

CITY OF HUMBLE

ORDINANCE NO. 18-816

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUMBLE, TEXAS, AMENDING CHAPTER 12, "BUILDINGS AND BUILDING REGULATIONS", ARTICLE VI "FLOOD DAMAGE PREVENTION", AND CHAPTER 38, "SUBDIVISIONS", OF THE CODE OF ORDINANCES TO INCREASE THE ELEVATION FOR NEW CONSTRUCTION AND SUBSTANTIAL IMPROVEMENTS OF RESIDENTIAL AND NON-RESIDENTIAL STRUCTURES TO TWO FEET ABOVE THE 500-YEAR FLOOD ELEVATION; MAKING OTHER FINDINGS AND PROVISIONS RELATED THERETO; PROVIDING A PENALTY UP TO \$2,000 PER DAY FOR EACH VIOLATION; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, the Texas Legislature has authorized the City of Humble to adopt regulations designed to minimize flood losses; and

WHEREAS, after considering public comments at a public hearing, the City Council desires to increase the elevation for buildings and other structures to require that new construction and substantial improvements to existing structures shall have the lowest floor level elevated to or above two feet above mean 500-year flood elevation;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HUMBLE, TEXAS, THAT:

SECTION 1. Chapter 12, Buildings and Building Regulations, of the Code of Ordinances of the City of Humble, Texas, is amended by amending Section 12-133, Floor elevation requirements in specific areas of the city, in Article III, Setback Lines and Floor Elevations, to read:

"CHAPTER 12. -BUILDINGS AND BUILDING REGULATIONS

ARTICLE III. SETBACK LINES AND FLOOR ELEVATIONS

Sec. 12-133. - Floor elevation requirements in specific areas of the city.

(a) Concrete slab floors of structures proposed in areas of the city where natural topography is significantly lower than the crown of the nearest street or the top of the nearest sanitary sewer manhole shall be constructed to a safe and adequate elevation above the natural ground. Factors determining finished floor elevation shall include condition and elevation of the nearest street, stormwater drainage conditions and highest recorded stormwater level in the location of proposed

construction. Concrete slab floor elevations proposed in these limited areas of the city shall be approved by the building official and the city manager.

(b) Concrete slab floors proposed in designated floodplains within the city shall comply with provisions of the National Flood Insurance Program.

(c) The following conditions must be met for any building permit for construction for residential use on land below the 500 year flood elevation:

1. The top of the subfloor of the lowest habitable floor must be elevated to two feet above the 500-year flood elevation.

2. Construction shall use methods and practices that will minimize flood damage and construction materials and utility equipment that are resistant to flood damage. FEMA Bulletins 1-93, 2-93 and 3-93 or subsequent revisions shall serve as the guideline for this requirement.

3. Unless dry-floodproofed, enclosed areas below the 500 year flood elevation must be equipped with flood openings or vents capable of equalizing water levels and hydrostatic loads. Covers of these openings must not interfere with the equalization of water levels in the event of a flood. A licensed architect or registered professional engineer shall certify the flood openings.

4. Thermal insulation used below the 500 year flood elevation shall be of a type that does not absorb water nor is buoyant.

5. Water heaters, furnaces, air conditioning systems, electrical distribution panels and any other mechanical or electrical equipment must be elevated to at least 2 feet above the 500-year flood elevation. Separate electrical circuits shall serve any level below the 500-year flood elevation and shall be dropped from above.

6. Basements are prohibited.

7. All air ducts, pipes, propane tanks and storage tanks located below the 500 year flood elevation shall be anchored to prevent flotation. Tanks and ducts shall be vented to at least 2 feet above the 500 year flood elevation.

(d). In the event of a conflict between this Article and and Article VI, the more stringent provisions shall apply.”

