

1 CITY OF ST. GEORGE

2  
3 BY COUNCIL MEMBER EDMONDS:

4  
5 PROPOSED ORDINANCE NO. 2025 - \_\_\_\_

6  
7 TO AMEND CHAPTER 15 OF THE UNIFIED DEVELOPMENT  
8 CODE RELATIVE TO FLOODWAYS, FLOODPLAINS,  
9 DRAINAGE, AND WATER QUALITY AND TO PROVIDE FOR  
10 RELATED MATTERS.

11  
12 WHEREAS, the Louisiana Legislature through La. R.S. 38:84, *et seq.* delegated the  
13 responsibility to local governmental units to adopt regulations designed to minimize flood losses  
14 granting the St. George Council the authority to “adopt such ordinances, rules, and regulations,  
15 including zoning and land use regulations, as are necessary to comply with the requirements” of  
16 the National Flood Insurance Act of 1968, 42 USC 4001 *et seq.* and the regulations adopted  
17 pursuant thereto by the Federal Emergency Management Agency (“FEMA”);

18  
19 WHEREAS, before the incorporation of the City of St. George, the properties within the  
20 unincorporated area were subject to the Unified Development Code for the City of Baton Rouge  
21 and Parish of East Baton Rouge (the “EBR-UDC”) and the related zoning map;

22  
23 WHEREAS, on July 25, 2024, prior to issuing any building permits or approving any  
24 development within St. George, the St. George Council, by Ordinance No. 2024-002, adopted the  
25 Unified Development Code for East Baton Rouge Parish, including Chapter 15 relative to  
26 Floodways, Floodplains, Drainage and Water Quality and Chapter 19, which defined certain terms  
27 therein;

28  
29 WHEREAS, the enactment of Ordinance No. 2024-002 provides that regulation of  
30 development in areas with flood hazards remains subject to land use and control measures and  
31 effective enforcement provisions consistent with the criteria in Section 60 of the National Flood  
32 Insurance Program Regulations;

33  
34 WHEREAS, St. George Code of Ordinances, Title 8, Section 8:70, adopted on August 24,  
35 2024 through Ordinance No. 2024-015, provided for certain requirements in the event of flood  
36 hazard prior to the issuance of a building permit;

37  
38 WHEREAS, by repealing and reenacting Title 8, Section 8:70 of the St. George Code of  
39 Ordinances, repealing and reenacting the Unified Development Code, Chapter 15, Floodways,  
40 Floodplains, Drainage and Water Quality and, amending the Unified Development Code, Chapter  
41 19, Definitions, the City Council desires to adopt an ordinance to maintain in force, in those areas  
42 having flood hazards, adequate land use and control measures with effective enforcement  
43 provisions consistent with the criteria set forth in Section 60 of the National Flood Insurance  
44 Program Regulations for the City of St. George;

1 NOW THEREFORE, BE IT ORDAINED by the St. George City Council, State of  
2 Louisiana, as follows:

3  
4 **Section 1. Amend and Re-Enact.** St. George Code of Ordinances, Title 8, Section 8:70.  
5 Requirements in the event of flood hazard are hereby amended and reenacted to read as follows:

6  
7 **Title 8. BUILDINGS**  
8 **CHAPTER 1. BUILDING CODE**

9  
10 **PART VII. FLOOD HAZARD.**

11  
12 **Sec. 8:70. Requirements in the event of flood hazard.**

13  
14 Before a building permit or certificate of occupancy is issued, the floodplain manager shall  
15 ensure that the applicable provisions of the St. George Unified Development Code, Chapter 15  
16 Floodplain and Stormwater Management have been met.

17  
18  
19 **Section 2. Amendment and Re-enactment.** Chapter 15 of the St. George Unified Development  
20 Code, , as adopted in Ordinance No. 2024-002, is hereby amended and re-enacted to read as follows:

21  
22 **ST. GEORGE UNIFIED DEVELOPMENT CODE**

23  
24 **CHAPTER 15.**

25 **FLOODWAYS, FLOODPLAINS, DRAINAGE, AND WATER QUALITY**

26  
27  
28 **Section 15.1 Statutory Authorization, Findings of Fact, Statement of Purpose, General**  
29 **Provisions, and Amendments**

30  
31 **Section 15.1.1 Statutory Authorization**

32  
33 The Legislature of the State of Louisiana has in Louisiana Revised Statutes 38:84 et seq. delegated  
34 the responsibility to local governmental units to adopt regulations designed to minimize flood  
35 losses. Therefore, the St. George City Council does ordain as provided this chapter.

36  
37 **Section 15.1.2 Findings of Fact**

38  
39 A. The flood hazard areas of the City of St. George are subject to periodic inundation which  
40 results in loss of life and property, health and safety hazards, disruption of commerce and  
41 governmental services, and extraordinary public expenditures for flood protection and relief, all of  
42 which adversely affect the public health, safety and general welfare.

43  
44 B. These flood losses are created by extreme weather events and the cumulative effect of  
45 obstructions in floodplains that cause an increase in flood heights and velocities, and by the  
46 occupancy of flood hazard areas by uses vulnerable to floods and hazardous to other lands because  
47 they are inadequately elevated, flood-proofed to otherwise be protected from flood damage.

1  
2 **Section 15.1.3 Statement of Purpose**  
3

4 A. It is the purpose of this chapter to promote the public health, safety, and general welfare  
5 and to minimize public and private losses due to flood conditions by provisions designed to:

- 6 1. Protect human life and health;
- 7 2. Minimize expenditure of public money for costly flood control projects;
- 8 3. Minimize the need for rescue and relief efforts associated with flooding and generally  
9 undertaken at the expense of the general public;
- 10 4. Minimize prolonged business interruptions;
- 11 5. Minimize damage to public facilities and utilities such as water and gas mains, electric,  
12 telephone, and sewer lines, streets, and bridges located in floodplains;
- 13 6. Provide for the sound use and development of flood-prone areas in such a manner as to  
14 minimize future flood blight areas; and,
- 15 7. Ensure that potential buyers are notified that the property is in a FEMA Special Flood  
16 Hazard Area.

17  
18 **Section 15.1.4 General Provisions**  
19

20 In order to minimize the adverse environmental impacts caused by increased run-off, urban heat  
21 island effects, and non-point source pollution, Best Management Practices (BMPs) as described in  
22 Appendix K shall be used as prescribed in this Chapter.  
23

24 **Section 15.1.5 Amendments**  
25

26 The St. George City Council may amend this Chapter upon its own motion or upon petition without  
27 Planning Commission approval.  
28

29 **Section 15.2 Definitions**  
30

31 Definitions of terms used in this chapter may be found in Chapter 19.  
32

33 **Section 15.3 Establishment of Development Permit**  
34

35 A development permit shall be required to ensure conformance with the provisions of this chapter.  
36

37 **Section 15.4 Compliance**  
38

39 No structure or land shall be located, altered, or have its use changed without full compliance with  
40 the terms of this chapter and other applicable regulations.  
41

42 **Section 15.5 Abrogation and Greater Restrictions**  
43

44 This chapter is not intended to repeal, abrogate, or impair any existing easements, covenants, or  
45 deed restrictions. However, where this chapter and another ordinance conflict or overlap  
46 whichever imposes the more stringent restrictions shall prevail.

1  
2 **Section 15.6 Interpretation.**

3  
4 In the interpretation and application of this chapter, all provisions shall be considered as minimum  
5 requirements, liberally construed in favor of the governing body, and deemed neither to limit nor  
6 repeal any other powers granted under State statutes.  
7

8 **Section 15.7 Basis for Establishing Special Flood Hazard Areas**

9  
10 The term “special flood hazard area(s)” shall hereon refer to both items written in this section  
11 unless specified otherwise.  
12

13 **Section 15.7.1 FEMA Special Flood Hazard Areas**

14  
15 The Federal Emergency Management Agency (FEMA) special flood hazard areas (FEMA SFHA)  
16 identified by the Federal Emergency Management Agency in the current scientific and engineering  
17 report entitled, “The Flood Insurance Study (FIS) for East Baton Rouge Parish and Incorporated  
18 Areas,” dated June 19, 2012, with accompanying Flood Insurance Rate Maps (FIRMs) for East  
19 Baton Rouge Parish and Incorporated Areas dated May 2, 2008 and revisions as made June 19,  
20 2012, and any revisions thereto are hereby adopted by reference and declared to be a part of this  
21 ordinance. As future studies based on more recent data and methodology become available,  
22 including but not limited to FEMA-approved data, this new data shall replace the older studies.  
23

24 **Section 15.7.2 Community Defined Special Flood Hazard Areas**

25  
26 The Community Defined Special Flood Hazard Areas (CD SFHA) estimate areas flooded during  
27 the future 100-year storm event and are identified by East Baton Rouge Parish based on scientific  
28 and engineering analysis by the methodology described in the Stormwater Management Plan  
29 Modeling Design Criteria document. The location and extent of the CD SFHA, as well as  
30 Community Defined Flood Elevations (CD FE), are maintained on the EBR GIS website. The  
31 initial CD SFHA and CD FE maps on the EBR GIS website shall be dated APRIL 1, 2023 and  
32 have an effective date of APRIL 1, 2023. As future studies based on more recent data and  
33 methodology become available, including but not limited to FEMA-approved data, this new data  
34 shall replace the older studies at the discretion of the Floodplain Administrator.  
35

36 **Section 15.8 Warning and Disclaimer of Liability**

37  
38 The degree of flood protection required by this chapter shall be considered the reasonable  
39 minimum for regulatory purposes and is based on scientific and engineering considerations. On  
40 rare occasions, greater floods can and will occur and flood heights may be increased by man-made  
41 or natural causes. This chapter does not imply that land outside the special flood hazard areas or  
42 uses permitted within such areas will be free from flooding or flood damages. This chapter shall  
43 not create liability on the part of the community or any official or employee thereof for any flood  
44 damages that result from reliance on this chapter or any administrative decision lawfully made  
45 there under.  
46

1 **Section 15.9 Designation of the Floodplain Administrator**

2  
3 The Director of Development is hereby appointed the Floodplain Administrator to administer and  
4 implement the provisions of this chapter and relevant sections of 44 Code of Federal Regulations  
5 (CFR) (Emergency Management and Assistance - National Flood Insurance Program Regulations)  
6 pertaining to floodplain management.  
7

8 **Section 15.10 Duties and Responsibilities of the Floodplain Administrator**

9  
10 The duties and responsibilities of the Floodplain Administrator shall include, but not be limited to,  
11 the following:

