**NOTICE OF INTRODUCTION OF ORDINANCE**

 NOTICE IS HEREBY GIVEN that the following entitled ordinance was introduced in writing in the form required for adoption at a meeting of the Parish Council of the Parish of Livingston, State of Louisiana, on June 25, 2020, and laid over for publication of notice:

**L.P. ORDINANCE 20-16**

 AN ORDINANCE TO RESCIND AND REENACT CHAPTER 125, “SUBDIVISION REGULATIONS” OF THE CODE OF ORDINANCES IN AND FOR THE PARISH OF LIVINGSTON TO AMEND THE CHAPTER IN ITS ENTIRETY.

 NOTICE IS HEREBY FURTHER GIVEN that the Parish Council of said Parish will meet on Thursday, July 9, 2020, at six o’clock (6:00) p.m. at the Parish Council Chambers, Governmental Building, 20355 Government Boulevard, Livingston, Louisiana, at which time there will be a public hearing on the adoption of the aforesaid ordinance.



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

The following ordinance, which was previously introduced in written form required for adoption at a regular meeting of the Parish Council on June 25, 2020, a summary thereof having been published in the official journal together with a notice of public hearing which was held in accordance with said public notice was brought up for final passage July 9, 2020, on Motion of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and seconded by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_:

**L.P. ORDINANCE 20-16**

 AN ORDINANCE TO RESCIND AND REENACT CHAPTER 125, “SUBDIVISION REGULATIONS” OF THE CODE OF ORDINANCES IN AND FOR THE PARISH OF LIVINGSTON TO AMEND THE CHAPTER IN ITS ENTIRETY.

WHEREAS, the Livingston Parish Council adopted L.P.O. 01-16, reenacting Chapter 13 of the Code of Ordinances of Livingston Parish, Subdivision Regulations, which has since been codified and adopted in L.P.O. 19-16 and is now identified as Chapter 125, and;

WHEREAS, the Livingston Parish Council has adopted numerous amendments to Chapter 125 of the Code of Ordinances and now desires to rescind the Chapter in its entirety to make necessary changes for the safety and general welfare of the public and;

WHEREAS, the Livingston Parish Council now wishes to reenact Chapter 125, “Subdivision Regulations”, amending numerous sections and establishing new section 128-14.1;

NOW, THEREFORE, BE IT ORDAINED by the governing authority of the Parish of Livingston, State of Louisiana: The Code of Ordinances of Livingston Parish, Chapter 125, is hereby deleted in its entirety and reenacted to read as follows:

Chapter 125 - SUBDIVISION REGULATIONS

ARTICLE I. - IN GENERAL

Sec. 125-1. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning:

*As-built drawings* means a final record to show all modifications or deviations from the approved plan. They are required to reflect the same degree of detail as the original construction plans and are required for all new construction, excluding new single residential dwellings.

*Commercial development* means any proposed development that has a proposed use as institutional, religious, commercial, and industrial (schools, hospitals, manufacturing plants, shopping centers, churches, R.V. parks, motels, hotels, and rental property, etc.).

*Condominium* means a building or group of buildings in which units are owned individually and the structure, common areas, and facilities are owned by all owners on a proportional, undivided basis. It is a legal form of ownership of real estate and not a specific building type or style. A condominium is a form of multifamily development as set forth in this Section.

*Garden home* means a garden home is a detached, single-family unit typically situated on a reduced size lot that orients outdoor activity within rear patio areas for better use of the site for outdoor living space. The garden home cannot be in a zero (0) lot-line configuration. The rear yard of a garden home is typically enclosed with a privacy fence, which is six (6') feet high within required setback areas and sometimes higher within the building envelope.

*Major street plan* means a plan delineating a system of streets adopted by the Parish Council and includes all subsequent revisions or extensions and applicable rights-of-way and/or servitudes required herein.

*Manufactured home* means a structure transportable in one (1) or more sections, which is built on a permanent chassis, is designed for use with or without a permanent foundation and is to be used as a dwelling. Such use thereof shall be governed by the same restrictions as for a mobile home.

*Minor subdivision* means the division or re-subdivision of a lot, tract or parcel of land or a portion thereof into nine (9) lots or less shall be deemed and referred to as the term "minor subdivision." The Parish Planning Director shall review and sign the plat for the minor subdivision. The Planning Director may send the minor re-sub to the Planning Commission and the Parish Council if needed. The Parish Planning Director shall notify the Councilmember in whose district the re-sub is located. Such minor subdivisions shall be submitted as per Section 125-9 and, upon approval, recorded as per this article.

