

Chapter 111 SUBDIVISIONS¹

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¹State law reference(s)—Authority to regulate subdividing of land, R.S. 33.1236(20); subdivision regulations, R.S. 33:111 et seq.

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ARTICLE I. IN GENERAL

Sec. 111-1. Words and phrases; definitions.

(a) For the purpose of these regulations, certain terms, phrases, words, and their derivatives are herewith defined as follows:

- (1) Words used in the future tense include the present;
- (2) Words used in the present tense include the future;
- (3) Words used in the singular include the plural;
- (4) Words used in the plural include the singular;
- (5) Words used in the masculine include the feminine;
- (6) Words used in the feminine include the masculine;
- (7) The word "shall" is mandatory; and
- (8) The word "may" is permissive.

(b) Definitions.

Access driveway means a 20-foot easement area, of which 15 feet is to be a paved or shelled roadway with an adequate turnaround at the end, or if the access driveway is longer than 750 feet in length a turnaround area provided at 750 feet. Five feet of the easement area is to be used for utility installation.

Alley means a strip of land dedicated for public use, located at the side or rear of lots providing secondary access to abutting property.

Block means a parcel of land within a subdivision or development that is bounded by streets or bounded by streets and the exterior boundary of the subdivision. For this definition, the term "alley" is not considered a street but part of the block.

Block length means the distance between intersections of through streets, such distance being measured parallel to the longest street bounding the block and from right-of-way line to right-of-way line of the two intersecting streets.

Buildable area of lot means that portion of a lot bounded by the required rear and side yards and the building setback line, and the portion of the lot upon which a structure may be placed.

Building, main or principal means a building in which is conducted the principal use of the lot on which it is situated. A dwelling shall be deemed to be the main building on the lot on which it is situated in all residential districts.

Building setback line means a line delineating the minimum allowable distance between the street right-of-way or the front property line and the front of a structure (whichever is less) within which no building or other structure shall be placed. The building setback line is parallel to or concentric with the street right-of-way line.

Clerk of court means the person at the parish courthouse where items are recorded.

Commission means the St. John the Baptist Parish Planning Commission.

Comprehensive plan means the Comprehensive Plan of St. John the Baptist Parish, Louisiana.

Corner lot means a lot situated at the intersection of two streets or on a curved street on which the interior angle of such intersection or curved street does not exceed 135 degrees.

Developer means an individual, firm, association, syndicate, copartnership, corporation, governmental agency, trust or any other legal entity commencing proceedings under these regulations, to effect a development of land as defined herein for himself or for another.

Double frontage lots means a lot other than a corner lot that has frontage on more than one street.

Duly authorized representative means the person designated by the parish council to check, review and comment on all submissions regarding their nonconformance to these regulations. The parish council may designate the parish engineer or any other qualified persons or agency as the duly authorized representative.

Easement means the right, granted by the property owner, to use a parcel of land for specified purposes, such as public utilities, drainage and other public purposes, the title of which shall remain with the property owner, subject to the right of use designated in the reservation of the easement. See *Servitude*.

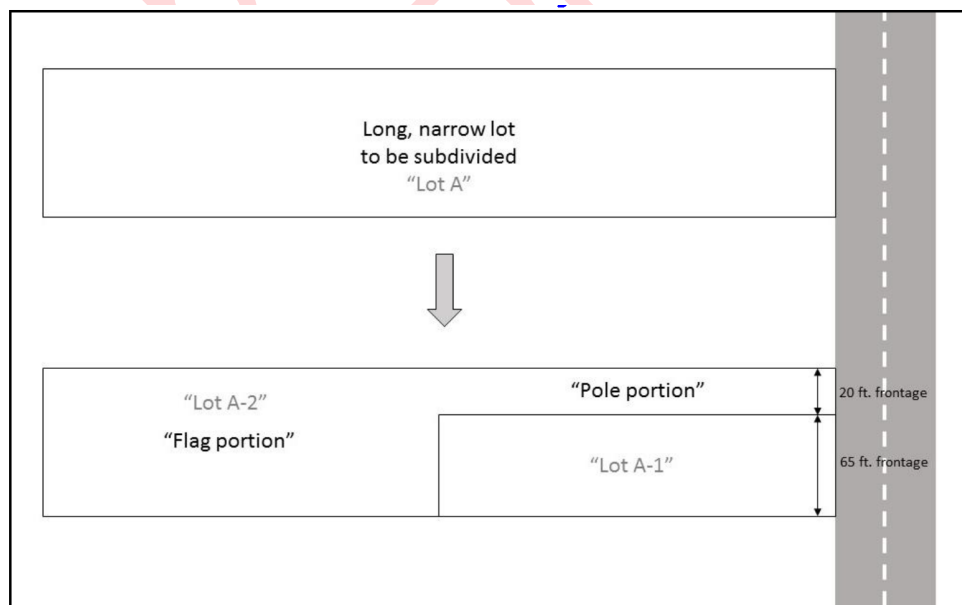
Family means as those relationships that are encompassed with the first degree of consanguinity and are to include parents and children, grandparents, brothers and sisters, aunts and uncles and first cousins.

Family plot means the property owned by a single family for a minimum of ten years. The development of this property shall be for the exclusive development and use of immediate members of that family and shall not exceed 15 parcels with a minimum size of 5,000 square feet. The parcels can be developed without street frontage serviced by an access driveway. No parish services will be provided to residences of a family plot in the way of streets or maintenance, water, lighting, or sewerage.

Final plat means a subdivision plat proposed in accordance with the provisions herein in which said plat is designed to be placed on record with the clerk of court after approval by the Administrator and acceptance of the improvements by appropriate responsible agencies and the parish.

Flag lot means a lot for which access to the buildable area is provided via a narrow driveway or strip of land that does not satisfy minimum lot width requirements. A flag lot has two distinct parts: (1) the flag portion, which is the portion that has a width sufficient to construct a structure on—this portion is the building site, and is located behind another lot; and (2) the pole portion, which connects the flag to the street, provides the only street frontage for the lot, and at any point is less than the minimum lot width for the zone (see exhibit 111-1.-a. for illustration).

Exhibit 111-1.-a. Creation of a flag lot



Frontage means all the property abutting on one side of the right-of-way of a street, measured along the right-of-way line of the street between the lot lines as extended to intersect said right-of-way of said street. In no case shall the line along an alley be considered as acceptable for frontage.

Grades, finished, means the completed surfaces of lawns, walks, and roads brought to grades as shown on official plans or designs relating hereto.

Improvement plans means the engineering plans showing types of materials and construction details for the physical structures and facilities to be installed both in, or in conjunction with, the subdivision.

Lot, building, means one contiguous piece of land that meets all of the provisions of the regulations, ordinances and codes of the parish for building on said building lot. For the purpose of this regulation, the entire amount of ground being called a building lot shall be in one specific zoning category.

Lot depth means the distance measured from the front lot line to the rear lot line. If the lot is an irregular shape wherein this measurement varies, the average lot depth shall be used for the purposes of this Code.

Lot of record means a designated fractional part of a subdivision of a block according to a specific recorded plat or survey, the map of which has been officially approved by the planning commission and recorded in the office of the clerk of court.

Lot width means the width of a lot as measured along the front property line. If the front and rear property lines are different dimensions, the average lot width shall be used as the lot width.

Minimum building setback line means a line parallel to the front, side and/or rear lot line and set back from the lot lines a sufficient distance, in accordance with the provisions herein.

Parish engineer means the parish engineer of St. John the Baptist Parish, Louisiana. This may be either a parish staff person or a consultant.

Preliminary plat means a tentative plat of a proposed subdivision prepared in accordance with the provisions herein for presentation to the planning commission for conceptual approval prior to proceeding with the final subdivision plat.

Resubdivision means a subdivision which is actually a resubdivision of a previously recorded plat, representing a revision of the old lots, but where no new improvements are to be constructed or extended.

Servitude. See *Easement*.

Standard specifications means any specifications stated in an ordinance, resolution or regulation adopted by the parish council or other responsible agency.

Streets means any vehicular ways, except alleys.

(1) All streets will be within dedicated rights-of-way that have been properly processed, approved and recorded.

(2) The following shall be used to classify all streets:

Arterial street means a public thoroughfare that serves the major movements of traffic within and through the parish.

Collector street means a public thoroughfare that serves to collect and distribute traffic primarily from local residential streets to arterial streets.

Cul-de-sac means a street having an outlet at one end only and having the other end permanently closed with facilities permitting vehicles to turn around.

Dead-end street means a street having an outlet at one end only and terminated at the other end by undeveloped property. It may or may not have facilities permitting vehicles to turn around.

Expressway means a divided arterial highway for through traffic with full or partial control of access and generally with grade separation at major intersections.

Freeway means a divided multilane highway for through traffic with all crossroads separated in grade and with full control access.

Frontage road or service road means a street adjacent to a freeway, expressway or an arterial street separated therefrom by a dividing strip and providing ingress and egress from abutting property.

Local street means facilities which are designed to be used primarily for direct access to abutting properties and leading into the collector street system.

Subdivider means any individual firm, association, syndicate, copartnership, corporation, trust, governmental agency or any other legal entity commencing proceedings under these regulations, to create a subdivision of land as defined herein for himself or for another. The term "subdivider" is to be treated as being synonymous with the term "developer."

Subdivision means the division of a lot, tract, or parcel of land into two or more lots, plats, sites or other divisions of land for the purpose, whether immediate or future, of sale or of building development, and, with regard to parishes, for the purpose of sale or of building development for purposes other than agricultural. It includes resubdivision and, when appropriate to the context, relates to the process of subdividing or to the land or territory subdivided.

Surveyor means a qualified registered land surveyor in good standing with the Louisiana Board of Registration.

Tract means a parcel of land identified by letter or number the boundaries of which are shown on the recorded subdivision or development plat. A tract need not be suitable for development.

(Code 1988, § 27:51; Res. of 1-13-1977, § 2.0; Ord. of 2-8-1982; Ord. No. 18-31, § IV, 10-9-2018; Ord. No. 19-44, § I, 10-8-2019)

Sec. 111-2. Short title.

These regulations shall be known and may be cited as the "Subdivision Regulations of St. John the Baptist Parish, State of Louisiana."

(Code 1988, § 27:1; Res. of 1-13-1977, § 1.0; Ord. No. 19-44, § I, 10-8-2019)

Sec. 111-3. Purpose and authority.

- (a) *Purpose.* These subdivision regulations as herein set forth have been prepared for the parish to promote the public health, safety, morals, and general welfare of the parish; to provide for the proper arrangement of streets in relation to existing or proposed streets; to provide for adequate and convenient open spaces for vehicular and pedestrian traffic, utilities, access of firefighting apparatus, recreation, light and air, drainage and flood risk reduction, and the avoidance of congestion of the population, and to facilitate the orderly and efficient layout and appropriate use of land. In addition, these regulations provide for the accurate surveying of land, preparing and recording of plats and the equitable handling of all subdivision plats by providing uniform procedures and standards for observance by both the approving authority and subdividers.
- (b) *Authority.* These regulations are adopted pursuant to the provisions of R.S. title 33, ch. 1, pt. IC, subpt. A (R.S. 33:101 et seq.).

(Code 1988, § 27:2; Res. of 1-13-1977, § 1.1)

Sec. 111-4. Jurisdiction.

- (a) *Generally.* These regulations shall apply to all the area located within the parish. Any developer desiring to subdivide any lot, tract or parcel of land or to change or rearrange any such lot, tract or parcel of land within the parish shall comply with the procedures established in this article and other applicable sections of this chapter and in the sequence specified.
- (b) *Subdivision or resubdivision required.* The following situations or scopes of work will require a subdivision or resubdivision prior to their commencement:
 - (1) *Undesignated parcels.* A subdivision or resubdivision is required prior to the issuance of any building permit to construct or place a new structure on a parcel or property that is undesignated as a lot of record in the official subdivision map of the parish.
 - (2) *Reconfiguration.* A resubdivision is required prior to the issuance of any building permit to redevelop any areas in a different layout or fashion from that shown in the legally established and recorded plat.
 - (3) *Sale or transfer.* No lot, tract or parcel in a subdivision may be sold or transferred unless a final plat has been approved as provided herein and until the construction of all improvements required in connection therewith have been completed, guaranteed or provided for in the manner prescribed herein. A resubdivision is required in order to sell any lot, tract, or parcel in a different configuration than its existing configuration as shown on the final plat for the lot (i.e. portions of a lot may not be transferred prior to a resubdivision).
 - (4) *Construction crossing lot lines.* A subdivision or resubdivision is required prior to the construction of any building that would cross an existing lot line or extension of a building which crosses a lot line; however the renovation or rehabilitation of any such structure, provided the footprint of the structure does not change, does not require a subdivision.
- (c) *Exemptions.* The following situations or scopes of work do not require a subdivision or resubdivision prior to their commencement:
 - (1) *Historic lots.* Development of a lot of record legally established and recorded (i.e. surveyed or transferred as a single parcel in its existing configuration) before January 13, 1977, unless such development requires a re-configuration of such lot or requires the dedication of improvements to serve the lot or the proposed development, as per section 111-4 (b) above.
 - (2) *Existing land-locked lots.* Land-locked lots created prior to 1977 or created legally through the subdivision process thereafter, however such lots shall be required to attain sufficient access (via right-of-way or servitude) to a road and all other required infrastructure prior to the issuance of any permit for a new structure on such lots or the issuance of sewer or water taps for development on such lots.

