

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO.: 7822

ORDINANCE COUNCIL SERIES NO.: 25-\_\_\_\_\_

COUNCIL SPONSOR: MR. IMPASTATO/PRES. COOPER PROVIDED BY: PLANNING & DEVELOPMENT

INTRODUCED BY: MR. LAUGHLIN

SECONDED BY: MR. PHILLIPS

ON THE 6<sup>TH</sup> DAY OF MARCH, 2025

ORDINANCE AMENDING THE OFFICIAL ZONING MAP (EXHIBIT 1) OF ST. TAMMANY PARISH, LA, AND CHAPTER 400 – ZONING OF THE PARISH CODE OF ORDINANCES IN ACCORDANCE WITH THE COASTAL RESILIENCE LAND USE STUDY RECOMMENDATIONS, INCLUDING ZONING MAP AMENDMENTS WITHIN THE LAND AREA LOCATED IN DISTRICTS 7 & 11 AND BOUNDED BY I-12 TO THE NORTH, EAST BY HIGHWAY 433, AND WEST BY HIGHWAY 190 IN ST. TAMMANY PARISH, LOUISIANA, IN RESPONSE TO ORDINANCES C.S. 23-5151, C.S. 24-5408, AND C.S. 24-5409, WHICH IMPOSED MORATORIUMS ON PERMITS FOR THE CONSTRUCTION OF CERTAIN BUILDINGS IN ST. TAMMANY PARISH. (WARDS 4, 7, & 9; DISTRICTS 7 AND 11) (2024-4099-ZC)

WHEREAS, the Bayou Liberty and Lacombe areas within the Coastal Resilience Study Area, including the land area located in District 7 and 11 and bounded by I-12 to the north, east by Highway 433, and west by Highway 190 in St. Tammany Parish, Louisiana, (hereafter referred to as “Study Area”) are subject to challenging flood risks, including compound coastal and riverine flooding; and

WHEREAS, approximately one-third of the Parish’s FEMA Repetitive Loss and Severe Repetitive Loss structures are located in the Study Area, indicating a concentration of severe and repetitive flood damage in the Study Area; and

WHEREAS, community concerns in the Study Area, District leadership, and Study analysis, findings, and recommendations stress the urgent need to promote more sustainable land use patterns in the Study Area in order to limit the negative impacts of new development on existing challenges associated with localized flooding events; and

WHEREAS, the Coastal Resilience Study supports future sustainable development in the Study Area through practical and implementable recommendations that amend local zoning districts and future land use designations to lower land use density and to require more resilient construction methods in the Study Area; and

WHEREAS, the Parish Comprehensive Plan supports coastal and ecological conservation efforts that benefit existing residential areas. These efforts include proactive land management approaches that (1) regulate future residential and commercial development to balance existing substantial flood risk with sustainable growth in the Parish, (2) preserve sensitive natural floodplains and wetlands, (3) provide critical defense against coastal land loss, and (4) limit flood damage to life and property; and

