



Item 12.B.3  
Section 17-507, Placement of Fill



**Appendix V – Drainage**

**17-507. – Placement of fill.**

*Commentary: This section has been modified to clarify fill and excavation standards. We recommend that during the full ULDC update process, Subsections F through I be relocated to the beginning of Section 17-507, since those are general standards that apply to all types of development. When we draft updates to the ULDC, we will typically draft from the more general to the more specific. The Parish is also considering a new permit procedure for dirt haulers, which will be addressed during the full ULDC update after further study by the Parish’s contractors.*

- A. A ~~proposed~~ 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, AE, and X), prior to any permit being issued. The certificate shall include, which shall include, but not be limited to, the following information:
  - 1. Address.
  - 2. Contractor’s name.
  - 3. Proposed elevation.
  - 4. ~~Firm~~ FIRM panel number.
  - 5. FIRM zone base flood elevation or adjacent base flood elevation.
  - 6. Elevation of the lowest adjacent grade.
  - 7. Explanation ~~for of~~ how the elevation of the proposed structure is going to be achieved (fill, piers, chain-wall, ~~eteor other mitigation~~).
  - 8. Elevation of the top of the nearest sanitary sewer manhole, if applicable.
- B. For Individual Lots.
  - 1. Average fill on an individual lot shall not exceed of no more than 36 inches" shall be placed in order to elevate any structure, driveway, or accessory building unless a chain wall construction is constructed is used as per ~~item~~ 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. ~~This fill must shall~~ be from the same property or the same watershed provided a permanent ~~easement 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 capacity to mitigate, piers or a chain-wall shall be ~~utilized constructed~~ to comply with ~~the~~ elevation requirements. ~~However, all~~ All fill shall be subject to the mitigation requirements as outlined above.



- (I) 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 lot using earth fill outside of a chain wall.
      - (II) Should the homeowner choose to use chain wall foundation/construction, 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 3-foot horizontal to a one-foot vertical slope.
    3. Fill shall not be placed closer than ten feet to any property line, ~~regardless of setbacks in order to facilitate the collection and transportation of any increased runoff via side yard or rear yard swales if necessary.~~
    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:
        - (I) Ninety percent modified proctor.
        - (II) Ninety-five percent standard proctor.
- C. For major and minor subdivisions, large-scale developments, townhouse subdivisions, condominiums and PUDS.
  1. Average fill ~~of no more than shall not exceed 36 inches throughout the development or shall be placed in order to elevate any structure, driveway, parking area, or accessory building 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. 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.
      - i. 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, paragraph Part 3.3 "Fill and Compaction and Fill."
  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 ~~of no more than shall not exceed 36 inches shall be placed in order to elevate any structure or parking area across a commercial development.~~ Any volume of fill placed below the 100-year base flood elevation shall be ~~compensated for and balanced by~~ 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. ~~to 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. ~~to 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:
      - (I) Ninety percent modified proctor; ~~or~~
      - (II) Ninety-five percent standard proctor.
    - vi. Fill shall not be placed closer than ten feet from any property line for individual commercial lots.
    - 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 ~~areas which~~ any area in which doing so will ~~might~~ impede the natural floodplain of open channels/ditches.
2. Unless approved for channel/ditch relocation and/or servitude revocation according to ~~P~~ 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 ~~through an on-site investigation by the~~ Parish Engineer ~~parish Drainage Engineer~~ that an adjacent property owner is experiencing an increase in off-site runoff due to the construction, then the property owner ~~will be required by the Ascension Parish Engineering Department to~~ shall construct a swale sufficient enough in size as stated by the ~~parish~~ Parish Engineer ~~Drainage 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 ~~must shall~~ have an equivalent hydraulic conveyance to the floodplain as the area being filled. Compensatory storage that is hydraulically disconnected from the 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 ~~must shall~~ be located in the same watershed as the proposed development 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.
  5. Excess storage credits may be created by a development and ~~utilized-transferred to by~~ another development if it meets the criteria of this subsection 17-507(G). If excess credits are created by a development, the Office of Planning and Development shall issue a credit letter that may be ~~utilized-transferred to by~~ another project in the same watershed within five years of the issuance of the letter. An extension of the five-year timeframe may be granted by the Office of Planning and Development if it is determined by the Parish that such credits are still valid and would not result in any adverse impacts to any properties within the Parish.
- H. ~~Average fill (as defined by this ordinance) of no more than 36" shall be allowed to meet elevation requirements. However, at a~~ No fill greater than 48 inches in height shall be allowed at any point location within the any property in the Parish site will a fill height of greater than 48" be allowed. Fill required to bring natural or previously man-made ponds, ditches or depressions back to the surrounding top of bank grade shall be exempt from this requirement; not count towards this average. ~~h~~ However, this such fill shall be accounted for in the required mitigation calculations.
- I. ~~Waivers-Modifications to the requirements of~~ section 17-507 may be allowed on a case-by-case basis based on due to a property owner's inability to mitigate fill, generate fill credits, or follow site design limits may be made on a case-by case basis as ~~recommendations~~ recommended by the Parish Engineer Engineering Review Agency and if approved by the Director of the Department-Office of Planning and Development and the appropriate gravity drainage district. ~~Waivers-Modifications must shall~~ be based only on technical merit.

(Ord.# DR07-01, 9/6/07; DR09-01, 716/09; DC09-09, 12/17/09; DR13-11, 12/05/13; DR19-05, 9/5/19; DR20-01, 5/7/20, <<insert ordinance #, date>>)