.

b. Require that manufactured homes that are placed or substantially improved within Zone AE and VE on the community's FIRM on sites: (i) outside of a manufactured home park or subdivision; (ii) in a new manufactured home park or subdivision; (iii) in an expansion to an existing manufactured home park or subdivision; (iv) in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to 12 inches above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation collapse, and lateral movement.

c. Require that manufactured homes be placed or substantially improved on sites in an existing manufactured home park or subdivision with Zones AE and VE on the community's FIRM that are not subject to the provisions of this subsection (4) of this section be elevated so that either: 1. The lowest floor of the manufactured home is elevated to 12 inches above the base flood elevation; or 2. The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation collapse, and lateral movement.

(5) Recreational vehicles.

Require that recreational vehicles be placed on sites within Zones AE and VE on the community's FIRM either: (i) be on the site for fewer than 180 executive days; or (ii) be fully

licensed and ready for highway use; or (iii) meet the requirements for of subsection 38-93(l), and the elevation and anchoring requirements for “manufactured homes” in subsection (4) of this section. A recreational vehicle is ready for highy use if it is on its wheels or jacking system, is attached to the site only by quick-disconnect type utilities and security devices, and has no permanently attached additions.

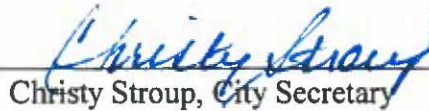
Section 10. Effective Date. This ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect August 15, 2019 upon passage, adoption, and required publication.

PASSED, APPROVED AND ADOPTED THIS THE 16th DAY OF July 2019.



Kurt Otten, Mayor

Attest:


Christy Stroup, City Secretary