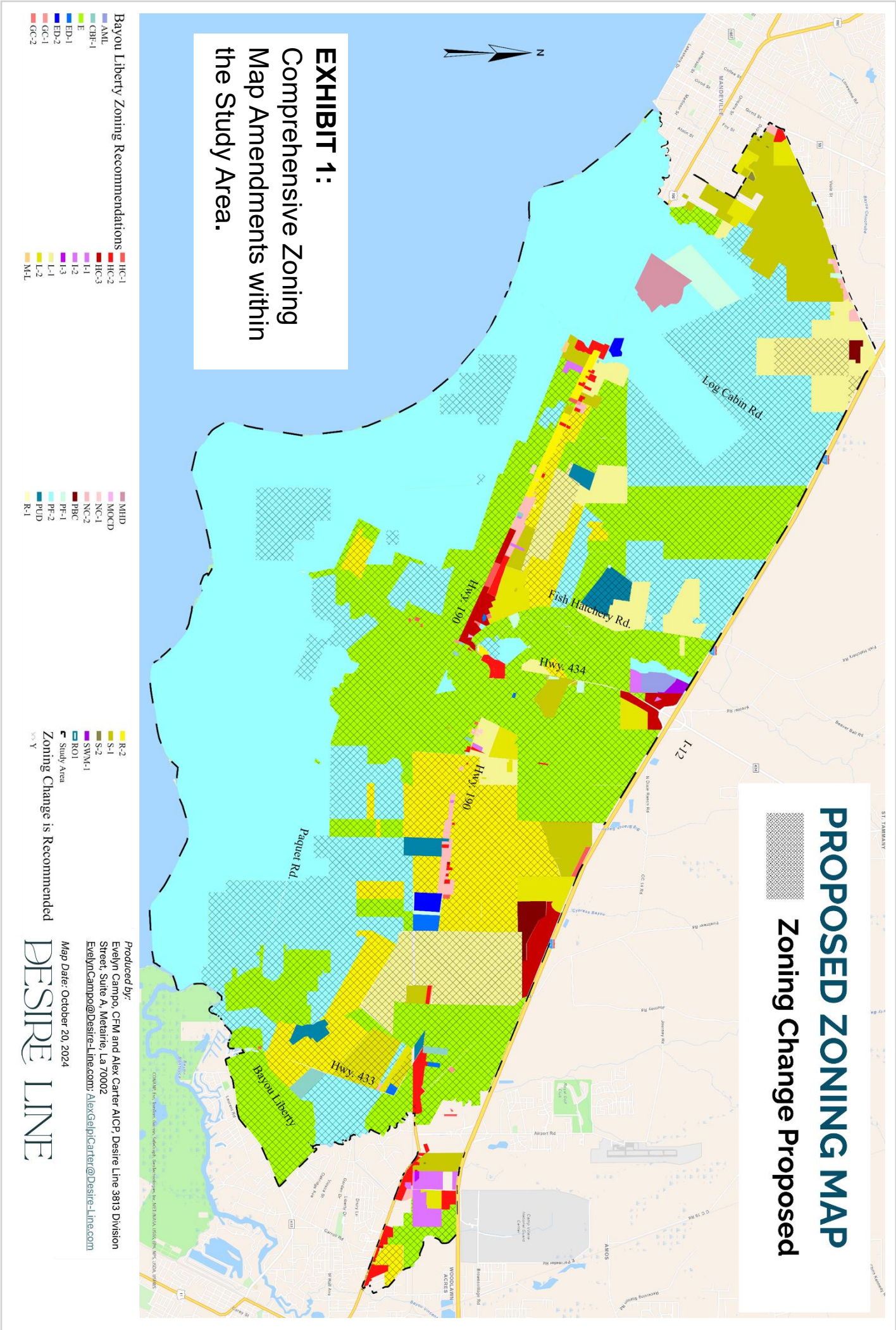
WHEREAS, on February 4, 2025, the Parish Planning and Zoning Commission unanimously voted to recommend approval of the Coastal Resilience Land Use Study Report recommendations (Item No. 2024-4099-ZC); and

WHEREAS, the St. Tammany Parish Council has held its public hearing in accordance with law; and

WHEREAS, amendments to the official zoning map and Code of Ordinances support the public’s health, safety, and welfare by establishing a more resilient and sustainable land management approach in the Study Area.

NOW, THEREFORE, THE PARISH OF ST. TAMMANY HEREBY ORDAINS:

SECTION I. That the official zoning map of the Parish is hereby amended in accordance with the Coastal Resilience Land Use Study recommendations (Item No. 2024-4099-ZC) included herein as Exhibits 1, 2, and 3.