SECTION 2. Chapter 12, Buildings and Building Regulations, of the Code of Ordinances of the City of Humble, Texas, is amended by amending the following definitions in Section 12-217, Definitions, of Division 1, Generally, of Article VI, Flood Damage Prevention, to read:

“ARTICLE VI. FLOOD DAMAGE PREVENTION

DIVISION 1. GENERALLY

Sec. 12-217. Definitions.

Area of future conditions flood hazard means the land area that would be inundated by the ~~one~~ one percent-two-percent-annual chance (~~100~~ 500-year) flood based on future conditions hydrology.

Area of shallow flooding means a designated AO, AH, AR,/AO, AR/AH, or VO zone on a community's flood insurance rate map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Area of shallow flooding shall also include any area designated on the FIRM with a two percent or greater chance of flooding in any year (the 500-year flood plain). Such flooding is characterized by ponding or sheet flow.

Area of special flood hazard means the land in the flood plain within a community subject to a one percent or greater chance of flooding in any given year. The area may be designated as zone A on the flood hazard boundary map (FHBM). After detailed rate making has been completed in preparation for publication of the FIRM, Zone A usually is refined into zones A, AO, AH, A1-30, AE, A99, AR, AR/A1-30, AR/AE, AR/AO, AR/AH, AR/A, VO, V1-30, VE or V. Area of shallow flooding shall also include any area designated on the FIRM with a two percent or greater chance of flooding in any year (the 500-year flood plain).

Base flood means the flood having a ~~one~~ two percent chance of being equaled or exceeded in any given year, which is also known as the 500-year flood.

Flood insurance rate map (FIRM) means an official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.”

SECTION 3. Chapter 12, Buildings and Building Regulations, of the Code of Ordinances of the City of Humble, Texas, is amended by amending Section 12-223, Basis for establishing areas of special flood hazard, of Division 1, Generally, of Article VI, Flood Damage Prevention, to read:

“Sec. 12-223. - Basis for establishing areas of special flood hazard.

(a) The areas of special flood hazard identified by the Federal Emergency Management Agency (FEMA) in a scientific and engineering report entitled "The Flood Insurance Study for the City of Humble," dated June 18, 2007, with accompanying flood insurance rate maps and flood boundary-floodway maps and any revisions or Letter of Map Revisions thereto, are hereby adopted by reference and declared to be a part of this chapter.

(b) The mapped floodplains, including the floodway, as maintained by the Harris County Flood Control District shall constitute prima facie evidence of the base flood elevation and floodplains. In the event of a conflict between the most current map maintained by the Harris County Flood Control District and FEMA, the more stringent shall apply.”

SECTION 4. Chapter 12, Buildings and Building Regulations, of the Code of Ordinances of the City of Humble, Texas, is amended by amending Section 12-286, Specific Standards, of Division 3, Flood Hazard Reduction, to read:

“DIVISION 3. FLOOD HAZARD REDUCTION

Sec. 12-286. - Specific standards.

In all areas of special flood hazards where base flood elevation data has been provided as set forth in section 12-223, section 12-251(8), or section 12-287(c), the following provisions are required:

(1) Residential construction. New construction and substantial improvement of any residential structure shall have the lowest floor (including basement) elevated to or above two feet above the base flood elevation. A registered professional engineer, architect or land surveyor shall submit a certification to the floodplain administrator that the standard of this subsection as proposed in section 12-252(a)(1) is satisfied.

(2) Nonresidential construction. New construction and substantial improvements of any commercial, industrial or other nonresidential structure shall either have the lowest floor (including basement) elevated to or above two feet above the base flood level or, together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall develop and/or review structural design, specifications and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice as outlined in this subsection. A record of such certification which includes the specific elevation (in relation to mean sea level) to which such structures are floodproofed shall be maintained by the floodplain administrator.

(3) Enclosures. New construction and substantial improvements with fully enclosed areas below the lowest floor that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:

- a. A minimum of two openings 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.

