

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

AGENDA ITEM NO.: D.3	SITE LOCATION: Citywide
HEARING DATE: September 5, 2019	GENERAL PLAN: N/A
CASE NO.: Amendment No. A-025-2019	ZONE: N/A
APPLICANT: City of Garden Grove	
OWNER: N/A	CEQA DETERMINATION: Exempt

REQUEST:

Recommend approval to the City Council of a City-initiated zoning text amendment to Section 9.04.060 of the Garden Grove Municipal Code to add definitions for terms used in existing portions of Title 9 pertaining to the Flood Insurance Hazard Overlay Zone to meet the minimum requirements of the National Flood Insurance Program.

BACKGROUND:

The City of Garden Grove is a participating community in the Federal Emergency Management Agency (FEMA) National Flood Insurance Program (NFIP). As a condition of participation, the City must adopt and enforce a flood plain management ordinance that regulates development within the City’s flood plains and that meets state and federal minimum standards. In return, FEMA makes flood insurance coverage available on buildings and its contents throughout the community.

On behalf of FEMA, the Department of Water Resources (DWR) conducted a community assistance visit on May 9, 2019 to review the City of Garden Grove’s NFIP and assess the City’s implementation of the local flood plain management ordinance. DWR’s analysis of the City’s flood plain management ordinance found some minor deficiencies in the City’s Municipal Code where certain terms and definitions were not in alignment with the California Model Flood plain Management Ordinance.

To ensure full compliance with the NFIP regulations, State DWR staff required the City to provide an initial draft Ordinance outlining the required changes for DWR to review. Failure to update the terms and definitions required by DWR will risk the City’s participation in the NFIP. Being a non-participant will mean that flood insurance policies within the City cannot be written or renewed.

DISCUSSION:

The proposed amendment will allow the City of Garden Grove to remain in compliance with, and continue its participation in, the NFIP. The summary of changes to Section 9.04.060 of Title 9 includes the following definitions for “Existing manufactured home

park or subdivision," "Expansion to an existing manufactured home park or subdivision," "Historic structure," "New manufactured home park or subdivision," and "Substantial damage." The exact proposed changes to the Municipal Code are shown in the draft City Council Ordinance (Exhibit "A") that is attached to the proposed Planning Commission Resolution No. 5964-19.

"Existing manufactured home park or subdivision" means, for flood plain management purposes, 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 before the effective date of a flood plain management regulation adopted by the City of Garden Grove.

"Expansion to an existing manufactured home park or subdivision" means, for flood plain management purposes, 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).

"Historic structure" means, for flood plain management purposes, any structure that is: 1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; 2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; 3) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or 4) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either by an approved state program as determined by the Secretary of the Interior or directly by the Secretary of the Interior in states without approved programs.

"New manufactured home park or subdivision" means, for flood plain management purposes, 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 the effective date of a flood plain management regulation adopted by the City of Garden Grove.

"Substantial damage" means, for flood plain management purposes, damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred."

The purpose of this updated Flood plain Management Ordinance is to ensure that the City is in full compliance with the NFIP regulations. These regulations are implemented to promote the public health, safety and general welfare, and to reduce damages and losses to public and private facilities due to flood conditions.

RECOMMENDATION:

Staff recommends that the Planning Commission:

1. Adopt the proposed Resolution recommending approval of Amendment No. A-025-2019 to the City Council.

Lee Marino
Planning Services Manager

By: Nancy Mith
Planner