- 12 A. Maintain and hold open for public inspection all records pertaining to the provisions of this  
13 chapter;
- 14 B. Review permit applications to determine whether proposed building sites, including the  
15 placement of manufactured homes, will be reasonably safe from flooding;
- 16 C. Review, approve, or deny all applications for development permits required by the adoption  
17 of this chapter;
- 18 D. Review permits for proposed development to assure that all necessary permits have been  
19 obtained from those federal, State, or local governmental agencies (including permits issued  
20 under Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 USC  
21 1334) from which prior approval is required;
- 22 E. Make the necessary interpretation, where interpretation is needed as to the exact location of  
23 the boundaries of the special flood hazard areas FEMA SFHA and CD SFHA (for example,  
24 where there appears to be a conflict between a mapped boundary and actual field conditions),  
25 as well as Stream Setbacks
- 26 F. Notify, in riverine situations, adjacent communities, and the State coordinating agency, the  
27 State Department of Transportation and Development, prior to any alteration or relocation of  
28 a watercourse and submit evidence of such notification to the Federal Emergency  
29 Management Agency;
- 30 G. Assure that the flood-carrying capacity within the altered or relocated portion of any  
31 watercourse is maintained.
- 32 HG. Review and approve or deny all applications requiring an Offsite Drainage Assessment in  
33 accordance with Section 15.24, Floodplain Conveyance Zones, to minimize impacts to the  
34 flood-carrying capacity within the altered or relocated portion of any drainage way;
- 35 HH. Obtain, review, and reasonably utilize any FEMA base flood elevation data and floodway data  
36 available from a federal, State, or other source and Community Defined flood elevation and  
37 floodplain conveyance zones in order to administer the provisions of Section 15.18, Flood  
38 Prevention, through Section 15.23, Floodways, of this chapter when base flood elevation data  
39 has not been provided in accordance with Section 15.7, Basis for Establishing Special Flood  
40 Hazard Areas;
- 41 JH. Require that no new construction, substantial improvements, or other development (including  
42 fill) be permitted within Zones A, A1-30, and AE on the FIRM when a regulatory floodway  
43 has not been designated, unless, it is demonstrated that the cumulative effect of the proposed  
44 development when combined with all other existing and anticipated development will not  
45 increase the water surface elevation of the base flood more than one foot at any point within  
46 the floodplain; KJ. Apply for a conditional FIRM revision through FEMA under the

1 provisions of 44 CFR Chapter 1 Section 65.12 of the National Flood Insurance Program  
2 Regulations, before approving certain developments in Zones A1-A30, AE, and AH on the  
3 FIRM that increase the water surface elevation of the base flood by more than one foot;

4 LK. Provide a flood zone determination for the site of any application of a building or development  
5 permit. This determination will provide the FEMA flood zone designation, FEMA base flood  
6 or adjacent base flood elevation, CD SFHA designation, Community Defined Flood Elevation  
7 (CD FE), and record inundation value for the site; and

8 ML. Review, approve or deny all applications for a waiver of freeboard or variance of the National  
9 Flood Insurance Program (NFIP) requirements by the procedures defined in Section 15.12,  
10 Variance Procedures, of this chapter.

## 11 **Section 15.11 Permit Procedures**

12  
13  
14 A. An application for a development permit shall be presented to the Floodplain Administrator  
15 on forms furnished by him/her and may include but not be limited to plans in duplicate drawn to  
16 scale showing the location, dimensions, and elevation of proposed changes in topography or land  
17 alterations, existing and proposed structures, and the project location in relation to special flood  
18 hazard areas. Additionally, the following information is required:

- 19  
20 1. Elevation (in relation to mean sea level) of the lowest floor (including the basement) of all  
21 new and substantially improved structures;
- 22 2. Elevation (in relation to mean sea level) to which any nonresidential structure shall be  
23 flood-proofed;
- 24 3. A certificate from a registered professional engineer or architect that the nonresidential  
25 flood-proofed structure shall meet the flood-proofing criteria of Section 15.21, Specific  
26 Standards; and,
- 27 4. Description of the extent to which any watercourse or natural drainage will be altered or  
28 relocated as a result of proposed development.

29  
30 B. Approval or denial of a development permit by the Floodplain Administrator shall be based  
31 on all of the provisions of this chapter and the following relevant factors:

- 32  
33 1. The danger to life and property due to flooding or erosion damage;
  - 34 2. The susceptibility of the proposed facility and its contents to flood damage and the effect  
35 of such damage on the individual owner;
  - 36 3. The danger that materials may be swept onto other lands and potentially injure others;
  - 37 4. The safety of access to the property in times of flood for ordinary and emergency vehicles;
  - 38 5. The costs of providing governmental services during and after flood conditions including  
39 maintenance and repair of streets and bridges, and public utilities and facilities such as  
40 sewer, gas, electrical, and water systems;
  - 41 6. The expected heights, velocity, duration, rate of rise, and sediment transport of the  
42 floodwaters and the effects of wave action, if applicable, expected at the site;
  - 43 7. The necessity to the facility of a waterfront location, where applicable; and,
  - 44 8. The availability of alternative locations, not subject to flooding or erosion damage, for the  
45 proposed use.
- 46

1 **Section 15.12 Variances and Waivers**

2  
3 A. The Board of Appeals shall hear and render judgment on requests for variances from the  
4 requirements of this chapter. Waivers of local freeboard requirements shall be heard and may be  
5 granted by the Floodplain Administrator.

6  
7 B. The Board of Appeals shall hear and render judgment on an appeal only when it is alleged  
8 there is an error in any requirement, decision, or determination made by the Floodplain  
9 Administrator in the enforcement or administration of this chapter. Variances shall be reviewed  
10 regularly twice a month.

11  
12 C. Any person or persons aggrieved by the decision of the Board of Appeals may appeal such  
13 decision in the courts of competent jurisdiction.

14  
15 D. The Floodplain Administrator shall maintain a record of all actions involving an appeal  
16 and shall report variances to the Federal Emergency Management Agency upon request.

17  
18 E. Variances may be issued for the reconstruction, rehabilitation, or restoration of structures  
19 listed on the National Register of Historic Places or the State inventory of historic places without  
20 regard to the procedures set forth in the remainder of this chapter.

21  
22 F. Variances may be issued for new construction and substantial improvements to be erected  
23 on a lot of one-half acre or less in size contiguous to, and surrounded by, lots with existing  
24 structures constructed below the base flood level providing the relevant factors for the approval or  
25 denial of a development permit in Section 15.11.B. have been fully considered. As the lot size  
26 increases beyond one-half acre, the technical justification required for issuing the variance shall  
27 increase.

28  
29 G. Upon consideration of the factors noted above and the intent of this chapter, the Board of  
30 Appeals may attach such conditions to the granting of variances as it deems necessary to further  
31 the purpose and objectives of this chapter Section 15.1.3, Statement of Purpose.

32  
33 H. Variances shall not be issued within any designated floodway if any increase in flood levels  
34 during the base flood discharge would result.

35  
36 I. Variances may be issued for the repair or rehabilitation of historic structures upon a  
37 determination that the proposed repair or rehabilitation will not preclude the structure's continued  
38 designation as a historic structure and the variance is the minimum necessary to preserve the  
39 historic character and design of the structure.

40  
41 J. Variances from the requirements in 15.25, Stream Setbacks, may upon application be  
42 considered and approved, conditionally approved, or denied by the Board of Appeals in accordance  
43 with this Chapter; however, the following additional provisions shall apply:

44  
45 Where a parcel was platted prior to the effective date of the ordinance from which the  
46 Stream Setbacks were derived, and its shape, topography, or other existing physical

1 condition prevents land development consistent with this chapter, and the Development  
2 Director finds and determines that the requirements of this article prohibit the lawful use  
3 of the property by the owner, the Board of Appeals may upon application grant a variance  
4 from the Stream Setback requirements, provided that any such approval of a variance shall  
5 require mitigation measures to offset the effects of any proposed land development on the  
6 parcel for which the variance is approved, as determined by the Development Director.

7  
8 **K. Requirements for Granting Variances and Waivers**

9 1. Variance of NFIP Requirements

10 a. Variances shall only be issued upon a determination that the variance is the  
11 minimum necessary, considering the flood hazard, to afford relief

12 b. Variances shall only be issued upon:

13 (1) Showing a good and sufficient cause;

14 (2) . A determination that failure to grant the variance would result in exceptional  
15 hardship to the applicant; and,

16 (3) A determination that the granting of a variance will not result in increased  
17 flood heights, additional threats to public safety, or extraordinary public  
18 expense; create nuisances; cause fraud on or victimization of the public; or  
19 conflict with existing local laws or ordinances.

20 c. Any application to which a variance is granted shall be given written notice that the  
21 structure will be permitted to be built with the lowest floor elevation below the base  
22 flood elevation and that the cost of flood insurance will be commensurate with the  
23 increased risk resulting from the reduced lowest floor elevation.

24 2. Waiver of Local Freeboard Requirements

25 a. Waivers to the local freeboard requirement as identified in Section 15.21.E,  
26 Minimum First Floor, shall only be issued for the minimum elevation necessary,  
27 considering the flood hazard, to afford relief and maintain the objectives of this  
28 chapter.

29 b. Waivers may be issued to restrict the elevation of a mobile home to four feet or less  
30 above the identified lowest natural ground where practicable.

31 cb. Waivers may be issued upon determination:

32 (1) The 100-year base flood, the flood with a one percent chance of occurring in  
33 any given year, elevation plus freeboard results in an elevation in excess of the  
34 500-year flood, the flood with a 0.2% chance of occurring in any given year,  
35 elevation; or,

36 (2) The 1993 amended FIRM increased the base flood elevation by two feet or  
37 more and the proposed construction or substantial improvement is within an  
38 existing recognized development.

39 de. Waivers shall not be issued where:

40 (3) An approval would allow the increase or expansion of an activity that is not  
41 permitted within the zoning requirements of the site;

42 (4) An approval is based solely on an economic gain or loss;

43 (5) An approval is for a hardship which was self-created; or,

44 (6) An approval would damage the rights and property values of adjacent  
45 properties.  
46

1 3. Waiver of Specific Water Pollutant Treatment by Best Management Practices  
2 Waivers of the requirement to treat specific water pollutants using specific best  
3 management practices (BMPs) may be issued upon the developer providing documentation  
4 that proves the specific pollutant does not exist on the site and will not be generated by  
5 specific activities proposed to occur on the site post construction; and, the Department of  
6 Development concurs in the documentation.  
7

8 **4. Watershed Specific Mitigation**

9 Stormwater discharge, which is not practicable to fully treat as defined in this chapter and  
10 the Stormwater Management Manual, shall either be treated in an off-site facility or be  
11 given the option of paying a stormwater off-site management fee. The Department of  
12 Development will employ a methodology for calculating the fee that is based on post-  
13 construction stormwater runoff, first flush quantities, and expected pollutants. The  
14 stormwater off-site management fee collected shall be placed in a mitigation account to be  
15 used to mitigate the impacts in the same watershed as the development site that arise from  
16 off-site discharge of stormwater runoff. Information relating to sites that are paying fees  
17 shall be evaluated in planning for capital improvement projects.  
18

19 L. Variances may be issued for new construction, substantial improvements, and for other  
20 development necessary for the conduct of a functionally dependent use provided that:

- 21 1. The criteria outlined in Section 15.12.K, Requirements for Granting Variances and  
22 Waivers, are met; and,
- 23 2. The structure or other development is protected by methods that minimize flood damages  
24 during the base flood and create no additional threats to public safety.  
25

26 **Section 15.13 Stormwater Management Plan**

27  
28 **Section 15.13.1 Applicability**

29  
30 In order to comply with Federal and State regulations for urban stormwater, a Stormwater  
31 Management Plan (SMP) will be required for development and redevelopment projects that require  
32 demolition or complete removal of existing structures or impervious surfaces at a site and  
33 replacement with new development. Maintenance activities such as top-layer grinding and re-  
34 pavement as well as interior remodeling projects shall not be considered redevelopment for  
35 purposes of this section. Utility trenches in streets shall not be considered redevelopment unless  
36 more than 50 percent of the street width is removed and re-paved.  
37

38 **Section 15.13.2 Requirements**

39  
40 The developer shall prepare and submit to the Department of Development, an SMP that  
41 recommends specific drainage and stormwater runoff quality improvements. The SMP shall be  
42 consistent with the Drainage Impact Study (DIS) as described in Section 15.15, Drainage Impact  
43 Study, and/or the Water Quality Impact Study (WQIS) as described in Section 15.17, Water  
44 Quality Impact Study, when either or both of these are required. Specific stormwater runoff quality  
45 improvements and drainage improvements and impacts must be addressed in the SMP, regardless  
46 of the need for a WQIS or a DIS.

