**NOTICE OF INTRODUCTION OF ORDINANCE**

NOTICE IS HEREBY GIVEN that the following entitled ordinance was introduced in writing in the form required for adoption at a meeting of the Parish Council of the Parish of Livingston, State of Louisiana, on December 5, 2024, and laid over for publication of notice:

**L. P. ORDINANCE NO. 24-34**

AN ORDINANCE TO AMEND CHAPTER 125, "SUBDIVISION REGULATIONS", ARTICLE II – "STUDIES" SECTION(S) 125-26 AND 125-27, TO UPDATE THE LANGUAGE FOR THE INCLUSION AND ADOPTION OF THE LIVINGSTON PARISH DRAINAGE CRITERIA MANUAL

NOTICE IS HEREBY FURTHER GIVEN that the Parish Council of said Parish will meet on January 9, 2025, at six o'clock p.m., at the Governmental Building in the Parish Council Chambers, located at 20355 Government Boulevard, Livingston, Louisiana, at which time there will be a public hearing on the adoption of the aforesaid ordinance.

\s\ Sandy C. Teal
Sandy C. Teal, Council Clerk

\s\ John Wascom
John Wascom Ard, Council Chairman

(As per rules of the Council, copies of the proposed ordinance shall be made available for public inspection in the Office of the Livingston Parish Council.)

The following ordinance which was previously introduced in written form required for adoption at a regular meeting of the Livingston Parish Council on December 5, 2024, a summary thereof having been published in the Official Journal together with a notice of public hearing which was held in accordance with said public notice, was brought up for final passage on January 9, 2025, on Motion of _____ and seconded by _____:

**L. P. ORDINANCE NO. 24-34**

AN ORDINANCE TO AMEND CHAPTER 125, "SUBDIVISION REGULATIONS", ARTICLE II – "STUDIES" SECTION(S) 125-25 AND 125-26, TO UPDATE THE LANGUAGE FOR THE INCLUSION AND ADOPTION OF THE LIVINGSTON PARISH DRAINAGE CRITERIA MANUAL

**WHEREAS**, the Livingston Parish Council adopted L.P. Ordinance No. 01-16, reenacting Chapter 13 of the Code of Ordinances of Livingston Parish, Subdivision Regulations, which has since been codified and adopted in L.P. Ordinance No. 19-16 and is now identified as Chapter 125, and;

**WHEREAS**, the Livingston Parish Council has adopted numerous amendments to Chapter 125 of the Code of Ordinances and now desires to amend Section 125-25, "Drainage/drainage impact study." and Section 125-26, "Drainage impact study/drainage design requirements." and;

**WHEREAS**, the Livingston Parish Council now wishes to amend the language for the inclusion and adoption of the Livingston Parish Drainage Criteria Manual and the means and methods for conducting drainage impact studies within the Parish.

**NOW, THEREFORE, BE IT ORDAINED** by the Parish Council of Livingston Parish, Louisiana: Section 125-25 and Section 125-26 of the Code of Ordinances of the Parish of Livingston, Louisiana are hereby amended to read as follows:

**Sec. 125-25. Drainage/drainage impact study.**

All drainage design shall be in accordance with the Livingston Parish Drainage Criteria Manual.

(a) The O/D/S's engineer shall plan all drainage for the project in accordance with the master drainage plan. Until such time that a master drainage plan is adopted by the Parish Council, the O/D/S's engineer shall utilize sound engineering practice and the criteria specified in this chapter. Subdivisions shall be designed for either open ditches or enclosed conduit systems. Installation of subsurface drainage is prohibited in any subdivision designed for open ditches without approval from the agency or agencies responsible for the maintenance of the ditch. The agency approval should include a statement that there is no negative impact on the flow of water.

(b) Whenever any stream or improved surface drainage course is located in an area that is being subdivided, the O/D/S shall dedicate an adequate right-of-way along each side of the stream sufficient for maintenance thereof.

(c) A contour map based on U.S.G.S. datum shall be prepared for the area comprising the subdivision and such additional areas as may be required to include all watersheds which drain into the property to be developed. In the design of the drainage for the subdivision, provision must be made to adequately take care of adjacent watershed areas. The O/D/S shall be required to construct to the ultimate finished width but only to a depth sufficient for his subdivision unless the off-site improvements are in or near the construction stage. Sufficient right-of-way, however, must be dedicated for future enlargement.

