

ORDINANCE NO. JO-013-2026

**A JOINT ORDINANCE OF THE LAFAYETTE CITY COUNCIL AND THE LAFAYETTE PARISH COUNCIL AMENDING CHAPTER 26, ARTICLE XI, DIVISION 2 OF THE LAFAYETTE CITY-PARISH CONSOLIDATED GOVERNMENT CODE OF ORDINANCES RELATED TO FLOOD DAMAGE PREVENTION**

**BE IT ORDAINED** by the Lafayette City Council and the Lafayette Parish Council, that:

**WHEREAS**, the Lafayette City Council and Lafayette Parish Council desire to amend Chapter 26, Article XI, Division 2 of the Lafayette City-Parish Consolidated Government Code of Ordinances related to Flood Damage Prevention, the same being necessary to further the health, safety and welfare of the citizens of the City of Lafayette and unincorporated Lafayette Parish.

**NOW, THEREFORE, BE IT FURTHER ORDAINED** by the Lafayette City Council and Lafayette Parish Council, that:

**SECTION 1:** All of the aforescribed "Whereas" clauses are adopted as part of this ordinance.

**SECTION 2:** Chapter 26, Article XI, Division 2, Section 26-701 "Definitions" of the Lafayette City-Parish Consolidated Government Code of Ordinances is hereby amended in the following particulars, with words in ~~strike through~~ being deletions from existing law, and words **underscored and boldfaced** being additions:

Sec. 26-701. - Definitions.

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*Appeal:* A request for a review of the floodplain administrator's determination of certain provisions of this division. The director of the ~~development and planning~~**drainage** department shall hear all such appeals and render judgment.

**Appurtenant Structure:** A structure that is on the same parcel of property as the principal structure to be insured and the use of which is incidental to the use of the principal structure.

**Area of future conditions flood hazard:** The land area that would be inundated by the 1-percent-annual-chance (100-year) flood based on future-conditions hydrology.

*Area of shallow flooding:* A designated AO, AH zone on a community's flood insurance rate map (FIRM), with a one percent chance or greater annual chance of flooding to an average depth of one to three feet, where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

*Area of special flood hazard:* The land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. The area may be designated as Zone A on the Flood Hazard Boundary Map (FHBM). After detailed ratemaking has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zones A, AE, AH, AO, A1-99, VI-30, VE or V. **For purposes of these regulations, the term "special flood hazard area" is synonymous in meaning with the phrase "area of special flood hazard".**

*Base flood:* The flood having a one percent chance of being equaled or exceeded in any given year, also referred to as the 100-year flood.

*Base flood elevation (BFE):* ~~The water surface elevation of the base flood in relation to the North American Vertical Datum of 1988 (NAVD 88) or other datum where specified.~~ **The elevation shown on the Flood Insurance Rate Map (FIRM) and found in the accompanying Flood Insurance Study (FIS) for Zones A, AE, AH, A1-A30, AR, V1-V30, or VE that indicates the water surface elevation resulting from the flood that has a 1% chance of equaling or exceeding that level in any given year – also called the Base Flood.**

*Base flood elevation determination:* An engineering evaluation of a flooding source performed through detailed methods of study of the floodplain geometry or topography, hydrology and hydraulic analyses to determine the base flood elevation as a result of the peak flood discharges during the base flood event or the flooding having a one percent chance of being equaled or exceeded in any given year. The determination should provide the basic information on the scope and methodology of the topographic, hydrologic and/or hydraulic analyses that are prepared in support of the existing conditions of the area of special flood hazard designated as "Zone A". All analyses must be completed in accordance with the applicable sections of the National Flood Insurance Program (NFIP) regulations.

**Basement: Any area of the building having its floor subgrade (below ground level) on all sides.**

**Breakaway wall: A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.**

*Community rating system (CRS):* A program developed by the Federal Emergency Management Agency (FEMA) to provide incentives for those communities in the Regular Program of the NFIP that has gone beyond the minimum floodplain management requirements to develop extra measures to provide protection from flooding.

*Critical feature:* 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:* Any manmade change in improved and unimproved real estate, including but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage equipment and materials.