1  
2 **A. Exemptions**

3 The following development activities shall be exempted from the requirement of preparing  
4 an SMP:

- 5 1. All development in duly authorized subdivisions and master planned developments  
6 created with an approved SMP that includes both a WQIS and a DIS, provided that they  
7 comply with the SMP prepared for the subdivision or master planned development at  
8 the time of the original approval.  
9 2. All single-family residential development on existing lots of record within subdivisions  
10 created before April 1, 2008.

11  
12 **B. Content**

13 The SMP shall include:

- 14 1. A map of the location of the subject property and adjacent developments and  
15 infrastructure.  
16 2. A description and map of existing site conditions, including land cover, contours, soil  
17 types, estimated pollutant load, and existing site drainage patterns, including all  
18 drainage features, wetlands, and special flood hazard areas.  
19 3. A description and site plan of the proposed development, including land cover noting  
20 impervious surfaces, contours, longitudinal slope of roadways, empirically expected  
21 pollutant load, and proposed drainage ways and stormwater BMPs, including green  
22 infrastructure opportunity footprint areas associated with proposed transportation  
23 improvements, as described in Paragraph 5 below.  
24 4. A description of the specific proposed drainage ways and stormwater BMPs, including  
25 a prioritization chart for green infrastructure opportunity areas as defined in Paragraph  
26 6 below, and how they meet the requirements for drainage and water quality as  
27 described in Sections 15.14, Drainage, and 15.16, Water Quality, respectively.  
28 5. Green infrastructure opportunity areas associated with transportation improvements  
29 shall be identified using the following methodology:  
30 a. Green infrastructure systems shall be sited within the sidewalk, roadway shoulder,  
31 roadway parking lane, or roadway median areas and placed directly upstream of  
32 existing inlets where feasible to maximize drainage capture. Footprints shall not  
33 extend into travel lanes.  
34 b. Green infrastructure systems shall consider the proximity to adjacent structures,  
35 foundations, utilities, streetlights, and other street furniture that will remain during  
36 construction. At a minimum, green infrastructure practices shall be cited at a  
37 horizontal distance of at least five feet from the adjacent buildings.  
38 c. The loading ratio, or ratio of contributing impervious drainage area to footprint area,  
39 is a critical component of green infrastructure design. Conceptual green  
40 infrastructure systems shall be designed for a loading ratio of 10:1 to 25:1.  
41 d. Green infrastructure solutions for transportation projects need to consider  
42 maintenance responsibilities, especially when solutions are within public right of  
43 way. Any planting should not be dependent upon irrigation for needed water unless  
44 an HOA or some other entity will pay for water and irrigation maintenance. Curb  
45 openings, depressed medians, etc., and other design features should be used to direct  
46 rainwater to plantings as needed based on species of plant.

- 1 6. Green infrastructure opportunity areas for transportation improvements shall be  
 2 prioritized based on the following priority chart with highest priority given to the  
 3 opportunity areas with the highest weighted score. For example, a drainage area of  
 4 13,000 SF would carry a weighted score of 0.60 because the scoring weight is 30% and  
 5 medium priority drainage areas have a value of two (30% x 2 = 0.60).  
 6

Description	Scoring Weight	Lowest Priority (Value = 1)	Medium Priority (Value = 2)	Highest Priority (Value = 3)
Drainage Area	30%	5,000 SF – 10,000 SF	10,000 SF – 15,000 SF	> 15,000 SF
Loading Ratio	40%	25:1 – 35:1	18:1 – 25:1	> 18:1
Street Slope	30%	4% - 5%	2% - 4%	> 2%

- 7  
 8 7. Example green infrastructure typologies and design considerations for transportation  
 9 improvements can be found in Chapter 11 of the MOVEBR Infrastructure  
 10 Enhancement and Traffic Mitigation Program Design Guidelines:

11 [https://movebr.brla.gov/assets/documents/design-](https://movebr.brla.gov/assets/documents/design-guidelines/MOVEBR%20Design%20Guidelines%20Rev_1_Final_042920-web.pdf)  
 12 [guidelines/MOVEBR%20Design%20Guidelines%20Rev\\_1\\_Final\\_042920-web.pdf](https://movebr.brla.gov/assets/documents/designguidelines/MOVEBR%20Design%20Guidelines%20Rev_1_Final_042920-web.pdf)  
 13 [https://movebr.brla.gov/assets/documents/designguidelines/MOVEBR%20Design%20](https://movebr.brla.gov/assets/documents/designguidelines/MOVEBR%20Design%20Guidelines%20Rev_1_Final_042920-web.pdf)  
 14 [0Guidelines%20Rev\\_1\\_Final\\_042920-web.pdf](https://movebr.brla.gov/assets/documents/designguidelines/MOVEBR%20Design%20Guidelines%20Rev_1_Final_042920-web.pdf).  
 15

- 16 8. A description of how the proposed drainage ways and stormwater BMPs will be  
 17 maintained.  
 18

19 **Section 15.14 Drainage**

20  
 21 Adequate provisions shall be made for the management of stormwater subject to the approval of  
 22 the Department of Development.  
 23

24 A. Stormwater Management Plan

25 As provided in Section 15.13, Stormwater Management Plan, the developer shall prepare  
 26 and submit to the Department of Development a Stormwater Management Plan that  
 27 recommends specific on-site drainage improvements to provide adequate capacity for a 2-  
 28 , 10-, 25-, and 100-year (the fifty, ten, four, and one percent annual-exceedance probability  
 29 [AEP]) storm events. The SMP shall be consistent with the issues and recommendations  
 30 presented in the DIS when it is required. All drainage improvements shall be planned in  
 31 accordance with the criteria for drainage as specified by the Department of Development.  
 32

33 B. Drainage Ways

- 34 1. No person shall perform construction activity or deepen, widen, fill, reroute, or change  
 35 the location of any existing drainage way without first obtaining written permission  
 36 from the Department of Development. Plans for such activity in any drainage way shall  
 37 comply with the criteria of the Department of Development and all State and federal  
 38 regulations. At its sole discretion, the Department of Development may require that  
 39 such plans be submitted to the Department for review. All work shall be approved by,  
 40 and be subject to inspection by, the Department of Development.

- 1 2. Wherever drainage ways exist or are provided within the development, rights-of-way  
2 or servitudes shall be dedicated on either side of such drainage ways for maintenance  
3 and construction. The width of such dedicated rights-of-way or servitudes shall be  
4 determined based upon established criteria after review and approval by the  
5 Department of Development of the drainage requirements of the development and the  
6 SMP for drainage in consultation with the engineer designing the development. Lots  
7 created along drainage ways shall not encroach on drainage rights-of-way, and all  
8 rights-of-way shall be excluded from the lot area. Special servitudes may be required  
9 for outfall purposes.

10  
11 **C. Contour Map**

12 A contour map shall be prepared for the area comprising the development and any  
13 additional area required by the Department of Development. The additional area shall  
14 include all watersheds that drain into the property to be developed. The map of the  
15 additional area may be prepared from USGS datum or datum filed at the Department of  
16 Development, if it is available.

17  
18 **D. Drainage of Contributing Watersheds**

19 In the design of the drainage for a development, provisions must be made to adequately  
20 convey water from contributing watersheds. All drainage ways shall be constructed to meet  
21 current drainage needs but shall have adequate servitudes for the future needs of  
22 contributing watersheds, as determined by the Department of Development. The  
23 Department of Development, at its discretion, may require that overland flow checks be  
24 provided demonstrating no increase in the 2-, 10-, 25-, and 100-year peak water surface  
25 elevations at all inflow locations to the property.

26  
27 **E. Floodplain Management**

28 All proposed developments shall be reviewed by the Department of Development such  
29 that:

- 30 1. All such proposals are consistent with the need to minimize flood damage;  
31 2. All public utilities and facilities such as sewer, gas, electrical, and water systems are  
32 located, elevated, and constructed to minimize or eliminate flood damage;  
33 3. Adequate drainage is provided so as to reduce exposure to flood hazards; and,  
34 4. All necessary permits required by federal or State laws have been obtained, including  
35 those required by Section 404 of the Federal Water Pollution Control Act (33 USC  
36 1334).

1 **Section 15.15 Drainage Impact Study**  
2

3 The purpose of this section is to ensure that existing drainage conditions at proposed sites are  
4 evaluated and the potential impacts of proposed improvements to drainage in the vicinity are  
5 determined. To ensure that this is done, two copies of the required DIS of the proposed  
6 development and surrounding affected areas shall be submitted to the Department of Development.  
7 The development may not be approved until the DIS has been reviewed and approved by the  
8 Department of Development.  
9

10 A. **Exemptions.** The following development activities shall be exempted from the  
11 requirements of preparing a DIS:

- 12 1. Development on a site in which the area of impervious surface does not exceed 20 percent of  
13 the developed site area. The total impervious area shall include all buildings, driveways,  
14 sidewalks, streets, parking areas, lakes, ponds, and similar facilities. All undeveloped open  
15 spaces and common areas shall be clearly identified.
- 16 2. Additions or modifications to existing developments that result in no more than a ten percent  
17 increase in existing impervious areas and which have existing engineered or subsurface (not  
18 natural) public storm drainage facilities designed to accommodate runoff from the existing  
19 site.  
20

21 B. **Waivers.** Developers may request that the Department of Development approve a waiver  
22 of the DIS. If such a request is granted, no detailed DIS shall be required for the development. A  
23 waiver must be requested in writing and contain sufficient information regarding the specific  
24 details of the proposed development. A waiver may be considered for approval provided:

- 25 1. Sufficient information is submitted by the developer indicating that the runoff from the  
26 proposed development is consistent with and discharges to a previously approved  
27 development having adequate drainage facilities is part of an approved larger plan of  
28 development with an approved drainage study, or is served by a network of subsurface  
29 public storm drainage facilities engineered to accommodate the runoff from the developed  
30 site.  
31

32 C. **Development Location and Description:** The DIS shall comply with the following  
33 minimum requirements:

- 34 1. Location. Describe the location of the subject property Township and Range, identifying  
35 adjacent developments, major drainage outfalls, streets, highways, lot, and block page  
36 number, and provide a vicinity map.
- 37 2. Description. Describe the predominant existing land use and future land use in the project  
38 watershed. (Comprehensive Land Use Data, aerial photos, etc.). Describe the proposed  
39 development, soil types, vegetative cover, and watershed slopes. Provide an estimate of the  
40 percent of impervious area for pre- and post-development conditions. Provide photos of  
41 existing channels, ditches, natural drains, and drainage structures.  
42

43 D. **Watershed Map.** Delineate drainage boundaries, indicate the acreage, and show the slope  
44 of basins, and peak 2-, 10-, 25-, and 100-year runoff rates at entry and exit locations of the  
45 development. The watershed map should indicate the location of existing channels, ditches, natural  
46 drains, proposed major drainage structures, channel realignments, and cross-section location.