(d) Storm drainage shall be located within the street right-of-way except where it is located in servitudes to facilitate outfall needs or for subdivision interconnections.

(e) In all areas to be developed, the O/D/S's engineer shall prepare and submit a drainage impact study of the area prior to approval of construction plans. The following exceptions from the requirement of preparing a drainage impact study can be allowed:

(1) Development in which the area of impervious surface does not exceed twenty (20%) percent of the development area at the point of discharge from the site. The total impervious area shall include all buildings,

driveways, sidewalks, streets, parking lots, lakes, ponds, etc. All undeveloped open space, common area, etc., must be clearly identified.

(2) Additions or modifications to existing developments which result in no more than a ten (10%) percent increase in existing impervious area and which have existing public storm drainage facilities designed to accommodate runoff from the existing site.

(3) The site is located within existing developed areas which are served by a network of public storm drainage facilities which were designed to accommodate runoff from the development site. (LPO 22-36, 7-14-2022)

**Sec. 125-26. Drainage impact study/drainage design requirements.**

(a) Site location and description. The drainage impact study shall comply with the following minimum requirements:

(1) Location. Describe location of subject property located by township and range; identify adjacent developments, major drainage outfalls, streets, highways, lot and block page number; and provide a vicinity map.

(2) Description. Describe the predominate existing land use and future land use in project watershed using the latest data available. Describe the proposed development, soil types, vegetative cover, watershed slopes and provide an estimate of percent of impervious area for pre- and post-development conditions.

(b) Watershed map.

(1) The watershed map should show the location of the project, drainage boundaries and acreage, existing channels, ditches, natural drains, proposed major drainage structures, channel realignment cross section locations and contours.

(2) Contours may be taken from the latest U.S.G.S. seven-point five (7.5) minute quadrangle map or better.

(3) The watershed map must be at least one (1") inch equals five hundred (500') feet scale or less.

(4) The pre-development and post-development five (5) year, ten (10) year, twenty-five (25) year and one hundred (100) year runoff rate and water surface must be shown at all entrance and exit points of the development.

(c) Hydrologic design.

(1) The drainage impact analysis shall indicate existing condition peak five (5) year, ten (10) year, twenty-five year (25) and one hundred (100) year flow rates at the development entry and exit points.

(2) The drainage impact analysis shall indicate future condition peak ten (10)-year, twenty-five year (25) and one-hundred (100) year flow rates at the development entry and exit points.

(d) Hydraulic capacities.

(1) On-site capacity. Indicate capacity of any existing drainage outfall facility (ditch, canal, culvert, bridge, etc.) within the proposed development site and required type size, and capacity of any proposed outfall facilities as defined in ~~this section~~ the drainage criteria manual.

(2) Off-site capacity. Determine capacity of existing downstream outfall

facilities (ditches, canals, culverts, bridges, etc.) that will be utilized to convey flow from the downstream limits of the proposed development. An inventory of downstream structures including size, type, invert elevation, and cover topping elevation should be made. Channel cross sections at upstream and downstream limits of the proposed development at structure locations and at intermediate canal locations shall be required to adequately define existing channel capacities.

(e) Special site conditions. Special conditions which may exist at the proposed development site should be clearly identified, including, but not limited to, such items as:

(1) Special flood hazard areas (FIRM Zones A and AE)
(2) Regulatory floodway (if applicable)
(3) Churches
(4) Schools
(5) Cemeteries
(6) Landfills and hazardous waste sites
(7) Parks

(f) Study conclusions and recommendations. Study should clearly identify the results and conclusions of the analysis and provide recommendations of any required action so that no adverse impact is experienced by surrounding properties.

(g) Design and construction criteria.

~~(1) The drainage impact analysis shall include hydrological calculations determining existing condition peak ten (10) year, twenty-five (25) year, and one hundred (100) year flow rates at the development entry and exit points. The drainage impact analysis shall include hydrological calculations determining future condition peak ten (10) year, twenty (25) year, and one hundred (100) year flow rates at the development exit points.~~

~~(2) The impact of the one hundred (100) year design storm should be evaluated to ensure there are no negative impacts up stream or downstream of the development.~~