~~*Development and planning:* The Lafayette City Parish Consolidated Government Development and Planning Department.~~

~~*Development and planning director:* The Lafayette City Parish Consolidated Government Development and Planning Department Director.~~

*Elevated building:* A non-basement building:

- (1) Built, in the case of a building in Zone A1-30, AE, A, A99, AO, AH, B, C, X and D, to have the top of the elevated floor, or, in the case of a building in Zones V1-30, VE or V, to have the bottom of the lowest horizontal structural member of the elevated floor, elevated above the ground level by means of pilings, columns (posts and piers) or shear walls parallel to the flow of the water; 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. In the case of Zones A1-30, AE, A, A99, AO, AH, B, C, X and D, the term "elevated building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of floodwaters. In the case of Zones V1-30, VE or V, the term "elevated building" also includes a building otherwise meeting the definition of "elevated building," even though the lower area is

enclosed by means of breakaway walls, if the breakaway walls meet the standards of section 60.3 (e)(5) of the National Flood Insurance Program regulations.

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*Five hundred (500)-year flood zone:* The flood having a 0.2 percent chance of being equaled or exceeded in any given year, also referred to as the 500-year flood. Identified as "Zone X" on the Federal Emergency Management Agency, flood insurance rate map (FIRM), an officially designated land area that is likely to be flooded by a storm equal to or greater in intensity than the 500-year storm event.

*Flood and flooding:* A general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) The overflow of inland or tidal waters; and/or
- (2) The unusual and rapid accumulation or runoff of surface waters from any source.

**Flood elevation study: An examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards.**

*Flood insurance rate map ("FIRM"):* 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 (FIS):* The official report provided by the Federal Emergency Management Agency. This report contains flood profiles and the water surface elevation of the base flood, as well as the flood hazard boundary floodway map. **See "Flood elevation study".**

*Flood protection system:* 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. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood-modifying works are those constructed in conformance with sound engineering standards.

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*Floodway:* Land identified on the Federal Emergency Management Agency Flood Insurance Rate Map as a floodway. Development, fill, overlays, etc. shall not occur on land identified as a floodway unless hydrologic and hydraulic HEC-RAS data or other model acceptable to the applicable regulatory agency prepared by a Louisiana licensed engineer is presented certifying that no increased flood levels will occur upstream, downstream or on the development site as a result of the proposed improvements. The data must be reviewed and subsequently approved by the floodplain administrator prior to development, and other applicable regulatory agencies. Also see Regulatory Floodway.

~~*Floodway and regulatory 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 a designated height.~~

*Freeboard:* Freeboard is a factor of safety usually expressed in feet above a flood level for purposes of floodplain 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, bridge openings, and the hydrological effect of urbanization of the watershed. **Required freeboard for:**

- (1) ~~Residential construction: New construction or substantial improvement of any residential building (or manufactured home) shall:~~
  - a. ~~Have the lowest floor, including basement mechanical and utility equipment, and ductwork, elevated no lower than one foot above the base flood elevation.~~

- (2) ~~Non-residential construction: New construction or substantial improvement of any commercial, industrial, or non-residential building (or manufactured home) shall:~~
- ~~a. Have the lowest floor, including basement, mechanical and utility equipment, and ductwork, elevated no lower than one foot above the level of the base flood elevation; or~~
  - ~~b. Be floodproofed to a level no lower than one foot above the level of the base flood elevation, provided that all areas of the building (including mechanical and utility equipment) below the required elevation are watertight with walls substantially impermeable to the passage of water and use structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy.~~

*Functionally dependent use:* 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 long term storage or related manufacturing facilities.

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*Lowest floor:* 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 non-elevation design requirements of section 60.3 of the National Flood Insurance Program regulations. For purposes of the application of this division to manufactured homes the lowest floor for a manufactured home shall mean and be the bottom of the longitudinal chassis frame of the manufactured home located in all flood zones that begins with the letter A.

*Manufactured home:* A moveable or portable dwelling built on a permanent chassis, designed without a permanent foundation for year-round living, which may or may not be titled through and/or with a state agency, division, department and/or unit. It may consist of one or more units that can be telescoped when towed and expanded later for additional capacity, or of two or more units, separately towable but designed to be joined into one integral unit bearing the permanently affixed seal of the United States Department of Housing and Urban Development. The term "manufactured home" does not include a "recreational vehicle".