1  
2 The latest published Elevation Product (3DEP) dataset from the USGS's The National Map (TNM)  
3 (<https://apps.nationalmap.gov/downloader>) or an approved comparable dataset may be used as the  
4 base for the watershed map.  
5

6 **E. Hydrologic Design.**

- 7 1. The DIS shall indicate existing conditions for peak 2-, 10-, 25-, and 100-year flow rates at  
8 the development's stormwater inflow and outflow locations.
- 9 2. The Drainage Impact Study shall indicate post-construction conditions for the peak 2-, 10-  
10 , 25-, and 100-year flow rates at the development's stormwater inflow and outflow  
11 locations.
- 12 3. The post-construction peak flow rates at all stormwater outflow points from the property  
13 shall not exceed the existing conditions peak flow rates for the 2-, 10-, 25-, and 100-year  
14 storm events.
- 15 4. If ponds or sub-surface detention systems are used in design for routing of flows, the peak  
16 - 2-, 10-, 25-, and 100-year storm events (the fifty, ten, four, and one percent AEP storms)  
17 shall be used in the design of the detention pond capacity and outfall structure(s) to achieve  
18 no increase in the peak flow rate for each event. The interior sub-surface conveyance  
19 system shall be designed for the ten-year storm. Storms that surcharge the subsurface  
20 system, up to and including the 10-year storm, shall be routed to the detention pond.  
21 Detention ponds shall have a designated weir to direct outflow for storms greater than the  
22 100-year storm.
- 23 5. Developments shall not create a new point-source discharge or a new non-point source  
24 discharge onto adjacent properties of lower ground elevations without appropriate drainage  
25 servitudes.  
26

27 **F. Hydraulic Capacities**

- 28
- 29 1. On-site capacity. Indicate the capacity of any existing drainage outfall facility (ditch, canal,  
30 culvert, bridge, or similar) within the proposed development site and the required type,  
31 size, and capacity of any proposed outfall facilities.
- 32 2. Off-site capacity. Determine the capacity of existing downstream outfall facilities (ditches,  
33 canals, culverts, bridges, or similar) that will be utilized to convey flow from the  
34 downstream limits of the proposed development to the first public outfall as identified on  
35 the EBR stream segment data layer maintained by the City-Parish Department of  
36 Information Services as part of the City-Parish geographic information system. An  
37 inventory of downstream structures including the size, type, invert elevation, and cover  
38 topping elevation should be made. Channel cross-sections at the upstream and downstream  
39 limits of the proposed development at structure locations and at intermediate canal  
40 locations shall be required to adequately define existing channel capacities.  
41

42 Where the proposed development is located an extended distance from an indexed stream,  
43 the study may be terminated at a point where the total area drained exceeds the project area  
44 by five times for single-family A1-zoned residential developments and ten times for all  
45 other developments.

46 **G. Special Site Conditions** Special conditions that may exist at the proposed development

1 site should be clearly identified including but not limited to such items as:

- 2 1. FEMA SFHA (including Firm Zones A and AE) and CD SFHA
- 3 2. Regulatory Floodways
- 4 3. Floodplain Conveyance Zones
- 5 4. Drainage Servitudes
- 6 5. Stream Setbacks
- 7 6. Fill placement locations and mitigation requirements
- 8 7. Existing and Potential wetland sites
- 9 8. Churches
- 10 9. Schools
- 11 10. Cemeteries
- 12 11. Landfills and hazardous waste sites
- 13 12. Parks

14  
15 **H. Conclusions and Recommendations.** The DIS should clearly identify the results and  
16 conclusions of the study and provide recommendations of any required action(s) so that  
17 surrounding properties experience no adverse impact.

18  
19 **Section 15.16 Water Quality.**

20  
21 The purpose of this section is to ensure that water quality is not impaired because of development  
22 or redevelopment and that BMPs are implemented according to the SMP.

23  
24 **A. Stormwater Management Plan.** The developer shall prepare and submit to the  
25 Department of Development an SMP that documents proposed specific on-site water quality  
26 improvements to treat or retain on-site all first flush stormwater pollutants that originate from the  
27 site post-construction, or as otherwise required by Total Maximum Daily Loads (TMDLs)  
28 Stormwater Permit Requirements developed by the United States Environmental Protection  
29 Agency (EPA) and the Louisiana Department of Environmental Quality (LDEQ). All on-site water  
30 quality improvements shall be planned and maintained in a manner approved by the Department  
31 of Development.

32  
33 **B. Construction Phase Site Stormwater Control.** For all development activities, a  
34 Stormwater Pollution Prevention Plan (SWPPP) shall be submitted to the Department of  
35 Development for review. The SWPPP shall describe the types and placement of BMPs that will  
36 be utilized to retain sediment on site, to prevent erosion and sedimentation as a result of  
37 construction, and to control other sources of pollution at the construction site that may cause  
38 adverse impacts on the quality of stormwater runoff from the construction site. This plan shall also  
39 describe how stormwater will be treated during the construction phase of the project in order to  
40 prevent pollution from entering any drainage ways or conveyances. This SWPP shall be consistent  
41 with all federal and State requirements.

42  
43 **C. Post-Construction Water Quality Management in New Development and**  
44 **Redevelopment.** For all developments or redevelopments that require demolition or complete  
45 removal of existing structures or impervious surfaces at a site and replacement with new  
46 development, all first flush stormwater pollutants that originate from the site post-construction,

1 shall be treated or retained on the site or as otherwise required by TMDLs or stormwater permit  
2 requirements developed by the EPA and LDEQ. All stormwater BMPs constructed on-site must  
3 meet EPA standards and specifications for implementation and maintenance.

- 4 1. The SMP shall describe the types of BMPs that will be on the site after construction is  
5 complete with specific locations of each and estimated capacity for pollutant load  
6 reduction.
- 7 2. The SMP shall ensure long-term operation and maintenance of the BMPs that have been  
8 designed and implemented to minimize water quality impacts from stormwater discharges  
9 from the project site.
- 10 3. An inspection report, prepared by a licensed professional engineer or other qualified person  
11 approved by the Floodplain Administrator shall be provided to the City by the person(s) or  
12 entity(ies) responsible for the development on a schedule approved by the Floodplain  
13 Administrator. The report shall be consistent with the SMP maintenance plan and describe  
14 the conditions and recommended maintenance requirements of all components of the SMP,  
15 including ponds, swales, and subsurface manufactured water quality features. It shall also  
16 describe the condition of the BMP and any proposed corrective actions required. Corrective  
17 actions shall be completed within 90 days of the submittal of the inspection report with  
18 evidence that the work has been completed and provided to the Department of  
19 Development.  
20

## 21 **Section 15.17 Water Quality Impact Study**

22

23 The purpose of this section is to ensure that the potential for water quality impacts to existing  
24 surface water and/or groundwater resources are evaluated as part of any development or  
25 redevelopment project. Two copies of the required WQIS of the proposed development and  
26 surrounding affected areas shall be submitted to the Department of Development reflecting the  
27 requirements of this section. The development shall not be approved until the WQIS has been  
28 reviewed and approved by the Department of Development.  
29

30 A. **Exemptions.** The following development activities shall be exempted from the  
31 requirements of preparing a WQIS, but shall comply with the stormwater BMPs described in an  
32 SMP:

- 33 1. Residential Sites with a developed area of less than one acre.
- 34 2. Farming or agricultural activities.  
35

36 B. **Existing Site Conditions and Location**

- 37 1. Site Location. Describe the location of the subject property using the street address and the  
38 latitude and longitude.
- 39 2. Watershed and Sub-watersheds. Describe the watersheds and sub-watersheds both on- and  
40 off-site.
- 41 3. Total Maximum Daily Loads List all TMDLs established by the EPA and LDEQ for  
42 applicable affected waterbodies. If TMDLs have not been established, all first-flush  
43 stormwater pollutants that originate from the site post-construction shall be treated or  
44 retained on the site.
- 45 4. Soils and Topography Provide the following:  
46 a. Site contours at maximum two-foot contour intervals;

- 1           b. General land slopes; and,
- 2           c. Soil types and characteristics.
- 3       5. Land Cover. Show existing land cover on a current aerial photo and in a table with a square
- 4       footage of the land cover area and percent of the total site. Types of land cover to be listed
- 5       include, but are not limited to the following:
- 6           a. Forest;
- 7           b. Paving (list by type);
- 8           c. Meadow;
- 9           d. Crops;
- 10          e. Buildings;
- 11          f. Water bodies; and,
- 12          g. Wetlands.

13

14 **C. Proposed Development Conditions**

- 15       1. Watershed and sub-watersheds. Describe the impact of development on watersheds and
- 16       sub-watersheds both on- and off-site.
- 17       2. Land Cover. Show proposed development land cover on a current aerial photo and in a
- 18       table with a square footage of the land cover area and percent of the total site. Types of
- 19       land cover to be listed include, but are not limited to the following:
- 20           a. Forest;
- 21           b. Paving (list by type);
- 22           c. Meadow;
- 23           d. Crops;
- 24           e. Buildings;
- 25           f. Water Bodies; and,
- 26           g. Wetlands.
- 27       3. Land Cover Comparison Table. Provide a table comparing existing land cover with
- 28       proposed development land cover. Types of land cover and empirically expected
- 29       contaminants from the land cover, uses, and activities to be listed include, but are not
- 30       limited to the following:
- 31           a. Auto-oriented use areas, including roadways, parking areas, and heavy equipment
- 32           and maintenance areas (oil, grease, Freon, heavy metals, other chemicals);
- 33           b. Lawn, plantings, and golf course maintenance (oil, grease, pesticides, herbicides,
- 34           nutrients, other chemicals);
- 35           c. Roofs and gutters (organic materials, roofing materials, coatings, heavy metals);
- 36           d. Food preparation (organic material, grease, other chemicals);
- 37           e. Commercial activities (oil, heavy metals, other chemicals);
- 38           f. Residential activities (organic materials, pesticides, herbicides, other chemicals);
- 39           and,
- 40           g. Light industrial (oil, grease, coatings, heavy metals, other chemicals).

41

42 **D. Proposed Water Quality Treatment.** Provide the following information to identify how

43 stormwater will be treated to protect water quality:

- 44       1. Stormwater Treatment Train;
- 45       2. BMPs, identifying the following:
- 46           a. Sizes;

- 1           b. Water capacity;
- 2           c. Function;
- 3           d. Percent of empirically expected pollutant reductions; BMPs shall reduce the
- 4           pollutant load in site stormwater runoff by treating or retaining all first flush
- 5           stormwater pollutants that originate from the site post-construction or as otherwise
- 6           required by EPA and LDEQ TMDLs.
- 7           e. Operation and maintenance;
- 8           f. Control and containment per special activity; and,
- 9           g. Measures for BMP maintenance.
- 10         3. Water flows per sub-watershed (in cubic feet per second)

11  
12     E.     **Study Conclusions and Recommendations.** Provide a table of the empirically expected  
13 percent removal of each pollutant by type per BMP for expected impact to affected waters.