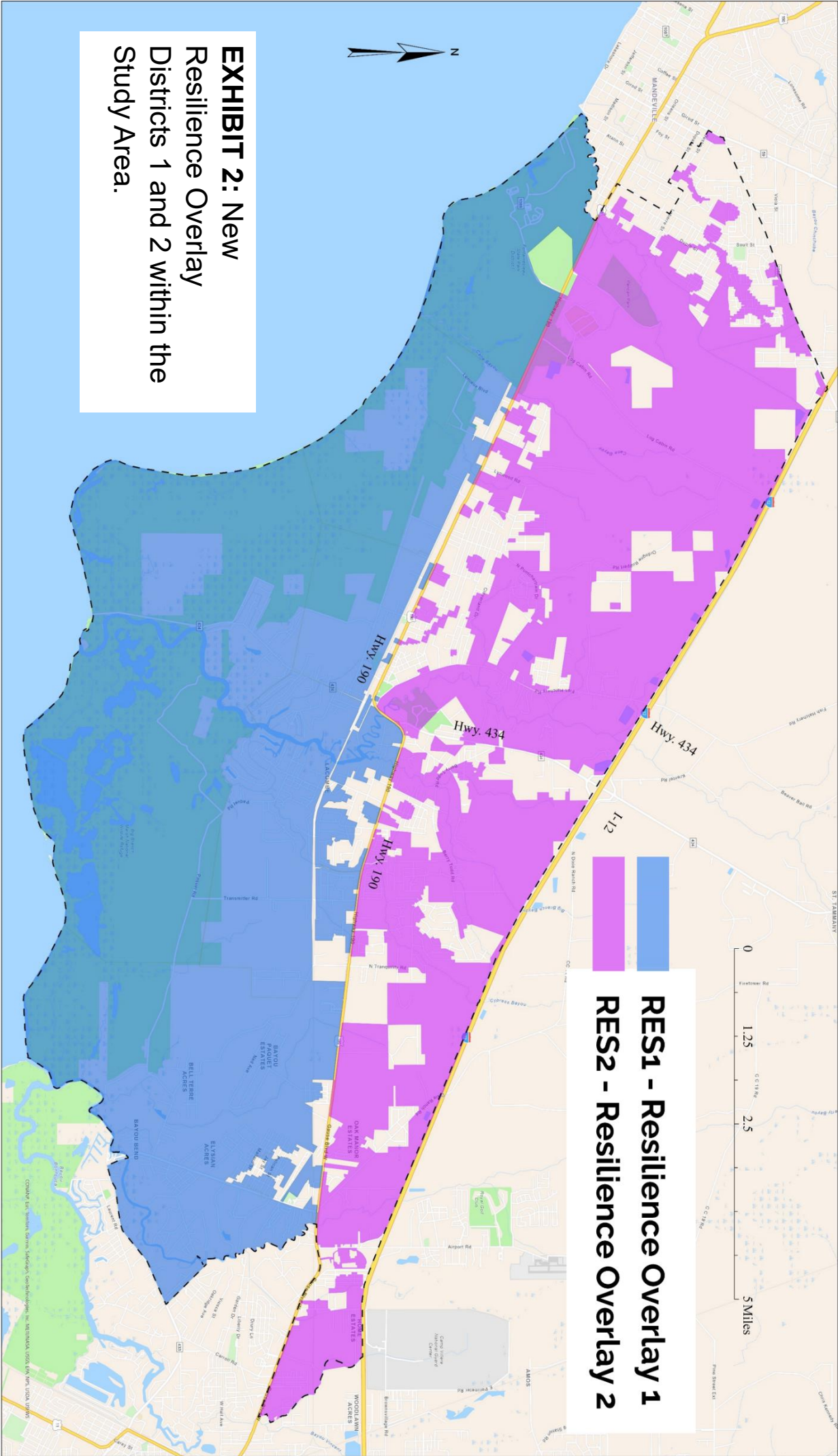
