

ORDINANCE

PURPOSE:

To amend the Ascension Parish Unified Land Development Code (LDC) Appendix V – Drainage, specifically amend Section 17-503. Applicability, amend Section 17-507. Placement of Fill, amend Section 17-5093. Long Term Accountability of Mitigation Facilities and amend Section 17-50100. Definitions.

WHEREAS, Ascension Parish is a local governmental subdivision as defined by Article VI, Section 44 of the Louisiana Constitution of 1974, and

WHEREAS, the Parish of Ascension is the governing and responsible body over the planning and zoning regulations within this jurisdiction, and

WHEREAS, Article VI of the Home Rule Charter of Ascension Parish, adopted May 4, 1993, identifies the process and manner in which to adopt ordinances regulating the lands of this parish, and

NOW THEREFORE, BE IT ORDAINED by the Ascension Parish Governing Authority that the Unified Land Development Code (LDC) of Ascension Parish Louisiana, Appendix V – Drainage, is amended as follows, as more fully described in Exhibit A attached hereto and made a part hereof:

REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby and henceforth repealed.

SEVERABILITY: In the event that any portion of this Ordinance is ever held invalid or unconstitutional for any reason by any court of competent jurisdiction over it, such portion shall be deemed a separate, distinct, and independent provision and shall not affect the validity of the remaining portions of the Ordinance.

EFFECTIVE DATE: This Ordinance shall be in full effect as permitted by law.

This ordinance having been submitted to a vote, the vote thereon was as follows:

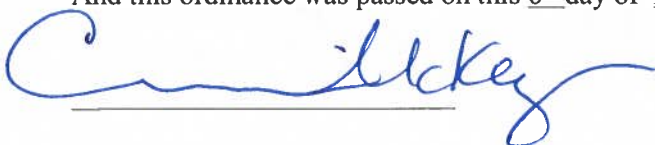
Yeas: Oliver Joseph, Joel Robert, Brett Arceneaux Todd Varnado, Chase Melancon, Blaine Petite,
Brian Hillensbeck, Pam Alonso, Dennis Cullen, Tia Starr

Nays: None

Not Voting: _____

Absent: Travis Turner

And this ordinance was passed on this 6th day of November, 2025.



Secretary



President

(Deletions are in ~~strike~~through, additions are underlined.)

Exhibit A

17-503. – Applicability.

A. This ordinance shall apply to any proposed development within the parish with the exception of properties within flood zone 'X' as per Section 17-505.A.2. Compaction tests shall be required for any property/dwelling meeting the conditions of 17-507.B.4. regardless of flood zone designation. Development shall be defined as the division of a parcel of land into two or more parcels with associated earthwork, the construction of a new major or minor subdivision, multi-residential or commercial building or structure, the relocation or enlargement of any commercial building or structure, the construction of parking surfaces for commercial developments or the clearing, grading, filling, or movement of land. The following shall be exempt from the requirements of this ordinance as described below:

17-507. – Placement of fill.

- A. A Certificate of Elevation shall be submitted for any proposed structure to be built or placed on any lot (including those designated as zones A1-30,and AE, and X), prior to any permit being issued. The certificate shall include the following information:
1. Address;
 2. Contractor's name;
 3. Proposed elevation;
 4. FIRM panel number;
 5. FIRM zone base flood elevation or adjacent base flood elevation;
 6. Elevation of the lowest adjacent grade;
 7. Explanation of how the elevation of the proposed structure is going to be achieved (fill, piers, chain-wall, or other mitigation.); and
 8. Elevation of the top of the nearest sanitary sewer manhole, if applicable.
- B. For Existing or Proposed Individual Lots.
1. Average fill on an existing or proposed individual lot shall not exceed 36 inches on any lot less than one-half (1/2) acre unless a chain wall is constructed per subparagraph (a)(iv) below.
 - a. For individual lots where fill is placed below the 100-year base flood elevation.
 - i. Any volume of fill placed below the 100-year base flood elevation shall be compensated for and balanced by a hydraulically equivalent volume to a 100-year storm event. The certification of "zero net fill" shall be submitted by an Engineer licensed by the State of Louisiana.
 - ii. Fill shall be from the same property, or the same drainage basin watershed provided a permanent servitude is obtained from the property owner where the mitigated fill is obtained, and it must be mitigated by a hydraulically equivalent volume to a 100-year storm event. The certification of "zero net fill" shall be submitted by a Professional Engineer licensed by the State of Louisiana.
 - iii. Fill shall be limited to the foundation of the structure(s) and shall not extend more than 24 inches horizontally beyond the limits of the foundation before it begins to slope.
 - iv. If the structure(s) must be elevated beyond the 36" height restriction on a lot less than one-half (1/2) acre ~~capacity to mitigate~~, piers or a chain-wall shall be constructed to comply with