14  
15     **Section 15.18 Flood Prevention**

16  
17     The flood hazard areas of the City are subject to periodic inundation, which results in loss of life  
18 and property, health and safety hazards, disruption of commerce and governmental services, and  
19 extraordinary public expenditures for flood protection and relief, all of which adversely affect the  
20 public health, safety, and general welfare. These flood losses are created by extreme weather  
21 events and the cumulative effect of obstructions in floodplains which cause an increase in flood  
22 heights and velocities, and by the occupancy of flood hazard areas by such critical facilities  
23 vulnerable to floods and hazardous to other lands that are inadequately elevated, flood-proofed, or  
24 otherwise protected from flood damage. The following sections provide the measures used to  
25 protect life and property from the hazards attributable to flooding.

26  
27     **Section 15.19 Methods of reducing flood losses.**

28  
29     In order to accomplish its purposes, this chapter uses the following methods:

- 30     A. Restrict or prohibit uses that are dangerous to health, safety, or property in times of flood or  
31     cause excessive increases in flood heights or velocities;
- 32     B. Require that uses vulnerable to floods including facilities, which serve such uses, be protected  
33     against flood damage at the time of initial construction;
- 34     C. Control the alteration of natural floodplains, stream channels, and natural protective barriers,  
35     which are involved in the accommodation of floodwaters;
- 36     D. Control filling, grading, dredging, and other development which may increase flood damage;  
37     and
- 38     E. Prevent or regulate the construction of flood barriers that will unnaturally divert floodwaters  
39     or which may increase flood hazards to other lands.
- 40     and
- 41     and
- 42     and
- 43     and
- 44     and

1 **Section 15.20 General Standards**

2  
3 In all special flood hazard areas, the following provisions are required for all new construction and  
4 substantial improvements:

- 5  
6 A. All new construction or substantial improvements shall be designed (or modified) and  
7 adequately anchored to prevent flotation, collapse, or lateral movement of the structure  
8 resulting from hydrodynamic and hydrostatic loads including the effects of buoyancy;  
9  
10 B. All new construction or substantial improvements shall be constructed by methods and  
11 practices that minimize flood damage;  
12 C. All new construction or substantial improvements shall be constructed with materials resistant  
13 to flood damage;  
14  
15 D. All new construction or substantial improvements shall be constructed with electrical, heating,  
16 ventilation, plumbing, and air conditioning equipment and other service facilities that are  
17 designed and/or located so as to prevent water from entering or accumulating within the  
18 components during conditions of flooding in accordance with Section 15.21.E, Minimum First  
19 Floor Elevation;  
20  
21 E. All new and replacement water supply systems shall be designed to minimize or eliminate  
22 infiltration of floodwaters into the system;  
23  
24 F. New and replacement sanitary sewage systems shall be designed to minimize or eliminate  
25 infiltration of floodwaters into the system and discharge from the systems into floodwaters;  
26 and  
27  
28 G. On-site waste disposal systems shall be located to avoid impairment to them or contamination  
29 from them during flooding.  
30  
31 H. All subdivision proposals and manufactured home parks shall have public utilities and  
32 facilities such as sewer, gas, electrical, and water systems located and constructed to minimize  
33 or eliminate flood damage.  
34

35 **Section 15.21 Specific Standards**

36  
37 An applicant shall submit a fee to the Department of Development Inspection Division for a flood  
38 zone determination to be used in the preparation of the FEMA-approved certificate of elevation.  
39 Where base flood elevation data has been provided, the following provisions shall be required:  
40

41 **A. Residential Construction.** New construction and substantial improvement of any  
42 residential structure shall have the lowest floor (including the basement and mechanical  
43 equipment) elevated to meet the requirements of Section 15.21.E., Minimum First Floor Elevation.  
44 (For other utilities see 15.20.D.) A registered professional engineer, architect, or land surveyor  
45 shall submit a FEMA-approved certificate of elevation certification to the Floodplain  
46 Administrator indicating that this standard is satisfied.

1  
2 **B. Nonresidential Construction.** New construction and substantial improvements of any  
3 commercial, industrial, or other nonresidential structure shall either have the lowest floor  
4 (including the basement and mechanical equipment) elevated to meet the requirements Section  
5 15.21.E., Minimum First Floor Elevation, or, together with attendant utility and sanitary facilities,  
6 be designed so that below this level the structure is watertight with walls substantially impermeable  
7 to the passage of water and with structural components having the capability of resisting  
8 hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer  
9 or architect shall develop and/or review structural design, specifications, and plans for the  
10 construction and shall certify that the design and methods of construction are in accordance with  
11 accepted standards of practice. A record of such certification including the specific elevation (in  
12 relation to mean sea level or NAVD) to which such structures are floodproofed shall be maintained  
13 by the Floodplain Administrator.  
14

15 **C. Enclosures.** Solid fences, walls, and landscaping features constructed or placed within the  
16 drainage system, as shown on the final plat, and new construction, attached garage, and substantial  
17 improvements, with fully enclosed areas below the lowest floor that are usable solely for parking  
18 of vehicles, building access or storage in an area other than a basement and which are subject to  
19 flooding, shall be designed to automatically equalize hydrostatic flood forces on exterior walls by  
20 allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either  
21 be certified by a registered professional engineer or architect or meet or exceed the following  
22 minimum criteria:

- 23 1. A minimum of two openings on separate walls having a total net area of not less than one  
24 square inch for every square foot of enclosed area subject to flooding shall be provided and  
25 all required net area shall be below the FIRM base flood elevation;
- 26 2. The bottom of all openings shall be no higher than one foot above grade;
- 27 3. Openings may be equipped with screens, louvers, valves, or other coverings or devices  
28 provided that they permit the automatic entry and exit of floodwaters; and
- 29 4. Any variance of the solid fences, walls, and landscaping feature requirements of this  
30 subsection must be approved by the Floodplain Administrator.  
31

32 **D. Manufactured Homes.**

- 33 1. All manufactured homes to be placed within Zone A shall be installed using methods and  
34 practices that minimize flood damage. For the purpose of this requirement, manufactured  
35 homes must be elevated and anchored to resist flotation, collapse, or lateral movement.  
36 Methods of anchoring may include but are not limited to, the use of over-the-top, or frame,  
37 ties to ground anchors in addition to applicable State and local anchoring requirements for  
38 resisting wind forces.
- 39 2. All manufactured homes that are placed or substantially improved within Zones A1-30,  
40 AH, AE, B, C, and X on the community's FIRM on sites outside of a manufactured home  
41 park or subdivision, in a new manufactured home park or subdivision, in an expansion to  
42 an existing manufactured home park or subdivision, or in an existing manufactured home  
43 park or subdivision on which a manufactured home has incurred substantial damage as a  
44 result of a flood, shall be elevated on a permanent foundation such that the bottom of the  
45 longitudinal structural I beam of the manufactured home is elevated to one foot or more  
46 above the base flood elevation and securely anchored to an adequately anchored foundation

1 system to resist flotation, collapse, and lateral movement.

- 2 3. Manufactured homes placed or substantially improved on sites in an existing manufactured  
3 home park or subdivision within Zones A1-A30, AH, and AE on the community's FIRM  
4 that are not subject to the provisions of paragraph (D)(2), above, shall be elevated so that  
5 either:
  - 6 a. The bottom of the longitudinal structural I beam of the manufactured home is at least  
7 one foot above the base flood elevation; or,
  - 8 b. The manufactured home chassis is supported by reinforced piers or other foundation  
9 elements of at least equivalent strength that are no less than 36 inches in height above  
10 grade and securely anchored to an adequately anchored foundation system to resist  
11 flotation, collapse, and lateral movement.
- 12 4. All mobile home park owners submitting construction documents for a mobile home park  
13 shall, prior to approval, submit a common certificate of elevation for the mobile home park  
14 and a final plat of the mobile home park site. The final plat shall show the elevation of each  
15 manufactured home pad and the required lowest floor elevation. As a prerequisite, the  
16 applicant shall submit a fee to the Department of Development for the flood zone  
17 determination to be used in preparation of the certificate of elevation.
- 18 5. All manufactured homes placed or substantially improved must submit, prior to  
19 authorization of utilities and/or occupancy, a completed official certificate of elevation  
20 pursuant to Section 15.21.E, Minimum First Floor Elevation.
- 21 6. Recreational vehicles placed on sites within Zones A1-30, AH, and AE on the FIRM shall  
22 either:
  - 23 a. Be on the site for fewer than 180 consecutive days;
  - 24 b. Be fully licensed and ready for highway use; or,
  - 25 c. Meet the permit requirements of Section 15.11, Permit Procedures, and the  
26 elevation and anchoring requirements for manufactured homes. A recreational  
27 vehicle may be considered ready for highway use if it is on its wheels or jacking  
28 system, is attached to the site only by quick disconnect type utilities and security  
29 devices, and has no permanently attached additions.

30  
31 **E. Minimum First Floor Elevation.**

- 32 1. All new residential and nonresidential development, as well as substantial improvements,  
33 in the FEMA SFHA and CD SFHA shall have the lowest floor located at least one foot  
34 above the highest of the following: the FEMA BFE, CD FE, the record inundation, the  
35 highest cross-sectional point at the lowest street cross-section along the frontage of the  
36 property, or the top of the lowest first upstream or downstream sanitary sewer manholes to  
37 the service connection;
- 38 2. All new residential and nonresidential development in Zones B, C, and X shall have the  
39 lowest floor elevation located at least one foot above the highest of the following: the  
40 nearest adjacent FEMA BFE, the record inundation, the highest cross-sectional point at the  
41 lowest street crosssection along the frontage of the property, or the top of the lower of the  
42 first upstream or downstream sanitary sewer manholes to the service connection;
- 43 3. The above requirements regarding elevation above the highest cross-sectional point at the  
44 lowest street cross-section along the frontage of the property shall not apply when the  
45 approved drainage schematic demonstrates that:
  - 46 a. The street pavement will not serve as the drainage collector system; or,

- 1           b. Drainage will not be conveyed toward the street;
- 2           4. Rather than the above requirements regarding elevation above sanitary sewer manholes the
- 3           lowest floor elevation may be as low as six inches above the top of the lower of the first
- 4           upstream or downstream sanitary sewer manhole providing that the following requirements
- 5           are met:
- 6           a. A sanitary sewer backwater check valve and a sewer clean out:
- 7                 (1) Is installed in the building sanitary sewer line and located on the applicant's
- 8                 property but outside of the street rights-of-way and utility servitudes; and
- 9                 (2) The requirements of the State-mandated Plumbing Code are met.
- 10          b. The property owner shall be responsible for perpetually maintaining the sanitary
- 11          sewer backwater check valve in proper operating condition.
- 12          c. The property owner shall sign a waiver of local freeboard that shall serve to place
- 13          on notice all future owners and shall make a public record of such waiver and the
- 14          property owners' assumption of all liability pursuant to the granting of a waiver for
- 15          the requirements regarding sanitary sewer manholes. This agreement shall be
- 16          recorded by the Clerk of Court in the conveyance records; and a certified copy, with
- 17          recording data and filing date, shall be furnished to the Department of Development
- 18          before a building permit may be issued.
- 19          5. The lowest floor elevation may be lower than six inches above the top of the lower of the
- 20          first upstream or downstream sanitary sewer manhole provided that the above provisions
- 21          are met and approval is granted by the Floodplain Administrator.
- 22

23 **F. Use of Fill Material Restrictions.** Unless otherwise provided no fill shall be permitted in

24 FEMA SFHAs and/or CD SFHAs unless the fill is mitigated by excavation and meets the

25 requirements in this section.

