

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO.: 7901AA

ORDINANCE COUNCIL SERIES NO.: 25-

COUNCIL SPONSOR: MR. COUGLE

PROVIDED BY: CIVIL DA/COUNCIL OFFICE

INTRODUCED BY: MR. COUGLE

SECONDED BY: MR. BURKE

ON THE 5TH DAY OF JUNE, 2025

ORDINANCE TO AMEND ST. TAMMANY PARISH CODE OF ORDINANCES, PART II, UNIFIED DEVELOPMENT CODE, CHAPTER 900 – INFRASTRUCTURE, SECTION 900-6 – DRAINAGE AND FLOOD PREVENTION, SEC. 900-6.5 PLACEMENT OF FILL, SUBSECTION (C) – AREAS OF SPECIAL CONCERN, TO ADD SUBPARAGRAH (10) TO ADD ADMINISTRATIVE WAIVER PROVISION ~~FOR PROPERTIES WHICH HAVE EXPERIENCED SUBSIDENCE DUE TO RIVERINE FLOODING.~~

WHEREAS, St. Tammany Parish Government has identified by ordinance certain Areas of Special Concern in the Parish which are prone to flooding; and,

WHEREAS, currently, fill is restricted in defined Areas of Special Concern above the natural grade of the property due to the sensitivity of the environment; and,

~~WHEREAS, certain Areas of Special Concern experience repetitive riverine flooding which causes subsidence of land below the natural grade; and,~~

WHEREAS, ~~in order to address subsidence of land~~, the Department of Engineering shall be vested with the authority to grant waivers to strict compliance ~~of~~ with the ~~no fill~~ provisions in Areas of Special Concern ~~to allow properties to be returned to their natural grade without created an adverse impact on surrounding properties.~~

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that St. Tammany Parish Code of Ordinances, Part II, Unified Development Code, Chapter 900 – Infrastructure, Section 900-6 – Drainage and Flood Prevention, Sec. 900-6.3 – Hydrologic and Hydraulic Analysis and Paving and Drainage Plan, subsection (G), be amended as follows:

SEC. 900-6.5 PLACEMENT OF FILL.

* * *

C. Areas of Special Concern.

1. A certain portion of Tammany Hills and Alexiusville Subdivisions, Ward 3, District 5, located inside the boundaries described immediately below, to wit:

Beginning at the northeast corner of 9th Avenue and Falconer Drive, proceed in a northerly direction along the eastern edge of Falconer Drive to its intersection with Harrison Avenue, then proceed in an easterly direction along Harrison Avenue to its intersection with 11th Street, then proceed in a southerly direction along 11th Street to its intersection with Madison Avenue, then proceed in a westerly direction along Madison Avenue to its intersection with 5th Street, then northerly along the 5th Street right-of-way to its intersection with Quincy Avenue, then westerly along Quincy Avenue to its intersection with K Street, then south on K Street to its intersection with 9th Avenue, then proceed west on 9th Avenue to its intersection with Falconer Drive and the point of beginning; less and except the western half of Square 15, Tammany Hills Subdivision (eastern side of 5th Street between Adams and Jefferson Avenues).

2. A certain portion of Cypress Park and Erindale Subdivisions, Ward 7, District 7, located inside the boundaries described immediately below, to wit:

Beginning at the intersection of U.S. Highway 190 and Anchorage Drive, the point of beginning, proceed along the eastern edge of Anchorage Drive in a northerly direction to its intersection with Berry Todd Road, thence proceed along the southern edge of Berry Todd Road in an easterly direction to its intersection with Graci Avenue, thence follow an imaginary line due south from said intersection to the northern most point of Emerald Drive, thence proceed along the western edge of Emerald Drive south to its intersection with U.S. Highway 190, thence proceed along the northern edge of U.S. Highway 190 west northwest to its intersection with Anchorage Drive, the point of beginning.