*Manufactured home park or subdivision:* Any tract of land developed or used for the purpose of accommodating more than four manufactured homes occupied for dwelling or sleeping purposes, whether or not a charge is made for such accommodation and/or whether the space is sold, rented, leased and/or occupied. For the purpose of this definition an existing manufactured home park is any park for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed is completed before the effective date of the floodplain management regulations. A new manufactured home park must have completed this construction on or after the effective date of the floodplain management regulations being adopted by the community.

~~*Manufactured home subdivision:* Any tract of land developed or used for the purpose of accommodating more than four manufactured homes occupied for dwelling or sleeping purposes, whether or not a charge is made for such accommodation and/or whether the space is sold, rented, leased and/or occupied. For the purpose of this definition an existing manufactured home subdivision is any subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed is completed before the effective date of the Floodplain Management Regulations. A new manufactured home subdivision must have completed the construction on or after the effective date of the Floodplain Management Regulations being adopted by the community.~~

*Mean sea level:* For the purposes of the National Flood Insurance Program, the North American Vertical Datum (NAVD 88) of 1988 or other datum where specified to which base flood elevations shown on a community's flood insurance rate map are referenced.

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**SECTION 3:** Chapter 26, Article XI, Division 2, Section 26-702(a) "Territorial Applicability" of the Lafayette City-Parish Consolidated Government Code of Ordinances is hereby amended in the following particulars, with words in ~~strike through~~ being deletions from existing law, and words **underscored and boldfaced** being additions:

Sec. 26-702. – General Provisions.

- (a) *Territorial applicability.* This division shall apply to all ~~areas of special flood hazard~~ **properties** within the ~~jurisdiction of Lafayette City Parish Consolidated Government including areas within the~~ City of Lafayette and the unincorporated areas of Lafayette Parish.

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**SECTION 4:** Chapter 26, Article XI, Division 2, Section 26-703 "Administration and Enforcement" of the Lafayette City-Parish Consolidated Government Code of Ordinances is hereby amended in the following particulars, with words in ~~strike through~~ being deletions from existing law, and words **underscored and boldfaced** being additions:

Sec. 26-703. – Administration and Enforcement.

- (a) *Designation of floodplain administrator.* The ~~Drainage Development and Planning~~ Department Director, or his/her designee, is hereby appointed the floodplain administrator to administer and implement the provisions of this division and appropriate sections of 44 CFR, which include the National Flood Insurance Program regulations pertaining to floodplain management.
- (b) *Duties of floodplain administrator.* Duties and responsibilities of the floodplain administrator shall include, but not be limited to, the following:
- (1) The floodplain administrator shall maintain and hold open for public inspection all records pertaining to the provisions of this division.
  - (2) The floodplain administrator shall review permit applications to determine whether proposed building sites will be reasonably safe from flooding.
  - (3) The floodplain administrator shall review, approve or deny all applications for development permits required by this division.
  - (4) The floodplain administrator shall review permits for proposed developments to ensure that all necessary permits have been obtained from those federal, state or local governmental agencies (including permits required by Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 USC 1334) from which prior approval is required.
  - (5) Where interpretation is needed as to the exact location of the boundaries of the area of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions), the floodplain administrator shall make the necessary interpretation. Any appeal of the floodplain administrator's interpretation shall follow subsections 26-704 (F) and (G).
  - (6) The floodplain administrator shall notify, in riverine situations, adjoining communities and the state coordinating agency, which is the Louisiana Department of Transportation and Development, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.
  - (7) The floodplain administrator shall ensure that the flood-carrying capacity within the altered or relocated portion of any watercourse is maintained.
  - (8) When base flood elevation data has not been provided in accordance with subsection 26-702 (G), basis for establishing areas of special flood hazard, the

floodplain administrator shall obtain, review and reasonably utilize any base flood elevation data and other floodway data available from a federal, state or other source, in order to administer the provision of the administration and enforcement section of this division.