(Code 1988, § 27:3; Res. of 1-13-1977, § 1.2; Ord. No. 19-44, § II, 10-8-2019)

Sec. 111-5. Schedule of improvements.

The subdivider of any tract or parcel of land located within the parish shall not proceed with any construction work for: a street; sanitary sewer; storm drainage sewer; water main; or any other facilities in connection therewith until he has obtained conditional approval or final approval of his final plat.

(Code 1988, § 27:5; Res. of 1-13-1977, § 1.4; Ord. No. 19-44, § II, 10-8-2019)

Editor's note(s)—Ord. No. 19-44, § II, adopted Oct. 8, 2019, repealed the former § 111-5, and renumbered the former § 111-6 as § 111-5 as set out herein. The former § 111-5 pertained to schedule of construction and sale of lots and derived from Code 1988, § 27:4; Res. of 1-13-1977, § 1.3.

Sec. 111-6. Severability.

If any article, section, subsection, sentence, clause or phrase of these regulations is, for any reason, held unconstitutional or invalid, such decision or holding shall not affect the validity of the remaining portions hereof. It being the intent of the parish council to enact each section and portion thereof, individually and each such section shall stand alone, if necessary, and be in force not with the validity of any other article, section, subsection, sentence, clause or phrase of these regulations.

(Code 1988, § 27:280; Res. of 1-13-1977, § 9.5)

Sec. 111-7. Conflicts.

- a) All subdivisions must comply with relevant Federal and State regulations. Whenever any provision of this subdivision code imposes a greater requirement or a higher standard than is required in any Federal or State statute or regulation, the provisions of this subdivision code shall govern unless preempted by Federal or State law.
- b) It is not the intent of this subdivision code to interfere with or annul any easements, covenants, or other agreements between parties; provided that where this subdivision code imposes a greater restriction upon the use and dimensions of buildings, structures, or land, or requires larger open spaces than are imposed or required by other ordinances, regulations, or permits, or by easements, covenants, or agreements, the provisions of this subdivision code shall govern, except where expressly qualified in this subdivision code.

Sec. 111-8—111-26. Reserved.

ARTICLE II. ADMINISTRATION AND ENFORCEMENT

Sec. 111-27. General responsibilities.

- (a) *Subdivider and developer.* The subdivider or developer shall prepare plats and plans consistent with the design standards; accomplish improvements consistent with the improvement requirements; and process said plats and plans in accordance with these regulations and the Construction and Engineering Manual for St. John the Baptist Parish.
- (b) *(b)Administrator.* The Administrator is responsible for maintaining written records of all actions taken under this Article; and making interpretations of this subdivision code. The Administrator is responsible for final action regarding resubdivisions and final plats. The Administrator is responsible for review and recommendations regarding preliminary plats, conditional plats, and text amendments to this Chapter. The Administrator may designate any staff member to represent the Administrator in any function assigned by this Chapter. However, the Administrator remains responsible for any final action.
- (c) *Planning commission.* The planning commission or its duly authorized representative is charged with the duty of making investigations and reports on the layout of proposed subdivisions and developments and requiring conformance of such subdivisions and developments with accepted planning practices. The planning commission shall require such redesign of street patterns, lot layout, and such other information or plans as the circumstances may warrant as to ensure not only conformance to the aforementioned, but good traffic patterns, proper design and development of a particular area, and appropriate consideration of abutting development or proposed abutting development. The planning commission shall make recommendations to the parish council concerning the approval or disapproval of all preliminary and conditional plats.
- (c) *Parish council.* Any street or other public ground which has been dedicated shall not be accepted by the parish council until it has received recommendations from the planning commission and water, sewer, and drainage board approving the conditional plat and letters of acceptance from other responsible agencies for the constructed improvements. No building permit shall be granted until the parish council has received letters of acceptance from all responsible agencies and has introduced an ordinance for final acceptance. The parish council shall be the final authority in the approval or disapproval of all preliminary, conditional, and final plats.
- (e) *Responsible agency.* A responsible agency is a public agency that has the responsibility of accepting for maintenance any improvement constructed. The parish council shall require that letters of acceptance shall be obtained from all such agencies before final approval is given. A list of these agencies is as follows:
 - (1) *Roads and drainage facilities throughout the parish.*

Director of Public Works
St. John the Baptist Parish Courthouse
1801 W. Airline Hwy.
LaPlace, Louisiana 70068
 - (2) *Water and sewer.*

Director of Utilities
1801 W. Airline Hwy.
LaPlace, Louisiana 70068
 - (3) *Streetlights and street signs.*

Director of Public Works

1801 W. Airline Hwy.

LaPlace, La. 70068

(Code 1988, § 27:6; Ord. No. 19-44, § II, 10-8-2019)

Editor's note(s)—Ord. No. 19-44, § II, adopted Oct. 8, 2019, renumbered the former § 111-6 as § 111-5, and renumbered the former § 111-7 as § 111-6 as set out herein.

- (f) **Summary of Authority.** The following table summarizes various review and approval authority with regard to this subdivision code.

	Administrator	Planning Commission	Parish Council
Resubdivision	Decision		
Preliminary Plat	Recommend	Recommend	Decision
Conditional Plat	Recommend	Recommend	Decision
Final Plat	Recommend	Recommend	Decision
Text Amendment	Recommend	Recommend	Decision

Sec. 111-28. Fees.

- (a) **Fees for plats.** The fee schedule to be used for all plats is contained in section 14-111(1).
- (b) **Payment.** The subdivider or developer shall pay preliminary plat, final plat and recording fees in the following manner:
- (1) Preliminary plat fees shall be paid in full at the time of submitting the preliminary plat for approval.
 - (2) Conditional plat fees shall be paid in full at the time of submitting the conditional plat for approval.
 - (3) Final plat fees shall be paid in full at the time of submitting the final plat for approval.
- (c) **Fees for inspection improvements.** The parish council shall establish appropriate fees to be charged for the inspections to be made during and upon completion of all improvements. The subdivider or developer shall be held responsible for all inspection fees. If required by the parish council, the bond posted by the subdivider guarantees the payment of all inspection fees and no bonds shall be released until all inspection fees have been paid in full. For those final plats having conditional approval, no final approval will be given nor shall such a plat be recorded until all inspection fees are paid in full.
- (d) **Fees for sewerage.** Residential subdivision developers shall pay to the parish at the time of final subdivision approval by the parish an amount equal to the difference between the sewerage availability fee for residential lots at the time of final subdivision approval and the actual capital improvement costs necessary to expand sewage treatment facilities to treat estimated sewage flows from each lot created.
- (1) For purpose of clarification, the following definitions shall apply:
 - a. **Capital improvements costs** means the cost per gallon to expand an existing sewage treatment facility by 500,000 gallons per day. Said cost to be determined annually by an engineer of the parish's choosing on or about September 1 of each year.
 - b. **Estimated sewage flow** means the estimated sewage produced by a given household unit as determined by the state.

- (2) The provisions of this section shall not apply to the property within the Woodland Sewerage Assessment District or the area to be serviced by the Belle Point Sewage Treatment Plant.

(Code 1988, § 27:276; Res. of 1-13-1977, § 9.1; Ord. of 4-8-1982; Ord. No. 86-34, 9-11-1986; Ord. No. 87-5, 2-12-1987)

Sec. 111-29. Reserved.

Sec. 111-30. Enforcement.

- (a) *Admission to parish record.* No plat or plan of a subdivision of land located within the parish shall be admitted to the records of the parish or received or recorded by the clerk of court until said plat has received final approval by the parish council, and areas to be dedicated have been accepted by the parish council and other responsible agencies. Admission to the records shall not be construed as approved.
- (b) *Sale of land in subdivision.* No person or agent, owning land composing a subdivision shall transfer or sell or agree to sell any lot or parcel of land located within a subdivision by reference to, or by exhibition, or by any other use of a plat of such subdivision, before such plat has received final approval of the parish council and has been recorded. Any such instrument of transfer or sale of contract shall be void and shall not be subject to be recorded, but all rights of such purchaser to damages are hereby preserved. The description of such lot, parcel or tract by metes and bounds in any contract or instrument of transfer to other document used in the process of selling or transferring same shall not exempt the person attempting to transfer from penalties provided or deprive the purchaser of any rights or remedies he may otherwise have.
- (c) *Revision of plat after approval.* No changes, erasures, modifications, or revisions shall be made on any plat of a subdivision after final acceptance has been given by the planning commission and an endorsement is made in writing on the plat, unless the plat is first resubmitted and the changes approved by the planning commission.
- (d) *Improvement in official streets only.* No board, public officer, or authority shall accept, layout, improve or authorize utilities to be laid in any street within the territory for which the planning commission has adopted a comprehensive plan unless the street corresponds with a street shown on the comprehensive plan or unless the street is shown on a subdivision plat or a street plat which has been approved by the parish council.

(Code 1988, § 27:278; Res. of 1-13-1977, § 9.3)

Sec. 111-31. Penalty.

Any person, owner or agent who violates these regulations shall upon conviction be prosecuted as defined by state law.

(Code 1988, § 27:279; Res. of 1-13-1977, § 9.4)

Secs. 111-32—111-33. Reserved

Sec. 111-34. Adoption or amendment; hearing; notice.

Before adoption of these subdivision regulations or any amendments thereto, a public hearing shall be held by the parish council. A public notice of the time and place of the public hearing shall be published as provided by state enabling legislation.

(Code 1988, § 27:301; Res. of 1-13-1977, § 10.0)

Secs. 111-35—111-53. Reserved.

Public Review
Draft

ARTICLE III. PLAT APPROVAL PROCEDURES

DIVISION 1. GENERALLY

Sec. 111-54. Modification or withdrawal; fees.

Before approval of a subdivision plat, the submitted plat may be withdrawn or modified. If modified, the review process shall be repeated. Modification of a plat shall automatically require the proper fee. The recording fee shall be refunded or credited to the modified plat as determined by the planning commission, or its duly authorized representative. In case of withdrawal the filing fee shall not be refunded.

(Code 1988, § 27:93; Res. of 1-13-1977, § 3.12)

Sec. 111-55. Modification of improvement drawings.

If, during the course of construction, any changes or modifications encountered that are not in conformance with the original approved improvement drawings, the developer or subdivider shall submit the modified improvement drawings (which have now become as-built drawings) to the parish council, or its duly authorized representative, who if in agreement with such modifications, shall affix his signature to those drawings indicating approval of the modifications.

(Code 1988, § 27:94; Res. of 1-13-1977, § 3.13)

Sec. 111-56. Subdivision procedure.

- (a) Any developer desiring to subdivide any lot, tract or parcel of land or to change or rearrange any such lot, tract or parcel of land within the parish shall comply with the procedures established in this article and other applicable sections of this chapter and in the sequence specified.
- (b) The subdivider or developer shall notify the planning commission, or its duly authorized representative, in writing of his intention to subdivide a property and may request a pre-application meeting with the Administrator. Such notification shall include mention or illustration of any aspect or feature that will affect the design or layout of the subdivision. For clarity, the subdivider or developer, in discussing preliminary information, may utilize a map to illustrate various features or aspects of the property. The subdivider or developer should contact the state to ascertain requirements regarding water and sanitary sewerage systems.
- (c) The parish administration shall advertise the public meetings in accordance with all existing state and local advertising requirements. Additionally, a printed notice (sign) shall be posted for new subdivisions not less than ten consecutive days prior to the public meeting conducted by the parish planning commission. This notice shall be in the form of a sign prepared and placed by the parish at the subject site or the nearest right-of-way abutting the site. This sign shall direct public inquiry to the planning and zoning department and the planning and zoning department, upon request, shall supply information to public regarding the request.