~~(3) Technical Release 55 (TR-55) "Urban Hydrology for Small Watersheds" (frequently called the SCS method) shall be used to produce pre- and post-development runoff hydrographs. The computations shall be based on twenty-five (25) year, and one hundred (100) year Type III rainfall distributions producing totals of nine point six (9.6) inches and twelve point six (12.6) inches of rainfall respectively in twenty-four (24) hours. The pre-development times of concentration must be determined by either the lag or TR-55 worksheet methods, but the post-development times of concentration must be determined by the TR-55 worksheet method. Other methods may be used to calculate pre- and post-development runoff hydrographs, if approved by the Engineer Review Agency prior to preforming the drainage impact analysis.~~

(**1** ~~4~~) Complete hydraulic calculations shall be prepared and sealed by a professional civil engineer and submitted along with the construction plans. ~~The interior drainage calculations shall be based on a twenty five (25) year design.~~

~~(5) Open canals shall have side slopes of three (3) to one (1) if not lined with concrete. Slope grades of one and one-half (1½) to one (1) may be used if concrete lining is utilized.~~

(**2**~~6~~) Erosive soils-many subdivisions are developed in areas of the Parish where erosive soils exist. All ditch side slopes shall be stabilized by fertilizing, seeding and erosion hay blankets installed per manufacturer and as approved by review engineer and Planning Director.

(3~~7~~) The following servitude criteria shall be required for each ditch, canal, and storm sewer; however where applicable, local drainage districts reserve the right to review and request modifications as necessary to facilitate future maintenance of proposed ditches, canals and storm sewer systems, in addition, (with the approval from local drainage districts if applicable) the review engineer may allow variations based on sound engineering practices:

a. Storm sewers: fifteen (15') foot minimum servitude.

b. Ditches with a top width up to fifteen (15') feet: Width of ditch plus a minimum of fifteen (15') feet from the top of bank on one (1) side.

c. Canals with top widths greater than fifteen (15') feet: Width of canal plus a minimum of fifteen (15') feet on each side.

d. Canals with bottom widths greater than fifteen (15') feet and a top width of less than forty (40') feet: Width of canal plus a minimum of fifteen (15') feet from the top of bank on one (1) side and twenty-five (25') feet on the other.

e. Canals with a top width greater than forty (40') feet: twenty-five (25') feet from the top of bank on both sides. When a proposed ditch must discharge into a major unlined canal, the O/D/S shall be required to enclose the ditch, under the necessary strip of the major canal in an adequate size bituminous-coated metal pipe. The pipe shall be an appropriate length to provide a fifteen (15') foot-wide level surface to traverse ditch and extend four (4') feet into the canal beyond the side slope, and shall discharge into rip rap that extends a minimum of five (5') feet into the bottom of the canal. Rip rap shall be constructed immediately after conduit is installed.

f. All drainage servitudes shall be labeled as drainage servitudes and shall be restricted to drainage uses only. No other structures shall be allowed within the drainage servitude (i.e., telephone junction boxes, cable junction boxes, power poles and/or junction boxes, owners minutes structures). The purpose of this is to ensure proper access for maintenance of the servitude by the drainage district.

g. No utilities shall place their services within the drainage servitude (i.e., above ground or buried cables, pipes, valves etc.)

h. Where a servitude lies between any two (2) lots or parcels of ground, a fifteen (15) minutes forty-five (45) degree chamfer will be placed on both sides of the servitude at its intersection with the back-of-lot servitude. This allows ease of access for drainage district equipment to turn the corner without going outside the servitude.

Where a proposed ditch must discharge into a major unlined canal, the O/D/S shall be required to enclose the ditch, under the necessary strip of the major canal in an adequate size polyamorous-coated metal pipe. The pipe shall be a minimum of twenty (20) feet long and shall extend one (1) foot into the canal beyond the side slope, and shall discharge into rip rap that extends a minimum of five (5) feet into the bottom of the canal. Rip rap shall be constructed immediately after conduit is installed.

(h) Subdivision drainage shall be designed in accordance with one (1) of the following three (3) options:

(1) Open ditch subdivision. A subdivision that will be designed and built with open ditches. Installation of any subsurface drainage (other than a

driveway culvert) is prohibited in any subdivision designed for open ditches. Driveway culvert pipe shall be designed and shown on the drainage layout map. All sellers of any lot/parcel within an open ditch subdivision shall make the buyer beware that any subsurface drainage will not be allowed to be added (other than one (1) driveway culvert per lot or parcel). The following statement must be placed on the bill of sale: "BUYER BEWARE: Installation of any subsurface drainage (other than a driveway culvert) is prohibited in this subdivision designed for open ditches."