- (9) When a regulatory floodway has not been designated, the floodplain administrator must require that no new construction, substantial improvements or other development, including fill, shall be permitted within Zone A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.
  - (10) Under the provision of 44 CFR chapter 1, section 65.12 of the National Flood Insurance Program regulations, a community may approve certain development in Zones A1-30, AE and AH on the community's FIRM which increases the water surface elevation of the Base Flood by more than one foot, provided that the community first completes all of the provisions required by Section 65.12 of 44 CFR.
  - (11) After a disaster or other type of damage occurrence to structures in the community of the City of Lafayette and the unincorporated areas of Lafayette Parish, determine if the residential and non-residential structures and manufactured homes have been substantially damaged, and enforce the substantial improvement requirement.**
  - (12) Maintain a record of all actions involving an appeal from a decision of the director of the drainage department.**
  - (13) Prepare, obtain, and maintain all documentation necessary for the annual certification of the community rating system program review and designated renewal period to complete certification of the program.**
- (c) *Floodplain administrator review.*
- (1) *Subdivision plan review.*
    - a. The floodplain administrator will review the proposed project to determine if the subject property is located in a special flood hazard area.
    - b. If it is determined that the subject property is located in a special flood hazard area, the floodplain administrator ensures that the provisions of this division and the appropriate section of the 44 CFR National Flood Insurance Program regulations are followed pertaining to floodplain management.
  - (2) *Building permit review.*
    - a. Application for a development permit shall be presented to the floodplain administrator on forms furnished by him/her, and may include, but shall not be limited to, plans in duplicate drawn to scale showing the location, dimensions and elevation of proposed landscape alterations, existing and proposed structures, and their location in relation to areas of special flood hazard. The following information is required:
      - i. Elevation in relation to mean sea level of the lowest floor, including basement, of all new and substantially improved structures.
      - ii. Elevation in relation to mean sea level to which any nonresidential structure shall be floodproofed.**
      - iii. A certificate from a registered professional engineer or architect that the nonresidential floodproofed structure shall meet the floodproofing criteria of subsection 26-704--~~(B)(2)(b)(1)(b)~~ & **(b)(2)(b)**.
      - iiii. For all final elevation certificates, the certifier must provide at least two photographs showing the front and rear of the building taken within 90 days from the date of certification. The photographs must be taken with views confirming the building description and diagram number. If the building has split-level or multi-level areas, provide at least two additional photographs showing side views of

the building. All photographs must be in color and measure at least three inches by three inches. Digital photographs are acceptable.

**v. A description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of proposed development.**

**vi. The floodplain administrator shall maintain a record of all such information in accordance with subsection 26-703(Bb).**

~~b. A description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of proposed development. The floodplain administrator shall maintain a record of all such information in accordance with subsection 26-703(B).~~

~~e-b.~~ Approval or denial of a development permit by the floodplain administrator shall be based on all of the provisions of this section and the following relevant factors:

- i. The danger to life and property due to flooding or erosion damage.
- ii. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.
- iii. The danger that materials may be swept onto other lands to the injury of others.
- iv. The compatibility of the proposed use with existing and anticipated development.
- v. The safety of access to the property in times of flood for ordinary and emergency vehicles.
- vi. The costs of providing governmental services during and after flood conditions, including maintenance and repair of streets and bridges, public utilities and facilities such as sewer, gas, electrical and water systems.
- vii. The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site.
- viii. The necessity to the facility of a waterfront location, where applicable.
- ix. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use.
- x. The relationship of the proposed use to the comprehensive plan for that area.

*(3) Driveways, streets, roads or similar construction projects.*

- a. The floodplain administrator will review the proposed project to determine if the subject property is located in a special flood hazard area.
- b. If it is determined that the subject property is located in a special flood hazard area the floodplain administrator ensures that the provisions of this division and the appropriate section of the 44 CFR National Flood Insurance Program regulations are followed pertaining to floodplain management.

**SECTION 5:** Chapter 26, Article XI, Division 2, Section 26-704 "Flood Hazard Reduction" of the Lafayette City-Parish Consolidated Government Code of Ordinances is hereby amended in the following particulars, with words in ~~strike through~~ being deletions from existing law, and words **underscored and boldfaced** being additions:

Sec. 26-704. - Flood hazard reduction.