(Code 1988, § 27:76; Res. of 1-13-1977, § 3.0; Ord. No. 96-85, 9-10-1996; Ord. No. 19-44, § III, 10-8-2019)

DIVISION 2. RESUBDIVISION

Sec. 111-57. Procedures for administrative resubdivision.

- (a) Administrative plat approval. Notwithstanding other provisions of this chapter or other law to the contrary, the administrative procedures for approving or certifying certain plats involving minor modifications of existing parcels are hereby established. The categories of such modifications qualifying for such administrative approval or certification are:
 - (1) The realignment or shifting of lot boundary lines, including removal, addition, alignment or shifting of interior lot boundary lines, or the redesignation of lot numbers, provided the application meets the following requirements:
 - a. Does not involve the creation of any new street or public improvement;
 - b. Does not involve more than two acres of land or ten lots of record;
 - c. Does not reduce a lot size below the minimum area or frontage requirements established by ordinance;
 - d. Otherwise meets all the requirements of the subdivision regulations and zoning ordinances.
 - (2) Parcels of land where a portion has been expropriated or has been dedicated, sold, or otherwise transferred to the parish, thereby leaving a severed portion of the original property which requires a redesignation of lot number and establishment of new lot boundary lines.
- (b) All plats approved or certified by an administrative procedure provided for herein, shall designate such fact on the plat and the plats shall be recorded in the conveyance records of the parish. Any plat so approved shall have the same force and effect and legal status of a subdivision application approved by the established legislative process.
 - (1) All plats submitted to the parish planning office for administrative approval shall be accompanied by a fee in the amount as established in section 14-111(1).
 - (2) The plat shall include the name of the original subdivision; the parcels to be divided; old boundary lines and lot designations shaded and new boundary lines and lot designations in bold; the flood zone designation; all existing and proposed easements; vicinity map; property measurements/dimensions; signature block to include the authorized representative of the planning commission and the parish president; and verbiage stating that the plat is: "The administrative resubdivision of _____ lots into _____ lots of the _____ subdivision."

(Code 1988, § 27:95; Res. of 1-13-1977; Ord. No. 94-73, 10-25-1994; Ord. No. 08-59, 10-28-2008; Ord. No. 11-25, 7-12-2011; Ord. No. 19-44, § III, 10-8-2019)

Secs. 111-58—111-76. Reserved.

DIVISION 3. PRELIMINARY PLAT

Sec. 111-77. Submission.

The subdivider shall file an electronic copy of the preliminary plat prepared in accordance with the requirements of this division, with the commission, or its duly authorized representative, no later than the first of the month of next regular meeting of the planning commission. At this time, the following material shall also be filed with the commission, or its duly authorized representative.

- (1) *Application for preliminary plat approval.* One copy of an application, provided by administration, shall be submitted. At the time of submission, the commission, or its duly authorized representative, shall indicate on the application the date of submission and signature of the commission's representative.
- (2) *A master development plan depicting all site featured for each phase.* This master development plan should also show how all phases of the proposed development would be integrated into the parish's street, water, sewer systems, and drainage systems.
- (3) *Statement that zoning requirements will be met.* One copy of a statement declaring that all zoning requirements shall be met, including identification of the zoning district, lot size, yard requirements and proof of any variances of special exceptions which may have been granted. This may be printed on the plat.
- (4) *Statement of water and sewer provision.* One copy of a letter from the subdividers or developers stating what provisions have been made for public water and sewer facilities. This may be printed on the plat.
- (5) *List of adjacent property owners.* One copy of a list of all owners of land immediately adjoining the subdivision as their names appear upon the parish assessment rolls and their addresses. This may be printed on the plat.
- (6) *Additional information required.* One copy of any information required by the planning commission, or its duly authorized representative.
- (7) *Preliminary plat fees.* Preliminary plat fees shall be submitted in accordance with Sec. 111-28. Fees.

(Code 1988, § 27:77; Res. of 1-13-1977, § 3.1)

Sec. 111-78. Specifications; contents.

The information, as listed herein, shall be clearly shown on or accompany the preliminary plat. The subdivider shall file with the planning commission, or its duly authorized representative, four originals and one 11-inch by 17-inch reduction of the preliminary plat for review. The original plat shall be drawn at a scale of one inch to 100 feet or greater. The following information shall be contained on preliminary plat:

- (1) Proposed name of the subdivision which shall not duplicate or too closely approximate, phonetically or in spelling, the name of any other subdivision in the parish;
- (2) The name, address and phone number of the record owner;
- (3) The name, address and phone numbers of the subdivider or developer;
- (4) The name, address and phone number of the person preparing the preliminary plat;
- (5) The date, north point, and scale, written and graphic;
- (6) A vicinity sketch map drawn at a scale of one inch to 1,000 feet or greater including the following information, if applicable, within at least one-fourth mile of the proposed subdivision:
 - a. Proposed subdivision name and location;
 - b. Boundary lines of all existing abutting subdivisions or developments;
 - c. Existing and proposed major streets; and
 - d. Other significant features;
- (7) Legal description that is sufficient to define the location and boundaries of the proposed subdivision or development;
- (8) The boundary lines of the tract to be subdivided drawn to scale showing all bearings and distances;

- (9) The existing use of the property and to scale, the outline of any existing buildings or improvements and their location in relation to existing or proposed street and lot line locations and addresses, if available;
- (10) The right-of-way lines and names of all existing or platted streets, other public ways and easements adjacent to or in connection with the subdivision including right-of-way widths and other important features at least within 100 feet of the boundary lines, such as railroad lines, watercourses, and similar items;
- (11) The lot lines and subdivision names of adjacent subdivisions and the property lines, at least within 100 feet of the subdivision boundary, and owner of record of all adjacent parcels that are unsubdivided for adjacent platted land refer to the subdivision plat by name, plat books and pages;
- (12) Location and dimensions of all existing easements and rights-of-way within the subdivision;
- (13) Existing utilities on and adjacent to the subdivision; location, size, grade and invert elevations of sanitary, storm and/or combined sewers; location and size of water mains including location of fire hydrants and valves; location of gas lines and utility poles;
- (14) Subsurface conditions on the subdivision; any conditions that are not typical such as: gas pipelines, wells, etc.;
- (15) Proposals shall contain the following information:
 - a. Names, right-of-way widths, and layout of streets and alleys;
 - b. Location, width, and purpose of other rights-of-way or easements; and
 - c. Numbers, land dimensions, and approximate areas of irregular lots in square feet;
- (16) Statement of the lot area of the smallest lot in the subdivision;
- (17) Parcels of land intended to be dedicated or temporarily reserved for public use, or to be reserved by deed restriction or protective covenant for use of all property owners in the subdivision or parcels of land or lots to be used for any purpose other than private shall be so designated;
- (18) Proposed uses for all land in the subdivision;
- (19) Approximate boundaries of areas subject to inundation and the location, width and direction of flow of all watercourses, lakes, marshy areas and swamps;
- (20) All blocks and lots must be numbered or lettered in a consecutive manner with no omissions or duplications. Ditto marks shall not be used for lot dimensions. Tracts offered for dedication, other than for streets or easements should be designated by a letter or number.
- (21) Total site data, including acreage, number of lots, and, if applicable, approximate areas in parks and other public uses.

(Code 1988, § 27:101; Res. of 1-13-1977, § 4.0)

Sec. 111-79. Processing.

- (a) The preliminary plat, the application, and all other required information, shall be reviewed by the planning commission, or its duly authorized representative, as to:
 - (1) The requirements of the preliminary plat as stated in this section;
 - (2) The requirements of other parish regulations and ordinances; and

- (3) Any other pertinent sections of these regulations.
- (b) Within five consecutive working days after the filing of the preliminary plat, the planning commission, or its duly authorized representative, shall transmit the appropriate items to the necessary parish offices, utility board, and/or other agencies who shall forward their written comments to the planning commission, or its duly authorized representative, within ten consecutive calendar days from receipt of same.

(Code 1988, § 27:78; Res. of 1-13-1977, § 3.2)

Sec. 111-80. Planning commission recommendation.

- (a) The planning commission, its duly authorized representative, and responsible agencies shall review the preliminary plat including determination of its conformance to the recommendations and/or comments of all parish offices and/or other responsible agencies and shall then take one of the following actions:
 - (1) Recommend approval of the plat;
 - (2) Recommend approval of the plat subject to conditions; or
 - (3) Recommend disapproval of the plat within 60 consecutive calendar days from the date of receipt unless such time is extended by agreement between the planning commission, or its duly authorized representative, and the subdivider or developer.
- (b) If the commission finds that the preliminary plat does not meet the requirements of these regulations, it shall take one of the following actions:
 - (1) Recommend disapproval of the plat; or
 - (2) Recommend conditional approval of the plat, subject to modification within said time period.
- (c) Recommendation of approval of the preliminary plat by the commission does not constitute approval of the subdivision, but is merely an authorization to submit the preliminary plat to the parish council for further action.
- (d) Plats that have been recommended for disapproval shall also be submitted to the parish council for action.

(Code 1988, § 27:79; Res. of 1-13-1977, § 3.3)

State law reference(s)—Approval of plat, R.S. 33:113.

Sec. 111-81. Reserved.

Sec. 111-82. Parish council action.

- (a) The parish council shall review the preliminary plat together with the recommendations of the planning commission and Administrator and then shall take one of the following actions:
 - (1) Approve the plat;
 - (2) Approve the plat subject to conditions; or
 - (3) Disapprove the plat within 60 consecutive calendar days from the date of submission.
- (b) Approval of the preliminary plat by the parish council does not constitute approval of the subdivision, but is merely an authorization to proceed with the preparation of the conditional plats.
- (c) In the event of disapproval or conditional approval of the preliminary plat, a statement in writing by the parish council or its duly authorized representative, setting forth the reasons for disapproval or the conditions of approval, shall be made to the subdivider or developer.

- (d) Approval or conditional approval of a preliminary plat shall be valid for a period of 12 consecutive calendar months only, except that if a portion of an approved preliminary plat is approved and accepted as a final plat, said approval or conditional approval of the remainder of the preliminary plat shall be valid for 12 consecutive calendar months after the date of approval of said final plat, unless further extended by the parish council.

(Code 1988, § 27:81; Res. of 1-13-1977, § 3.4)

State law reference(s)—Approval of plat, R.S. 33:113.

Secs. 111-83—111-101. Reserved.

DIVISION 4. CONDITIONAL PLAT APPROVAL

Sec. 111-102. Submission.

- (a) *Generally.* A conditional plat shall not be submitted together with the preliminary plat of the same land. The conditional plat shall only be submitted after the preliminary plat has been approved or approved with conditions, subject to modifications by the parish council. The conditional plat shall conform to the approved preliminary plat and shall include all changes, additions, deletions or approvals as may be required on conditional approval by the parish council, and shall be prepared in conformity with these regulations.
- (b) *Preparation.* The subdivider or developer may cause, within 12 consecutive calendar months after the approval of the preliminary plat, the subdivision or any part thereof, to be surveyed and a conditional plat thereof to be prepared. The conditional plat shall contain only that portion of the approved preliminary plat which the subdivider or developer wishes to have approved, recorded and developed at that time. Conditional plats which are a portion of the approved preliminary plat shall be named and listed as "(Name of Subdivision), Phase No. ____." Plats which are resubdivisions of approved and recorded final plats shall be labeled as "Re-subdivision of (Appropriate Listing Title)." The subdivider or developer shall cause only a licensed land surveyor or a registered civil engineer in the state to prepare any plats.
- (c) *Filing.* The subdivider or developer shall submit to the planning commission, or its duly authorized representative, the original plat drawing and an electronic copy of the conditional plat prepared in accordance with these regulations, no later than the first of the month of the next regular meeting of the planning commission. At this time, the following material shall also be filed with the commission, or its duly authorized representative.
- (1) *Request for conditional approval.* A request to be placed on the public meeting agendas shall be submitted to the commission, or its duly authorized representative, and shall indicate the date of submission.
 - (2) *Improvement drawings and plans.* The planning commission, or its representative, shall retain one copy of each of the following items:
 - a. Five copies of the sanitary sewerage system plans;
 - b. Five copies of the water systems plans;
 - c. Five copies of the street plans.
 - (3) *Drainage report including drainage study and computations.* Four sets of drainage reports including computations. The planning commission, or its duly authorized representative, shall retain one copy.
 - (4) *Plans for the control of erosion and sedimentation, if applicable.* Four sets of plans for the control of erosion and sedimentation. The planning commission, or its duly authorized representative, shall retain one copy.

- (5) *Conditional plat fees.* The fees shall be submitted in accordance with this chapter.
- (6) *Surety bond.* A surety bond or contract agreement, whichever is applicable, and other requirements of these regulations.

