AN ORDINANCE AMENDING SECTIONS 405.260, 405.270, AND 405.275, ORDINANCES OF ST. CHARLES COUNTY, MISSOURI TO ADOPT THE FEDERAL EMERGENCY MANAGEMENT AGENCY’S (FEMA) FLOOD INSURANCE STUDY AND FLOOD INSURANCE RATE MAPS

WHEREAS, the St. Charles County Charter Art. II, Section 2.529 grants to the County Council legislative power pertaining to planning and zoning in the part of the County outside incorporated cities, towns and villages; and

WHEREAS, Section 405.535.B.2, Ordinances of St. Charles County, Missouri ("OSCCMo."), provides that "the County Council may revise, amend or change this Chapter [405] or Chapter 410 upon its own motion." and that “In the case of a recommendation for revision by the County Council, final action thereon shall be taken by ordinance."; and

WHEREAS, St. Charles County has participated in the Federal Emergency Management Agency’s (FEMA) National Flood Insurance Program (NFIP) since September 1978, and the County's participation in the NFIP allows County residents to purchase flood insurance at reduced rates when required for their federally backed mortgages; and

WHEREAS, the revised Flood Insurance Rate Maps (FIRM) were originally presented to the County in 2015, and the County received the final maps in 2020; and
WHEREAS, the County is required to amend its existing regulations as provided below to remain in good standing with the NFIP so that County residents will remain eligible for reduced rates and NFIP flood insurance; and

WHEREAS, failure to adopt these required revisions would prevent County residents from being able to purchase flood insurance at reduced rates and would put at risk the community's ability to receive federal funds for disaster declarations.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL OF ST. CHARLES COUNTY, MISSOURI, AS FOLLOWS:

Section 1. Section 405.260.A.1, OSCCMo (Article XI "FW", "FF" and "DF", Floodway, Floodway Fringe and Density Floodway Overlay Districts), is hereby amended as follows (added language in **bold type**, deleted language in [bracketed and striken type]):

A. This Article of the Unified Development Ordinance uses a reasonable method of analyzing flood hazards, which consist of a series of interrelated steps.

1. Selection of regulatory flood which is based upon engineering calculations that permit a consideration of such flood factors as its expected frequency of occurrence, the area inundated, and the depth of inundation. The regulatory flood selected for this Article of the Unified Development Ordinance is representative of large floods which are reasonably characteristic of what can be
expected to occur on the streams subject to these regulations. It is in the general order of a flood which can be expected to have a one percent (1%) chance of occurrence in any one (1) year, as delineated on the Federal Emergency Management Agency's Flood Insurance Study, Flood Insurance Rate Maps, and illustrative materials dated [January 20, 2016] March 9, 2021 as amended hereafter.

2. Calculation of water surface profile based on a hydraulic engineering analysis of the capacity of the stream channel and overbank areas to convey the regulatory flood.

3. Computation of the floodway required to convey this flood without increasing flood heights more than one (1) foot at any point.

4. Delineation of floodway encroachment lines within which no obstruction is permitted which would cause any increase in flood height.

5. Delineation of floodway fringe (i.e., that are outside the floodway encroachment lines), but which still is subject to inundation by the regulatory flood.

6. Delineation of density floodway (i.e., the area outside the floodway encroachment lines which is not included in the Floodway Fringe
Overlay District, but which still is subject to inundation by the regulatory flood)

Section 2. Section 405.270, OSCCMo (Article XI "FW", "FF" and "DF", Floodway, Floodway Fringe and Density Floodway Overlay Districts), is hereby amended as follows (added language in **bold type**, deleted language in [bracketed and stricken type]):

Adoption of The Flood Insurance Rate Maps, The Floodway Maps and The Density Floodway Maps.

St. Charles County has adopted the Flood Insurance Rate Map, the Floodway, the Density Floodway Map, and the Flood Insurance Study dated [January 20, 2016] March 9, 2021, as amended hereafter, provided by the Federal Emergency Management Agency.

Section 3. Section 405.275, OSCCMo (Article XI "FW", "FF" and "DF", Floodway, Floodway Fringe and Density Floodway Overlay Districts), is hereby amended as follows (added language in **bold type**, deleted language in [bracketed and stricken type]):

Lands To Which This Article of The Unified Development Ordinance Applies.

The "FW", "FF", and "DF" Districts apply to all lands within the jurisdiction of unincorporated St. Charles County identified on the Flood Insurance Rate Map (FIRM) for St. Charles County on Index Panel [29183CIND0B] 29183CIND0C, dated [January 20, 2016] March 9, 2021 as amended hereafter, as numbered and unnumbered A Zones (including AE Zones) and within the Zoning Districts "FW", "FF", and
"DF", established in Establishment of Zoning Districts of this Unified Development Ordinance Article. In all areas covered by these overlay zoning districts, no development shall be permitted except upon a floodplain development permit issued by the Division of Planning and Zoning under such safeguards and restrictions as St. Charles County may reasonably impose for the promotion and maintenance of the general welfare, safety, and health of the inhabitants of unincorporated St. Charles County.

Section 4. This ordinance shall be in full force and effect from and after the date of its passage and approval.

DATE PASSED

DATE APPROVED BY COUNTY EXECUTIVE

CHAIR OF THE COUNCIL

COUNTY EXECUTIVE

ATTEST:

COUNTY REGISTRAR