- (a) *General standards.* In all areas of special flood hazard, the following provisions are required for all new construction and substantial improvements:

**(1) In all areas of special flood hazard, the following provisions are required for all new construction and substantial improvements:**

- ~~1-a.~~ All new construction or substantial improvements shall be designed, or modified, and adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
- ~~2-b.~~ All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage.
- ~~3-c.~~ All new construction or substantial improvements shall be constructed with materials resistant to flood damage.
- ~~4-d.~~ All new construction or substantial improvements shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
- ~~5-e.~~ All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system.
- ~~6-f.~~ New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the system and discharge from the systems into floodwaters.
- ~~7-g.~~ On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

**(2) Freeboard requirements.**

- ~~a. All new residential, nonresidential and manufactured home structures both within and outside of areas of special flood hazard, and any substantial improvements to any residential, nonresidential and manufactured home structures within areas of special flood hazard, shall have the minimum lowest floor elevation be one foot above the higher of the following four measurements:~~
  - ~~i. Base flood elevation as determined by the latest flood insurance rate map (FIRM) as issued by the FEMA;~~
  - ~~ii. Centerline of the nearest street across from or adjacent to the structure;~~
  - ~~iii. Elevation of the nearest sewer manhole cover; or~~
  - ~~iv. Community determined flood elevation as determined by the Floodplain Administrator~~
- ~~b. All mechanical and electrical equipment must also comply with the above minimum lowest floor elevation requirements.~~
- ~~c. Should options ii. - iv. of the above freeboard calculation requirements result in an unreasonable elevation, a waiver may be requested.~~
- ~~d. A licensed land surveyor or engineer will be required to certify ii. and iii. above through the use of an elevation certificate.~~

- (b) *Specific standards.* In all special flood hazard areas where base flood elevation data has been provided as set forth in subsections 26-702(G), 26-703(B)(8) or 26-704(D)(3), the following provisions are required:

**(1) In all special flood hazard areas where base flood elevation data has been provided as set forth in subsections 26-702(g), 26-703(b)(8) or 26-704(d)(3), the following provisions are required:**

- ~~1-a. Residential construction:~~ New construction and substantial improvement of any residential structure shall have the lowest floor (including basement and garage, or carport) elevated to a minimum of 12 inches above the base flood elevation elevated to meet freeboard

requirements set forth in 26-704(a)(2). Attached garages and utilities (including electrical, heating, ductwork, ventilating, plumbing, and air conditioning equipment) must also be protected to 12 inches above the base flood elevation meet these requirements. A registered professional engineer, architect or land surveyor shall submit a certification to the floodplain administrator that the standards of this subsection have been satisfied.

**2-b.** *Nonresidential construction:* New construction and substantial improvements of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement and garage, or carport, ~~elevated to a minimum of 12 inches above the BFE~~ elevated to meet freeboard requirements set forth in 26-704(a)(2), or together with attendant utility and sanitary facilities, be designed so that below the BFE this requirement the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall develop and/or review structural design, specifications and plans for the construction and shall certify that the design and methods of construction are in accordance with accepted standards of practice as outlined in this subsection. A record of such certification which includes the specific elevation, in relation to mean sea level, to which such structures are floodproofed, shall be maintained by the floodplain administrator.

**3-c.** *Enclosures:* New construction and substantial improvements, with fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:

- a.i.** A minimum of two openings on separate walls having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
- b.ii.** The bottom of all openings shall be no higher than one foot above grade.
- e.iii.** Openings may be equipped with screens, louvers, valves or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

**4-d.** *Wet floodproofing of qualified accessory structures:* Notwithstanding the provisions of subsection 26-704**(b)(1)(a)(B)(+)** above, accessory structures meeting the following requirements may be wet floodproofed in lieu of elevation. For purposes of this subsection, "wet floodproofing" shall mean permanent or contingent measures applied to a structure and/or its contents that prevent or provide resistance to damage from flooding by allowing waters to enter the structure. Requirements for wet floodproofing are as follows:

- a.i.** Use of the accessory structure must be limited to parking or limited storage and not human habitation.
- b.ii.** The structure must be no larger than 1,000 square feet. Any structure larger than 1,000 square feet, must meet the regular flood protection requirements (e.g., ~~elevated above the BFE plus one-foot freeboard~~ elevated to meet freeboard requirements set forth in 26-704(a)(2)).
- e.iii.** The structure must meet all other requirements of this division. For example, if the site is in a floodway, it must be demonstrated that the structure will not cause an obstruction to flood flows.
- d.iv.** The accessory structure must be built with flood-resistant material for the exterior and interior building components and

elements (i.e., foundation, wall framing, exterior and interior finished, flooring, etc.) below the BFE freeboard requirements set forth in 26-704(a)(2).