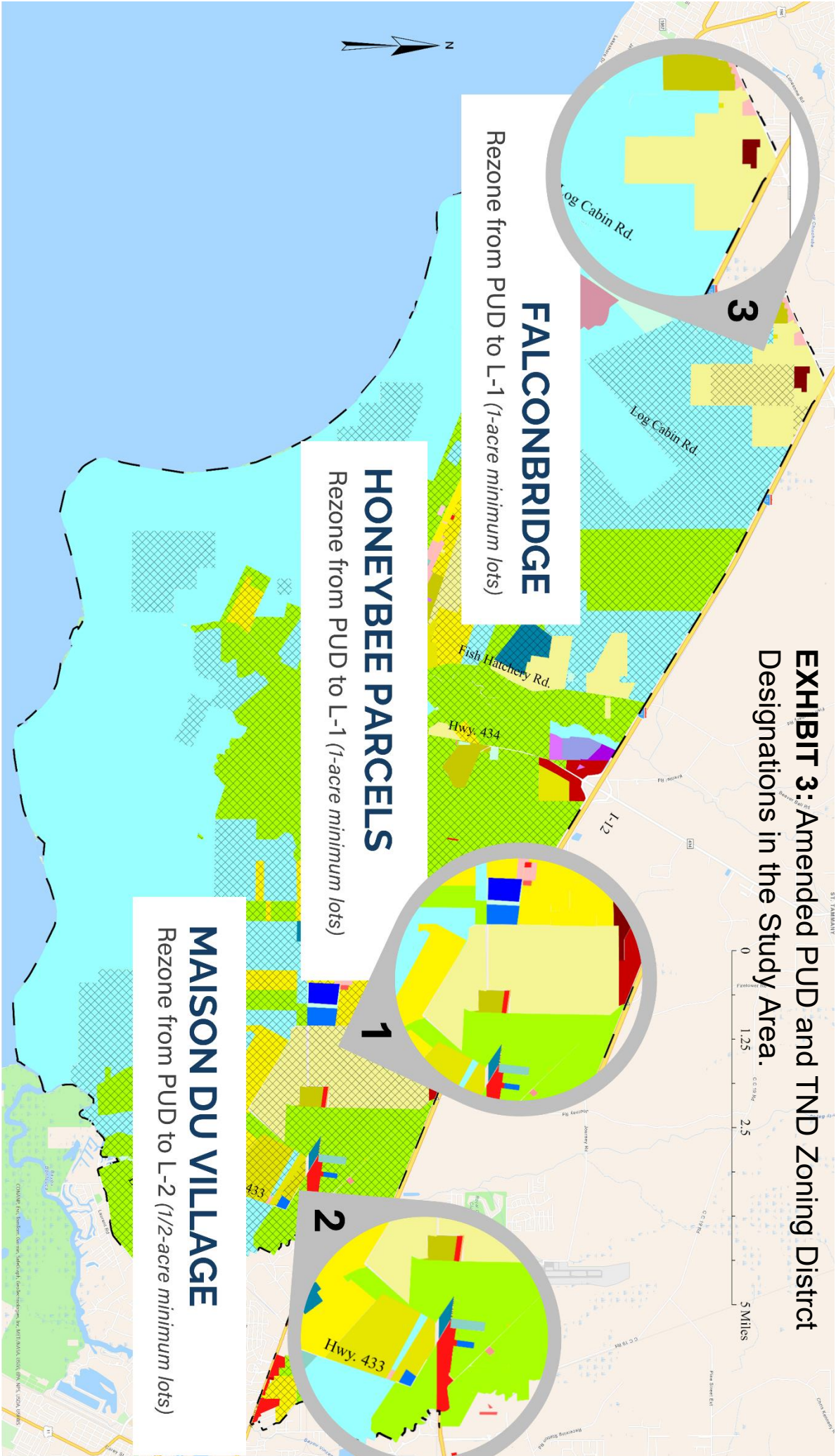


