



Department of Planning & Zoning

Staff Report – Text Amendment

Case No. 2026-4-ORD

Introduced by Matthew Jewell
Parish President

An ordinance to amend the St. Charles Parish Zoning Ordinance of 1981, Section XX. Flood Damage Prevention Ordinance, to reestablish the effective “Flood Insurance Study for the Parish of St. Charles” and accompanying Flood Insurance Rate Maps revised June 16, 1992, for the purpose of determining minimum building elevations for development within Sunset Drainage District.

BACKGROUND

The St. Charles Parish Council adopted Ordinance 13-7-7 in 2013 to try to help residents and property owners understand flood risk in the parish and to prepare everyone for new, higher building elevations that would be required in order to continue participating in the National Flood Insurance Program (NFIP). At the time, staff anticipated that FEMA would require the Parish to adopt Flood Insurance Rate Maps (FIRMs) prepared in 2012 in order to remain in the NFIP and keep flood insurance available in the Parish.

The Parish appealed the maps for many years trying to have the Sunset Drainage District levee recognized in the flood risk modelling through FEMA’s Levee Analysis and Mapping Procedures for Non-Accredited Levees or LAMP process. No decision has been made on the Parish’s objections to the 2012 map or the appeal.

FEMA has not decided our appeal, but it also has not required the Parish to adopt the 2012 FIRM as the effective map. Our effective map is dated June 16, 1992, and the 2012 preliminary FIRM is a higher regulatory standard than FEMA requires. This has created a problem in the Sunset Drainage District; the floodplain management team is able to enforce building elevations that 2012 FIRMs would require in other areas of the Parish, but residents consistently request a variance from the 2012 elevations for permits in the Sunset Drainage District.

Since 2013, the St. Charles Parish Zoning Adjustment Board has granted 207 variances from the elevations required by the 2012 FIRM for new construction of buildings or placement of mobile homes within the Sunset Drainage District. Staff are completing a detailed report but, there are about 150 vacant lots in existing subdivisions, ready to permit in-fill housing in the area. These would most likely request a variance if the regulation stays in effect.

FEMA discourages variances. Communities are required to report variances from flood damage prevention regulations. The Department of Planning and Zoning wishes to put an end to the culture of requesting relief from the minimum flood damage prevention standards in Sunset Drainage District and FEMA representatives support changing this higher regulatory standard because it has not resulted in buildings within sunset Drainage District being built to the elevations.

As many as 50% of the buildings that have been built pursuant to a variance in the area have been built to the absolute minimum standard of 1 ft. above the centerline of the street. Street elevation in the area can be as low at -4 ft. which puts the top of lowest floor elevation below 0 ft. NAVD88—or below mean sea level which is generally discouraged.

POTENTIAL OUTCOMES

The Zoning Ordinance would be amended to except only the Sunset Drainage District from the higher regulation that the 2012 FIRMs require.

The Zoning Ordinance would also be amended to add a Parishwide standard that buildings must be built above 0 ft. NAVD88.