- e.v. The accessory structure must be adequately anchored to prevent flotation, collapse, or lateral movement of the structure. All of the building's structural components must be capable of resisting specific flood related forces, including hydrostatic, buoyancy, hydrodynamic, and debris impact forces.
- f.vi. The accessory structure must meet the NFIP openings requirements spelled out in subsection 26-704(b)(1)(c)(i)-(iii) (B)(3)(a-e) above.
- g.vii. Any mechanical, electrical, or other utility equipment must be ~~located 12 inches above the BFE~~ elevated to meet freeboard requirements set forth in 26-704(a)(2) or floodproofed so that it is contained within a watertight, floodproofed enclosure capable of resisting damage during flood conditions to the same elevation.
- h.viii. Major equipment, machinery, or other contents must be ~~located at a minimum of 12 inches above the BFE~~ elevated to meet freeboard requirements set forth in 26-704(a)(2).
- ix. A property owner must provide a Non-Conversion Agreement prior to the issuance of the permit for the qualified accessory structures and attached garages that are to be located below the freeboard requirements set forth in 26-704(a)(2).
- x. Structure is subject to inspection at any time to ensure continued compliance.

5.e. *Manufactured homes.*

- a.i. All manufactured homes to be placed within Zone A and/or V shall be installed using methods and practices which minimize flood damage. For the purpose of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse or lateral movement. Methods of anchoring may include but are not limited to, use of over the top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces.
- b.ii. All manufactured homes shall be in compliance with this division.
- e.iii. Manufactured homes to be placed or substantially improved on sites in an existing manufactured home park or subdivision within Zones A1-30, AH and AE on the community's FIRM so that the lowest floor of any manufactured home located in a Special Flood Hazard Area must be ~~at least 12 inches above the BFE~~ elevated to meet freeboard requirements set forth in 26-704(a)(2), referenced from the bottom of the lowest longitudinal frame beam and securely anchored to a foundation system that will resist flotation, collapse, and lateral movement.

- 6.f. *Recreational vehicles.* Recreational vehicles placed on sites within Zones A1-30, AH and AE and/or V on the Community's FIRM shall either be on the site for fewer than 180 consecutive days, be fully licensed and ready for highway use, or meet the permit requirements of subsection 26-703(C)(2)a and the elevation and anchoring requirements for manufactured homes in subsection ~~(B)(5)(a)(b)(1)(e)(i)~~ of this section. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick-disconnect type utilities and security devices, and has no permanently attached additions.

**(2) In all non-special flood hazard areas (Zones X and X-shaded), the following provisions are required:**

- a. Residential construction: New construction of any residential structure shall have the lowest floor (including basement and garage, or carport) elevated to meet freeboard requirements set forth in 26-704(a)(2). Attached garages and utilities (including electrical, heating, ductwork, ventilating, plumbing, and air conditioning equipment) must also meet these requirements. A registered professional engineer, architect or land surveyor shall submit a certification to the floodplain administrator that the standards of this subsection have been satisfied.
- i. Additions to an existing building must be elevated at least as high as the original structure. Attached garages, with limited exceptions, and utilities (including electrical, heating, ductwork, ventilating, plumbing, and air conditioning equipment) must be elevated at least as high as the original structure.
- b. Nonresidential construction: New construction of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement and garage, or carport, elevated to meet freeboard requirements set forth in 26-704(a)(2), or together with attendant utility and sanitary facilities, be designed so that below this requirement the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall develop and/or review structural design, specifications and plans for the construction and shall certify that the design and methods of construction are in accordance with accepted standards of practice as outlined in this subsection. A record of such certification which includes the specific elevation, in relation to mean sea level, to which such structures are floodproofed, shall be maintained by the floodplain administrator.
- i. Additions to an existing building must be elevated at least as high as the original structure. Attached garages, with limited exceptions, and utilities (including electrical, heating, ductwork, ventilating, plumbing, and air conditioning equipment) must be elevated at least as high as the original structure.
- c. Enclosures: New construction with fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:
- i. A minimum of two openings on separate walls having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
- ii. The bottom of all openings shall be no higher than one foot above grade.
- iii. Openings may be equipped with screens, louvers, valves or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
- d. Wet floodproofing of qualified accessory structures: Notwithstanding the provisions of subsection 26-704(b)(1)(a) above, accessory structures meeting the following requirements may be wet floodproofed in lieu of elevation. For purposes of this subsection, "wet floodproofing" shall mean permanent or contingent measures applied to a structure and/or its contents that prevent or provide resistance to damage from flooding by allowing waters to enter the structure. Requirements for wet floodproofing are as follows:

- i. Use of the accessory structure must be limited to parking or limited storage and not human habitation.
  - ii. The structure must be no larger than 1,000 square feet. Any structure larger than 1,000 square feet, must meet the regular flood protection requirements (e.g., elevated to meet freeboard requirements set forth in 26-704(a)(2)).
  - iii. The structure must meet all other requirements of this division.
  - iv. The accessory structure must be built with flood-resistant material for the exterior and interior building components and elements (i.e., foundation, wall framing, exterior and interior finished, flooring, etc.) below the freeboard requirements set forth in 26-704(a)(2).
  - v. The accessory structure must be adequately anchored to prevent flotation, collapse, or lateral movement of the structure. All of the building's structural components must be capable of resisting specific flood related forces, including hydrostatic, buoyancy, hydrodynamic, and debris impact forces.
  - vi. The accessory structure must meet the NFIP openings requirements set forth in subsection 26-704(b)(1)(c)(i)-(iii) above.
  - vii. Any mechanical, electrical, or other utility equipment elevated to meet freeboard requirements set forth in 26-704(a)(2) or floodproofed so that it is contained within a watertight, floodproofed enclosure capable of resisting damage during flood conditions to the same elevation.
  - viii. Major equipment, machinery, or other contents must be elevated to meet freeboard requirements set forth in 26-704(a)(2).
  - ix. A property owner must provide a Non-Conversion Agreement prior to the issuance of the permit for the qualified accessory structures and attached garages that are to be located below the freeboard requirements set forth in 26-704(a)(2).
  - x. Structure is subject to inspection at any time to ensure continued compliance.
- e. Manufactured homes.
- i. All manufactured homes shall be installed using methods and practices which minimize flood damage. For the purpose of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse or lateral movement. Methods of anchoring may include but are not limited to, use of over the top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces.
  - ii. All manufactured homes shall be in compliance with this division.
  - iii. Manufactured homes to be placed on sites in an existing manufactured home park or subdivision must be elevated to meet freeboard requirements set forth in 26-704(a)(2), referenced from the bottom of the lowest longitudinal frame beam and securely anchored to a foundation system that will resist flotation, collapse, and lateral movement.
- (c) *Standards for areas of shallow flooding.* Located within the areas of special flood hazard established in subsection 26-702(G) are areas designated as shallow flooding (AO/AH Zones). These areas have special flood hazards associated with base flood depths of one to three feet where a clearly defined channel does not exist and where

the path of flooding is unpredictable and where velocity flow may not be evident. Such flooding is characterized by ponding or sheet flow; therefore, the following provisions apply:

- (1) All new construction and substantial improvements of residential structures shall have the lowest floor, including basement, elevated above the highest adjacent grade at least as high the depth number specified in feet on the community's FIRM (or at least two feet if no depth number is specified)
  - (2) All new construction and substantial improvements of nonresidential structures shall:
    - a. Have the lowest floor (including basement) elevated above the highest adjacent grade at least as high the depth number specified in feet on the community's FIRM (or at least two feet if no depth number is specified); or
    - b. Together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.
  - (3) A registered professional engineer or architect shall submit a certification to the floodplain administrator that the standards of this section, as proposed in subsection 26-703(C)(2)a. i., are satisfied.
  - (4) Within zones AH and/or AO, adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures are required.
- (d) *Standards for subdivision proposals.*
- (1) All subdivision proposals, including manufactured home parks and subdivisions, shall be consistent with subsections 26-702 (C), (D) and (E).
  - (2) All proposals for the development of a subdivision, including manufactured home parks and subdivisions, shall meet the development permit requirements of subsection 26-703(C)(2)a.i., and the provisions of the flood hazard reduction section of this division in subsection 26-704.
  - (3) Base flood elevation data shall be generated for subdivision proposals and other proposed developments, including manufactured home parks and subdivisions, which are greater than 50 lots or five acres, whichever is less, if not otherwise provided pursuant to subsection 26-702(G) or subsection 26-703(B)(8).
  - (4) All subdivision proposals, including manufactured home parks and subdivisions, shall have adequate drainage provided to reduce exposure to flood hazards.
  - (5) All subdivision proposals, including manufactured home parks and subdivisions, shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.
- (e) *Standards for floodways.* Located within areas of special flood hazard established in subsection 26-702(H) are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwater, which carries debris and potential projectiles and has erosion potential, the following provisions shall apply:
- (1) Encroachments are prohibited, including fill, new construction, substantial improvements and other development; unless certification by a professional registered engineer or architect is provided demonstrating that encroachments shall not result in any increase in flood levels within the community during the occurrence of the base flood discharge.
  - (2) If subsection (1) of this section is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard deduction provisions of the flood hazard reduction section of this division.