Open ditch subdivision with design for subsurface. A subdivision designed for subsurface drainage and built as an open ditch subdivision. Should the subdivision be initially built as an open ditch subdivision, then any future installation of subsurface drainage shall be in accordance to the drainage plans provided in the construction plans.

(2) Subsurface drainage subdivision. A subdivision that will be designed and built for subsurface drainage.

(3) Outlet ditches. Outlet ditches (minor and major) located between lots shall be piped their entire length.

All design criteria of drainage, whether open or closed system, shall meet sound engineering practices and principles. The review engineer will have the option to ask for any outfall ditch (the term "outfall ditch" means a ditch that connects to the roadside ditch and outfalls at another location) to be enclosed for the entire length of the outfall.

(i) Detention/retention basin. Whenever a detention/retention basin is utilized by the O/D/S's engineer to minimize downstream flooding, the design shall address, at a minimum, the following:

~~(1) Detention/retention basin shall be designed to detain flows so as to decrease downstream runoff by twenty percent (20%) for a ten (10) year, twenty-five (25) year, and one hundred (100) year pre-development storm.~~

~~(2) Detention/retention basin shall be checked for the ten (10) year, twenty-five (25) year, and one hundred (100) year frequency to ensure that adequate capacity is provided in the basin and at the outlet to prevent flooding of upstream and downstream developments.~~

(1~~3~~) Adequate land must be reserved for maintenance of detention/retention pond:

a. Ponds shall have at least a twenty-foot (20') deeded access around the perimeter of the pond and the entire basin.

b. Ponds shall have a twenty-foot (20') gated deeded access to the detention basin for access and maintenance of the pond.

c. The twenty foot (20') gated access shall have a crushed concrete or gravel base.

d. Access servitude to the pond must be granted and end at a public right of way or street.

(2~~4~~) Detention/retention basins may be wet (lakes or ponds) or dry.

a. Wet detention/retention basins shorelines and control structures shall be privately owned and maintained. ~~The basin must have minimum side slopes of three to one (3 to 1).~~ Both the construction plans and final plat for development shall include a note which states that the proposed detention basin, shoreline and control structure shall be privately owned and maintained. Storm drainage pipe inverts must be

designed to be above the normal water surface elevation of the basin unless the review engineer approves variations.

b. Dry detention/retention basins shall be privately owned and maintained as part of the development drainage system. The basin must have minimum side slopes of three to one (3 to 1). Storm drainage pipe inverts must be designed to be above the normal water surface elevation of the basin unless the review engineer approves variations. The basin bottom shall be designed and compacted to allow for proper maintenance with mowing machines and other equipment.

(35) The O/D/S may propose off-site improvements to downstream facilities to minimize the impact of the development, subject to approval of the review engineer.

(46) No pond shall be constructed within thirty (30') feet from any property line.

(j) Expiration. Drainage Impact studies are applicable for twenty-four (24) months from the date approved. Resubmitted drainage impact studies shall follow all updated design requirements.

**THEREFORE, BE IT ORDAINED** by the Livingston Parish Council, governing authority of the Parish of Livingston, that if any provision of this ordinance is held invalid, such invalidity shall not affect other provisions, items, or applications of this ordinance, which can be given effect without the invalid provisions, or application, and to this end the provisions of this ordinance are hereby declared severable.

**BE IT FURTHER ORDAINED** by the Livingston Parish Council that all ordinances or parts of ordinances in conflict with this ordinance be and the same are hereby repealed.

**This ordinance shall become effective upon adoption.**

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

YEAS:

NAYS:

ABSENT:

ABSTAIN:

And the ordinance was declared adopted on the 9th day of January 2025.

_____
John Wascom, Council Chairman

ATTEST:

_____
Sandy C. Teal, Council Clerk

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INTRODUCED_____ ADOPTED_____

DELIVERED TO PRESIDENT _____, _____o'clock ___. M.

APPROVED BY PRESIDENT _____ _____
Randy Delatte Date

VETOED BY PRESIDENT _____ _____
Randy Delatte Date

RECEIVED FROM PRESIDENT _____, _____o'clock ___. M.

_____
John Wascom, Council Chairman

ATTEST:

_____
Sandy C. Teal, Council Clerk

_____
Randy Delatte, Parish President

\s\ John Wascom
John Wascom, Council Chairman

ATTEST:

\s\ Sandy C. Teal
Sandy C. Teal, Council Clerk

\s\ Randy Delatte
Randy Delatte, Parish President