3. All that property situated within a re-subdivided portion of Tammany Forest Subdivision, Ward 7, District 7, all as more particularly described immediately below, to wit:

Any and all squares and lots of record within the re-subdivided portion of Tammany Forest Subdivision, located within Section 43, Township 8 South, Range 13 East and as more fully described on the finalized subdivision plat dated August 7, 1985, by NRW and Associates, Inc.

4. All that property situated within the subdivision known as Dove Park, Ward 4, District 5, Section 26, Township 7 South, Range 11 East, located within the boundaries described immediately below and more particularly depicted on the attached subdivision plat filed for record with the parish clerk of court on June 20, 1957, and identified as Map #16A, to wit:

- a. Any lot or parcel of ground between Sparrow Street and the proposed Judge Tanner Boulevard (formerly the proposed E. Fairway Drive Extension) that abuts or has access to Swallow Street, Egret Street or Partridge Street.
- b. In addition, within the Dove Park Subdivision there shall be a minimum building site of 75 feet front on the setback line.

5. Any undeveloped lot or parcel of ground situated in the area generally surrounding Eola Street, Jordan Street and Elmer Street, which area is more particularly depicted on the attached aerial and described immediately below, to wit:

- a. A certain piece or portion of ground situated in section 6, Township 8 south, Range 12 east, St. Tammany Parish, Louisiana, and more fully described as follows:
- b. Parcel 1. From the Quarter Section Corner common to section 6, Township 8 south, Range 12 east and section 1, Township 8 south, Range 11 east, go south 89 degrees 51 minutes 30 seconds east a distance of 330.0 feet to a point; said point being the point of beginning.
- c. From the point of beginning proceed north 89 degrees, 18 minutes, 18 seconds east a distance of 1,357.15 feet to a point; thence proceed north 01 degrees, 51 minutes, 49 seconds west a distance of 947.44 feet to a point at the intersection of the western right-of-way of Soult Drive and the southern right-of-way of Highway 1088; thence proceed in a westerly direction along the southern right-of-way line of Highway 1088 a distance of 1,875 feet to a point; thence proceed south 00 degrees, 00 minutes, 00 seconds west a distance of 266.71 feet to a point; thence proceed north 89 degrees, 43 minutes, 43 seconds east a distance of 395.84 feet to a point, said point being the point of beginning.

6. Any property having, or proposing to have, ingress and egress to and from Lakeview Drive and Carr Drive, Slidell, Louisiana, being more particularly described as follows:

- a. Lakeview Drive: Situated in sections 31, 32 and 33, Township 9 south, Range 14 east, St. Tammany Parish, Louisiana.
- b. Carr Drive: Situated partially in sections 25 and 26, Township 9 south, Range 13 east, and partially in sections 29, 30, 31 and 32, Township 9 south, Range 14 east,

St. Tammany Parish, Louisiana.