(Code 1988, § 27:82; Res. of 1-13-1977, § 3.5)

Sec. 111-103. Specifications; contents.

- (a) The conditional plat of the subdivision shall be drawn in black, waterproof India ink on polyester base film or some other equally substantial drawing material so that good legible prints, negatives and half-size reproductions can be made. Additional electronic submittals will be accepted. The dimensions of each sheet of said plat and all plans shall be 24 inches by 36 inches and shall have a borderline and a margin outside the borderline of two inches on the left side and one-half inch on all other sides. The conditional plat shall be drawn at a scale of one inch to 100 feet or greater. Where necessary, the conditional plat may be on several sheets accompanied by an index showing the entire subdivision. The particular number of the sheet, the total number of sheets and the relation of each adjoining sheet shall be clearly shown by a small key map on each sheet. Each sheet of said plat shall show the date of the survey, north point and drawn to scale and graphic. The conditional plat shall contain a key map showing the location of the subdivision with relation to at least one east-west and one north-south major arterial. The conditional plat shall further show the following including all mathematical information and data necessary to locate and retrace any of the required data thereon.
- (b) The following information shall be contained on conditional plat:
 - (1) The boundary lines of the subdivision shall be drawn in heavy solid lines with accurate lengths, angles and bearings. These boundaries shall be determined by an accurate survey in the field that shall be balanced and closed. All lines shown on the plat that do not constitute a part of the subdivision, but not a part thereof, shall be labeled "Not A Part Of This Subdivision."
 - (2) The exact locations and the widths of all existing or recorded streets, intersecting or paralleling the boundaries of the subdivision at least within 100 feet.
 - (3) The exact location and width of all abutting lot lines, names of recorded owners and persons having option on any portions, if that be the case, of adjoining unplatted land and reference to subdivision plats of adjoining platted land by name, plat, books and pages.
 - (4) The boundary line of the proposed subdivision shall be tied by bearings and distances to a selected point described on the plat on the nearest established centerline or right-of-way line of any street or highway or a previously established monument in which the location of said monument shall be identified and accurately described on the plat.
 - (5) Municipal, parish or section lines.
 - (6) The exact layout of the subdivision showing:
 - a. Street and alley centerlines and right-of-way lines including the right-of-way width and locations of adjacent streets and other public property within at least 100 feet of the subdivision shall be graphically shown; street right-of-way lines; street names; municipal numbers; and bearings and distances along centerlines.
 - b. Sufficient linear, angular and curve data (at least delta, radius and length of curve) to readily determine the bearing and length of the boundary lines of every block, lot and tract that is a part of the subdivision.
 - c. All easements or other rights-of-way. The limitation of the easement rights shall be definitely stated on the plat.

- d. All lot lines with dimensions and interior angles to street and alley lines.
- (8) All blocks and lots numbered or lettered in a consecutive manner with no omissions or duplications. Ditto marks shall not be used for lot dimensions. Tracts offered for dedication, other than for streets or easements should be designated by a letter or number.
- (9) All permanent monuments set or to be set, within the following shall be shown on the final plat:
 - a. The location of all monuments placed in making the survey and if any points were reset, that fact shall be stated and attached to the final plat for recording.
 - b. Concrete or metal monuments depressed below street grade shall be set at all block corners and boundary corners. The exact location of all such monuments shall be shown on the final plat before approval is requested.
 - c. Any monument as required by these regulations that is disturbed or destroyed before acceptance of all improvements shall be replaced by the subdivider or developer.
- (10) The accurate outline of all property which is offered for dedication for public use, with the purpose indicated thereon, and of all property that may be reserved by deed restriction or protective covenant in the deed for the common use of the property owners in the subdivision.
- (11) The easements along the lot sidelines, shown by a fine dashed line and clearly labeled and identified on the plat. If the easement is being dedicated by the plat, it shall be properly set out in the owner's certificate of dedication. If an easement shown on the plat is already of record, its recorded reference must be given.
- (12) The name of the subdivision and name or number of the larger subdivision or tract of which the tract now being subdivided forms a part.
- (13) The names, addresses and phone numbers of the owner, subdivider, engineer and surveyor.
- (14) North-point, showing true north, written and graphic scale and date.
- (15) Total site data, including acreage, number of lots, lot sizes (showing area of smallest lot in square feet), and number of square feet or acres in parks and other public uses.
- (c) The following additional information shall be submitted at time of filing of conditional plat:
 - (1) An application for conditional plat approval provided by administration with appropriate fees.
 - (2) Improvement drawings and plans. Drawings showing cross sections, profiles, construction details, and specifications for all required improvements shall be prepared by a registered civil engineer in the state in conformance with the provisions these regulations:
 - a. Five copies of the sanitary sewerage system plans;
 - b. Five copies of the water system plans;
 - c. Five copies of the street plans.
 - (3) Five sets of drainage reports including computations.
 - (4) If required, four sets of plans for the control of erosion and sedimentation.

(Code 1988, § 27:150; Res. of 1-13-1977, § 5; Ord. No. 97-74, 8-12-1997)

Sec. 111-104. Processing.

- (a) The planning commission, its duly authorized representative, and all responsible agencies shall check the conditional plat as to description, certification, computations, lot areas and numbers, monuments, conformity with approved preliminary plat and all other pertinent aspects as required by these regulations.

The planning commission, its duly authorized representative, and all responsible agencies shall check the improvement drawings and plans to ensure that they are in conformity with the conditional plat and that they meet the minimum requirements established in these regulations.

- (b) Within five consecutive working days after the request for conditional plat approval, the planning commission, or its duly authorized representative, shall transmit the appropriate items to the necessary parish offices, utility board, and/or other responsible agencies for review and comment. The parish offices, utility board, and/or other responsible agencies shall forward their written comments to the planning commission, or its duly authorized representative, within ten consecutive calendar days from receipt of the same.

(Code 1988, § 27:83; Res. of 1-13-1977, § 3.6)

Sec. 111-105. Planning commission recommendation.

- (a) The planning commission, or its duly authorized representative, shall review the conditional plat, the improvement drawings and plans and all other pertinent information, including a determination of conformance to the requirements of these regulations and shall consider the recommendations and/or comments of all parish offices, utility board, and/or other responsible agencies and shall take action on the conditional plat within 60 consecutive calendar days after its submission, or a mutually agreed upon extension with the subdivider or developer.
- (b) The commission, its duly authorized representative, and responsible agencies shall review the conditional plat including determination of its conformance to the recommendations and/or comments of all parish offices and/or other responsible agencies and shall then take one of the following actions:
 - (1) Recommend approval of the plat;
 - (2) Recommend approval of the plat subject to conditions; or
 - (3) Recommend disapproval of the plat within 60 consecutive calendar days from the date of receipt unless such time is extended by agreement between the planning commission, or its duly authorized representative, and the subdivider or developer.
- (c) If the commission finds that the conditional plat does not meet the requirements of these regulations, it shall take one of the following actions:
 - (1) Recommend disapproval of the plat; or
 - (2) Recommend conditional approval of the plat, subject to modification within said time period.
- (d) Recommendation of approval of the conditional plat by the commission does not constitute approval of the subdivision, but is merely an authorization to submit the conditional plat to the parish council for further action.
- (e) Plats that have been recommended for disapproval shall also be submitted to the parish council for action.
- (f) Approval of the conditional plat shall be acknowledged by the signature of the planning commission chairman on an acceptance certificate that will be recorded with the final plat.
- (e) Before construction of improvements. The planning commission may recommend final approval before all required improvements are installed, provided that a construction agreement and a bond or escrow agreement, acceptable to the legal counsel of the parish council, or its duly authorized representative, are provided for the purpose of ensuring installation of such improvement, in case for some reason, the subdivider or developer is unable to install the required improvements, based on an estimate made by the planning commission, or its duly authorized representative. Upon determination that all the requirements of these regulations have been met the planning commission may recommend final approval to the parish council.

(Code 1988, § 27:84)

State law reference(s)—Approval of plat, R.S. 33:113.

Sec. 111-106. Reserved.

Sec. 111-107. Parish council action.

- (a) The parish council shall review the conditional plat, improvement drawings, all other pertinent information, and recommendations of the planning commission and utility board and shall take action within 60 consecutive calendar days after receipt of recommendations from the planning commission and utility board.
 - (1) The parish council shall take one of the following actions:
 - a. Approve the plat;
 - b. Approve the plat subject to conditions; or
 - c. Disapprove the plat within 60 consecutive calendar days from the date of submission.
 - (2) Approval of the conditional plat by the parish council does not constitute approval of the subdivision, but is merely an authorization to proceed with construction.
- (b) In the event of disapproval or approval with conditions of the conditional plat, a statement in writing by the parish council or its duly authorized representative, setting forth the reasons for disapproval or the conditions of approval, shall be made to the subdivider or developer.
- (c) Approval of a conditional plat shall be valid for a period of 12 consecutive calendar months only, unless further extended by the parish council. The parish council shall be the final authority on the approval or disapproval of all conditional plats.

(Code 1988, § 27:86; Res. of 1-13-1977, § 3.8)

State law reference(s)—Approval of plat, R.S. 33:113.

Secs. 111-108—111-122. Reserved.

DIVISION 5. FINAL PLATS

Sec. 111-123. Submission.

- (a) *Generally.* A final plat shall not be submitted together with the preliminary plat of the same land. The final plat shall only be submitted after the preliminary plat and conditional plat have been approved, subject to modifications by the parish council. The final plat shall conform to the approved or conditionally approved preliminary and conditional plats and shall include all changes, additions, deletions or approvals as may be required on conditional approval by the parish council, and shall be prepared in conformity with these regulations.
- (b) *Preparation.* The subdivider or developer shall cause only a licensed land surveyor or a registered civil engineer in the state to prepare said final plat.
- (c) *Filing.* The subdivider or developer shall submit to the planning commission, or its duly authorized representative, four originals and an electronic copy of the final plat prepared in accordance with these

regulations. At this time, the following material shall also be filed with the commission, or its duly authorized representative.

- (1) *Request for final plat approval.* A request for final plat approval shall be submitted by the developer or subdivider. At the time of submission, the commission, or its duly authorized representative, shall indicate on the request the date of submission and signature of commission's representative.
- (2) *As-built drawings and plans.* The developer shall submit to the planning commission, or its duly authorized representative, the following:
 - a. Four copies of the sanitary sewerage system plans;
 - b. Four copies of the water system plans;
 - c. Four copies of the street plans;
 - d. Four copies of the drainage plans; and
 - e. Four copies of the streetlight plans.
- (3) *Deed restrictions or protective covenants.* One copy of all deed restrictions and protective covenants may either be placed directly on the final plat or attached thereto in form for recording. If recorded separately, reference to the restrictions shall be made on the final plat. The planning commission or its duly authorized representative shall retain one copy after being recorded.
- (4) *Final plat fees.* Final plat fees shall be submitted in accordance with these regulations.
- (5) *Maintenance bond.* One original shall be submitted.
- (6) *Title certificate.* Two originals shall be submitted.
- (7) *Dedication certificate.* Two originals shall be submitted or may be placed on the plat.

(Code 1988, § 27:87)

Sec. 111-124. Specifications; contents.

- (a) Specifications for the final plat are the same as the requirements for Sec. 111-103. Specifications; contents. for the conditional plat.
- (b) In addition, the following specifications will be added for the final plat:
 - (1) Private restrictions, if any:
 - a. Boundaries of each type of use restrictions.
 - b. Other deed restrictions or protective covenants for each definitely restricted section of the subdivision.
 - c. Deed restrictions and protective covenants either placed directly on the final plat or attached thereto in from for recording. If recorded separately, reference to the restrictions shall be made on the final plat.
 - (2) Certification, acknowledgments, and descriptions. The following certificates, acknowledgments and descriptions shall either appear on the title sheet of the final plat or shall be noted as being attached to the final plat for recordation. Such certificates may be combined when appropriate:
 - a. Certificate by parties holding title. A notarized certificate shall be signed and acknowledged by all parties having any title interest in the land subdivided, consenting to the preparation and recording of said plat; provided, however, that the signature of parties owning the following types of interest may be omitted if their names and nature of their interest are set forth on the plat:

1. Rights-of-way, easements or other interest that cannot ripen into a fee.
2. Rights-of-way, easements or revisions that appear to be no longer of potential use or value, due to changed conditions or long disuse.
- b. Dedication certificates. A notarized certificate shall be signed and acknowledged as required, offering for dedication all parcels of land shown on the final plat and intended for public streets which are intended for the exclusive use of the lot owners in the subdivision of development. Their certification shall also show that there are no unpaid taxes or special assessments against the land contained in the plat.
- c. Certificate and guarantee of clear title. The final plat shall be accompanied by a statement prepared by a duly authorized title company stating that the signatures of all persons whose consent is necessary to the preparation and recording of said plat, and to the dedication of the streets and other public places has been obtained.
- d. Certification by developer that required improvements have been satisfactorily installed or adequate financial guarantees have been provided.
- e. Legal description of property. The legal description shall be an accurate reflection of the boundary survey. Each reference in such description to any tract, development, or subdivision shall show a complete reference to records of the parish.
- f. Other affidavits, etc. The title shall contain such other affidavits, certificates, acknowledgments, endorsements, and notarial seals as are required by law and by these regulations.
- g. Written statement of approval from each of the following:
 1. Parish engineer;
 2. Planning and zoning department;
 3. Utilities department; and
 4. Department of public works.
- h. Signatures of acceptance on the plat from the following:
 1. Council chairman; and
 2. Parish president.
- i. Certificates of acceptance from:
 1. Planning and zoning commission chairman; and
 2. Utilities board chairman.
- (3) All subdivision data, including the final plat and as-built utility and construction plans, must be submitted to the parish on a computer disk in an AutoCAD compatible electronic format upon application for final acceptance. The digital plat map must be created using the South Zone Louisiana State Plane Coordinate System, or as a minimum, two subdivision corners must be assigned state plane coordinate annotation.

