ORDINANCE # 2020-09
INTRODUCED BY Rolling
DATE INTRODUCED 6/2/2020
ITEM NUMBER 2020-06-01
PUBLIC HEARING 7/7/2020
ADOPTED/TABLED 7/7/2020
EFFECTIVE 7/23/2020
BOOK #3 PAGE #
RECORDATION #
AMENDED BY ORDINANCE #
DATE AMENDED

ADOPTION

INTRODUCTION

CITY OF COVINGTON
STATE OF LOUISIANA

ORDINANCE NUMBER 2020-09

AN ORDINANCE OF THE CITY OF COVINGTON AMENDING THE FOLLOWING PROVISIONS OF THE COVINGTON CODE OF ORDINANCES: APPENDIX B – COMPREHENSIVE ZONING ORDINANCE OF 2010, PART 3. USE DISTRICTS, SECTION 3.50. STATUTORY AUTHORITY, FINDINGS OF FACT, PURPOSE AND METHODS OF FLOOD HAZARD PREVENTION, AND PART 4. GENERAL PROVISIONS, SECTION 4.3. ACCESSORY USE REGULATIONS (ZONING CASE NO. 20-04-01TXT)

WHEREAS, certain amendments have been suggested to the Covington Code of Ordinances, Appendix B – Comprehensive Zoning Ordinance of 2010, Part 3. Use Districts, Section 3.50. Statutory authority, findings of fact, purpose and methods of flood hazard prevention, and Part 4. General Provisions, Section 4.3. Accessory use regulations, regarding low cost accessory structures; and

WHEREAS, FEMA issued a new policy directive related to construction of detached accessory structures within the Special Flood Hazard Area; and

WHEREAS, the City is now required to define and specify how low cost accessory structures may be built within the Special Flood Hazard Area; and

WHEREAS, if the City does not define and specify how low cost accessory structures may be built then every detached accessory structure within the Special Flood Hazard Area would be required to be elevated to the base flood elevation plus one (1) foot per the new FEMA directive; and

WHEREAS, the City desires to allow certain low cost accessory structures to be constructed below the base flood elevation while following all permitted wet flood proofing guidelines from FEMA; and

WHEREAS, the Covington City Council deems these amendments appropriate to protect the health, safety and welfare of the citizens of Covington; and

WHEREAS, the City Council has held its public hearing in accordance with law.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Covington, at its regular session convened, that Appendix B – Comprehensive Zoning Ordinance of 2010, Part 3. Use Districts, Section 3.50. Statutory authority, findings of fact, purpose and methods of flood hazard prevention, Subsection 3.5005. Definitions, to add the following:

Low cost small accessory structure. A structure which is located on the same parcel of property as the principle structure and the use of which is incidental to the use of the principle structure, used solely for vehicle parking (two-car detached garages or smaller) or limited storage (small, low cost sheds). In A, A1-30, or AE flood zones, low cost small accessory structure is defined as being 500 (five hundred) square feet or less.

BE IT FURTHER ORDAINED by the City Council of the City of Covington, at its regular session convened, that Appendix B – Comprehensive Zoning Ordinance of 2010, Part 3. Use Districts, Section 3.50. Statutory authority, findings of fact, purpose and methods of flood hazard prevention, Subsection 3.5008(2) Specific standards, to add the following:

e. Low cost small accessory structures

i. The construction of accessory structures in flood zones designated A, A1-30, or AE must satisfy the following standards:

a. May be constructed with the floor below the design flood elevation (DFE). The DFE is the base flood elevation (BFE) for the site plus freeboard of 1 (one) foot or 12 (twelve) inches as required in Section 18-55(b).

b. Shall be anchored to resist flotation, collapse, and lateral movement.

c. Portions of structure located below the DFE shall be constructed of flood-resistant materials.

d. Shall be designed for the automatic entry and exit of flood waters.

e. Mechanical and utility equipment must be elevated or flood-proofed to or above the DFE.

f. Shall comply with the floodway encroachment provisions of the NFIP regulations.

g. Use shall be limited to parking and/or limited storage.

h. Structure shall not be used for human habitation (including work, sleeping, living, cooking, or restroom facilities.

i. Structure cannot be modified for a different use after permitting.

BE IT FURTHER ORDAINED by the City Council of the City of Covington, at its regular session convened, that Appendix B – Comprehensive Zoning Ordinance of 2010, Part 4. General Provisions, Section 4.3. Accessory use regulations, to add the following:

4.306. *Flood zones.* Accessory structures within flood zones A, A1-30, or AE are further subject to regulations found in Sections 3.50 and 3.5008(2)(e).

BE IT FURTHER ORDAINED that all other sections of Appendix B – Comprehensive Zoning Ordinance of 2010, shall remain the same and in full force.

BE IT FURTHER ORDAINED that 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.

WHEREUPON, this ordinance having been submitted in writing, having been read by title and adopted at a public meeting of the City Council of the City of Covington, State of Louisiana, was then submitted to an official vote as a whole, the vote thereon being as follows:

MOVED FOR ADOPTION by Verret, seconded by Weiss.

YEAS: 7 **ABSENT:** 0

NAYS: 0 **ABSTAIN:** 0

PASSED AND ADOPTED this 7th day of July, 2020.

LARRY ROLLING
COUNCIL VICE PRESIDENT

Bonnie D. Champagne
BONNIE D. CHAMPAGNE
COUNCIL CLERK

Presented to the Mayor on this 8th day of July, 2020, at 11:15 o'clock A.M.

Bonnie D. Champagne
BONNIE D. CHAMPAGNE
COUNCIL CLERK

Approved ✓ or Vetoed ___ by the Mayor on this 8th day of July, 2020.

Mark R. Johnson
MARK R. JOHNSON
MAYOR

Received from the Mayor on this 8th day of July, 2020, at 12:00 o'clock P.M.

Bonnie D. Champagne
BONNIE D. CHAMPAGNE
COUNCIL CLERK