- c. ~~For these areas listed in f.,~~ The amount of fill shall not exceed an elevation of 24 inches above the centerline of the subject road (i.e., Lakeview Drive or Carr Drive).
7. All property situated in the area generally surrounded by Eleventh Street, Harrison Avenue, Highway 59, Firetower Road, 5th Avenue, and Helenbirg Road, including the Northerly Homes Property subdivision and surrounding area, Ward 3, District 5, as more particularly described on the attached aerial and described immediately below, to wit:
 - a. Beginning at the southeast corner of Harrison Avenue and 11th Street, proceed in a southerly direction along the eastern right-of-way line of 11th Street for a distance of approximately 5,588 feet to its intersection with the south right-of-way line of Helenbirg Road;
 - b. Thence proceed in a southwesterly direction along said right-of-way line for a distance of approximately 3,165 feet to its intersection with the northeast corner of 5th Avenue and Helenbirg Road;
 - c. Thence proceed in a easterly direction along the south boundary of said subdivision for a distance of approximately 3,749 feet to a point on the centerline of Firetower Road;
 - d. Thence proceed in a southeasterly direction along Firetower Road for a distance of approximately 3,604 feet to its intersection with Hwy 59;
 - e. Thence proceed in a northerly direction along Hwy 59 for a distance of approximately 5,543 feet to its intersection with the south right-of-way of Harrison Avenue;
 - f. Thence proceed in westerly direction along the south right-of-way line of Harrison Avenue for a distance of approximately 5,390 feet to a point located at the southeast corner Harrison Avenue and 11th Street, said point being the Point of Beginning.
8. Beginning at the intersection of the eastern Adair Street right of way and the northern Florida Street right of way, proceed in a southeasterly direction along the northern right of way line of Florida Street for a distance of approximately 8,190 feet to the intersection said right of way line and the western right of way line of Soult Street;
 - a. Thence proceed in a northeasterly direction along the Soult Street right of way line for a distance of approximately 3,850 feet to a point at the intersection of said right of way line and southern right of way line of Labarre Street;
 - b. Thence proceed in a northwesterly direction along said right of way line for a distance of approximately 8,180 feet to a point located at the northwest corner of Square 232 of the Town of Mandeville Subdivision (as delineated on Map #208A);
 - c. Thence proceed in a southwesterly direction along the eastern edge of the old Great Northern Railroad line for a distance of approximately 3,855 feet to a point, said point being the Point of Beginning.
9. Fill in areas of special concern.
 - a. No fill shall be placed on any lot or parcel within the described boundaries of an area of special concern prior to the submission of a development plan to the department of engineering detailing any proposed grade work. The development plan shall provide the elevation at the four corners of the lot, at the center of the proposed primary structure, and any other elevations deemed necessary by the department of engineering for review of the development plan.
 - b. If any fill is placed on property in any of the above areas of special concern following the adoption of the ordinance designating a particular area as one of special concern and prior to the submission of a development plan, it shall be deemed a violation of this Code and the owner shall be required to remove the fill material back down to native soils and pre-fill elevations. It shall be the burden of the violator to provide proof of the predevelopment elevations. Engineering shall direct the department of code enforcement to issue the appropriate cease and

desist order.

- c. No fill shall be permitted on parcels within this area that would raise or increase the surface elevation of any part of the parcel above its natural or pre-development elevation. Fill required for minor grading to level and drain the surface at the proposed site of the primary structure and driveway may be authorized.
- d. The lowest finished floor of the primary structure shall be situated at least 24 inches above the crown of the road surface directly adjacent to and in front of the parcel.
- e. Based on available data, the department of engineering may require a higher finished floor elevation on pier construction above the FEMA base flood elevation provided on the applicable FIRM map.
- f. Storage capacity required for drainage or retention as listed in Section 900-6.2 Drainage System Requirements, Section 900-6.3 Hydrologic and Hydraulic Analysis and Paving and Drainage Plan, or Section 900-6.4 Retention Ponds shall not be utilized to meet the fill mitigation required in this section.
- g. No fill shall be placed on any lot or parcel within the boundaries of the area of special concern set forth in subsection prior to the submission of a coastal use permit application and plan and the submission of a development plan to the department of engineering that details any proposed grade work. The plan shall provide the elevation at the four corners of the lot, at the center of the proposed primary structure, and any other elevations deemed necessary by the department of engineering for review of the development plan.

10. Administrative waiver. In areas of special concern ~~that have experienced subsidence of land below natural grade caused by riverine flooding,~~ the department of engineering may grant a waiver of the provisions in paragraph 9 of this section to allow the placement of fill on parcels in an area of special concern ~~to raise the surface elevation to its natural grade.~~ The waiver application shall include a revised development plan ~~identifying the change in elevation caused by subsidence.~~ In no event shall the fill allowed by this waiver create an adverse impact on surrounding property.

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 10TH DAY OF JUNE, 2025; AND BECOMES ORDINANCE COUNCIL SERIES NO. 25-.

JOE IMPASTATO, COUNCIL CHAIR

ATTEST:

KATRINA L. BUCKLEY, COUNCIL CLERK

MICHAEL B. COOPER, PARISH PRESIDENT

Published Introduction: MAY 28, 2025
Published Adoption: _____, 2025
Delivered to Parish President: _____, 2025 at _____
Returned to Council Clerk: _____, 2025 at _____