

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 2183-AA

ORDINANCE COUNCIL SERIES NO. 01-0336

RE-INTRODUCED BY STEFANCIK, SECONDED BY BILLIOT ON THE 7TH DAY
OF JUNE, 2001

AN ORDINANCE TO AMEND APPENDIX B OF THE ST. TAMMANY PARISH CODE OF ORDINANCES, SUBDIVISION REGULATORY ORDINANCE NO. 499, AMENDING SECTION 40-010.0 DEFINITION OF TERMS, CREATING SUBSECTIONS 40-010.18.6 THRU 40-010.18.8; AMENDING SECTION 40-037.04; AND CREATING SECTION 40-037.05 PLACEMENT OF FILL ON LOTS NINETY (90) FEET AND GREATER IN WIDTH; AND TO PROVIDE FOR REPEAL, SEVERABILITY AND DATE OF ENACTMENT.

WHEREAS, the St. Tammany Parish Council is charged with protecting the health, safety and general welfare of the citizens of the parish; and

WHEREAS, flood events continually require public expenditures in the form of both flood protection efforts and flood relief activities; and

WHEREAS, flood losses can be linked to fill activities within flood hazard areas reducing the net volume of flood waters that can be safely stored without property loss; and

WHEREAS, the effects of such activities are exacerbated when fill is placed on lots in subdivisions within areas of special flood hazard.

NOW, THEREFORE BE IT ORDAINED, by the St. Tammany Parish Council, in regular session convened, that it hereby amends the St. Tammany Parish Subdivision Regulations No. 499, by creating a new Subsection 40-037.05, and amends 40-037.04, to henceforth read as follows:

SECTION 1 - Add new Subsections to 40-010.0 Definitions of Terms:

- “Sec. 40-010.18.6** **Area of special flood hazard:** The land in the designated flood-plain within a community subject to a one percent or greater chance of flooding in any given year (Flood zones).
- “Sec. 40-010.18.7** **Area of shallow flooding:** A designated AO/AH zone on a community’s flood insurance rate map (FIRM) with base flood depths from one (1) to three (3) feet. This condition occurs where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident.
- “Sec. 40-010-18.8** **Base flood:** the flood having a one percent chance of being equaled or exceeded in any given year.

SECTION 2 - Amend Section 40-037.04 Placement of Fill on Lots less than Ninety (90) Feet in Width for which No Drainage Plan exists Subsection 2. Flood Zone V as follows:

2. Flood Zone V and Areas of Shallow Flooding

A. Flood Zone V

The placement of fill on any lot located within Flood Zone V shall be exclusively governed, regulated and controlled by and shall in all ways be consistent with the relevant provisions of the rules and regulations promulgated by the Federal Emergency Management Agency (“FEMA”) and National Flood Insurance Program (“NFIP”).

B. Areas of Shallow Flooding

- a. Off-site fill shall be limited to the roof-shed area of a lot's proposed primary structure.
- b. A concrete slab shall be permitted under the primary structure provided that the finished surface slab or footing does not exceed an average of 12" above natural ground grade.
- c. Construction shall be accomplished using pier or piling construction according to applicable building codes for finished elevations in excess of 12".
- d. Site improvements (structures, driveways, roadways, landscaping, etc.) shall not impede natural drainage pathways or parish drainage easements.
- e. There shall be no net change in the average elevation of the natural grade of the lot outside of the roofshed.

SECTION 3 - Create Section 40-037.05 Placement of Fill on Lots Ninety (90) Feet and Greater in Width, to henceforth read as follows:

Applicability

The purpose of this ordinance is to regulate the placement of fill on lots ninety (90) feet and greater in width, including undivided parcels of land, within the one hundred (100) year designated flood-plain. These regulations are applicable to the placement or relocation of fill on residential lots 90 feet and greater in width which are located in a new or existing subdivision for which there is no drainage plan approved by the Department of Engineering and new subdivision not yet approved, as well as to undivided parcels of land.

1. Flood Zone V and Areas of Shallow Flooding

A. Flood Zone V

The placement of fill on any lot or undivided parcel of land located within Flood Zone V shall be exclusively governed, regulated and controlled by and shall in all ways be consistent with the relevant provisions of the rules and regulations promulgated by the Federal Emergency Management Agency ("FEMA") and National Flood Insurance Program ("NFIP").

B. Areas of Shallow Flooding

- a. The placement of fill on any parcel located within an "AO/AH Flood Hazard Zone shall be permitted only when a development plan has been submitted and approved by the Department of Engineering.
- b. Fill shall be limited to the roof-shed area of a parcel's primary structure.
- c. A concrete slab shall be permitted under the primary structure provided that the finished surface slab or footing is no more than 12" above natural ground grade.
- d. There shall be no net change in the average elevation of the natural ground.
- e. Construction shall be accomplished using pier or piling construction according to applicable building codes.
- f. Access roadways and other site improvements (buildings, driveways, roadways, landscaping, etc.) shall not impede natural drainage pathways or parish drainage easements.