*Mobile home park* means more than one (1) mobile home located on the same tract of land occupying such space as required by this chapter. However, if a landowner makes application with the planning department and meets the requirements of the affidavit attached hereto and executed, then placement of three (3) mobile homes on the same tract of land, excluding the homestead, will be permitted by the planning department.

*Multifamily development* means any proposed development that has a proposed use of two (2) or more living units and shall include duplexes, apartment houses, townhouses and condominiums.

*O/D/S* means owner/developer/subdivider.

*Review engineer* means a licensed civil engineering firm appointed to review technical documents and advise the Planning Commission.

*Right-of-way* means a parcel of ground dedicated by the owner/developer/subdivider (O/D/S) for public use, title to which shall rest in the public for the purposes stated in the dedication.

*Servitude* means a parcel of ground reserved by the O/D/S for public utilities, drainage and other public purposes, the title to which shall remain with the property owner, subject to the right of use designated in the reservation of the servitude; or a strip of ground designated to be used for access to a building or other sites.

*Street* means a way for vehicular traffic, whether designated as a street, highway, thoroughfare, parkway, throughway, freeway, road, avenue, boulevard, place, lane or however otherwise designated.

*Subdivision* means:

(1) The division of a lot, a tract, or parcel of land or a portion thereof into two (2) or more lots, sites, or other divisions, anyone or more of which is to be platted as a lot of record for the purpose whether immediate or future, of sale or building development. Lot size shall be as per Section 125-25.

(2) The re-subdivision of a lot, a tract, or parcel of land or a portion thereof, into two (2) or more lots, sites, or other divisions, any one (1) or more of which is to be platted as a lot of record for the purpose, whether immediate or future, of sale or building development.

(3) The dedication, granting or constructing of a road, highway, street, alley or servitude of passage through a tract of land regardless of size, unless expropriated by a public entity.

(4) All subdivision and/or re-subdivision developments with and without improvements consisting of a combined total of ten (10) lots or more, not previously submitted, must submit for approval to the Parish Planning Commission and Parish Council, all requirements set forth in Section 125-13 or 125-14, accordingly.

*Subdivision with improvements* means the division of a lot, tract or parcel of land into ten (10) or more lots when the O/D/S intends to construct a road, highway, street, alley, drainage or any utilities that include, but are not limited to, sewer, water or gas.

*Subdivision without improvements* means the division of a lot, tract or parcel of land into ten (10) lots or more when the O/D/S does not intend to construct a road, highway, street, alley, drainage or any utilities that include, but are not limited to, sewer, water, or gas.

*Townhouse* means an attached, privately-owned single-family dwelling unit which is a part of, and, adjacent to other similarly owned single-family dwelling units that are connected to but separated from one another by a common party fire wall having no doors, windows, or other provisions for human passage or visibility. The rear yard of a townhome is enclosed by a privacy fence. A townhouse is a form of multifamily development as set forth in this Section.

*Trailer or mobile home* , for the purpose of this chapter, means a vehicle equipped for use as a dwelling that may be hauled or transported along a highway. As such, the mobile home will be duly titled by the appropriate regulatory agency. A mobile home which has been rendered unsuitable for transportation, and which has had its title rescinded, shall not be considered a mobile home. Vacation trailers, travel trailers, pick-up campers, tent trailers and bus campers are included in this definition if they are located in a trailer or mobile home park as defined below and are intended for occupancy, but no occupancy permits may be issued for any use including leasing, occupancy, renting or offering for sale of such trailers and no utility or sewer tie-ins will be permitted unless they are located in a trailer or mobile home park and are intended for occupancy.

*Under construction* , for the purpose of these regulations, means any activity on property with exception of clearing and minor ditching to drain property.

Sec. 125-2. - Authority; purpose.

(a) In accordance with the provisions of R.S. 33:101 et seq., and particularly R.S. 33:112 thereof, and in order to promote the health, safety, convenience, morale and general welfare of the community, to provide for the proper arrangement and width of streets in relation to other existing or planned streets and to the master plan, and to provide for adequate and convenient open spaces for traffic, vehicular parking, utilities, access of firefighting apparatus, recreation, light and air for avoidance of congestion of population, the following regulations are adopted by the Parish Council.

(b) The Parish may reject any permit application based upon the health, safety and welfare based on the factors enumerated in subsection (a) of this Section. No sale of land shall occur when such sale meets the descriptions contained herein, including, but not limited to, Section 125-1, until such approval is granted as required by this chapter or by other local and state law.

