

AN ORDINANCE AMENDING CHAPTER 50-ZONING, DIVISION 11-FLOODPLAIN OVERLAY DISTRICT, SECTION 50-285 OF THE CODE OF ORDINANCES UPDATING THE FLOODPLAIN OVERLAY DISTRICT

WHEREAS, Application PZ--2023-11, submitted by the City of Raytown ("Applicant"), requesting an amendment to the floodplain overlay district management regulations of the Comprehensive Zoning regulations, was referred to the Planning & Zoning Commission to hold a public hearing; and

WHEREAS, after due public notice in the manner prescribed by law, the Planning Commission held a public hearing on December 7, 2023, and rendered a report to the Board of Aldermen recommending that the application be approved; and

WHEREAS, after due public notice in the manner prescribed by law, the Board of Aldermen held a public hearing on December 7, 2023, and rendered a decision to amend the Floodplain Overlay District.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF RAYTOWN, MISSOURI, AS FOLLOWS:

SECTION 1 – APPROVAL OF AMENDMENT. That Chapter 50, Section 50-285(b)(3)(a) commonly known as Floodplain Overlay District, Section 285-Statutory authorization, finding of fact, and purposes, (b) Findings of Fact., (3) Methods used to analyze flood hazards., of the Code of Ordinances of the City of Raytown, Missouri is hereby amended as provided in Section 2.

SECTION 2 – AMENDMENT. That Chapter 50, Section 50-285(b)(3)(a) commonly known as Floodplain Overlay District, of the Code of Ordinances of the City of Raytown, Missouri is hereby amended as provided in Exhibit "A".

SECTION 3–REPEAL OF ORDINANCES IN CONFLICT. That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 4–SEVERABILITY CLAUSE. The provisions of this ordinance are severable and if any provision hereof is declared invalid, unconstitutional or unenforceable, such determination shall not affect the validity of the remainder of this ordinance.

SECTION 5–EFFECTIVE DATE. That this ordinance shall be in full force and effect from and after the date of its passage and approval.

BE IT REMEMBERED that the above was read two times by heading only, **PASSED AND ADOPTED** by a majority of the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Jackson County, Missouri, this 7th day of December 2023.

Michael McDonough, Mayor

ATTEST:

Approve as to Form:

Teresa M. Henry, City Clerk

Jennifer M. Baird, City Attorney

EXHIBIT A
CODE OF ORDINANCES
Chapter 50 - ZONING
ARTICLE IV. - DISTRICTS AND DISTRICT MAP
DIVISION 11. FLOODPLAIN OVERLAY DISTRICT (FP)

DIVISION 11. FLOODPLAIN OVERLAY DISTRICT (FP)¹

Sec. 50-285. Statutory authorization, findings of fact, and purposes.

- (a) *Statutory authorization.* The Legislature of the State of Missouri has in RSMo 79.110 delegated the responsibility to local governmental units to adopt floodplain management regulations designed to protect the health, safety, and general welfare. Therefore, the Board of Aldermen of the City of Raytown, Missouri ordains as follows:
- (b) *Findings of fact.*
- (1) *Flood losses resulting from periodic inundation.* The special flood hazard areas of the City of Raytown, Missouri are subject to inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base; all of which adversely affect the public health, safety and general welfare.
 - (2) *General causes of the flood losses.* These flood losses are caused by (1) the cumulative effect of development in any delineated floodplain causing increases in flood heights and velocities; and (2) the occupancy of flood hazard areas by uses vulnerable to floods, hazardous to others, inadequately elevated, or otherwise unprotected from flood damages.
 - (3) *Methods used to analyze flood hazards.* The flood insurance study (FIS) that is the basis of this division uses a standard engineering method of analyzing flood hazards which consist of a series of interrelated steps.
 - a. Selection of a base flood that is based upon engineering calculations which permit a consideration of such flood factors as its expected frequency of occurrence, the area inundated, and the depth of inundation. The base flood selected for this division is representative of large floods which are characteristic of what can be expected to occur on the particular streams subject to this division It is in the general order of a flood which could be expected to have a one percent chance of occurrence in any one year as delineated on the Federal Insurance Administrator's FIS, and illustrative materials for Jackson County dated **January 20, 2017** **December 7, 2023**, as amended, and any future revisions thereto.
 - b. Calculation of water surface profiles are based on a standard hydraulic engineering analysis of the capacity of the stream channel and overbank areas to convey the regulatory flood.
 - c. Computation of a floodway required to convey this flood without increasing flood heights more than one foot at any point.
 - d. Delineation of floodway encroachment lines within which no development is permitted that would cause any increase in flood height.
 - e. Delineation of flood fringe, i.e., that area outside the floodway encroachment lines, but still subject to inundation by the base flood.
- (c) *Statement of purpose.* It is the purpose of this division to promote the public health, safety, and general welfare; to minimize those losses described in subsection (b)(3) of this section; to establish or maintain the

¹Editor's note(s)—~~subject to amendments by the base flood adopted January 3, 2017, repealed the former Div. 11, §§ 50-285-50-295 and enacted a new Div. 11 as set out herein. The former Div. 11 pertained to similar subject matter and derived from Comp. Ord. of 4-20-2010, § 14-1-14.9, 14-11.~~

community's eligibility for participation in the National Flood Insurance Program (NFIP) as defined in 44 Code of Federal Regulations (CFR) 59.22(a)(3); and to meet the requirements of 44 CFR 60.3(d) by applying the provisions of this division to:

- (1) Restrict or prohibit uses that are dangerous to health, safety, or property in times of flooding or cause undue increases in flood heights or velocities;
- (2) Require uses vulnerable to floods, including public facilities that serve such uses, be provided with flood protection at the time of initial construction; and
- (3) Protect individuals from buying lands that are unsuited for the intended development purposes due to the flood hazard.

(Ord. No. 5565-17, § 2(Exh. A), 1-3-2017)