

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF HOLLYWOOD, FLORIDA, AMENDING CHAPTER 154 OF THE CODE OF ORDINANCES ENTITLED "FLOOD DAMAGE PREVENTION" TO REVISE THE REGULATIONS TO BE IN CONFORMANCE WITH FEMA'S REQUIREMENTS RELATED TO ACCESSORY STRUCTURES AND MANUFACTURED HOMES; PROVIDING FOR A REPEALER PROVISION AND A SEVERABILITY CLAUSE.

WHEREAS, Chapter 154 of the Hollywood Code of Ordinances sets forth the regulations and guidelines relating to flood damage prevention; and

WHEREAS, the Federal Emergency Management Agency ("FEMA") released FEMA Policy #104-008-03, Floodplain Management Requirements for Accessory Structures; and

WHEREAS, staff has determined that it is appropriate to revise the current City regulations to be consistent with the FEMA Policy for wet flood proofed accessory structures that are not larger than the sizes specified in the FEMA Policy; and

WHEREAS, the City participates in the National Flood Insurance Program ("NFIP") and participates in the NFIP's Community Rating System ("CRS"), a voluntary incentive program, that recognizes and encourages community floodplain management activities that exceed the minimum program requirements, achieving a CRS rating of Class 6; and

WHEREAS, in 2020, the NFIP CRS established certain minimum prerequisites for communities to qualify for or to maintain class ratings of Class 8 or better and to satisfy the prerequisite and for the City to maintain the current CRS rating, all manufactured homes installed or replaced in special flood hazard areas must be elevated such that the lowest floors are at or above at least the base flood elevation plus one foot, which necessitates modification of the existing City regulations; and

WHEREAS, the City Commission has determined that it is in the best interest of the public and the citizens of Hollywood to amend the current regulations to better protect the owners and occupants of manufactured homes and to continue participating in the NFIP CRS at the current class rating.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA:

Coding: Words in ~~struckthrough~~ type are deletions from existing text, and underscored words are additions to existing text.

Section 1: That the foregoing “WHEREAS” clauses are ratified and confirmed as being true and correct and are incorporated in this Ordinance.

Section 2: That Chapter 154 of the Hollywood Code of Ordinances entitled “Flood Damage Prevention” is amended as follows:

TITLE: XV: LAND USAGE

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CHAPTER 154: FLOOD DAMAGE PREVENTION

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DEFINITIONS

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§ 154.21 DEFINITIONS.

ACCESSORY STRUCTURE. A structure on the same parcel of property as a principal structure and the use of which is incidental to the use of the principal structure. For floodplain management purposes, the term includes only accessory structures used for parking and storage.

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~~***EXISTING MANUFACTURED HOME PARK OR SUBDIVISION.*** A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed by November 3, 1972.~~

~~***EXPANSION TO AN EXISTING MANUFACTURED HOME PARK OR SUBDIVISION.*** The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).~~

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~~**NEW MANUFACTURED HOME PARK OR SUBDIVISION.** A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after November 3, 1972.~~

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FLOOD RESISTANT DEVELOPMENT

§ 154.50 BUILDINGS AND STRUCTURES.

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(D) Accessory structures. Accessory structures are permitted below the base flood elevation provided the accessory structures are used only for parking and storage and:

- (1) Are located in special flood hazard areas (Zone A/AE) other than coastal high hazard areas, are one story and not larger than 600 sq. ft.
- (2) Have flood openings in accordance with Section R.322.2 of the Florida Building Code, Residential.
- (3) If located in coast high hazard areas (Zone V/VE), are not located below elevated buildings and are not larger than 100 sq. ft.
- (4) Are anchored to resist flotation, collapse or lateral movement resulting from flood loads.
- (5) Have flood damage-resistant materials used below the base flood elevation plus one foot.
- (6) Have mechanical, plumbing and electrical systems, including plumbing fixtures, elevated to or above the base flood elevation plus one foot.

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§ 154.53 MANUFACTURED HOMES.

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(B) *Foundations.* All new manufactured homes and replacement manufactured homes installed in flood hazard areas shall be installed on permanent, reinforced foundations that:

(3) In flood hazard areas (Zone A) other than coastal high hazard areas, are designed in accordance with the foundation requirements of the *Florida Building Code, Residential* Section R322.2 and this chapter. ~~Foundations for manufactured homes subject to Section 154.53(D)(2) of this chapter are permitted to be reinforced piers or other foundation elements of at least equivalent strength.~~

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(D) *Elevation.* All manufactured homes that are placed, replaced, or substantially improved in flood hazard areas shall be elevated such that the bottom of the frame is at or above the elevation required, as applicable to the flood hazard area, in the *Florida Building Code, Residential* Section R322.2 (Zone A) or R322.3 (Zone V and Coastal A Zone). ~~Manufactured home that are placed, replaced or substantially improved shall comply with divisions (D)(1) or (D)(2) of this section, as applicable.~~

~~(1) — *General elevation requirement.* Unless subject to the requirements of division (D)(2) of this section, all manufactured homes that are placed, replaced, or substantially improved on sites located: (a) outside of a manufactured home park or subdivision; (b) in a new manufactured home park or subdivision; (c) in an expansion to an existing manufactured home park or subdivision; or (d) in an existing manufactured home park or subdivision upon which a manufactured home has incurred “substantial damage” as the result of a flood, shall be elevated such that the bottom of the frame is at or above the elevation required, as applicable to the flood hazard area, in the *Florida Building Code, Residential* Section R322.2 (Zone A) or Section R322.3 (Zone V).~~

~~(2) — *Elevation requirement for certain existing manufactured home parks and subdivisions.* Manufactured homes that are not subject to division (D)(1) of this section, including manufactured homes that are placed, replaced, or substantially improved on sites located in an existing manufactured home park or subdivision, unless on a site where substantial damage as result of flooding has occurred, shall be elevated such that either the:~~

~~(a) Bottom of the frame of the manufactured home is at or above the elevation required, as applicable to the flood hazard area, in the *Florida Building Code, Residential* Section R322.2 (Zone A) or Section R322.3 (Zone V); or~~

~~(b) Bottom of the frame is supported by reinforced piers or other foundation elements of at least equivalent strength that are not less than 36 inches in~~

~~height above grade.~~

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Section 3: That it is the intention of the City Commission that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Hollywood, Florida, and the provisions of this Ordinance shall be renumbered to accomplish such intention.

Section 4: That if any word, phrase, clause, subsection or section of this Ordinance is for any reason held unconstitutional or invalid, such invalidity shall affect the validity of any remaining portions of this Ordinance.

Section 5: That all sections or parts of sections of the Code of Ordinances, all ordinances or parts of ordinances, and all resolutions and parts of resolutions in conflict are repealed to the extent of such conflict.

Section 6: That this Ordinance shall be in full force and effect immediately upon its passage and adoption.

ADVERTISED on _____, 2021.

PASSED on first reading this _____ day of _____, 2021.

PASSED AND ADOPTED on second reading this _____ day of _____, 2021.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC
CITY CLERK

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY for the use and reliance
of the City of Hollywood, Florida, only.

DOUGLAS R. GONZALES
CITY ATTORNEY