

THE FOLLOWING ORDINANCE WAS MOVED FOR INTRODUCTION BY COUNCIL MEMBER ELLIS; SECONDED FOR INTRODUCTION BY COUNCIL MEMBER KELLER; MOVED FOR ADOPTION BY COUNCIL MEMBER _____; AND SECONDED FOR ADOPTION BY COUNCIL MEMBER _____

ORDINANCE NO. 16-09

AN ORDINANCE AMENDING THE COMPREHENSIVE LAND USE REGULATIONS ORDINANCE, INCLUDING SECTION 5.2.3, GRADING SUPPLEMENT AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, Section 5.2.3 of Appendix “A” - Comprehensive Land Use Regulations of the Code of Ordinances of the City of Mandeville provides for grading criteria for all structures; and

WHEREAS, the City Council adopted Ordinance 11-12 that amended Section 5.2.3 Grading Supplement; and

WHEREAS, the proposed amendments will not have an adverse impact on lot drainage; and

WHEREAS, the CLURO, Comprehensive Land Use Regulations Ordinance was developed to implement the “goals and policies of the community” for the purpose of promoting the health, safety and welfare of the Community; and

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Mandeville that Sections 5.2.3 of Appendix A – Comprehensive Land Use Regulations Ordinance of the City of Mandeville be and are hereby amended and that the new sections be enacted to read as follows:

5.2.3 Grading Supplement

The following grading criteria shall be amended as indicated:

5.2.3.4. Remainder of the City.

The following standards shall apply to all development located outside the DO district and outside the Fill Sub-Areas A and B.

1. Grading, Fill and Driveways. No fill shall be placed outside the roof line and or soffit area of the principal building or accessory structure(s) including parking lots except as provided herein.

g. For lots greater than or equal to ~~20,000~~ 16,000 square feet and where driveways are located a minimum of fifteen (15) feet from the side property line, the finished floor elevation of an attached garage may be the greater of either thirty-two (32) inches above grade or 9.5' MSL provided the provisions in paragraphs 1.a. ~~and 1.b.~~ of this section are met.

2. Foundations for Habitable Areas.

c. For lots in the D-O district platted prior to May 1, 2015 that are greater than ~~20,000~~ 16,000 square feet in area and located outside fill Sub-Area A, fill and chain wall construction may be used under a slab foundation and the area under the principal structure is not subject to any fill limitations. Attached garages and driveways may be established pursuant to section 5.3.2.4.1.g.

4. Detached Garages, other Accessory Structures Within the Buildable Area

b. For lots ~~20,000~~ 16,000 square feet or larger and where driveways are a minimum of fifteen (15) feet from the side property lines, detached garages and accessory structures, excluding parking lots, that are located within the buildable area of the site, may follow the same fill and slope requirements as stated in paragraph 1.g. of this section.

BE IT FURTHER ORDAINED, that if any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon the signature of the Mayor of the City of Mandeville; and

BE IT FURTHER ORDAINED that the Clerk of this Council be, and she is hereby authorized and empowered to, take any and all actions which she, in the exercise of her discretion, deems necessary to promulgate the provisions of this ordinance.

The ordinance being submitted to a vote, the vote thereon was as follows:

AYES:

NAY:

ABSTENTIONS:

ABSENT:

and the ordinance was declared adopted the _____ day of September, 2016.

Kristine Scherer, Council Clerk

Clay Madden, Council Chairman

SUBMITTAL TO MAYOR

The foregoing Ordinance was **SUBMITTED** by me to the Mayor of the City of Mandeville this _____ day of September, 2016 at _____ o'clock a.m.

CLERK OF COUNCIL

APPROVAL OF ORDINANCE

The foregoing Ordinance is by me hereby **APPROVED**, this ____ day of _____, 2016 at _____ o'clock a.m.

DONALD J. VILLERE, MAYOR

VETO OF ORDINANCE

The foregoing Ordinance is by me hereby **VETOED**, this ___ day of ____, 2016 at ___ o'clock __.m.

DONALD J. VILLERE, MAYOR

RECEIPT FROM MAYOR

The foregoing Ordinance was **RECEIVED** by me from the Mayor of the City of Mandeville this _____ day of _____, 2016 at _____ o'clock a.m.

CLERK OF COUNCIL

To: Mayor Donald Villere
City Council
Department Heads

From: Louissette L. Scott, AICP, CFM *LLS*
Dir. Planning & Development

Subject: Ord. 16-09, CLURO Section 5.2.3.4
Grading Supplement

Date: August 31, 2016

MEMORANDUM

City of Mandeville
Department of Planning

The City Council introduced Ordinance 16-09 on July 28, 2016, and the Planning Commission at their meeting on Tuesday, August 23, 2016, voted to recommend approval of Ordinance 16-09, to amend CLURO Section 5.2.3, Grading Supplement, specifically, **Section 5.2.3.4 Remainder of the City** for properties located outside the DO District, and Fill Sub-Areas A and B to amend the applicable lot sizes from 20,000 sf to 16,000 sf.

Mr. John Crosby has petitioned the City Council to introduce this ordinance and his request is based on the following:

The CLURO as currently written allows for higher elevations of garage floors in relation to natural ground or sea level provided that other conditions are met such as 15 foot setbacks for the garage and driveway and a minimum lot area of 20,000 sf. The higher elevations help reduce the risk of flooding and the 15' setback requirement allows for adequate drainage on the lot. In the new phases of the Sanctuary the minimum lot size is 16,000 sf. The 15' setback still pertains to these slightly smaller lots. This proposed change to the CLURO will allow the 16,000 square-foot lot to be consistent with the 20,000 square-foot lots insofar as the garage floor elevation requirements. Other conditions such as a maximum of 2' of unconfined fill still apply in all cases.

The proposed changes are highlighted in red below:

Section 5.2.3.4 Remainder of the City

The following standards shall apply to all development located outside the DO district and outside the Fill Sub-Areas A and B.

1. **Grading, Fill and Driveways.** No fill shall be placed outside the roof line and or soffit area of the principal building or accessory structure(s) including parking lots except as provided herein.
 - g. For lots greater than or equal to ~~20,000~~ 16,000 square feet and where driveways are located a minimum of fifteen (15) feet from the side property line, the finished floor elevation of an attached garage may be the greater of either thirty-two (32) inches above grade or 9.5' MSL provided the provisions in paragraphs 1.a. ~~and 1.b.~~ of this

section are met.

2. Foundations for Habitable Areas.

c. For lots in the D-O district platted prior to May 1, 2015 that are greater than ~~20,000~~ 16,000 square feet in area and located outside fill Sub-Area A, fill and chain wall construction may be used under a slab foundation and the area under the principal structure is not subject to any fill limitations. Attached garages and driveways may be established pursuant to section 5.3.2.4.1.g.

4. Detached Garages, other Accessory Structures Within the Buildable Area

b. For lots ~~20,000~~ 16,000 square feet or larger and where driveways are a minimum of fifteen (15) feet from the side property lines, detached garages and accessory structures, excluding parking lots, that are located within the buildable area of the site, may follow the same fill and slope requirements as stated in paragraph 1.g. of this section.