(Code 1988, § 27:151)

Sec. 111-125. Processing.

- (a) The planning commission, or its duly authorized representative, shall check the final plat as to description, certification, computations, lot areas and numbers, monuments, conformity with approved preliminary and conditional plats and all other pertinent aspects as required in these regulations. The planning commission,

or its duly authorized representative, shall check the as-built drawings and plans to ensure that they are in conformity with the final plat and that they meet the minimum requirements established in these regulations.

- (b) Within five consecutive working days after the filing of the final plat, the planning commission, or its duly authorized representatives, shall transmit the appropriate items to the necessary parish offices, utility board, and/or other agencies for review. The parish offices, utility board, and/or other agencies shall forward their written acceptance of the constructed improvements to the planning commission, or its duly authorized representative, within ten consecutive calendar days from receipt of the same.

(Code 1988, § 27:88)

Sec. 111-126. Parish council action.

After the subdivider has obtained conditional approval and has installed all required improvements to the satisfaction of all parish offices and/or responsible agencies, the parish council shall review the final plat, as-built drawings, all other pertinent information, and recommendations of all parish offices and/or responsible agencies and shall take action within 30 consecutive days after receipt of recommendations. The parish council shall be the final authority on the approval of all final plats.

(Code 1988, § 27:89)

State law reference(s)—Approval of plat, R.S. 33:113.

Sec. 111-127. Final approval to be by ordinance.

Final approval of a plat by the parish shall be indicated by adoption by ordinance and the signatures on the original drawings of the final plat of the parish president and parish council chairman, with acceptance certificates signed by the planning and zoning commission chairman, and water, sewerage and drainage board chairman attached. No final plat shall be recorded until this has been accomplished.

(Code 1988, § 27:90; Res. of 1-13-1977; Ord. No. 93-6, 1-28-1993)

Sec. 111-128. Disposition of approved final plat as as-built drawings.

- (a) One copy of the final plat and as-built drawings shall be transmitted to each of the following agencies and parish offices:
 - (1) Clerk of court;
 - (2) Planning and zoning department;
 - (3) Utilities department; and
 - (4) Department of public works.
- (b) One copy of the final plat only shall be transmitted to each of the following agencies and parish offices:
 - (1) Assessor's office;
 - (2) Department of public safety and emergency services (911 Communications District); and
 - (3) Billing department.

(Code 1988, § 27:91; Res. of 1-13-1977, § 3.10)

Sec. 111-129. Recording.

After approval of the final plat and acceptance of all land to be dedicated on the plat by the parish council and/or other appropriate public bodies, the planning commission, or its duly authorized representative, shall file the approved final plat in the office of the clerk of court, after which, lots may be sold, leased or transferred. Building permits, however, may not be issued until all required improvements as specified in the conditional subdivision approval have been installed and the final plat accepted for maintenance by the parish council has been approved.

(Code 1988, § 27:92; Res. of 1-13-1977, § 3.11)

DIVISION 6. FORMS AND CERTIFICATES

Sec. 111-130. Certificate, acknowledgements and approvals.

The parish shall use the following certificate, acknowledgements and approvals:

Following, herewith, are representative certificates, acknowledgements, and approvals to be used on final plats in accordance with of these regulations. These certificates, acknowledgements, and approvals may be modified with the parish council's approval. Phrases shown in parentheses in these certificates shall be used if pertinent. All signatures must be written with black, waterproof, India ink. Provisions shall be made on each signature line for large signatures and date.

(Code 1988, § 27:302 (app. A))

Sec. 111-131. Dedication certificate.

The parish shall use the following dedication certificate.

KNOW ALL MEN BY THESE PRESENT, that we, the undersigned being the owner(s), mortgagee(s) or lienholder(s) and the only interested parties in those lands described below, have laid out, subdivided and platted the same into lots, blocks, streets, and public ways as shown here or under the name and style of, and do by these presents, grant, dedicate and convey to St. John the Baptist Parish, State of Louisiana, in fee simple, for public use, all streets, public ways and drainage easements and one-foot strip designated as tract(s) for nonroad purposes to St. John the of Louisiana reserved to and for the use of all present and future owners of lots and tracts as shown hereon, for the construction, maintenance and operation of utilities.

LEGAL DESCRIPTION:

SAID PARCEL CONTAINS _____ ACRES

In witness whereof _____ as owner(s), has hereunto caused name to be signed and its corporate seal (if applicable) to be affixed by the undersigned officers, thereunto duly authorized this day of 20 ____.

All individuals shall sign their names as shown on the deed of ownership, or as shown on deeds of trust, mortgages, liens, etc. Corporation ownership or interest shall be shown by the official signatures of the president and secretary. The full name of the corporation shall be shown above their signatures.

PARISH OF _____

STATE OF LOUISIANA

Subscribed and sworn to before me this _____ day of _____, 20 ____.

By: _____

NOTARY PUBLIC

My commission expires: _____

TITLE COMPANY'S CERTIFICATE:

This title company _____ licensed to practice in the State of Louisiana, do hereby certify that we have examined the title to all lands described herein, as shown on said plat, and verify that the title of all such lands is in the owner's name and is free and clear of all liens and encumbrances (and, if pertinent, "except for deed of trust, mortgage, lien and etc., recorded in Book at Page _____, Parish of _____ Records".

Signature of responsible official of title company

(Code 1988, § 27:302 (app. A))

Sec. 111-132. Acceptance certificate.

The foregoing plat was approved for construction by the Planning and Zoning Commission on the day of _____; and by the Water, Sewer, and Drainage Board on the _____ day of _____. Conveyance of the streets, public ways, and easements, and maintenance of such streets and public ways will be accepted only after construction thereof has been satisfactorily completed by the subdivider (or developer) and approved by the Parish Council, and/or its duly authorized representative.

Utility Board Chairman _____ Date _____

Planning Commission Chairman _____ Date _____

(Code 1988, § 27:302 (app. A))

ARTICLE IV. DESIGN STANDARDS AND REQUIRED IMPROVEMENTS

DIVISION 1. IN GENERAL

Sec. 111-133. State-licensed engineer to prepare; bond to secure compliance.

The improvements that are hereby required shall be prepared by a registered civil engineer in the state and provided by the subdivider in accordance with the provisions of these regulations and other regulations of the parish and state. These improvements shall be installed before the final plat is approved (i.e., through conditional approval) or in lieu thereof, a bond or an escrow agreement certified by the parish's legal counsel as valid and enforceable by the parish, may be accepted and shall be approved before approval of the final plat. Such bond would secure to the parish the actual construction and installation of such improvements within a time required by the construction agreement and according to the approved improvement plans.

(Code 1988, § 27:181; Res. of 1-13-1977, preamble to art. VII)

Sec. 111-134. Physical considerations for natural land use.

- (a) Subdivisions shall be planned to take advantage of the topography of the land to economize in the construction of drainage facilities, to avoid drainage issues on other property, to reduce the amount of danger, to minimize destruction of trees and topsoil and to preserve such natural features as watercourses, large trees, sites, historical significance, existing or needed recreational areas and other assets which, if preserved, will add attractiveness and value to the subdivision and the parish.

(Code 1988, § 27:164; Res. of 1-13-1977, § 6.3)

- (b) Plans required for control of erosion and sedimentation. In the event that any developer shall intend to make changes in the contour of any land proposed to be subdivided, developed or changed in use by grading, excavating or the removal or destruction of the natural topsoil, trees, or other vegetative covering thereon the same shall only be accomplished after the owner of said land or his agent has submitted to the parish council, or its duly authorized representative, for approval, a plan for erosion and sedimentation controls, unless there has been a prior determination by the parish council, or its duly authorized representative, that such plans are not necessary. Such plans shall contain adequate measures for control of erosion and siltation, where necessary, using the guidelines and policies contained herein and in Chapter 115 Stormwater Management. The parish council or its duly authorized representative shall review these plans as submitted, and shall take necessary steps to ensure compliance by the developer with these plans as finally approved.

(Code 1988, § 27:191; Res. of 1-13-1977, § 7.9)

Sec. 111-135. Easements.

- (a) *Utility easements.* Public utility easements at least ten feet in a total width may be required along the rear and sides of lots where needed for the accommodation of a public utility, drainage or sanitary structures or any combination of the foregoing. Where deemed necessary by the planning commission, parish council, or

its duly authorized representative, an additional easement width shall be provided. Easements must be free of structures and fencing.

- (b) *Watercourses.* The subdivider shall dedicate rights-of-way or provide easements for storm drainage purposes which conform substantially with the lines of any natural watercourses, channels, streams, or creeks which traverse the subdivision or for any new channel which is established to substitute for a natural watercourse, channel, stream or creek. Such rights-of-way or easements shall be of a width that will provide for the maintenance needs of the channel and incidental structures as determined by the planning commission, or its duly authorized representative.
- (c) *Slope easement.* Where a cut or fill road slope is outside the normal right-of-way of the street, a slope easement shall be provided of sufficient width, as determined by the Parish Engineer, or its duly authorized representative, to permit maintenance of the slopes by the parish.

(Code 1988, § 27:163; Res. of 1-13-1977, § 6.2)

Sec. 111-136. Monumentation.

- (a) Monuments of record (permanent control monuments). The subdivider or developer shall establish or confirm the prior establishment of a minimum of:
 - (1) Three permanent control monuments in each plat of ten lots or less; and
 - (2) Four permanent control monuments in each plat of over ten lots.
- (b) Such permanent control monuments shall consist of a concrete monument at least 36 inches in length below the ground line and four inches in width or diameter having a brass or bronze cap marked with a point or cross at its precise center. All such monuments set in pavement shall be set in monument boxes. All permanent control monuments shall be clearly noted and described on the final plat.
- (c) Other monuments of record. Other monuments set and shown and described on the final plat shall be considered monuments of record. Such additional monuments shall be metal pins of no less than one-half inch in diameter and no less than 24 inches in length. Monuments of this type shall be set at all of the following locations:
 - (1) At every corner or angle point of every block;
 - (2) At every point of intersection of the outer boundary of the subdivision with an existing or created right-of-way line of any street, railroad or other way; and
 - (3) At the PC and PT of all right-of-way curves.
- (d) In such cases where the placement of a required monument at its proper location is impractical, it shall be permissible to set a reference monument close by that point providing its location is properly shown on the final plat.

(Code 1988, § 27:189; Res. of 1-13-1977, § 7.7)

Secs. 111-137—111-148. Reserved.

DIVISION 2. STREETS AND SIDEWALKS

Sec. 111-149. Streets.