EXHIBIT 3: Amended PUD and TND Zoning District

Designations in the Study Area.



Bayou Liberty Zoning Recommendations

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HC-3

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SECTION II.

That Chapter 400 – Zoning, Section 400-7 Overlay Districts be amended to add the RES-1 and RES-2 Resilience Overlay Districts as follows:

SEC. 400-7 Overlay Districts.

A. SAO Slidell Airport Overlay District.

\* \* \*

G. RBC Regional Business Center Overlay.

\* \* \*

H. RES-1 Resilience Overlay District One.

1. Purpose. To promote resilient building construction in areas prone to significant coastal or riverine flood risk. These standards are intended to preserve residents’ investments in their homes and reduce exposure to flood risk and higher flood insurance premiums caused by future development.
2. Effect. The RES-1 Overlay does not change the underlying zoning classification of a property. All underlying zoning district regulations and standards will continue to apply unless specifically indicated otherwise in this section. Any request for a permit in the RES-1 shall be processed in accordance with the same building permit process as any other permit with the exception that the request will be reviewed for compliance with the standards and criteria of this UDC by the Department of Engineering, Department of Permits and Inspections, and the Department of Planning and Development. The Board of Adjustment shall not issue any variance or waiver to the design standards in this district.
3. Special design standards in the RES-1. All of the following design standards shall apply to new construction of buildings, including accessory structures, in the RES-1 Overlay:
  - a. Fill limitations.
    - i. No fill shall be permitted on parcels zoned RES-1 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, however this application of fill may not exceed 6 inches above natural grade.
    - ii. Fill may be used in the RES-1 district for land reclamation, provided such fill does not elevate the surface of the lot higher than the existing lot elevation, fill may only be used to reclaim land and make it even with the existing lot.
    - iii. Encapsulated fill foundations are not allowed in the RES-1 for new construction.
  - b. 3-Foot Freeboard. In addition to the standards applicable to construction listed in Sec. 900-6.7 Flood Hazard Area Requirements, all new construction in the RES-1 must be elevated to a minimum of 36 inches or 3 feet above the base flood elevation or the centerline of the street or top of curb fronting the site, whichever is greater. Floodproofing or the use of a stem wall system with backfill shall not be permitted in the RES-1.
  - c. Open Foundation with No Obstructions Below the Finished Floor. All new buildings in the RES-1 must comply with all of the following foundation standards:

- i. Building must be constructed on a foundation that is designed and sealed by a registered design professional as complying with the requirements of the International Building Code, the International Residential Code, or ASCE 24-14 Flood Resistant Design and Construction.
  - ii. Must not be constructed on fill.
  - iii. Must be an open foundation using piers or pilings but must not use a crawlspace or enclosure below the first finished floor. For the purpose of this requirement, breakaway walls are prohibited, but bug screens and open latticework are allowed.
  - iv. Accessory structures or garages under 600 square feet in area shall be exempt from the requirement to have an open foundation.
- d. *Prohibition of Outdoor Storage of Materials.* Outdoor storage of equipment (such as commercial machinery, hazardous materials, construction equipment, outdoor coolers, kitchen equipment, or lumber / construction materials) exceeding an area of 100 square feet on a single site is strictly prohibited in the RES-1. Lawnmowers, air conditioning units, generators, vehicles, and farm vehicles (such as tractors or trailers) shall be exempt from this prohibition. Accessory structures, air conditioning units, and generators must follow the applicable construction standards for accessory buildings or mechanical equipment as applicable.
- e. *Exception for small, low-cost accessory structures.* Accessory structures 100 square feet or less are exempt from the design standards above and may follow typical construction requirements for all such structures in this UDC and in the applicable building code and floodplain regulations.
- I. RES-2 Resilience Overlay District Two.
1. *Purpose.* To promote resilient building construction in areas prone to flooding. These standards are intended to preserve residents' investments in their homes and reduce exposure to flood risk and higher flood insurance premiums caused by future development.
  2. *Effect.* The RES-2 Overlay does not change the underlying zoning classification of a property. All underlying zoning district regulations and standards will continue to apply unless specifically indicated otherwise in this section. Any request for a permit in the RES-2 shall be processed in accordance with the same building permit process as any other permit with the exception that the request will be reviewed for compliance with the standards and criteria of this UDC by the Department of Engineering, Permits and Inspections Department, and the Department of Planning and Development. The Board of Adjustment shall not issue any variance or waiver to the design standards in this district.
  3. *Special design standards in the RES-2.* All of the following design standards shall apply to new construction of buildings in the RES-2:
    - a. *No net fill.* All sites in the RES-2 shall be subject to the prohibition of net fill. The following shall apply to the RES-2:
      - i. The placement of fill material shall be permitted only after a development plan has been submitted and approved by the Department of Engineering, or it's designee.

