

ORDINANCE NO. 4258

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH
AMENDING CHAPTER 222 OF THE HUNTINGTON BEACH ZONING AND
SUBDIVISION ORDINANCE RELATING TO THE FLOODPLAIN OVERLAY DISTRICT
(FP1, FP2, FP3)
(ZONING TEXT AMENDMENT NO. 22-003)

WHEREAS, Zoning Text Amendment No. 22-003 will amend Chapter 222 of the Huntington Beach Zoning and Subdivision Ordinance, relating to Floodplain Overlay District; and

The Huntington Beach Planning Commission and Huntington Beach City Council have held separate, duly noticed public hearings to consider Zoning Text Amendment No. 22-003; and

After due consideration of the findings and recommendations of the Planning Commission and all other evidence presented, the City Council finds that the aforesaid amendment is proper and consistent with the General Plan;

The City Council of the City of Huntington Beach does hereby ordain as follows:

SECTION 1. Section 222.14 of the Huntington Beach Zoning and Subdivision Ordinance is hereby amended to read as follows:

Development standards for the FP Overlay District shall be specified by a conditional use permit or shall be those of the base district with which the FP district is combined, provided that the following standards of construction shall apply in the -FP2 and -FP3 subdistricts.

A. -FP2 and -FP3 Standards of Construction.

1. Anchoring. All new construction and substantial improvements of structures, including manufactured homes, shall be anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy. All manufactured homes shall comply with the anchoring standards of Section 222.14(A)(5).
2. Construction Materials and Methods. All new construction and substantial improvements of structures, including manufactured homes, shall use construction methods and practices that minimize flood damage, and shall utilize materials and utility equipment resistant to flood damage for areas below the base flood elevation plus one foot freeboard. Adequate drainage paths around structures on slopes shall be provided to guide flood waters around and away from proposed structures.

3. Standards for Utilities and Mechanical Equipment.

- a. All new and replacement water supply and sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the system and discharge from systems into floodwaters.
- b. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.
- c. All new construction and substantial improvements shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities designed and/or located one foot above the base flood elevation so as to prevent water from entering or accumulating within the components during conditions of flooding.

4. Standards for Subdivisions and Other Proposed Development.

- a. All new subdivision proposals and other proposed development, including proposals for manufactured home parks and subdivisions, greater than 50 lots or five acres, whichever is the lesser, shall:
 - i. Identify the Special Flood Hazard Areas (SFHA) and Base Flood Elevations (BFE).
 - ii. Identify the elevations of lowest floors of all proposed structures and pads on the final plans.
 - iii. If the site is filled above the base flood elevation, the following as-built information for each structure shall be certified by a registered civil engineer or licensed land surveyor and provided as part of an application for a Letter of Map Revision based on Fill (LOMR-F) to the Floodplain Administrator:
 - (A) Lowest floor elevation.
 - (B) Pad elevation.
 - (C) Lowest adjacent grade.
- b. All subdivision proposals and other proposed development shall be consistent with the need to minimize flood damage.
- c. All subdivision proposals and other proposed development shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage.
- d. All subdivisions and other proposed development shall provide adequate drainage to reduce exposure to flood hazards.

5. Standards for Manufactured Homes.

- a. All new and replacement manufactured homes and substantial improvements to manufactured homes on sites located:
 - 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; or
 - iv. In an existing manufactured home park or subdivision on a site upon which a manufactured home has incurred substantial damage as a result of a flood shall be elevated on a permanent foundation so that the lowest floor is elevated one foot above the base flood elevation.
- b. All manufactured homes to be placed or substantially improved in an existing manufactured home park or subdivision shall be elevated to have the lowest floor one foot above the base flood elevation.
- c. All manufactured homes shall be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

6. Standards for Recreational Vehicles. All recreational vehicles placed on a site within a flood hazard zone shall be fully licensed and ready for highway use, restricted to a maximum stay on site of 180 days unless the elevation and anchoring of the recreational vehicle complies with the Standards for Manufactured Homes. All recreational vehicles placed in coastal high hazard areas (V and VE zones) shall also comply with -FP3 standards for construction.

B. -FP2 Standards of Construction.

1. Elevation and Floodproofing.

- a. Residential Construction. New residential construction and substantial improvement of any residential structure shall have the lowest floor including basement elevated one foot above the base flood elevation except:
 - i. In an AO zone, the lowest floor including basement shall be elevated one foot above the highest adjacent natural grade to a height exceeding the depth number on the FIRM by one foot or at least three feet if no depth number is specified; and
 - ii. In an A zone, the lowest floor including basement shall be elevated one foot above the base flood elevation as determined by the City.