- (a) *Conformity to comprehensive plan.* Whenever a tract of land to be subdivided or resubdivided includes any part of a proposed arterial or collector street of a parish or state department of transportation and development plan, such street right-of-way shall be platted by the subdivider in the location so designated and at the width indicated in these regulations.
- (b) *Street extensions.*
 - (1) *Existing street.* The arrangement of streets in new subdivisions shall make provisions for the proper continuation of existing streets in adjoining areas.
 - (2) *Adjacent property.* Where adjoining areas are not subdivided and are appropriate for future subdivision, arrangement of streets in new subdivisions shall make provisions for the proper projection of streets to that adjoining area in a manner which shall provide for the practical development of the adjacent property, permit a feasible extension of the street, and be in general conformity with a plan for the most advantageous development of the entire neighborhood.
 - (3) *Half streets.* Dedication of one-half of the rights-of-way (half streets) for streets proposed along the boundaries by land to be subdivided shall be prohibited.
- (c) *Street classification and function.*
 - (1) *Arterial streets.* Arterial streets should be planned for continuation of movement of fast traffic between points of heavy traffic generation and from one section of the community to another. Such arterial streets should traverse the entire community and should be spaced approximately one mile apart. Arterial streets should not bisect neighborhoods but should act as boundaries between them. Abutting properties should not face onto the roadway unless separated from it by a frontage or service road.
 - (2) *Collector streets.* Collector streets should be designed to provide a traffic route from local streets to arterial streets. These streets should be designed to carry traffic that has an origin or destination within the neighborhood and should be designed to inhibit through traffic.
 - (3) *Local streets.* Local streets shall provide direct and full access to each lot and shall be laid out so that their use by through traffic will be discouraged. Local streets should not intersect arterial streets.
 - (4) *Frontage roads.* Frontage roads may be required along an existing or proposed arterial street to provide access to lots along such streets.
 - (5) *Alleys.* Where alleys are necessary, they shall be designed to provide only secondary access.

- (d) *Street requirements.* Street shall conform to the following minimum requirements, (minimum grades shown apply to curb and gutter sections only). Pavement widths shall be measured from curb face or if no curbs are required then measurement shall include the entire paved surface.

Type of Street	Street Requirements					
	Minimum Right-of-Way Width (in feet)	Minimum Pavement Width (ft)	Median Width (ft)	Grades By Percent		
				Longitudinal Maximum	Longitudinal Minimum	Cross Slope
Arterial						
Major	110	56	16	5	0.3	2 to 3
Minor	70	24		5	0.3	2 to 3
Collector	60	24		5	0.3	2 to 3
Local (w/subsurface drainage)	50	24		5	0.3	2 to 3
Local (w/out subsurface drainage)	40	24		5	0.3	2 to 3
Frontage	20			5	0.3	2 to 3
Alleys		20				

- (e) *Existing streets.* Subdivisions platted along existing streets shall dedicate additional right-of-way, if necessary, to meet the minimum additional right-of-way, if necessary, to meet the minimum street width requirements set forth herein. Such dedication shall be in accordance with the following:
- (1) At least the minimum right-of-way width shall be dedicated where the subdivision is on both sides of an existing street.
 - (2) When the subdivision is located on only one side of an existing street, one-half of the required width, measures from the centerline of the right-of-way, shall be dedicated. However, in no case shall the owner of such property be forced to dedicate from their land more than one-half of the required rights-of-way width.
- (f) *Curve and site distance criteria.*
- (1) *Horizontal curve.* Where there is a change in the alignment of a street along the centerline, a curve with a radius adequate to ensure safe sight distance shall be made. The minimum radii of curves shall be:

Street Type	Minimum Curve Radius
Arterial	1,400
Collector	750
Local	300

- (2) *Site distance.* A minimum site distance of 200 feet shall be provided for local streets, 300 feet for collector streets, and 475 feet for arterial streets.
- (3) *Reverse curves.* A tangent at least 100 feet shall be provided between reverse curves for local streets, 200 feet for collector streets, and 300 feet for arterial streets.
- (4) *Vertical curves.* The minimum vertical curve required shall be calculated by multiplying the algebraic difference in grades, times a K factor. Rounded K factors for the three street classification types are as follows:

- a. *Local*: K 30 for both crest and sag curves;
 - b. *Collector*: K 70 for both crest and sag curves; and
 - c. *Arterial*: K 160 for both crest and sag curves.
- (5) *Cul-de-sacs and dead-end streets*. Dead-end streets designed to be so permanently, shall not be longer than 350 feet, unless local topographic or other physical conditions are such as to render these provisions impracticable, and shall be provided with a turning circle having an outside pavement diameter (curb face to curb face) of at least 80 feet and a street property line diameter of at least 100 feet. If such street is of a temporary nature and a further extension into adjacent land is anticipated, then said turning circle beyond normal street width shall be in the nature of a dedication of the premises included in said turning circle, but beyond the boundaries of the street property. Such dedications may be vacated to abutting property owners when said dead-end street is legally extended into adjacent land. If such dead-end street extends only one lot depth past a street intersection, no temporary turning circle will be required. In the case of dead-end streets extending to the boundary of the property, a one-foot strip, the width of the street right-of-way shall be dedicated to the parish for nonroad purposes.
- (e) *Sidewalks*. Sidewalks shall be provided across the full width of all lots that are built upon. Sidewalks shall be a minimum of five feet in width. Sidewalks shall be offset 2' minimum from back of curb or edge of roadway if no curb. Sidewalks shall have a minimum thickness of four inches. Expansion joints shall be provided at intersections and contraction joints shall be provided every four feet. Sidewalks shall have maximum longitudinal slope of 5% and maximum cross slope of 2%.
 - (f) *Handicapped Curb Ramps* shall be provided at all corners of roadway intersections where stop control is provided (stop sign or traffic signal) to meet requirements set forth by The Americans with Disabilities Act (ADA). The ramps are provided to allow crossing of the roadway. Crossings at non stop-controlled locations should be avoided, unless approved by the Parish Engineer. Ramps shall have maximum longitudinal slopes of 8.33%. Ramps shall have maximum cross slopes of 2%. Ramps shall have a level landing (2% maximum in each direction) that is minimum 5'x5' at the top of each ramp. Ramps shall have detectable warning surfaces facing perpendicular to the street crossing. Detectable warning surfaces types and colors shall be approved by the Parish Engineer.
 - (g) *Open ditch sections*. Developers may elect to utilize an open ditch section provided adequate right-of-way is provided. This type of section will require shoulders a minimum of five feet in width for local streets and collector roads and ten feet in width for arterial roads. Thickness of shoulders shall be not less than four inches compacted aggregate or shell. Face and back slopes for ditches shall not exceed 3:1 and ditch bottoms shall be not less than two feet in width.
 - (h) *Design and construction standards*. Minimum requirements for the design and construction of new streets within the parish can be found in the Construction and Engineering Manual for St. John the Baptist Parish.

(Code 1988, § 27:185; Res. of 1-13-1977, § 7.3; Ord. No. 98-61, 5-26-1998)

- (i) *Street names*.
 - (1) *Duplication*. The name of a new street shall not duplicate existing or platted street names in the parish, or approximate such names in spelling or pronunciation, or by the use of alternate suffixes such as "Lane," "Way," "Drive," "Court," "Avenue," or "Street."
 - (2) *Continuation of streets*. New street names shall bear the same name of any continuation of, or when in alignment with, an existing or platted street.
 - (3) *Approval of street names*. All street names shall be approved by the department of public safety and emergency services (911 Communications District), or its duly authorized representative, before approval of the final plat. Street names are accepted by ordinance through the parish council.

- (j) *Alleys.* Alleys shall be permitted, but as a secondary auto access only. Lots must still front on a local or collector street. In residential, commercial and industrial areas, adequate alleys shall be provided where needed. Alleys shall not serve as part of the required off-street parking, loading and/or unloading space required.
- (k) *Private streets and reserve strips.* New private streets, alleys or ways shall not be created or extended and existing ones shall be brought into the plan for the area, if at all feasible. Reserve strips controlling access to streets or other public rights-of-way shall not be approved unless such strips are deemed necessary for the protection of the public welfare as determined by the planning commission, or its duly authorized representative.

(Code 1988, § 27:161; Res. of 1-13-1977, § 6.0)

Sec. 111-150. Intersections.

- (a) *Angle of intersection.* The centerline of all streets shall intersect as nearly to a 90 degree angle as possible, but in no case shall the angle of intersection be less than 75 degrees or greater than 105 degrees.
- (b) *Centerline offset of adjacent intersections.* The use of four-way type intersections shall be discouraged where possible and the use of T-intersections shall be encouraged. Where T-intersections are not used, the following minimum centerline offsets of adjacent intersections shall be as follows:

Minimum Centerline Offset of	Type of Street	Adjacent Intersections (in feet)
Local	Local	125
Local	Collector	200
Collector	Collector	300

- (c) *Corner radii.*

(1) The minimum curb radius at intersections shall be as follows:

Type of Street Intersection	Minimum Curb Radius
Local/Local	20
Local/Collector	25
Collector/Collector	35
Collector/Arterial	40
Arterial/Arterial	50

- (2) If, because of certain exceptional conditions, a modification is granted permitting an angle of intersection less than 75 degrees, or greater than 105 degrees, then the minimum radii shall be increased or decreased respectively.
- (d) *Grades approaching intersections.* Grades approaching intersections should not exceed four percent for a distance of not less than 100 feet from the centerline of said intersections for local streets, and 150 feet for collector streets. Arterial streets should not be intersected by local streets.
- (e) *Design adjacent to freeways, expressways, or arterials.* The following principles and standards shall be used in the design of subdivisions adjacent to freeways, expressways or arterials.
 - (1) Street design shall have the purpose of making adjacent lots desirable by cushioning the impact of heavy traffic, and of minimizing the interference with traffic on such thoroughfares.
 - (2) The number of intersections with collector streets along said thoroughfares shall be held to a minimum. Wherever practicable such intersections shall be spaced not less than one-fourth mile apart. Frontage or service roads shall be encouraged.

- (3) Frontage roads, if required, shall conform to the standards specified in these regulations. Frontage roads shall enter thoroughfares by means of bulb-type intersections capable of stacking a minimum of four cars on the frontage road intersection.
- (4) Where frontage roads are not required, residential lots adjacent to such thoroughfares shall be served by a local, residential street paralleling said thoroughfare at a generous lot depth therefrom or by a series of cul-de-sacs or loop streets extending towards said thoroughfares from a collector street.
- (5) When the rear of any lot borders any such thoroughfare the subdivider or developer may be required to execute and deliver to the parish, an instrument, deemed sufficient by the parish's legal counsel, prohibiting the right of ingress and egress from said thoroughfare to said lot. This may be in the form of a deed for a one-foot strip for nonroad purposes.

(Code 1988, § 27:162; Res. of 1-13-1977, § 6.1)

Sec. 111-151. Driveways.

- (a) Driveways for residential areas (single-family and two-family) shall be provided with a minimum width of ten feet and a minimum radius at the curb of five feet or a five-foot flare.
- (b) At higher volume driveways in multifamily areas and in commercial and industrial areas, increased widths plus an increase to a minimum radii at the curb of ten feet shall be required. All driveways shall be constructed with a pavement thickness of at least four inches.

(Code 1988, § 27:186; Res. of 1-13-1977, § 7.4)

Sec. 111-152. Street signs.

- (a) *Compliance.* The subdivider shall contact the parish to arrange for the installation of street signs at all street intersections. The signs shall conform to the specifications of the parish, as specified in the Construction and Engineering manual for St. John the Baptist Parish, and be mounted at a height of approximately seven feet above the top of the curb or the crown of the pavement. They shall be located on diagonally opposite corners on the far righthand side of the intersection for traffic on the more important streets. The cost of entire installation will be borne by the developer.
- (b) *Traffic control signs and services.* The subdivider shall contact the parish to arrange for the installation of traffic control signs and devices which shall be in conformance with the Manual on Uniform Traffic Control Devices as prepared by the Joint Committee on Traffic Control Devices, U.S. Department of Commerce, Bureau of Public Roads.

(Code 1988, § 27:187; Res. of 1-13-1977, § 7.5)

Sec. 111-153. Blocks.

- (a) *Arrangement.* The arrangement of blocks shall be such as to provide for convenient access, circulation, control and safety of street traffic. Blocks intended to be used for commercial and industrial purposes shall be designated specifically for such uses with space set aside for off-street parking and loading and/or unloading facilities. Parking requirements shall conform to the parish zoning ordinance (chapter 113).
- (b) *Length.* Blocks should not exceed 1,200 feet in length.
- (c) *Width.* The width of blocks should ordinarily be sufficient to allow for two tiers of lots with rear easement as required, except for double frontage lots as permitted in these regulations.

(Code 1988, § 27:165; Res. of 1-13-1977, § 6.4)

DIVISION 3. LOTS

Sec. 111-154. Lots.