- ii. Fill may be used in the RES-2 for land reclamation, provided such fill does not elevate the surface of the lot higher than the existing lot elevation, fill may only be used to reclaim land and make it even with the existing lot.
- iii. In the event that the Department of Engineering, or its designee, determines that fill work is permitted on the particular parcel, the fill work must comply with the following specific standards:
  - (A) In some cases, subject to the discretion of the Department of Engineering, or its designee, excavation of existing soil and its replacement with fill is permissible at the site provided it can be demonstrated to have no increase in the natural ground elevation and no net impact on the function of the drainage system in the vicinity.
  - (B) Fill shall be limited to the roof-shed area of the proposed primary structure and access to the site and shall not exceed that which is necessary to prepare an adequate building footprint. Fill must slope away from the structure and toward natural grade within the buildable areas of the lot, and fill must not be located in required front, side, or rear setbacks.
  - (C) Site improvements (roads, structures, fill, etc.) shall not impede natural drainage pathways or parish road or drainage easements, servitudes, or rights-of-way.
  - (D) Fill for driveways must not exceed 6 inches above natural ground elevation 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 less than 4 horizontal feet to every 1 vertical foot.
  - (E) Fill may be authorized by the Department of Engineering, or its designee, in those cases where, due to the size and location of the parcel of property, on-site or off-site mitigation can be provided and the Department of Engineering also determines that there will be no loss of flood plain storage, no loss of stream flow capacity and the applicant demonstrates that no adverse impacts will occur to adjacent properties, to other properties within the subject watershed, and to the function of the drainage system in the vicinity.
  - (F) Storage capacity required for drainage or retention as listed in Sec. 900-6.2 Drainage System Requirements, Sec. 900-6.3 Hydrologic and Hydraulic Analysis and Paving and Drainage Plan, or Sec. 900-6.4 Retention Ponds shall not be utilized to meet the fill mitigation required in this section.
- b. 3-Foot Freeboard. In addition to the standards applicable to construction listed in Section 900-6.7 Flood Hazard Area Requirements, all new construction in the RES-2 must be elevated to a minimum of 36 inches or 3 feet above the base flood elevation or the centerline of the street or top of curb fronting the site, whichever is greater.

Encapsulated fill foundations are allowed in the RES-2 for new construction or substantial improvements to structures, however encapsulated fill foundations are limited to a height of 2 feet above existing grade and can only be used on lots with a minimum width of 75 feet to ensure that the property has sufficient drainage around the subject structure.

**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 be effective April 10, 2025.

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 3<sup>RD</sup> DAY OF APRIL, 2025; AND BECOMES ORDINANCE COUNCIL SERIES NO. 25-

JOE IMPASTATO, COUNCIL CHAIRMAN

ATTEST:

KATRINA L. BUCKLEY, COUNCIL CLERK

MICHAEL B. COOPER, PARISH PRESIDENT

Published Introduction: FEBRUARY 26, 2025

Published Adoption: \_\_\_\_\_, 2025

Delivered to Parish President: \_\_\_\_\_, 2025 at \_\_\_\_\_

Returned to Council Clerk: \_\_\_\_\_, 2025 at \_\_\_\_\_