elevation requirements. All fill below the base flood elevation shall be subject to the mitigation requirements as outlined above.

- (a) The homeowner may choose to combine fill and piers or a chain-wall to achieve the desired elevation; however, in no instance shall the fill height be greater than 36 inches at any location on ~~the a lot~~ less than one-half (1/2) acre using earth fill outside of a chain wall.
- (b) Should the homeowner choose to use chain wall foundation/construction on a lot less than one-half (1/2) acre, a maximum of 24 inches shall be allowed for chain wall height (calculated from the top of the 36 inches maximum fill height allowed to the top of the finished slab) to achieve the required elevation.

- 2. Side slope of fill under the structure(s) shall not be steeper than a three-foot horizontal to a one-foot vertical slope.
- 3. Fill shall not be placed within any setback line as per Appendix I – Zoning Tables. Should fill be placed closer than 10' from any property line, it must be contained within the foundation of the building/structure. ~~closer than ten feet to any property line, regardless of setbacks.~~
- 4. Compaction tests shall be required when the footer of the proposed structure does not extend at least 12 inches into undisturbed soil. Compaction test requirements:
 - i. There shall be one compaction test per 12 inches lift per 1,000 square feet of fill.
 - ii. The fill shall meet one of the following standards:
 - (a) Ninety percent modified proctor.
 - (b) Ninety-five percent standard proctor.

C. For major and minor subdivisions, large-scale developments, townhouse subdivisions, condominiums and PUDS.

- 1. ~~Average fill shall not exceed 36 inches throughout the development and shall not exceed 36 inches on any individual lot within the development.~~ Any volume of fill placed below the base flood elevation shall be mitigated to a hydraulically equivalent volume as would be necessary to offset a 100-year storm event. Average fill shall not exceed 36 inches throughout the development and shall not exceed 36 inches on any individual lot within the development unless the volume of mitigated fill is 110% of the volume required. No offsite mitigation shall be allowed to achieve the necessary freeboard as required by this section. The certification of "zero net fill" shall be submitted by an Engineer licensed by the State of Louisiana.
- 2. Compaction tests shall be required in the areas where structures are to be placed.
 - a. Compaction test requirements. There shall be one compaction test per 12 inches lift per ten percent of the total number of lots in the proposed subdivision. Refer to the Ascension Parish Subdivision Construction Specifications, section 1, part 3.3 "Fill and Compaction."
- 3. Fill shall not be placed closer than ten feet to any perimeter property line.
- 4. Side slope of fill under the structure(s) shall not be steeper than a three-foot horizontal to a one-foot vertical slope.

D. For Commercial Lot Development.

- 1. Average fill shall not exceed 36 inches on any lot less than one-half (1/2) acre across a commercial development. Any volume of fill placed below the 100-year base flood elevation shall be mitigated to a hydraulically equivalent volume of excavation taken from below the base flood elevation and above the normal pool water level for a 100-year storm event.
- 2. Compaction tests shall be required in the areas where structures are to be placed.
 - a. Compaction test requirements.
 - i. There shall be one compaction test per 12 inches lift per 1,000 sq. ft. of fill for structures less than or equal to 5,000 sq. ft.
 - ii. For structures greater than 5,000 sq. ft. but not more than 10,000 sq. ft., there shall be one compaction test per 12 inches lift per 2,500 sq. ft. or portion thereof.