(c) Administration of this chapter shall be by the Parish Council Planning Commission under the direction of the Parish President. These regulations shall apply to any developments that are not under construction as defined in Section 125-1, definitions, as of the date of the adoption of the ordinance amending this article, February 14, 2002. However, Sections 125-9, 125-13, 125-14, 125-15, 125-19, 125-27 and 125-28 shall apply upon adoption of the ordinance from which this article is derived.

Sec. 125-3. - Prohibitions and restrictions of use.

(a) It shall be unlawful for a person to reside in or use as a residence or to rent out to another person a mobile/manufactured home in an established, dedicated and named subdivision or newly developed named subdivision that has been accepted by the Parish previously for the intent of on-site custom built, single-family dwelling homes.

(b) Exceptions.

(1) If the property has been deemed and labeled to be a known "subdivision" and the Subdivision Restrictions allow mobile homes to be placed within the described property, prohibitions and restrictions to place the mobile home are waived.

(2) If the property has been deemed and labeled to be a known "subdivision," and does not meet the above criteria, the applicant may appeal to the Livingston Parish Council for a waiver.

(3) If approved by a majority vote of the Livingston Parish Council, the applicant, subdivision's name, and property address will be compiled and added to a list to be forwarded to the Livingston Parish Building and Permit Department. If any applicants seek permitting and their property is located within a named subdivision that has been previously added to this list, the applicant will not apply in duplicate for a waiver as previous determination has been made.

(4) If an applicant is removing a mobile home currently in existence, to be replaced with another mobile home that is located at the same property location that has been deemed as a "subdivision," prohibitions and restrictions will not apply.

Sec. 125-4. - Exclusions.

(a) These regulations shall not apply to:

(1) Land in subdivisions previously legally recorded, except in the case of resubdivisions which plat shall evidence the Parish President or Planning Director's signature and approval prior to filing with the Parish clerk of court.

(2) Subdivisions in which a building exists on each proposed lot, provided that the owner certifies on the plat that all such existing buildings were constructed prior to April 27, 1982.

(3) The division of land to be used for orchards, forestry or farming, provided that the owner certifies upon the final plat to the Parish President that such land is to be used only for orchards, forestry or farming and provided that such final plat evidences the Parish President or Planning Director's signature and approval prior to filing with the Parish clerk of court.

(4) Parcels of land sold to or exchanged between adjoining property owners, where such sale or exchange does not create additional lots and where the sale or transfer results in one (1) contiguous tract, provided that the property owner certifies upon the revised plat that the sale or exchange does not create additional lots and provided that such final plat evidences the Parish President or Planning Director's signature and approval prior to filing with the Parish clerk of court.

(5) The provisions of this chapter shall not apply in the case of bona fide partitions of property by the legal heirs of a landowner after his death, nor in the case of the distribution by a landowner to his direct descending heirs, either by testamentary disposition or through transfer and distribution during the lifetime of the landowner; however, such final plat shall evidence the Parish President or Planning Director's signature and approval prior to filing with the Parish clerk of court and such transfer or sale shall not be in violation of Section 125-1 of this chapter. This Section shall not be interpreted to restrict the owners of property gained through this form of acquisition from constructing their personal residence and residing in same. Tracts or lots created under this exclusion may not be used for placement of more than one (1) mobile home for rental or lease purposes unless provisions of Section 125-49 are followed by the O/D/S.

(b) The O/D/S or donor or donee shall be responsible for filing the approved plat in the office of the clerk of court and providing the Parish with the number of certified copies as required for minor subdivisions.

Sec. 125-5. - Parish Council Planning Commission.

(a) There is hereby established the Parish Council Planning Commission pursuant to Section 7-07 of the Home Rule Charter.

(b) The Parish Council Planning Commission shall be appointed by majority vote of the Council and shall consist of nine (9) members, one (1) from each Council district, to be nominated by each of the Parish Councilmembers of the Parish. Parish Council Planning Commission members shall serve terms coinciding with the term of the sitting Council approving same.

(c) The members of the Planning Commission shall elect a chairperson and a vice-chairperson. The ranking officer shall preside over the proceedings. The Planning Director shall serve as the non-recording secretary of the commission. In the absence of the Planning Director, the Parish President may appoint an acting non-recording secretary.

(d) Not less than a majority of the authorized membership of the Parish Council Planning Commission shall constitute a quorum to transact business. Rulings shall be by simple majority vote.

(e) Robert's Rules of Order shall govern proceedings of the Planning Commission. Open meetings rules will apply.

(f) In performing its duties, the Planning Commission will be assisted by a recording secretary, a legal consultant and an engineering consultant, none of whom will have a vote on matters before the Planning Commission.

