

St. Louis City Ordinance 62524

FLOOR SUBSTITUTE

BOARD BILL NO. [91] 274

INTRODUCED BY ALDERMAN Martie Aboussie

An ordinance to amend the Zoning Code of the City of Saint Louis by amending Section Twenty, Subsection 26.76.030 thereof concerning Flood Plain Areas and containing an emergency clause.

BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

Section One. The Zoning Code of the City of Saint Louis is hereby amended by modifying the following definitions currently in Subsection 26.76.030:

1. Area of Shallow Flooding. A designated A0 or AH zone on a community's Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three (1 3) feet (0.30 0.91 meter) where a clearly defined channel is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.
4. Development. Any manmade change to improved or unimproved real estate, including, but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.
6. Flood Insurance Rate Map (FIRM). An official map of a community, on which the Flood Insurance Study has delineated the Flood Hazard Boundaries and the zones establishing insurance rates for the community.
7. Flood Insurance Study. The official report provided by the Federal Emergency Management Agency. The report contains flood profiles, as well as the Flood Boundary/Floodway Map and the water surface elevation of the base flood.
8. Floodway. 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 one (1) foot (0.30 meter).
11. New Construction. For the purposes of determining insurance rates, structures for which the "start of construction" commenced on or after the

effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

15. Substantial Improvement. Any reconstruction, rehabilitation, addition or other improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. This term does not, however, include either:

(1) any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or

(2) any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".

Section Two. The Zoning Code of the City of Saint Louis is hereby amended by adding the following definitions to Section Twenty, Subsection 26.76.030.

16. Existing Construction. Structures for which the start of construction commenced before the effective date of the FIRM or before January 1, 1975 for FIRM's effective before that date. Existing construction may also be referred to as existing structures.

17. Floodway Fringe. That area of the flood plain, outside of the floodway, that on the average is likely to be flooded once every 100 years (i.e., that has a one percent (1%) chance of flood occurrence in any one year).

18. Freeboard. A factor of safety usually expressed in feet above a flood level for purposes of flood plain management. Freeboard tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, clogged bridge openings, and the hydrological effect of urbanization on the watershed. For purposes of this code, freeboard shall be at least one foot above the base flood elevation.

19. Highest Adjacent Grade. The highest natural elevation of the ground surface prior to construction next to the walls of a structure.

20. Historic Structure. Any Structure that is:

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

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

C. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or

D. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:

1. By an approved state program as determined by the Secretary of the Interior, or

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

21. Substantial Damage. Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Section Three. This ordinance, being deemed necessary for the immediate preservation of the public peace and safety, is hereby declared to be an emergency measure and shall become effective immediately upon its passage and approval by the Mayor.

Legislative History				
1ST READING	REF TO COMM	COMMITTEE	COMM SUB	COMM AMEND

12/06/91	12/06/91	HUDZ		
2ND READING	FLOOR AMEND	FLOOR SUB	PERFECTN	PASSAGE
02/21/92			02/28/92	06/06/92
ORDINANCE	VETOED		VETO OVR	
62524				