- 26          1. Exemptions:
- 27                 a. Building pads for slab on grade construction. Fill mitigation is not required if the
- 28                 combined area of all buildings on the lot is no more than 3,500 square feet and the
- 29                 average height of fill is no more than 24 inches or the distance between natural
- 30                 grade and higher of the FEMA BFE and CD FE Base Flood Elevation.
- 31                 b. Building pads for manufactured homes and pier/column construction. Fill
- 32                 mitigation is not required if the average height of fill for the building pad is no more
- 33                 than 18 inches above natural grade under the elevated structure to facilitate
- 34                 drainage. The building pad shall be transitioned back to natural grade within five
- 35                 feet of the outside limits of the footprint of the elevated structure.
- 36                 c. Fill restrictions shall not apply to improvement and reasonable transition grading
- 37                 on existing tracts or lots of five acres or less located within existing recognized
- 38                 subdivisions that have not experienced any reported inundation of structures
- 39                 constructed after July 2, 1979.
- 40          2. Transition of driveways into carports or garages. The driveway from the street and
- 41          driveway from the structure connections to the start of transition shall be constructed in
- 42          such a manner that the finished driveway grade is at or below the natural grade prior to
- 43          construction. Appropriate drainage facilities shall be provided to prevent the redirection of
- 44          runoff water onto adjacent properties or the blockage of surface sheet runoff.
- 45          Fill restrictions shall not apply to improvement and reasonable transition grading on
- 46          existing tracts or lots of five acres or less located within existing recognized subdivisions

1 that have not experienced any reported inundation of structures constructed after July 2,  
2 1979.

- 3 3. No encroachments, including fill for development or other purposes, new construction,  
4 substantial improvements, or other type of developments, will be allowed unless a technical  
5 evaluation demonstrates that the proposed encroachments will not reduce the ability of the  
6 floodplain to store or convey stormwater. Additionally, encroachment shall not increase  
7 the existing FEMA BFE and/or CD FE, whichever is higher. A technical evaluation shall  
8 include any one or a combination of the following methods:

9 a. For developments with proposed on-site fill and excavation construction (no  
10 imported or off- site fill), a before and after development construction grading plan  
11 shall be provided to show no decrease in the existing flood volume storage capacity  
12 below the FEMA BFE and/or the CD FE, whichever is higher along with the  
13 following restrictions.

14 (1) Fill shall not be used to restrict the existing channel cross-sectional area.

15 (2) For channels with intermittent flow, the excavation site shall drain to the  
16 existing adjacent channel.

17 (3) For channels with continuous flow, the excavation sites shall drain to the  
18 existing channel.

19 (4) For mitigation purposes, no credit shall be given for that portion of the  
20 excavation that is lower than the existing channel.

21 (5) For cases in which an area or pond is utilized for both on-site stormwater  
22 detention and fill mitigation, no fill mitigation credit shall be given for that  
23 portion of the excavation required to detain the increase in runoff volume (e.g.,  
24 cubic feet) from the existing to proposed development conditions for the 100-  
25 year event.

26 (6) For developments requiring imported or off-site fill in addition to the  
27 excavation, grading, and fill requirements outlined above, an Offsite Drainage  
28 Assessment (See Section 15.24.B, Designation of Floodplain Conveyance  
29 Zones) shall be performed to show no increase in the CD FE.

30 (7) Use of off-site fill mitigation credits. Sites that have been graded and stabilized  
31 in a manner that provides additional floodplain storage may be approved by the  
32 Department of Development to establish fill mitigation credits that may be used  
33 by developments where an Offsite Drainage Assessment (See 15.24.B) has been  
34 performed to show no decrease in the existing flood volume storage capacity  
35 below the FEMA BFE and/or the CD FE, whichever is higher. Floodplain  
36 storage volume used for mitigation purposes shall be considered as a three-  
37 dimensional space between ground elevation (or static water surface elevation  
38 for a wet pond) and the FEMA BFE and/or the CD FE, that can be filled and  
39 emptied during flood events and used to offset fill placement between pre-  
40 development ground elevation and the FEMA BFE and/or the CD FE. All sales  
41 of fill mitigation credits shall be recorded in the East Baton Rouge Clerk of  
42 Courts Office and disclosed to the Department of Development prior to the  
43 issuance of permits. The owner of the fill mitigation credits, through his  
44 licensed design professional, shall be responsible for tracking the balance of  
45 credits. All fill mitigation credit areas shall be dedicated within a servitude  
46 which shall not be developed and shall be perpetually maintained to provide

1 floodplain storage volume. The maximum amount of time an excavated fill  
2 mitigation credit area established after March 1, 2018, may continue to sell  
3 credits shall be 10 years from the recordation of the sale of the initial credits, or  
4 until a new effective FIRM base flood elevation is established, whichever  
5 occurs first.

6  
7 G. No building shall be constructed over an existing identified natural drain as determined by  
8 the Department of Development.

9  
10 H. The surface of parking lots and streets in subdivisions of more than five lots, shall not be  
11 constructed lower than two feet below the FEMA BFE and/or CD FE, whichever is higher. Street  
12 curb elevations shall be no lower than the hydraulic grade line of the ten percent storm. Parking  
13 spaces that are in excess of the required minimum spaces that do not provide emergency vehicle  
14 access to buildings can be built lower than the grade requirements herein.

15  
16 I. When the subsurface stormwater systems are available and designed to accommodate the  
17 flow of stormwater runoff:

- 18 1. Except in single-family residential developments, all paved parking areas shall be graded  
19 and sloped so that the storm water runoff is conducted to trench drains or catch basins that  
20 are connected to the stormwater system.
- 21 2. No sheet flow from paved parking areas on lots greater than one-third acre, but less than  
22 five acres, shall be allowed to drain directly into the street or street catch basins.
- 23 3. Sheet flow from paved parking areas on lots greater than five acres, in addition to the  
24 foregoing requirements, shall be directed into a storm drain and catch basin system  
25 designed for this area which shall be connected to the existing stormwater system, or if the  
26 aforesaid system is inadequate, it shall be designed to include an on-site detention/retention  
27 area for stormwater runoff. The design of stormwater facilities shall be submitted to the  
28 Department of Development for approval.
- 29 4. The Department of Development may grant a waiver of the provisions of this subsection  
30 when it is demonstrated that the applicable existing streets have been designed to  
31 accommodate the stormwater runoff from paved parking areas and adequate catch basins  
32 and inlets are available.

33  
34 J. For new development or redevelopment which incorporates a perimeter drainage system  
35 that is designed to intercept and redirect storm water runoff away from adjacent properties, the  
36 perimeter drainage systems shall be completely constructed and functional prior to the construction  
37 of other improvements within the development or redevelopment. The perimeter drainage system  
38 shall be maintained to be fully functional for the duration of construction.

39  
40 K. All drainage systems that are designed to convey stormwater runoff from public rights-of-  
41 way or significant offsite areas (as determined by the Floodplain Administrator) shall be dedicated  
42 to the City for public maintenance. Proposed public drainage improvements shall be in the form  
43 of sub-surface storm drain pipes, built in accordance with City standard specifications and details.  
44 No open-channel conveyance systems shall be accepted for public maintenance.

45  
46 L. Detention ponds shall be designed and constructed for ease of public maintenance access.

1 A public drainage servitude through the center of the pond shall be provided for the City to ensure  
2 positive drainage is maintained within the servitude. It shall be the responsibility of the person(s)  
3 or entity(ies) responsible for the development to keep all other portions of the ponds dredged, and  
4 the banks maintained, in accordance with the recommendations included in the Stormwater  
5 Management Plan approved by the Department of Development.  
6

7 M. All new developments shall pose no adverse impact by redirecting or increasing pre-  
8 development stormwater runoff into adjacent properties. No permits for development shall be  
9 issued until the Department of Development verifies the permit documents are accompanied by a  
10 grading plan that addresses post-development stormwater runoff. Prior to the issuance of a  
11 certificate of occupancy for a building, or approval of a final plat, the Department of Development  
12 shall verify the post-development stormwater runoff plan has been implemented.  
13

#### 14 **Section 15.22 Standards for Subdivision Proposals**

15

16 A. All subdivision proposals including the placement of manufactured home parks and  
17 subdivisions shall be consistent with Chapter 15, Sections 15.1.2, 15.1.3, and 15.19 of this  
18 ordinance.  
19

20 B. All proposals for the development of subdivisions including the placement of manufactured  
21 home parks and subdivisions shall meet Floodplain Development Permit requirements of Chapter  
22 15, Section 15.3; 15.11; and the provisions of Chapter 15, Section 15.20-21, of this ordinance.  
23

24 C. Base flood elevation data shall be generated for subdivision proposals and other proposed  
25 development including the placement of manufactured home parks and subdivisions which is  
26 greater than 50 lots or 5 acres, whichever is lesser, if not otherwise provided pursuant to Chapter  
27 15, Section 15.7.1, or Chapter 15, Section 15.10 (H) of this ordinance.  
28

#### 29 **Section 15.232 Standards for Areas of Shallow Flooding (AO/AH Zones)**

30

31 Located within the FEMA SFHAs are areas expected to experience shallow flooding during the  
32 one percent storm event. These areas, which are designated as AO or AH on the FIRM, have  
33 special flood hazards associated with base flood depths of one to three feet where a clearly defined  
34 channel does not exist, where the path of flooding is unpredictable, and where velocity flow may  
35 be evident. Such flooding is characterized by ponding or sheet flow; therefore, the following  
36 provisions shall apply:  
37

38 A. All new construction and substantial improvements of residential structures shall have the  
39 lowest floor (including the basement) elevated above the highest adjacent grade at least one foot  
40 above the highest of the following at least as high as:

- 41 1. the depth number specified in feet on the FIRM (at least two feet if no depth number is  
42 specified)
- 43 2. the record inundation,
- 44 3. the highest cross-sectional point at the lowest street cross-section along the frontage of the  
45 property, or
- 46 4. the top of the lower of the first upstream or downstream sanitary sewer manholes to the

1 service connection.

2  
3 B. All new construction and substantial improvements of nonresidential structures:

- 4 1. Shall have the lowest floor (including basement) elevated above the highest adjacent grade  
5 at least one foot above the highest of the following: at least as high as the depth number  
6 specified in feet on the community's FIRM (at least two feet if no depth number is  
7 specified) the record inundation, the highest cross-sectional point at the lowest street cross-  
8 section along the frontage of the property, or the top of the lower of the first upstream or  
9 downstream sanitary sewer manholes to the service connection; or  
10 2. Together with attendant utility and sanitary facilities, shall be designed so that below at  
11 least one foot above the highest of the following at least as high as: the FEMA BFE, CD  
12 FE, the record inundation, the highest cross-sectional point at the lowest street cross-  
13 section along the frontage of the property, or the top of the lowest first upstream or  
14 downstream sanitary sewer manholes to the service connection ~~the base flood level~~ the  
15 structure is watertight with walls substantially impermeable to the passage of water and  
16 with structural components having the capability of resisting hydrostatic and  
17 hydrodynamic loads and the effects of buoyancy.