~~(3) The placement of any manufactured homes is prohibited except to replace an existing manufactured home in an existing manufactured home park or subdivision.~~

(f) *Variances.*

(1) Request for a variance or variances of the application of any provisions or requirements of this article must be submitted in writing within ten days of the floodplain administrator's determination to the LCG ~~Development and Planning~~Drainage Department.

\* \* \* \* \*

**SECTION 6:** All of the aforescribed amendments of Chapter 26, Article XI, Division 2, contained hereinabove shall be effective November 1<sup>st</sup>, 2026.

**SECTION 7:** All ordinances or resolutions, or parts thereof, in conflict herewith, are hereby repealed.

**SECTION 8:** After first having been adopted by a majority of the authorized membership of both the Lafayette City Council and the Lafayette Parish Council, this joint ordinance shall become effective ten (10) days after signature of this joint ordinance by the Lafayette Mayor-President, the lapse of ten (10) days after receipt by the Lafayette Mayor-President without signature or veto, or upon override of a veto, whichever occurs first.

\* \* \* \* \*



## Internal Memorandum

**Drainage Department**  
Director's Office (5200)

**TO:** Rachel Godeaux

**DATE:** April 1, 2026

**FROM:** Brian Smith

**SUBJECT: JOINT COUNCIL AGENDA ITEM FY 25/26  
CHAPTER 26, ARTICLE XI, DIVISION 2 FLOOD DAMAGE  
PREVENTION AMENDMENT**

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Please find attached, an ordinance amending Chapter 26, Article XI, Division 2 of the Lafayette City-Parish Consolidated Government Code of Ordinances related to flood damage prevention and intended to further promote the health, safety, and welfare of citizens of the City of Lafayette and its Unincorporated areas of Lafayette Parish.

If you approve, please place this item on the Joint Council Agenda to be introduced on Tuesday, April 21, 2026.

Sincerely,

A handwritten signature in blue ink that reads 'Brian R. Smith'.

**Brian R. Smith**  
Director of Drainage

aa

Attachments- Agenda Submittal Packet

c: Jessica Cornay  
Clay Boudreaux  
Anitrah Auzenne

**RECEIVED.**

APR 01 2026

**OFFICE OF THE CAO**

LAFAYETTE JOINT COUNCIL MEETING

AGENDA ITEM SUBMITTAL FORM

1) JUSTIFICATION FOR REQUEST: An ordinance of the Lafayette City Council and Lafayette Parish Council amending Chapter 26, Article XI, Division 2 of the Lafayette City-Parish Consolidated Government Code of Ordinances related to flood damage prevention

2) ACTION REQUESTED: Adoption of Ordinance

3) COUNCIL DISTRICT(S) (if applicable): \_\_\_\_\_

If this involves a budget revision, please complete a budgetary revision form.

4) REQUESTED ACTION OF COUNCIL:

A) INTRODUCTION: April 21, 2026

B) FINAL ADOPTION: May 5, 2026

5) DOCUMENTATION INCLUDED WITH THIS REQUEST:

A) Cover Memo (1 page)

B) Submittal Item (1 page)

C) Ordinance (<sup>4</sup>~~13~~ pages)

D) \_\_\_\_\_

6) FISCAL IMPACT:

\_\_\_\_\_ Fiscal Impact (Explain)

X No Fiscal Impact

RECOMMENDED BY:

Brian R. Smith

Brian R. Smith  
DIRECTOR OF DRAINAGE

APPROVED FOR AGENDA:

Rachel Godeaux

Rachel Godeaux  
CHIEF ADMINISTRATIVE OFFICER