

ORDINANCE NO. ____ OF 2024

AN ORDINANCE TO REVISE CHAPTER 34 FLOOD PREVENTION AND PROTECTION, ARTICLE II “FLOODS” SEC 34-28 OF THE CITY OF SHREVEPORT, LOUISIANA, CODE OF ORDINANCES, RELATIVE TO DEFINITIONS IN ACCORDANCE WITH DETENTION POND DESIGN, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BY COUNCILMEMBER:

WHEREAS, the Shreveport City Code Chapter 34, Article II titled “Floods” Sec 34-28 is in need of revision with regard to definitions associated with detention pond design.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport, Louisiana, in due, legal and regular session convened, that Chapter 34, Article II, Sec 34-28 of the City of Shreveport, Louisiana, Code of Ordinances shall be amended as follows:

Sec. 34-28. Definitions.

Unless specifically defined in this section, words or phrases used in this article shall be interpreted so as to give them the meaning they have in common usage and to give this article its most reasonable application.

Appeal means a request for a review of the director of public work's interpretation of any provisions of this article or a request for a variance.

Area of shallow flooding means a designated AO or AH zone on the flood insurance rate map (FIRM). The base flood depths range from one to three feet; a clearly defined channel does not exist; the path of flooding is unpredictable and indeterminate; and velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Area of special flood hazard means the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. Zone A is usually refined into zones A, AE, AH, AO, and A1—99.

Base flood means the flood having a one percent chance of being equalled or exceeded in any given year.

Critical feature means an integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.

Development means any manmade change to improved or unimproved real estate including, but not limited to, clearing, grading, excavating, filling or other construction activities, such as parking lots, residential and commercial buildings, placement of manufactured homes, retaining walls, slabs, footings, piles, columns, storm drainage systems and utility main installations.

Elevated building means a nonbasement building:

- (1) Built, in the case of a building in zones A, AE, AO, AH, A1—99, B, C, X, and D, to have the finished floor elevation above ground level by means of fill, pilings, columns (post and piers) or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of floodwaters; and
- (2) Adequately anchored so as not to impair the structural integrity of the building during a flood of up to the magnitude of the base flood.

Existing development means, for the purposes of determining insurance rates, structures for which the start of development commenced before the effective date of a floodplain management regulation adopted by the community.

Flood or flooding means a general and temporary condition of partial or complete inundation of normally dry land areas from the unusual and rapid accumulation or runoff of surface waters from any source.

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

Flood insurance study is the official report provided by the Federal Emergency Management Agency, containing flood profiles, water surface elevation of the base flood, as well as the flood boundary-floodway map.

Flood protection system means those physical structural works for which funds have been authorized, appropriated and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the areas within a community subject to a special flood hazard and the extent of the depths of associated flooding. These specialized flood-modifying works are those constructed in conformance with sound engineering standards.

Floodplain or floodprone area means any land area susceptible to being inundated by water from any source (see definition of flooding).

Floodway or regulatory floodway means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

Freeboard means the vertical distance between a surface or water level and the top of whatever contains or restrains it. Freeboard is a safety feature that provides storage capacity and prevents spills.

Functionally dependent use means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and shipbuilding and ship repair facilities, but does not include longterm storage or related manufacturing facilities.

Highest adjacent grade means the highest natural elevation of the ground surface prior to development next to the proposed walls of a structure.

Lowest adjacent grade means the lowest elevation adjacent to the perimeter of the structure.

Lowest floor means the lowest floor of the lowest enclosed area, including basement. An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable nonelevation design requirement of section 60.3 of the National Flood Insurance Program regulations.

Manufactured home means a structure transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes, the term "manufactured home" also includes park trailers, travel trailers and other similar vehicles placed on a site for greater than 180 consecutive days. For insurance purposes, the term "manufactured home" does not include park trailers, travel trailers and other similar vehicles.

Mean sea level means, for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's flood insurance rate map are referenced.

New development means, for floodplain management purposes, development for which the start of development commenced on or after the effective date of a floodplain management regulation adopted by the community.

Recorded high water mark means the high water mark of a body of water recorded by a licensed engineer or surveyor.

Start of development means the date the development permit was issued, provided the actual start of development, repair, reconstruction, placement or other improvement is within 180 days following the issuance of the permit.

Structure means a walled and roofed building or any portion thereof, manufactured homes, gas or liquid storage tanks, roadways and utility mains that are principally aboveground and/or restrict the flow of floodwaters.

Substantial improvement means any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either:

- (1) Before the improvement or repair is started; or
- (2) If the structure has been damaged and is being restored, before the damage occurred.

For the purpose of this definition, substantial improvement is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. Any improvements made after the effective date of this article shall accumulate toward the 50-percent figure. The term does not, however, include either:

- (1) Any project for improvement of a structure to comply with existing state or local health, sanitary or safety code specifications which are solely necessary to assure safe living conditions; or
- (2) Any alteration of a structure listed on the National Register of Historic Places or a state inventory of historic places.

Variance means a grant of relief to a person from the requirements of this article when specific enforcement would result in unnecessary hardship. A variance, therefore, permits construction or development in a manner otherwise prohibited by this article.

Violation means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in section 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) of the Code of Federal Regulations is presumed to be in violation until such time as documentation is provided.

Water surface elevation means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, or other datum, where specified, of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

BE IT FURTHER ORDAINED that if any provision or item of this Ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this Ordinance which can be given effect without the invalid provisions, items or applications and to this end the provisions of this Ordinance are hereby declared severable.

BE IT FURTHER ORDAINED that all Ordinances or parts thereof in conflict herewith are hereby repealed.

BE IT FURTHER ORDAINED that this Ordinance shall become effective in accordance with the provisions of [Shreveport City Charter Section 4.23](#).

THUS DONE AND ORDAINED by the City Council of the City of Shreveport, Louisiana.

APPROVED AS TO LEGAL FORM:

City Attorney's Office