Prior to issuance of a building permit and prior to building permit final inspection, the elevation of the lowest floor including basement shall be certified by a California registered engineer, or surveyor. The completed FEMA elevation certificates shall be submitted to the Director.

- b. Nonresidential Construction. New construction and substantial improvement of any nonresidential structure shall be either elevated to comply with subsection (B)(1)(a) or together with attendant utility and sanitary facilities be floodproofed below the level stated in subsection (B)(1)(a) so that the structure is watertight with walls substantially impermeable to the passage of water and be capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A floodproofing certificate shall be completed and certified by a California registered engineer or architect and submitted to the Director prior to issuance of a building permit.
- c. Flood Openings. All new construction and substantial improvement of any structure with fully enclosed areas below the lowest floor (excluding basements) that are usable solely for parking of vehicles, building access or storage, and which are subject to flooding, shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwater. All proposals for using space below the lowest floor shall exceed the following requirements:
 - i. Be certified by a California registered engineer or architect; or
 - ii. Be certified to comply with a local floodproofing standard approved by the Federal Insurance Administration, Federal Emergency Management Agency; or
 - iii. Have a minimum of two openings on different sides having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic entry and exit of floodwaters.

C. -FP3 Standards of Construction.

- 1. Location of Buildings. All new construction shall be located on the landward side of the reach of the mean high tide.
- 2. Free of Obstruction. All new construction and substantial improvement shall have the lowest floor free of obstructions or constructed with breakaway walls as defined in Section 222.06. Such enclosed space shall not be used for human habitation but may be used for parking, building access or storage.

3. Elevation and Structural Support. All new construction and substantial improvements shall be elevated on adequately anchored pilings or columns so that the bottom of the lowest horizontal portion of the structural member of the lowest floor (excluding the pilings or columns) is elevated one foot above the base flood level. The pile or column foundation and structure attached thereto is anchored to resist flotation, collapse, and lateral movement due to the effects of wind and water loads acting simultaneously on all building components. Water loading values used shall be those associated with the base flood. Wind loading values used shall comply with standards adopted by the City. Fill shall not be used for structural support of buildings.
4. Certification. A California registered engineer or architect shall certify to the satisfaction of the Director that the proposed structure complies with the requirements of this section. The Director shall obtain and maintain records of the elevation (in relation to mean sea level) of the bottom of the lowest structural member of the lowest floor (excluding pilings or columns) of all new and substantially improved structures, and whether such structures contain a basement. (3285-7/95, 3334-6/97, 3845-12/09)

SECTION 2. This Ordinance shall become effective 30 days after its adoption.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the 6TH day of SEPTEMBER, 2022.

ATTEST:

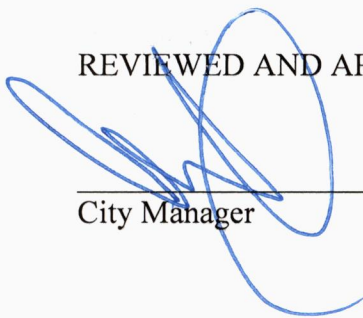


City Clerk



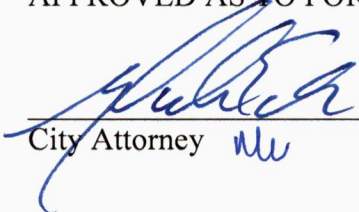
Mayor

REVIEWED AND APPROVED


City Manager

INITIATED AND APPROVED


Community Development Director
APPROVED AS TO FORM:


City Attorney *nu*

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss:
CITY OF HUNTINGTON BEACH)

I, ROBIN ESTANISLAU, the duly elected, qualified City Clerk of the City of Huntington Beach, and ex-officio Clerk of the City Council of said City, do hereby certify that the whole number of members of the City Council of the City of Huntington Beach is seven; that the foregoing ordinance was read to said City Council at a **Regular** meeting thereof held on **August 2, 2022**, and was again read to said City Council at a **Regular** meeting thereof held on **September 6, 2022**, and was passed and adopted by the affirmative vote of at least a majority of all the members of said City Council.

AYES: Peterson, Bolton, Posey, Delgleize, Carr, Moser, Kalmick

NOES: None

ABSENT: None

ABSTAIN: None

I, Robin Estanislau, CITY CLERK of the City of Huntington Beach and ex-officio Clerk of the City Council, do hereby certify that a synopsis of this ordinance has been published in the Huntington Beach Wave on September 15, 2022.

In accordance with the City Charter of said City.

Robin Estanislau, City Clerk

Senior Deputy City Clerk



City Clerk and ex-officio Clerk
of the City Council of the City
of Huntington Beach, California