- b. The bottom of all openings shall be no higher than one foot above grade.
- c. Openings may be equipped with screens, louvers, valves or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

(4) Manufactured homes.

a. Require that all manufactured homes to be placed within zone A shall be installed using methods and practices which minimize flood damage. For the purpose 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 or local anchoring requirements for resisting wind forces.

b. Require that manufactured homes that are placed or substantially improved within zones 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, or (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 or above two feet 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 subsection (4) of this section be elevated so that either:

1. The lowest floor of the manufactured home is at or above two feet 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 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 consecutive days, or (ii) be fully licensed and ready for highway use, or (iii) meet the permit requirements of section 12-252, and the elevation and anchoring requirements for manufactured homes in subsection (4) of this section. A recreational vehicle is ready for highway 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 5. Chapter 38, Subdivisions, of the Code of Ordinances of the City of Humble, Texas, is amended by amending Subsection 38-9(b)(3)(e) to read:

“CHAPTER 38. SUBDIVISIONS

SEC. 38-9. Preliminary plan requirements; exhibits and supporting documents.

(b) Plan drawing exhibit.

(3) Existing drainage information.

e. Regulatory flood limits and base flood elevation (100/500-year floodplain).”

SECTION 6. Chapter 38, Subdivisions, of the Code of Ordinances of the City of Humble, Texas, is amended by amending Subsection 38-10(a)(2)(k) to read:

“Sec. 38-10- Final plat requirements; exhibits and supporting documents.

(a) Plat drawing exhibit.

(2) Key plat information.

k. Floodway channel and regulatory flood limits (100/500-year floodplain).”

SECTION 7. Chapter 38, Subdivisions, of the Code of Ordinances of the City of Humble, Texas, is amended by the addition of new subsection 38-10(d) Federal flood insurance program, to read:

“Sec. 38-10

(d) Federal flood insurance program

No subdivision of land shall be approved unless such subdivision complies in all respects with the city's flood damage prevention regulations. Each final plat shall have depicted thereon applicable boundaries of all flood zones as provided in the latest edition of the federal insurance rate maps and the base flood elevations required by this Code of Ordinances. The following statement shall be placed upon the face of each final plat: "Based upon flooding experience, the City of Humble

prohibits the floor of any habitable area of a structure to be constructed at less than two feet above the 500-year base flood elevation.”

SECTION 8. Chapter 38, Subdivisions, of the Code of Ordinances of the City of Humble, Texas, is amended by amending subsection 38-22 (c) to read:

“Sec. 38-22. Easements.

c) Federal flood insurance program. The city and county, as well as other county units of government, have agreed to participate in the federal flood insurance program and through this participation, the limits of the 100-year and 500-year floodplain for all natural drainageways has been determined and special regulations for construction of facilities which fall within the designated 100-year and 500-year floodplain have been established. It is the policy of the city to inform persons who submit plats to the city if the property illustrated on the plat falls within the established floodplains, and to suggest that they seek more detailed information from the agencies who control construction in these areas.”

SECTION 9. In the event any clause phrase, provision, sentence, or part of this ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Humble, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

SECTION 10. That, this ordinance supersedes all ordinances or parts of ordinances in conflict with the provisions stated herein.

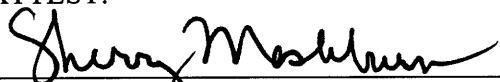
SECTION 11. That this ordinance shall become effective upon its adoption and after publication in the official newspaper of the City of Humble pursuant to Section 13 of the Charter of the City of Humble.

PASSED, APPROVED, AND ADOPTED this 22nd day of February, 2018



Merle Aaron
Mayor

ATTEST:



Sherry Mashburn
City Secretary

PUBLICATION CERTIFICATION

THIS ORDINANCE WAS PUBLISHED IN THE OFFICIAL NEWSPAPER OF THE CITY OF HUMBLE IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 13 OF THE CHARTER OF THE CITY OF HUMBLE TEXAS ON:

ATTEST:



Sherry Mashburn
City Secretary