(g) The members of the Parish Planning Commission shall be compensated a per diem of one hundred dollars ($100.00) for each meeting that is attended, not to exceed two hundred dollars ($200.00) a month, or a maximum of twenty-four (24) meetings per year.

Sec. 125-6. - Sale, etc., prior to approval of plat.

No sale of land either by lot description or metes and bounds shall be made prior to the approval of a plat thereof as established by this chapter. Whoever, being the owner, or agent of the owner, of any land located in a subdivision, transfers or sells land by reference to, or exhibition of, or by other use of a plat of a subdivision, before such plat has been approved in accordance with this chapter and recorded or filed in the office of the clerk of court of the Parish, shall forfeit and pay a penalty of one hundred dollars ($100.00) for each lot or parcel so transferred or sold, and the description of such lot or parcel by metes and bounds in the instrument of transfer of other document used in the process of selling or transferring shall not exempt the transaction from such penalties.

Sec. 125-7. - Benchmarks.

The O/D/S must furnish benchmarks in all subdivisions, with improvements, filed with the Parish Council Planning Commission, at locations established by the O/D/S engineer and approved by the review engineer. Benchmarks are to be identified as to location and elevation and shall be noted on the construction plans and final plat.

Sec. 125-8. - Construction plans.

Construction plans for all subdivisions, with improvements, shall be prepared by a civil engineer currently licensed to practice in the state. Said construction plans must be submitted and approved in accordance with this chapter. Construction plans must be made in accordance with the approved preliminary plat, drainage impact study (if applicable), and in accordance with the design and construction criteria set forth in this chapter.

Sec. 125-9. - Submittals.

(a) *Minor subdivisions.* The original of the final plat must be submitted to the Planning Department for approval by the Parish President or Planning Director. After all fees are paid, the plat is approved and signed, the O/D/S shall record a copy of the plat in the official records of the clerk of court and provide four (4) certified copies to the planning department. The Planning Director shall check the site and refer any drainage concerns to the Parish Council who shall have the right of approval or rejection.

(b) *Subdivisions without improvements.* The O/D/S must submit a final plat to the review engineer and Planning Commission office and be placed on the Planning Commission agenda and Parish Council agenda for consideration. A drainage impact study may be required if the review engineer determines that the subdivision meets the requirements set forth in Section 125-24. The final plat must be submitted as follows:

(1) *Review engineer.* One (1) copy, including supplementary material and completed Form 20 and 20-B, on the eighteenth (18th) day of the month prior to the Planning Commission meeting at which it is to be considered. Include drainage inverts and pipe diameters per subsection 125-25(a)(2).

(2) *Planning department.* Twelve (12) copies and one (1) eleven (11") inch by seventeen (17") inch or smaller copy complete and corrected, including supplementary material including transmittals showing that submittals to all parties and completed Form 20 and 20A, on the eighteenth (18th) day of the month prior to the Planning Commission meeting at which it is to be considered.

(3) *Drainage district (if applicable).* One (1) copy of the final plat, and the drainage impact study (if required) on or before the eighth (8th) day of the month prior to the Planning Commission meeting at which it is to be considered.

(4) *Parish health unit.* One (1) copy, on the eighteenth (18th) day of the month prior to the Planning Commission meeting at which it is to be considered.

(5) *Sewer district (if applicable).* One (1) copy, on the eighteenth (18th) day of the month prior to the Planning Commission meeting at which it is to be considered.

(6) *Fire district.* One (1) copy, on the eighteenth (18th) day of the month prior to the Planning Commission meeting at which it is to be considered.

(7) **~~a. The drainage impact study must be submitted on the eighth (8th) day of the month prior to the Planning Commission meeting to be considered.~~**

*As-built drawings.*

a.  *Review engineer.* One (1) set of plans and or electric files.

b.  *Parish planning department.* One (1) set of plans and or electric files.

c.  *Applicable sewer district.* One (1) set of plans and or electric files.

d.  *Applicable drainage district.* One (1) set of plans and or electric files.

e.  *Applicable water district.* One (1) set of plans and or electric files.