18  
19 C. A registered professional engineer or architect shall submit a certification to the Floodplain  
20 Administrator that the standards of this section are satisfied.

21  
22 D. Adequate drainage paths around structures on slopes to guide floodwaters around and away  
23 from proposed structures shall be provided.

24  
25 **Section 15.243- Floodways.**

26  
27 Floodways located within FEMA SFHAs, are designated as regulatory floodways. Since these are  
28 extremely hazardous areas due to the velocity of floodwaters, which carry debris, potential  
29 projectiles, and erosion potential, the following provisions shall apply:

30  
31 A. Encroachments, including fill, new construction, substantial improvements, and other  
32 development, shall be prohibited within regulatory floodways, unless, it has been demonstrated  
33 through hydrologic and hydraulic analyses performed in accordance with standard engineering  
34 practice that the proposed encroachment would not result in any increase in flood levels within the  
35 community during the occurrence of the base flood discharge.

36  
37 B. If Section 15.23.A, above, is satisfied, all new construction and substantial improvements  
38 shall comply with all applicable flood hazard reduction provisions of Sections 15.18, Flood  
39 Prevention, through 15.23, Floodways.

40  
41 C. Under the provisions of 44 CFR Chapter 1, Section 65.12 of the National Flood Insurance  
42 Regulations, a community may permit encroachments within the adopted regulatory floodway that  
43 would result in an increase in base flood elevations provided that the community first applies for  
44 a conditional FIRM and floodway revision through FEMA.

45  
46 D. **Permitted Uses.** The following uses may be allowed within the limits of the regulatory

1 floodway provided that they are not prohibited by any other ordinance or zoning restriction:

- 2 1. Agricultural uses such as general farming, pasturing, outdoor plant nurseries, horticulture,  
3 forestry, and sod farming;
- 4 2. Nonstructural industrial and commercial uses such as loading areas, parking areas, and  
5 landing strips;
- 6 3. Nonstructural public and private recreational uses such as golf courses, tennis courts,  
7 driving ranges, ball fields, archery ranges, picnic grounds, parks and gardens, biking and  
8 hiking trails, and horseback riding;
- 9 4. Uses or accessory structures essential for historic preservation providing they comply with  
10 the provisions of Sections 15.24.A and 15.24.B;
- 11 5. Extraction of sand, gravel, or other natural resources;
- 12 6. Functionally water-dependent uses such as docks, piers, dams, utility, and pipeline  
13 crossings; and
- 14 7. Public utilities, streets, and bridges provided that any associated fill complies with the  
15 provisions of Section 15.21.F, Use of Fill Material Restricted, and the fill does not encroach  
16 into the channel area within the limits of mean annual high-water.

17  
18 **Section 15.254 Floodplain Conveyance Zones.**

19  
20 In addition to regulatory floodways, the City shall establish Floodplain Conveyance Zones using  
21 hydraulic and hydrologic modeling and analysis. The Floodplain Conveyance Zones are areas  
22 determined to be critical to the conveyance and storage of flood water discharges. As such, the  
23 following provisions shall apply:

24  
25 **A. Exemptions**

- 26 1. The exemptions for the Use of Fill Materials Restrictions in Section 15.21.F shall also  
27 apply to this Section.
- 28 2. Preliminary plats, site plans, or development plans approved prior to APRIL 1, 2023 may  
29 allow for improvements within the conveyance zone area, in accordance with documents  
30 approved by the governing authority;

31  
32 **B. Designation of Floodplain Conveyance Zones.** Floodplain Conveyance Zones shall be  
33 established by the City and made available on the EBRGIS Open Data website:  
34 <https://data.brla.gov/>. The initial Floodplain Conveyance Zones map shall be dated APRIL 1, 2023  
35 and have an effective date of APRIL 1, 2023. The Floodplain Conveyance Zones are identified  
36 using the Parish existing conditions 2D models as areas that are critical to the conveyance and  
37 storage of flood discharges and which, for the 100-year event, have a flood depth of at least 0.5  
38 feet and/or a velocity of at least 0.5 feet per second with a depth of at least 0.25 feet.

39  
40 **C. Offsite Drainage Assessment.** For any proposed development within a Floodplain  
41 Conveyance Zone, the City shall perform or have performed an Offsite Drainage Assessment  
42 (ODA) to assess the proposed development's flood impacts outside of and beyond the proposed  
43 boundaries of the development. The proposed development shall demonstrate no increase in the  
44 existing peak water surface elevations for the 2-, 10-, 25-, and 100-year storm events. No increase  
45 shall be defined as an increase in water surface elevation of less than 0.00 feet in the post-  
46 construction simulations as compared to the preconstruction simulations.

1  
2 **Section 15.265 Stream Setbacks**  
3

4 The purpose of these regulations is to protect natural and overland drainage ways by establishing  
5 a barrier between stream corridors and development to: protect the physical integrity of stream  
6 ecosystems; preserve habitats; improve water quality; protect structures; control erosion and run-  
7 off; preserve the potential for recreational enhancements; and preserve space for future channel  
8 improvements, restoration, or naturalization activities.  
9

10 **A. Establishment of Stream Segments and Stream Setbacks**

- 11 1. Major Stream Segments. Stream segments shall include all streams identified in the  
12 “Drainage and Stormwater” ~~“Major Stream Segments”~~ map on the EBRGIS Open Data  
13 website.  
14 2. Stream Setbacks. Stream setbacks shall be established around all identified stream  
15 segments. Stream setback widths shall be determined by taking one-half of the average  
16 width from the top of the bank to the top of the bank, for the length of the stream segment  
17 running through the property, or its abutting property line. The minimum setback shall  
18 be 35 feet or the existing drainage servitude, whichever is greater, and the maximum  
19 setback shall be 100 feet. Stream segments, dimensions, and setbacks shall be confirmed  
20 and formally designated on any subdivision plat or development plan.  
21

22 **B. Applicability.** The provisions of this section shall be applicable to all new developments  
23 located within the City of St. George. Exempt development types include any of the following:

- 24 1. Preliminary plats, site plans, or development plans approved prior to APRIL 1, 2023 may  
25 allow for improvements within the stream setback area, in accordance with documents  
26 approved by the governing authority;  
27 2. Minor or major utilities, as approved by Development Director; or  
28 3. Activities associated with the restoration and enhancement of a stream corridor, as  
29 approved by the Development Director.  
30

31 **C. Development Standards**

- 32 1. Allowable Improvements. Development shall be limited to improvements that have No  
33 Adverse Impact on the stream corridor. Improvements shall be related to recreation, public  
34 enjoyment, and protection of the stream corridor, including but not limited to the following:  
35 a. Conservation uses, wildlife sanctuaries, nature preserves, forest preserves, fishing  
36 areas, and passive areas of parklands;  
37 b. Bicycle and pedestrian trails, limited to a maximum width of 12 feet;  
38 c. Crossings (paved and unpaved) for pedestrians, bicycles, golf carts, and other similar  
39 uses, limited to a maximum width of 12 feet;  
40 d. Recreational fields, parkland areas, and golf course fairways;  
41 e. Non-habitable accessory structures, such as decks, gazebos, picnic tables, play  
42 equipment, and small concrete slabs no larger than 100 square feet and 4 inches thick  
43 to accommodate such structures;  
44 f. Fill mitigation, as defined by Section 15.21.F, and as approved by the Development  
45 Director in accordance with Department of Development policy; and  
46 g. Other improvements approved by the Development Director that meet the intent of this

- 1 section.
- 2 2. Crossing the Stream Setback shall be minimized, crossing at skewed angles shall be
- 3 avoided, and the length and area disturbed shall be restricted to the maximum extent
- 4 feasible.
- 5 3. Any portion of the Stream Setback shall count towards open space requirements in the
- 6 Unified Development Code.
- 7
- 8 D. **Maintenance.** Unless otherwise accepted by the City, any maintenance of the Stream
- 9 Setback shall be the responsibility of the property owner.

10

11 **Section 15.276 Acronyms**

12

- 13 A. Annual Exceedance Probability (AEP)
- 14 B. Base Flood Elevation (BFE)
- 15 C. Best Management Practices (BMPs)
- 16 D. Code of Federal Regulations (CFR)
- 17 E. Community Defined Special Flood Hazard Areas (CD SFHAs)
- 18 F. Community Defined Flood Elevation (CD FE)
- 19 G. Drainage Impact Study (DIS)
- 20 H. Environmental Protection Agency (EPA)
- 21 I. Federal Emergency Management Agency (FEMA)
- 22 J. First Floor (FF)
- 23 K. Flood Insurance Rate Maps (FIRMs)
- 24 L. Flood Insurance Study (FIS)
- 25 M. Louisiana Department of Environmental Quality (LDEQ)
- 26 N. National Flood Insurance Program (NFIP)
- 27 O. North American Vertical Datum (NAVD)
- 28 P. Offsite Drainage Assessment (ODA)
- 29 Q. Special Flood Hazard Areas (SFHAs)
- 30 R. Stormwater Management Plan (SMP)
- 31 S. Stormwater Pollution Prevention Plan (SWPPP)
- 32 T. Total Maximum Daily Loads (TMDLs)
- 33 U. United States Code (USC)
- 34 V. United States Geological Survey (USGS)
- 35 W. Water Quality Impact Study (WQIS)
- 36

37 **Section 3. Amendment and Re-enactment.** Chapter 19 of the St. George Unified Development Code,

38 as adopted in Ordinance No. 2024-002, is hereby amended and re-enacted to read as follows:

39

40 **ST. GEORGE UNIFIED DEVELOPMENT CODE**

41

42 **CHAPTER 19.**

43 **DEFINITIONS**

44

45 \* \* \*

46 **Area of Special Flood Hazard:** the land in the flood plain within a community subject to a 1

47 percent or greater chance of flooding in any given year. The area may be designated as

1 Zone A on the FHBM. After detailed ratemaking has been completed in preparation for  
2 publication of the flood insurance rate map, Zone A usually is refined into Zones A, AO,  
3 AH, A1-30, AE, A99, AR, AR/A1-30, AR/AE, AR/AO, AR/AH, AR/A, VO, or V1-30,  
4 VE, or V. For purposes of these regulations, the term ``special flood hazard area" is  
5 synonymous in meaning with the phrase ``area of special flood hazard".

6  
7 \* \* \*

8 **Building:** a structure with solid exterior walls pierced only by windows and doors on all sides and  
9 a permanent roof. For the definition of "Building" as it applies to Chapter 15, refer to the  
10 definition of "Structure."

11 \* \* \*

12 **Existing Structure Construction:** (for purposes of determining flood insurance rates associated  
13 with Chapter 15, Floodways, Floodplains, Drainage, and Water Quality, only): structures  
14 for which the ``start of construction" commenced before the effective date of the FIRM or  
15 before January 1, 1975, for FIRMs effective before that date. "Existing construction" may  
16 also be referred to as "existing structures".

17  
18 **Existing Manufactured Home Park or Subdivision:** a manufactured home park or subdivision  
19 for which the construction of facilities for servicing the lots on which the manufactured  
20 homes are to be affixed (including, at a minimum, the installation of utilities, the  
21 construction of streets, and either final site grading or the pouring of concrete pads) is  
22 completed before the effective date of the floodplain management regulations adopted by  
23 a community.