- (a) *Arrangement and design.*
 - (1) Lot arrangement and design shall be such that lots will provide satisfactory sites for buildings and shall be properly related to topography.
- (b) *Lot size conformance to zoning.* All lots shall conform to or exceed the requirements of the parish zoning ordinance (chapter 113).
- (c) *Lot frontage.*
 - (1) *Street frontage.* No access onto an arterial street shall be permitted from abutting properties except as provided for in these regulations.
 - (4) *Double frontage lots.* Lots shall not be laid out so that they have frontage onto more than one street except:
 - a. When the lots are adjacent to the intersection of two streets; or
 - b. When the rear of the lot faces an arterial, freeway, expressway, railroad right-of-way, etc., and front of lot faces onto a local residential street.
 - (5) *Flag lots.* Flag lots shall be permitted in all zoning districts without requiring a subdivision modification, provided they comply with the following standards:
 - a. The minimum lot width on the "pole" portion of the lot is 20 feet.
 - b. The "flag" portion of the lot, if measured without the inclusion of the "pole" portion, meets the minimum width, area, and depth requirements of the zoning district it is located within.
- (d) *Lot depth.*
 - (1) *Conformance to zoning.* Each lot shall be of such a depth that front yard and rear yard requirements of the parish zoning ordinance (chapter 113), plus a reasonable building site, shall be provided.
 - (2) *Maximum depth.* No maximum depth is required except that the subdivider, developer, and/or owner understands that the installation of any utilities inside the property line is their responsibility.
- (e) *Usable lots.*
 - (1) *Building lots.* All subdivisions shall result in the creation of lots that are developable and capable of being built upon. No subdivision shall create lots that are impractical to improve.
 - (2) *Strips or parcels.* No remnants of property shall be left which do not conform to lot requirements, or which are not required for a private or public utility purpose, or which are not accepted by the parish and/or any other appropriate public body for an appropriate use.
 - (3) *Side lot lines.* The side lot lines of all lots so far as practicable, shall be at right angles to the street which the lot faces or radial to the center of curvature, if such street is curved. In the case of a cul-de-sac on which the lot faces, sidelines shall be as nearly radial to the center of curvature of the cul-de-sac as practicable.
 - (4) *Large lots.* When land is subdivided into very large parcels they should be of such shape and dimensions as to render possible the resubdivision of any such parcels at some later date into lots and streets which meet the requirements of these regulations and of the parish zoning ordinance (chapter 113).
 - (5) *Lot division.* No lot shall be divided by a city or parish boundary line.

- (6) *Yard requirements.* Yard requirements for lots within a subdivision shall conform to the yard requirements set forth in the parish zoning ordinance (chapter 113) for the zoning district in which they are located.

(Code 1988, § 27:166; Res. of 1-13-1977, § 6.5; Ord. of 1-25-1982; Ord. No. 19-44, § IV, 10-8-2019)

Sec. 111-155. Pedestrian ways.

- (a) *Location.* Pedestrian ways at least ten feet in width may be required by the planning commission, or its duly authorized representative, as follows:
- (1) To be near the center and entirely across the block for blocks which are over 900 feet in length;
 - (2) To connect dead-end streets; or
 - (3) To provide access to parks, schools, shopping centers or similar facilities.
- (b) *Grade.* No pedestrian way shall exceed a 15 percent grade unless steps of an acceptable design as determined by the planning commission, or its duly authorized representative, are to be constructed. Maximum slope for sidewalks must be compliant with the Americans with Disabilities Act of 1990, as amended.

(Code 1988, § 27:167; Res. of 1-13-1977, § 6.6)

DIVISION 4. OPEN SPACE

Sec. 111-156. Required reservation and dedication of public sites.

All subdividers requesting approval for subdivisions containing five lots or more shall dedicate land or pay fees in lieu of dedication for the purpose of providing green space or parks to the residents of the parish. Dedication of property or fees shall be based on the following:

- (a) *Dedication.* The amount of land dedicated shall equal five percent of the net area of the subdivision (the total acreage excluding land in existing and proposed streets and street rights-of-way in commercially and industrially zoned areas, and in residentially zoned areas with densities of less than six dwelling units per net acre). Land dedication shall equal ten percent of the net area of the subdivision with densities of six dwelling units per net acre; and 15 percent of the net area of the subdivision with residential densities exceeding more than ten dwelling units per net acre. The parish reserves the right to select those lands it considers best suited to meet the parish's needs concurrent with dedication of street improvements. The land must be well drained and suitable for park development. The land must have water and sewerage available. The dedicated land should be located within one-half mile of each lot of record in the proposed subdivision or as close thereto as possible and as close as possible to existing subdivisions, if no park exists therein. Supervision and maintenance of the green space or park shall be the responsibility of the parish upon dedication.
- (b) *Fees in lieu of dedication.* If the proposed dedication is unsuitable because of the area location or other reason, the parish shall require the developer to pay a fee in lieu of such dedication.
- (1) The following are examples of reasons why a dedication might be unsuitable:
 - a. There is an existing park within one-half mile of the development suitable to handle the increase in new residents.
 - b. The development is a size such that donation of five percent land area would not be a suitable park or recreational area.

3. The parish administration recommends to the parish council that they are unable to maintain the additional space.
- (2) The parish administration and the planning commission shall make recommendations to the parish council with regards to any proposal by a subdivider for fee in lieu of dedication in the amount as established in section 14-111(2). The parish council has the right to approve or disapprove any application for fees in lieu of dedication.
- (3) The subdivider may reduce one percent of the land required to be dedicated by utilizing the appraised value of the one percent of the land to upgrade the dedicated property with on site improvements such as playground equipment. The proposed improvements must be approved by parish administration. The plot map must indicate the subdividers legal obligation to install said improvements.
- (c) *Use of revenue.* The department of finance shall establish a separate account for revenues derived from fees in lieu of dedication requirements. Monies shall be expended only for capital improvements and equipment for new or existing park and recreational facilities. For new residential subdivisions which donate monies to the parish, the monies shall be expended on facilities which are reasonably accessible to residents of the area where the new residential subdivision is located in this section The finance department shall forward an annual report to the planning commission and council on the amount of fees collected and the amount and use of monies expended.
- (d) *School sites.* When a subdivider proposes to develop a site in excess of 40 net acres or 400 dwelling units, the parish council may require the subdivider to dedicate to the school district such land the parish council shall deem necessary for the purposes of constructing schools necessary to ensure the residents of the development of adequate school services. The location and confirmation of the school site shall be mutually agreed upon by the parish school board and parish council.

(Code 1988, § 27:168; Res. of 1-13-1977; Ord. No. 94-62, 10-11-1994)

Secs. 111-157—111-177. Reserved.

DIVISION 5. UTILITIES

Sec. 111-178. Drainage.

A drainage system shall be designed and constructed by the subdivider to provide for the proper drainage of the surface water of the subdivision and the drainage area of which it is a part. The following requirements and methods shall be as follows:

- (a) *Report.* A subdivision plat shall not be considered for conditional approval until the subdivider shall submit to the planning commission, or its duly authorized representative, a Drainage Study designed and stamped by a license professional engineer and Proposed Site Stormwater Management Plan in accordance with section 115-18 - Stormwater Management Plan requirements. This report shall also include:
 - (1) Estimates of the quantity of the stormwater entering the subdivision naturally from areas outside the subdivision;
 - (2) Quantities of flow at each pickup point (inlet);
 - (3) Location, sizes and grades of required culverts; and

- (4) Storm drainage sewers and other required appurtenances.
- (b) *Grading requirements.* No final grading or sidewalk or pavement construction or installation of utilities shall be permitted in any proposed street until the plat has conditional approval, as required herein. The subdivider shall grade each subdivision in order to establish street, block and lot grades in proper relation to each other and to topography as follows:
- (1) *Street grading plan.* A grading plan shall be prepared for the streets along with street improvement details. The grading of the roadway shall extend the full width of the rights-of-way. Planting strips shall be graded at a gradient of not less than two percent upward from the curb to the sidewalk or property line.
 - (2) *Block grading.* Block grading shall be accomplished in one or more of the following methods:
 - a. A ridge constructed along the rear lot lines providing for drainage into the streets;
 - b. Parts of all lots draining to a sidewalk or ditch along the rear lot lines; or
 - c. Drainage across rear or side lot lines provided that drainage onto adjoining properties shall be skillfully controlled.
 - (3) *Lot grading.* Lot grading shall be accomplished as follows:
 - a. Lots shall be graded so that water drains away from each building;
 - b. Surface drainage swales shall have a minimum grade of one-half percent and shall be designed so that the surface water will drain into a driveway, street gutter, storm sewer, drain inlet or natural drainage way. The minimum grades of driveways shall be one percent.
 - (4) *Topsoil.* If grading results in the stripping of topsoil, the topsoil shall not be removed from the site or used as spoil and shall be uniformly spread over the lots as grading is finished.
 - (5) *Trees.* As many trees as can be reasonable utilized in the final development plan shall be retained and grading adjusted to the existing grade of the trees where practicable.
 - (6) *Drainage system criteria.* The design criteria for storm drainage systems shall be based on the runoff calculation methods and rainfall rates provided by the latest version of the Louisiana Department of Transportation and Development's Hydraulics Manual to at a minimum 25-year 24-hour return frequency storm.
 - (7) *Road drainage system.* All roadways shall be provided with an adequate storm drainage system, as specified in the Construction and Engineering Manual for St. John the Baptist Parish. The road storm sewer system shall serve as the primary drainage system and shall be designed to carry roadway, adjacent land and building stormwater drainage. No stormwater shall be permitted to run into the sanitary sewerage system within the proposed subdivision. Curb drainage inlets shall be provided at intervals along roadways. While these inlets connect to storm sewers, a catchbasin shall be installed with the inlet. Inlet spacing shall be adequate to limit the spread of water to two feet into the roadway limit maximum flow entering them to 1.5 cfs but in no case will the spacing between inlets be greater than 200 linear feet. Storm drain inlets will be placed so that crosswalks will not be flooded during the storm.
 - (8) *Off-road drainage systems.* The design of the off-road drainage system shall include the watershed affecting the subdivision and shall be extended to a watercourse or ditch adequate to receive the storm drainage.
 - a. When the drainage system is outside of the road right-of-way, the subdivider shall make provisions for the dedication of an easement to the parish to provide for the future maintenance of the system.

- b. The size and location of all off-street watercourses or ditches running through the subdivision shall be enclosed or left open subject to the approval of the parish council, or its duly authorized representative. If a watercourse or ditch is left open, it may be required to be protected by a fence as determined by the parish council, or its duly authorized representative. The watercourse or ditch easement shall be wide enough to contain said ditch slope with ample clearance for the operation of maintenance equipment.
- (9) *Easements.* Easements for drainage purposes shall be a minimum of ten feet in width. Where the watercourse is large, easement widths shall be increased as determined by the parish council, or its duly authorized representative. Where watercourses cross platted lots diagonally, the subdivider shall substantially follow subplot lines. Easements shall be shown on the recorded plat and shall cover all existing or reconstructed watercourses. Easements must be free of structures and fencing. Natural drainage canals or existing drainage canals shall not be blocked or altered except by written consent of the parish council. No structures shall be erected upon the drainage easements.
- (10) *Protection of drainage system.* The subdivider shall adequately protect all ditches to the satisfaction of the parish council, or its duly authorized representative so as to adequately prevent erosion of the channel and adjacent property. Ditches and open channels shall be seeded, sodded or paved, depending on grades (slopes) and types of soils. As a general rule, ditches and channels with grades up to one percent shall be seeded, with grades from one to four percent shall be sodded and with grades over four percent shall be paved. Seeding, sodding and paving operations shall be in compliance with those of the state department of transportation and development.
- (11) *Ponds, lakes and lagoons.* See the Construction and Engineering manual for St. John the Baptist Parish.
- (12) *Catchbasins, junction boxes and drop inlets.* Catchbasins, junction boxes and drop inlets shall be constructed in accordance with section 702 of the Louisiana Department of Transportation and Development (LA DOTD) Standard Specifications for Roads and Bridges and as specified in the Construction and Engineering Manual for St. John the Baptist Parish. Catchbasins shall be designed to receive the calculated flow based on a 25-year storm for a delineated area and slope.
- (13) *Construction and design standards.* All design and construction standards for drainage can be found in the Construction and Engineering Manual for St. John the Baptist Parish..

(Code 1988, § 27:182; Res. of 1-13-1977, § 7.02; Ord. No. 97-120, 12-9-1997; Ord. No. 97-121, 12-9-1997; Ord. No. 98-16, 2-25-1998; Ord. No. 98-17, 2-25-1998; Ord. No. 98-65, 5-26-1998; Ord. No. 19-54, § II, 12-10-2019)

Sec. 111-179. Sanitary sewerage system.