2. Flood Zones A1-A30

- a. The placement of fill on any parcel located within any "A" Flood Hazard Zone shall be permitted only when a development plan has been submitted and approved.
- b. Fill shall be limited to the roof shed area of the proposed structure and required access to the site.
- c. The volume of fill on the site shall not exceed that which is necessary to prepare an adequate building footprint.
- d. Construction activities that involve the finished floor of a structure exceeding an average of 24" above natural ground elevation shall utilize pier or piling construction or retainer type construction as provided for in current applicable building codes. Fill for foundations resulting in a finished floor elevation 24" or less above natural ground grade shall taper from the foundation edge at a slope of three horizontal feet for every one foot vertical.
- e. At no time shall fill for any site improvements exceed 12" above natural ground grade.
- f. Fill for driveways must not exceed 6" above natural ground grade except where fill is part of the foundation for the main residence, carport, or garage. Fill may also be placed to soften the transition between elevations to a slope not steeper than one vertical foot for every four horizontal feet.
- g. Access roadways and other site improvements (buildings, driveways, roadways, parking areas, etc.) shall not impede upon natural drainage pathways or parish drainage easements.

3. New Subdivisions

Subdivisions approved after enactment of this ordinance, which establish to the satisfaction of the Parish Engineer that, at the time of preliminary approval, such subdivision development will not result in a reduction in the 100 year flood-plain storage capacity, will be approved in total.

4. Exemptions

Areas enclosed by levees from which the runoff is mechanically pumped shall be exempt from this ordinance.

5. Variances

The Parish Engineer shall review individual cases for variance from the provisions of this ordinance, upon written request by the applicant. The applicant must provide evidence that circumstances exist which warrant the requested variance.

HOLD THIS PROVISION FOR REFERENCE TO REGIONAL DETENTION ORDINANCE

{If the applicant is granted a variance he/she shall purchase storage space in regional detention equal to the volume of fill in excess of that which is allowed under this ordinance.}

HOLD THIS PROVISION FOR REFERENCE TO REGIONAL DETENTION ORDINANCE

6. Processing

- a. A permit shall be required for the placement of fill coming from off site for any lot greater than 90 feet in width. In case of new construction, this permit shall be in the form of an approval of the "Culvert Data Sheet", the "Permit Data Review Sheet" or a general work order presently required for construction activity to occur.

- b. The ordinance shall be administered by the Department of Engineering with the assistance of any other parish personnel that are deemed necessary by the governing authority and/or its regulations.
- c. A detail of fill activity, prepared by a Licensed Civil Engineer or Licensed Land Surveyor, including volume of fill to be brought in from off site, the footprint of the deposition of that fill, volume and source location of fill being removed from the site, the ultimate deposition of the fill being removed (including flood zone of the deposition site), the direction of flow across the site, and a profile through the improvement footprints showing the natural and finished elevations of the construction site, as well as the proposed sediment retention measures, must accompany the building permit or development proposal and be reviewed by the Department of Engineering before approval of the Culvert Data Sheet or the Permit Data Tracking Sheet or the issuance of general work order.
- d. Three submittals are required during the permit process.
 - 1. The initial plan must be submitted in accordance with the requirements of this ordinance. Applicant shall submit a survey plot plan that depicts the minimum elevations necessary to determine the average elevation of the construction area; for example the lot corners and maybe an intermediate elevation in between corners could be used. The survey must state the flood zone.
 - 2. Applicant must submit the elevation of the slab form board or lowest habitable floor. This elevation must be submitted on the original detail of fill activity plan. This information must be submitted prior to the prepour slab inspection.
 - 3. Prior to the granting of the Certificate of Occupancy the permit applicant must furnish a plot plan, certified by a Licensed Surveyor or Licensed Civil Engineer, clearing verifying that the property has been constructed upon in accordance with this ordinance.

7. Enforcement

Violations will be processed by the Code Enforcement, Department of Engineering or Permit Inspections personnel using standard code violation protocol.

REPEAL:

All ordinances or parts of Ordinances in conflict herewith are hereby and henceforth repealed.

SEVERABILITY: If any provision of this Ordinance is held to be invalid, such invalidity shall not affect other provisions herein which can be given effect without the invalid provisions, and to this end the provisions of this Ordinance are hereby declared to be severable.

EFFECTIVE DATE : This Ordinance shall become effective fifteen (15) days after adoption.

MOVED FOR ADOPTION BY: MR. BILLIOT, AND SECONDED BY: MS. BRISTER.

WHEREUPON THIS ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN
THE FOLLOWING:

YEAS: GLASS, FITZMORRIS, THOMPSON, BRISTER, AUTHEMENT, SINGLETARY,
IMPASTATO, CANULETTE, BAGERT, BILLIOT, CRY, THOMAS, SMITH (13)

NAYS: (0)

ABSTAIN: (0)

ABSENT: STEFANCIK (1)

THIS ORDINANCE WAS DECLARED DULY ADOPTED AT A REGULAR MEETING OF THE
PARISH COUNCIL ON THE 5TH DAY OF JULY, 2001; AND BECOMES ORDINANCE
COUNCIL SERIES NO. 01-0336.



JOE IMPASTATO, COUNCIL CHAIRMAN

ATTEST:



DIANE HUESCHEN, COUNCIL CLERK



KEVIN C. DAVIS, PARISH PRESIDENT

Published Introduction 5-31 2001

Published Adoption 7-19 2001

Delivered to the Parish President 7-11-01 2001 at 8:45am o'clock

Returned to the Council Clerk on 7-11-01 2001 at 10:25am o'clock