24  
25 **Expansion to an Existing Manufactured Home Park or Subdivision:** the preparation of  
26 additional sites by the construction of facilities for servicing the lots on which the  
27 manufacturing homes are to be affixed (including the installation of utilities, the  
28 construction of streets, and either final site grading or the pouring of concrete pads).

29 \* \* \*

30 **Flood or Flooding:**

31 ~~A. — a general and temporary condition of partial or complete inundation of normally dry land~~  
32 ~~areas from the overflow of inland or tidal waters; or~~

33 ~~B. — The unusual and rapid accumulation or runoff of surface waters from any source.~~

34 A general and temporary condition of partial or complete inundation of normally dry land areas  
35 from:

36 (1) The overflow of inland or tidal waters; or

37 (2) The unusual and rapid accumulation or runoff of surface waters from any source.

38  
39 The collapse or subsidence of land along the shore of a lake or other body of water as a result of  
40 erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels  
41 or suddenly caused by an unusually high water level in a natural body of water, accompanied by a  
42 severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge,

1 or by some similarly unusual and unforeseeable event which results in flooding as defined in  
2 paragraph (a)(1) of this definition.

3  
4 **Flood Elevation Study:** an examination, evaluation, and determination of flood hazards and, if  
5 appropriate, corresponding water surface elevations, or an examination, evaluation, and  
6 determination of mudslides (i.e., mudflow) and/or flood-related erosion hazards.

7  
8 **Flood Insurance Rate map (FIRM):** an official map of a community on which the Federal  
9 Emergency Management Agency Administrator has delineated both the areas of special  
10 flood hazard areas and the risk premium zones applicable to the community.

11  
12 **Flood Insurance Study:** see flood elevation study.

13 \* \* \*

14 **Flood Plain or Flood-Prone Area:** the low land area near a watercourse that has been, or maybe,  
15 covered by a flood of 100 years frequency as determined by the Department of  
16 Development any land area susceptible to being inundated by water from any source (see  
17 definition of ``flooding").

18 \* \* \*

19 **Historic Structure:** any structure that is:

20  
21 A. Listed individually in the National Register of Historic Places (a listing maintained by the  
22 Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the  
23 requirements for individual listing on the National Register;

24  
25 B. Certified or preliminarily determined by the Secretary of the Interior as contributing to the  
26 historical significance of a registered historic district or a district preliminarily determined by the  
27 Secretary to qualify as a registered historic district;

28  
29 C. Individually listed on the State inventory of historic places in states with historic  
30 preservation programs that have been approved by the Secretary of the Interior; or,

31  
32 D. Individually identified as a contributing property within a local historic district or  
33 designated as a historic landmark, listed on a local inventory of historic places in communities  
34 with historic preservation programs that have been certified either:

35  
36 (1) By an approved state program as determined by the Secretary of the Interior or

37 (2) Directly by the Secretary of the Interior in states without approved programs.

38 \* \* \*

39 **Lowest Floor:** the lowest floor of the lowest enclosed area (including the basement) of a building.  
40 An unfinished or flood-resistant enclosure usable solely for parking of vehicles, building  
41 access, or storage in an area other than a basement area is not considered the lowest floor  
42 provided that such enclosure is not built so as to render the structure in violation of the

1 applicable non-elevation design requirements of the National Flood Insurance Program  
2 regulations.  
3

4 **Manufactured Home:** a structure built to the standards of the U.S. Department of Housing and  
5 Urban Development that is transportable in one or more sections designed for use as a  
6 dwelling, built on a permanent chassis, and designed for use with or without a permanent  
7 foundation when connected to required utilities. For floodplain management purposes, the  
8 term "manufactured home" includes vacation trailers, travel trailers, and similar vehicles  
9 placed on development for greater than one hundred eighty (180) consecutive days,  
10 though such uses are not considered "manufactured homes" for insurance purposes. For  
11 use in Chapter 15, "Manufactured Home" means a structure, transportable in one or more  
12 sections, which is built on a permanent chassis and is designed for use with or without a  
13 permanent foundation when attached to the required utilities. The term "manufactured  
14 home" does not include a "recreational vehicle".  
15

16 ~~Manufactured Home Park or Subdivision, Existing:~~ a development for the placement of  
17 ~~manufactured homes in which the construction of facilities for servicing the lots on which~~  
18 ~~the manufactured homes are to be affixed (including, at a minimum, the installation of~~  
19 ~~utilities, the construction of streets, and either final site grading or the pouring of concrete~~  
20 ~~pads) was completed before the effective date of the floodplain management regulations.~~  
21

22 ~~Manufactured Home Park or Subdivision, New:~~ a development for the placement of  
23 ~~manufactured homes in which the construction of facilities for servicing the lots on which~~  
24 ~~the manufactured homes are to be affixed (including, at a minimum, the installation of~~  
25 ~~utilities, the construction of streets, and either final site grading or the pouring of concrete~~  
26 ~~pads) was completed after the effective date of the floodplain management regulations.~~  
27

28 ~~Manufactured Home Park or Subdivision:~~ a subdivision that is primarily used by manufactured  
29 ~~homes or which is designated as such a parcel (or contiguous parcels) of land divided into~~  
30 ~~two or more manufactured home lots for rent or sale.~~  
31

32 \* \* \*

33 **New Construction:** structures for which a building permit was issued on or before the effective  
34 date of an adopted regulation, provided the actual start of construction or any subsequent  
35 improvements to such structures commenced within 180 days of the permit date. For use  
36 in Chapter 15, "New Construction" means the start of construction commenced on or after  
37 the effective date of a floodplain management regulation adopted by a community and  
38 includes any subsequent improvements to such structures.  
39

40 **New Manufactured Home Park or Subdivision:** a manufactured home park or subdivision for  
41 which the construction of facilities for servicing the lots on which the manufactured homes  
42 are to be affixed (including at a minimum, the installation of utilities, the construction of

1 streets, and either final site grading or the pouring of concrete pads) is completed on or  
2 after the effective date of floodplain management regulations adopted by a community.

3 \* \* \*

4 **Riverine:** relating to, formed by, or resembling a river (~~including tributaries~~), stream, creek, brook,  
5 etc.

6 \* \* \*

7 **Sheet Flow:** ~~water, usually stormwater runoff, flowing in a thin layer over a surface. see an area~~  
8 ~~of shallow flooding.~~

9 \* \* \*

10 **Special Flood Hazard Area:** ~~the land in the floodplain is subject to a one percent or greater chance~~  
11 ~~of flooding in any given year. The area may be designated as Zone A on the flood hazard~~  
12 ~~boundary map. After detailed ratemaking has been completed in preparation for publication~~  
13 ~~of the FIRM, Zone A usually is refined into Zones A, AE, AH, AO, A1-30, A99, AR,~~  
14 ~~AR/A1-30, AR/AE, AR/AO, AR/AH, AR/A, VO, VI-30, VE, or V see "area of special~~  
15 ~~flood hazard". Special hazard area means an area having special flood, mudslide (i.e.,~~  
16 ~~mudflow), or flood-related erosion hazards, and shown on an FHBM or FIRM as Zone A,~~  
17 ~~AO, A1-30, AE, AR, AR/A1-30, AR/ AE, AR/AO, AR/AH, AR/A, A99, AH, VO, V1-30,~~  
18 ~~VE, V, M, or E.~~

19  
20 **Start of Construction:** (for other than new construction or substantial improvements under the  
21 Coastal Barrier Resources Act (Pub. L. 97-348)), includes substantial improvement, and  
22 means the date the building permit was issued, provided the actual start of construction,  
23 repair, reconstruction, rehabilitation, addition placement, or other improvement was within  
24 180 days of the permit date. The actual start means either the first placement of permanent  
25 construction of a structure on a site, such as the pouring of slab or footings, the installation  
26 of piles, the construction of columns, or any work beyond the stage of excavation; or the  
27 placement of a manufactured home on a foundation. Permanent construction does not  
28 include land preparation, such as clearing, grading, and filling; nor does it include the  
29 installation of streets and/or walkways; nor does it include excavation for a basement,  
30 footings, piers, or foundations or the erection of temporary forms; nor does it include the  
31 installation on the property of accessory buildings, such as garages or sheds not occupied  
32 as dwelling units or not part of the main structure. For a substantial improvement, the actual  
33 start of construction means the first alteration of any wall, ceiling, floor, or other structural  
34 part of a building, whether or not that alteration affects the external dimensions of the  
35 building.

36 \* \* \*

37 **Structure:** anything constructed or erected by man that requires location on the ground (other than  
38 swimming pools, fences, and walls used as fences) or is attached to something having a  
39 location on the ground. For application in Chapter 15 of the Unified Development Code,  
40 "Structure" refers to a walled and roofed building, including a gas or liquid storage tank  
41 that is principally above ground, as well as a manufactured home.

42 \* \* \*

43 **Substantial Improvement:** any repair, reconstruction, rehabilitation, addition, or other  
44 improvement of a structure in which the cost equals or exceeds 50 percent of the market  
45 value of the structure either before the improvement or repair is started, or if the structure  
46 has been damaged and is being restored, before the damage occurred. For the purpose of

1 this definition, "substantial improvement" is considered to occur when the first alteration  
2 of any wall, ceiling, floor, or other structural part of the building commences whether or  
3 not that alteration affects the external dimensions of the structure. The term does not,  
4 however, include either any project for improvement of a structure to comply with existing  
5 State or local health, sanitary, or safety code specifications which are solely necessary to  
6 assure safe living conditions, or any alteration of a historic structure, provided that the  
7 alteration will not preclude the structure's continued designation as a ``historic structure''.

8 \* \* \*

9 **Variance:** a grant of relief to a person from the requirements of this code when, because of special  
10 circumstances applicable to the property, strict application of the provisions of this  
11 development code deprives such property of privileges enjoyed by other property in the  
12 vicinity that is under identical zoning. For application in Chapter 15 of the Unified  
13 Development Code, "Variance" refers to a grant of relief by a community from the terms  
14 of a floodplain management regulation. (For full requirements see 44 CFR Sec. 60.6. of  
15 the National Flood Insurance Program regulations).

16  
17 **Section 4. Transition.** This ordinance is intended to provide a continued and seamless transition  
18 of responsibility from East Baton Rouge Parish to the City of St. George for regulating and  
19 enforcing development in areas with flood hazards in the City of St. George. Neither this ordinance  
20 nor any prior ordinances, regulations, or actions of St. George should be construed in such a  
21 manner that the areas within the city's boundaries have not been continuously subject to land use  
22 and control measures and effective enforcement provisions consistent with the criteria in Section  
23 60 of the National Flood Insurance Program Regulations.

24  
25 **Section 5. Severability.** If any section, subsection, sentence, clause, or provision of this Ordinance  
26 is declared by a court of competent jurisdiction to be invalid, such declaration of invalidity shall  
27 not affect the validity of the Ordinance as a whole, or parts thereof, other than the part declared  
28 invalid. The remainder of the Ordinance shall not be affected by the declaration of invalidity and  
29 shall remain in force and effect.

30  
31 **Section 6. Effective Date.** This ordinance affecting the public peace, health, and safety shall be  
32 on the date the City of St. George received a Community Identification Number from the Federal  
33 Emergency Management Agency.