- (a) *Required.* The subdivider shall provide a sanitary sewerage collection system designed to adequately serve all lots in his subdivision plus lines adequate in size to facilitate the orderly development of nearby land which is an integral part of the neighborhood service area and connect said collection system to the public sewerage system or to a separate sanitary sewerage system in conformance with the state sanitary code of the parish health unit, and as specified in the Construction and Engineering Manual for St. John the Baptist Parish.
- (b) *Plans required.* When the subdivider submits the conditional plat for approval, he shall submit plans and specifications prepared by a registered civil engineer in the state showing the proposed sanitary sewerage system and facilities. Said plans shall show pipe sizes, gradients, type of pipe, invert and finished grade elevations, location and type of manholes, the location, type and size of all lift or pumping stations and such other information as required by the parish council or its duly authorized representative.
- (c) *Design and construction standards.* The design criteria for the sanitary sewerage system shall be based on standards of the parish and/or the sewerage district in which installed and installed in accordance with the

sanitary code of the state. The minimum requirements for the design and construction of new sewer systems within the parish can be found in the Construction and Engineering Manual for St. John the Baptist Parish.

- (d) *Individual on-site disposal systems.* Individual on-site disposal systems shall be permitted provided that such plants are in conformance with the state sanitary code of the parish health unit, and as determined by the utility department director or his duly authorized representative.
- (e) *Family plot subdivision.* Persons developing and residing in a family plot subdivision must tie in to the parishwide sewerage system when available at the expense of the owner.

(Code 1988, § 27:183; Res. of 1-13-1977, § 7.1; Ord. of 2-8-1982; Ord. No. 98-62, 6-9-1998)

Sec. 111-180. Water system.

- (a) *Required.* The subdivider shall provide a complete water distribution system that shall serve adequately all lots within the proposed subdivision plus lines adequate in size to facilitate the orderly development of nearby land that is an integral part of the neighborhood service area. The water distribution system shall include appropriately spaced fire hydrants, valves and other appurtenances necessary.
- (b) *Plans required.* When the subdivider submits for conditional approval, he shall submit plans and specifications prepared by a state-registered civil engineer showing the proposed water system. Said plans shall show line sizes, type of pipe, location of hydrants and valves and other appurtenances, if applicable, supply facilities, booster pumps, elevated or ground level storage tanks.
- (c) *Design and construction standards.* Minimum requirements for the design and construction of new water systems within the parish can be found in the Construction and Engineering Manual for St. John the Baptist Parish.

(Code 1988, § 27:184; Res. of 1-13-1977, § 7.2; Ord. No. 98-59, 6-9-1998)

Secs. 111-181—111-188. Reserved.

DIVISION 6. CONSTRUCTION AND ACCEPTANCE

Sec. 111-189. Construction inspections.

- (a) *Responsible official.* The parish council, responsible agency, or its duly authorized representative, shall be responsible for the inspection of all improvements.
- (b) *Authority and duties of inspectors.* Inspectors employed by the parish or responsible agency shall be authorized to inspect all work done and all materials furnished as deemed necessary, the cost of which is to be paid by the developer, to the parish council or the responsible agency. Such inspection may extend to all or any part of the work and to the preparation, fabrication or manufacture of the materials to be used. The inspector shall not be authorized to revoke, alter or waive any requirements of the specifications or plans. He shall be authorized to call the attention of the contractor to any failure of the work or materials to conform to the specifications and contract. He shall have the authority to reject materials which do not meet specification requirements or suspend the portion of the work involved until any question at issue can be referred to and decided by the parish council, responsible agency, or its duly authorized representative.
- (c) *Final inspection.* Upon completion of all the improvements, the subdivider shall request a final inspection by the parish council, responsible agency, or its duly authorized representative. The parish council, responsible agency, or its duly authorized representative shall make a final inspection of streets, sidewalks, curbs and gutters, sanitary and storm sewers, water mains and other improvements required in these regulations.

(Code 1988, § 27:193; Res. of 1-13-1977, § 7.11)

Sec. 111-190. Cooperation of subdivider, contractor required.

The subdivider and/or contractor shall have available on the project, at all times, two copies of all required plans and specifications. He shall cooperate with the inspector and with other contractors in every way possible. The subdivider and/or contractor shall at all times have a competent superintendent acting as his agency on the project. The superintendent shall be capable of reading and thoroughly understanding the plans and specifications. A superintendent shall be furnished irrespective of the amount of work sublet.

(Code 1988, § 27:194; Res. of 1-13-1977, § 7.12)

Sec. 111-191. Repairs.

Any damage done to the improvements by construction traffic, local traffic or by any other means shall be repaired or the damaged materials replaced by the developer before the next item of construction is begun.

(Code 1988, § 27:195; Res. of 1-13-1977, § 7.13)

Sec. 111-192. Final cleanup.

Upon completion of the work and before acceptance, the subdivider and/or contractor shall clean up all ground occupied or affected by him in connection with the work. The entire area shall be kept in a neat and presentable condition during the entire duration of the project.

(Code 1988, § 27:196; Res. of 1-13-1977, § 7.14)

Sec. 111-193. Acceptance and maintenance of improvements.

- (a) The subdivider shall be responsible for the maintenance of the improvements installed and shall be responsible for providing the services necessary to guarantee access to all the occupied lots until final acceptance for maintenance by the parish council or responsible agency. If the subdivider fails to perform such necessary maintenance or service within an appropriate time, the parish council, or responsible agency, or its duly authorized representative, may perform said service and bill the subdivider for said service. The payment shall be guaranteed by the performance bond.
- (b) When construction is completed and in accordance with the approved plans and specifications and complies with the provisions of these regulations, the developer or his engineer shall certify that all work has been completed and request final inspection by the appropriate parish officials. Following this inspection, the parish inspector shall forward his report and recommendations for approval or disapproval to the public works director and department of planning and zoning. Final approval of construction and acceptance of any dedications to public use and maintenance shall come only from the parish council.
- (c) The subdivider shall be required to file a maintenance bond with the parish council prior to the dedication of any public improvements, in an amount considered adequate by the parish engineer or public works director and in a form satisfactory to the parish legal counsel. Unless otherwise determined by the parish council or a contrary recommendation by the parish engineer or public works director, the amount of the security required shall be ten percent of the cost of constructing the dedicated improvements for a period of two years from the date of their acceptance by the parish council. The purpose of this security requirement is to ensure the satisfactory condition of the required improvements including all lot improvements on the individual subdivided lots. The bond or letter of credit shall only be used by the parish to finance repairs or improvements which are the result of substandard materials and/or workmanship, as determined by the parish engineer, and when all other avenues of rectifying the situation have been exhausted. At the end of two years, if the maintenance bond or standby letter of credit is not used, it shall be returned to the developer.

(Code 1988, § 27:197; Ord. No. 98-63, 6-23-1998)

Sec. 111-194. Agreements and guarantees.

- (a) *Prior to issuance of any building permit, the applicant shall either have installed improvements specified in this subdivision code as shown on approved construction drawings or guaranteed the installation of improvements specified under this subdivision code by a bond with surety accepted by the Parish Council*
- (b) *The applicant shall submit a cost estimate and time schedule for installation of each phase of subdivision improvements.*
- (c) *If the applicant is guaranteeing public improvements, a bond with surety shall be required guaranteeing all on-site and off-site improvements. The bond shall be in an amount equal to 125 percent of the improvement cost estimate, and in a form approved by the Parish Attorney.*
- (d) *As each phase of improvements is installed and inspected by placing commission, responsible agency, or its duly authorized representative, the bond may be reduced by the cost of the installed improvements.*
- (e) *Liability insurance.* The subdivider shall furnish such insurance as is deemed necessary by the parish council which shall indemnify and save harmless the parish from any and all liability arising by reason of any conditions which may arise or grow out of the construction or installation of improvements. The insurance shall be of the type determined by the parish council, but shall in no case be allowed to expire earlier than the date of acceptance for maintenance by the parish. A copy of the insurance policy shall remain at all times with the clerk of court of the parish.

(Code 1988, § 27:198; Res. of 1-13-1977, § 7.16)

ARTICLE V. RESERVED

Secs. 111-195—111-213. Reserved.

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ARTICLE VI. FLOOD PROTECTION MEASURES

Sec. 111-214. Plats to comply with minimum flood damage requirements.

Notwithstanding any other provisions of these regulations, any subdivision or resubdivision plat submitted to the parish planning commission shall:

- (a) Be consistent with the need to minimize flood damage;
- (b) Be on a site that is reasonably safe from flooding;
- (c) Be designed and anchored to prevent flotation, collapse or later movement of the building or portions of the building due to flooding;
- (d) Use construction materials and utility equipment that are resistant to flood damage;
- (e) Use construction methods and practices that will minimize flood damage;
- (f) Provide adequate drainage in order to reduce exposure to flood hazards;
- (g) Locate public utilities and facilities on the site in such a manner as to be elevated and constructed to minimize or eliminate flood damage. Such utilities and facilities shall include sanitary sewer, gas, electrical and water systems;
- (h) Comply with requirements of Chapter 107 Floodplain regulations; and
- (i) Have the approval of the U.S. Corps of Engineers.

(Code 1988, § 27:250; Res. of 1-13-1977, preamble to art. VIII)

Sec. 111-215. Land suitability.

No land area shall be subdivided which is held by the Administrator or planning commission to be unsuitable for its intended use for reason of flooding, inadequate water supply or sewerage disposal capabilities or any other feature harmful to the health, safety, or welfare of the future occupants of the proposed development or the parish. In determining the appropriateness of land being subdivided or resubdivided, the commission shall consider the objectives of these regulations; and

- (a) The danger of life and property due to the increased flood heights or velocities caused by subdivision fill, roads, and intended uses.
- (b) The danger that intended uses may be swept on to other lands or downstream to the injury of others.
- (c) The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination and unsanitary conditions under flood conditions.
- (d) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.
- (e) The importance of the services provided by the proposed facility to the community.
- (f) The requirements of the subdivision for a waterfront location.
- (g) The compatibility of the proposed uses with existing development and development anticipated in the foreseeable future.
- (h) The relationship of the proposed subdivision to the comprehensive plan and floodplain management program for the area.
- (i) The safety of access to the property in time of flood for emergency vehicles.

- (i) The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters expected at the site.

(Code 1988, § 27:251; Res. of 1-13-1977, § 8.0)

Sec. 111-216. Additional data requirements for areas subject to development hazards.

The Administrator may require additional data or studies to be prepared, or caused to be prepared, by the applicant and submitted to the commission, if the submitted subdivision or resubdivision plat is in an area subject to development hazards.

(Code 1988, § 27:252; Res. of 1-13-1977, § 8.1)

Sec. 111-217. Conditions attached to subdivision or resubdivision plat approval.

The Administrator, planning commission or parish council may attach conditions including, but not limited to, the following, to the approval of subdivision or resubdivision plats for areas subject to development hazards:

- (a) Construction and modification of sanitary sewerage system, water supply, storm drainage facilities to meet the standards of this chapter and to promote the health, safety, and general welfare.
- (b) Requirements for construction or channel modifications, dikes, levees and other protective measures.
- (c) Installation of flood-warning systems.
- (d) Imposition of operation controls, sureties, and deed restrictions enforceable by the planning commission to restrict the type and design of uses. Such restrictions may include floodproofing of intended uses, subject to the individual approval of the commission at the time such uses are constructed, through:
 - (1) Anchorage to resist flotation and lateral movement.
 - (2) Installation of watertight doors, bulkheads, and shutters, or similar methods of construction.
 - (3) Reinforcement of walls to resist water pressures.
 - (4) Use of paints, membranes, or mortars to reduce seepage of water through walls.
 - (5) Addition of mass or weight to structures to resist flotation.
 - (6) Installation of pumps to lower water levels in structures.
 - (7) Construction of water supply and waste treatment systems so as to prevent the entrance of floodwaters, flammable liquids or other toxic materials which could be hazardous to public health, safety and welfare in a manner which will ensure that the facilities are situated at elevations above the height associated with the protection elevation or are adequately floodproofed to prevent flotation of storage containers, or damage to storage containers which could result in the escape of toxic materials into floodwaters.

(Code 1988, § 27:253; Res. of 1-13-1977, § 8.2)

Sec. 111-218. Disclaimer of liability.

Although the degree of flood protection required by this article is considered reasonable for regulatory purposes, larger floods may occur on rare occasions or flood heights may be increased by manmade or natural causes. These regulations do not imply that the various types of floodplain areas or land uses permitted within such areas will be free from flooding or flood damages. These regulations shall not create liability on the part of the commission, parish council, nor any officer or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made thereunder. In no case shall responsibility or liability arise from the design or operation of subdivision drainage facilities dedicated to the parish if the parish has not accepted in writing the dedication and agreed to maintain and operate the facilities.

(Code 1988, § 27:254; Res. of 1-13-1977, § 8.3)

Secs. 111-219—111-237. Reserved.