

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 6066 ORDINANCE COUNCIL SERIES NO:

COUNCIL SPONSOR: BLANCHARD/BRISTER PROVIDED BY: PLANNING DEVELOPMENT

INTRODUCED BY: MR. DEAN

SECONDED BY: MR. FITZGERALD

ON THE 1 DAY OF NOVEMBER , 2018

ORDINANCE TO AMEND CHAPTER 115 - DRAINAGE AND FLOOD CONTROL, SECTION 115-3 OF THE ST. TAMMANY PARISH CODE OF ORDINANCES RELATIVE TO FILL MITIGATION.

WHEREAS, St. Tammany Parish requires fill mitigation within certain flood prone areas in addition to storm water detention; and

WHEREAS, St. Tammany Parish Council has determined that it is appropriate to allow the excavation associated with detention storage capacity to be utilized as fill mitigation.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that the St. Tammany Parish Code of Ordinances is hereby amended clarify the relationship between these requirements and to provide therein the following regulations that are applicable thereto, and to otherwise provide as follows:

**Add a new Sec 115-3(b) (5)f. as follows:**

f. In those cases where fill mitigation is authorized, the standards outlined above in paragraphs (5)a through (5)e are otherwise met, and detention storage capacity is created within the same floodplain in order to comply with Section 125-197(e)(4), said storage capacity ~~may~~ shall not be utilized to meet the fill mitigation required in this Section. In those cases where the fill mitigation requirement exceeds the said storage capacity, the difference between the two volumes must be provided as additional storage capacity.

**Add a new Sec 115-3(b) (6)i. as follows:**

i. In those cases where fill mitigation is authorized, the standards outlined above in paragraphs (6)a through (6)h are otherwise met, and detention storage capacity is created within the same floodplain in order to comply with Section 125-197(e)(4), said storage capacity ~~may~~ shall not be utilized to meet the fill mitigation required in this section. In those cases where the fill mitigation requirement exceeds the said storage capacity, the difference between the two volumes must be provided as additional storage capacity.

**Add a new Sec 115-3(b) (7)e. as follows:**

e. In those cases where fill mitigation is authorized, the standards outlined above in paragraphs (7)a through (7)d are otherwise met, and detention storage capacity is created within the same floodplain in order to comply with Section 125-197(e)(4), said storage capacity ~~may~~ shall not be utilized to meet the fill mitigation required in this section. In those cases where the fill mitigation requirement exceeds the said storage capacity, the difference between the two volumes must be provided as additional storage capacity.

**Add a new Sec 115-3(b) (9)f. as follows:**

f. In those cases where fill mitigation is authorized, the standards outlined above in paragraphs (9)a through (9)e are otherwise met, and detention storage capacity is created within the same floodplain in order to comply with Section 125-197(e)(4), said storage capacity ~~may~~ shall not be utilized to meet the fill mitigation required in this section. In those cases where the fill mitigation requirement exceeds the said storage capacity, the difference between the two volumes must be provided as additional storage capacity.

REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SEVERABILITY: If any provision of this Ordinance shall be held to be invalid, such invalidity shall not affect other provisions herein which can be given effect without the invalid provision 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: SECONDED BY:

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

YEAS:

NAYS:

ABSTAIN:

ABSENT:

THIS ORDINANCE WAS DECLARED DULY ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE 8 DAY OF AUGUST , 2019 ; AND BECOMES ORDINANCE COUNCIL SERIES NO .

\_\_\_\_\_  
MICHAEL R. LORINO, JR. , COUNCIL CHAIRMAN

ATTEST:

\_\_\_\_\_  
THERESA L. FORD, COUNCIL CLERK

\_\_\_\_\_  
PATRICIA P. BRISTER, PARISH PRESIDENT

Published Introduction: OCTOBER , 2018

Published Adoption: \_\_\_\_\_, 2018

Delivered to Parish President: \_\_\_\_\_, 2018 at \_\_\_\_\_

Returned to Council Clerk: \_\_\_\_\_, 2018 at \_\_\_\_\_

#### ADMINISTRATIVE COMMENTS

The amendment would clarify that the excavation of materials associated with the provision of detention (i.e. 25% reduction of 100 year storm) as required in Section 125(e)(4) may be used in the calculation of fill mitigation as required in various sections of Section 115-3 of the St. Tammany Parish Code of Ordinances.

If the fill mitigation required exceed the fill removed from the floodplain during the construction of the detention ponds, the difference between the two volumes must be provided as additional storage capacity.