- iii. For structures greater than 10,000 sq. ft. but not more than 25,000 sq. ft., there shall be one compaction test per 12 inches lift per 5,000 sq. ft. or portion thereof.
- iv. For structures greater than 25,000 sq. ft., there shall be one compaction test per 12 inches lift per 10,000 sq. ft. or portion thereof.
- v. The fill shall meet one of the following standards:
 - (a) Ninety percent modified proctor; or
 - (b) Ninety-five percent standard proctor.
- vi. Fill for structures shall not be placed ~~closer than ten feet from any property line for individual commercial lots~~ within any setback line as per Appendix I – Zoning Tables. Should fill be placed closer than 10' from any property line, it must be contained within the foundation of the building/structure. -Fill for any parking areas within any setback must be engineered, constructed and certified with zero impact to adjacent properties.
- vii. Fill shall not be placed closer than ten feet from any perimeter property line for major and minor commercial subdivisions.
- viii. Side slope of fill under the structure(s) and parking lots shall not be steeper than a three-foot horizontal to a one-foot vertical slope.

E. For Open Channels/Ditches.

- 1. Fill shall not be placed in any area in which doing so might impede the natural floodplain of open channels/ditches.
- 2. Unless approved for channel/ditch relocation and/or servitude revocation according to Parish ordinances, the following limits shall be applied to named or open channels/ditches within the parish:
 - a. Fill shall not be placed within ten feet of the top bank of channels with a top width greater than ten feet.
 - b. Fill shall not be placed within 15 feet of the top bank of channels with a top width greater than 20 feet.
 - c. Fill shall not be placed within 20 feet of the top bank of channels with a top width greater than 30 feet.
 - d. Fill shall not be placed within 25 feet of the top bank of channels with a top width greater than 40 feet.

F. If after construction, it is determined by the Parish Engineer that an adjacent property owner is experiencing an increase in off-site runoff due to the construction, then the property owner shall construct a swale sufficient enough in size as stated by the Parish Engineer to collect and convey the runoff away from the impacted property.

G. The determining criteria for land subject to the requirements of 100-year flood plain restrictions:

- 1. All land below the base flood elevation as determined by actual on-the-ground contours prior to any fill being placed on-site, referenced to the official Parish benchmark system, regardless of whether the FEMA flood insurance rate maps (FIRM) depict the property in question to be in a recognized flood zone.
- 2. Where lakes are excavated, the volume of dirt removed below the normal pool water level of the lake cannot be credited as compensatory storage.
- 3. Compensatory storage excavations shall have an equivalent hydraulic conveyance to the floodplain as the area being filled. Compensatory storage that is hydraulically disconnected from the drainage basin watershed will not be credited towards fill mitigation.
- 4. If the compensating storage is derived from an off-site source (not applicable to section 17-507(C)) that is not a part of the proposed development it shall be located in the same watershed drainage basin as the proposed development, as defined in Section 17-50100. ~~and the base flood elevation at the off-site source shall not be greater than one foot higher than or one foot lower than the base flood elevation of the developed site.~~

- H. No fill greater than 48 inches in height shall be allowed at any location within any property in the Parish, with the exception of conditions noted under 17-507.B, C and D. Fill required to bring natural or previously manmade ponds, ditches or depressions back to the surrounding top of bank grade shall be exempt from this requirement; however, such fill shall be accounted for in the required mitigation calculations.
- I. Modifications to the requirements of section 17-507 may be allowed on a case-by-case basis based on recommendations by the Parish Engineer if approved by the Director of the Office of Planning and Development and the appropriate drainage district. Modifications shall be based only on technical merit.

~~17-5093. — Long term accountability of mitigation facilities.~~

- ~~A. — An inspection for compliance with design shall be performed every five years on all privately owned storm water and floodplain mitigation facilities approved under this ordinance and a letter of certification of compliance with design shall be submitted by an engineer licensed by the State of Louisiana.~~ **Removed by Council before adoption**
- ~~B. — Long term accountability of existing mitigation facilities shall be determined within 120 days of adoption of this ordinance and presented to the council for approval.~~

17-50100. – Definitions.

Drainage basin means Ascension Parish defined watersheds based on mechanical pump station discharge locations as shown on the official Ascension Parish GIS General Map including, Bayou Manchac, Marvin Braud, Henderson Bayou and Bayou Conway.