(8) ~~b.~~ **The original of the final plat must be submitted to the review engineer and Parish President and/or Planning Director for approval and signature. After all fees are paid, the plat is approved and signed, and the O/D/S shall record a copy of the plat in the official records of the clerk of court and provide four (4) certified copies to the Planning Commission office. Once the final plat has been signed and/or filed, no lots can be re- subdivided.**

(c) *Subdivisions with improvements.*

(1) *Preliminary plat.*

a. *Review engineer.* One (1) copy, including supplementary material and completed Form 20 and 20-A, at least on the eighteenth (18th) day of the month prior to Planning Commission meeting at which it is to be considered.

b. *Planning department.* Eight (8) copies and one (1) eleven (11") inch by seventeen (17") inch or smaller copy complete and corrected, including supplementary material including transmittals showing that submittals to all parties and completed Form 20 and 20B, on the eighteenth (18th) day of the month prior to the Planning Commission meeting at which it is to be considered.

c. *Parish health unit.* On the eighteenth (18th) day of the month prior to the Planning Commission meeting at which it is to be considered.

d. *All affected utility companies.* Two (2) copies, on the eighteenth (18th) day of the month prior to Planning Commission meeting at which it is to be considered. (Copies of transmittal letters to utility companies should be attached to Form 20 when submitting same to Planning Commission secretary and review engineer.)

e. *Applicable fire district.* On the eighteenth (18th) day of the month prior to Planning Commission meeting at which it is to be considered.

f. Once the final plat has been signed and/or filed, no lots can be re-subdivided.

(2) *Drainage impact study.*

a. *Review engineer.* One (1) copy of the drainage impact study.

b. *Planning department office.* One (1) copy of the drainage impact study.

c. *Drainage district (if applicable).* One (1) copy of the drainage impact study.

(3) *Construction plans.*

a. *Review engineer.* One (1) set of plans, specifications and required drainage calculations.

b. *Parish planning department.* One (1) set of plans, specifications and required drainage calculations. After approved, two (2) sets of approved plans, specifications and required drainage calculations. Once complete, two (2) copies of as-builts.

c. *Applicable sewer district.* One (1) set of approved plans, specifications and required sewer demands.

d. *Applicable drainage district.* Two (2) sets of plans, specifications and required drainage calculations.

e. *Applicable water district.* Two (2) sets of plans, specifications and required drainage calculations.

f. *Parish permit office.* One (1) copy of an approved drainage map.

(4) As-built drawings

a. *Review engineer.* **One (1) set of plans and or electric files.**

b. *Parish planning department.* **One (1) set of plans and or electric files.**

c. *Applicable sewer district.* **One (1) set of plans and or electric files.**

d. *Applicable drainage district.* **One (1) set of plans and or electric files.**

e. *Applicable water district.* **One (1) set of plans and or electric files.**

~~(4)~~ (5) *Final plat.*

a. *Review engineer.* One (1) copy, including supplementary material and completed Form 20-B.

b. *Planning department.* Four (4) copies and one (1) copy of supplementary materials and completed Form 20-B.

c. *Health unit office.* One (1) copy.

d. *Applicable sewer district.* One (1) copy.

e. *Applicable drainage district.* One (1) copy.

f. Once the final plat has been signed and/or filed, no lots can be re-subdivided.

~~(5)~~ (6) *Surety instruments (performance and maintenance bonds); Parish attorney.* The original bond must be submitted to the Parish attorney for review and approval.

~~(6)~~ (7) *School impact study.* At the discretion of the Parish Council, the O/D/S may be required to submit a school impact study. In addition, the O/D/S shall submit one (1) page description and preliminary plat/site plan to the Parish school board.

(d) *O/D/S.* At the time of all submittals, the O/D/S's name, address, telephone number and fax number shall be submitted to review engineer and Planning Director. Review engineer shall forward copies of all reviews to the O/D/S.

Sec. 125-10. - Building permit office requirements.

(a) The building permit office shall not issue a building permit on any lot or parcel of land that has been subdivided or created since April 27, 1982, unless said lot or parcel of land was created in accordance with this chapter.

(b) The building permit office shall not issue a certificate of occupancy on any habitable structure unless and until sanitary sewer disposal facilities servicing such structure has been constructed and approved by the state department of health and hospitals.

(c) Certificate of occupancy may not be given unless an on-site inspection of the site has been made by representatives of the Parish and approved by the planning department on all commercial, multifamily, and mobile home parks.

Sec. 125-11. - Requirements for subdivisions without improvements.

1. ***Informal discussion*. Prior to the filing of an application for approval of the final plat a representative is required to have an informal discussion with the planning commission’s review engineer and other parish staff and officials deemed appropriate in an effort to resolve technical matters regarding the proposed subdivision prior to consideration by the planning commission excluding minor subdivisions as defined in section 35-45.**

(b) The following sign will be required for subdivisions without improvements. The O/D/S shall erect a four (4') foot by eight (8') foot black and white sign with a minimum of four (4") inch-high letters located on the O/D/S property with no obstructions within five (5') feet of the nearest public right-of-way leading to ~~the subdivision~~ **the original filing, any additional filing, and any other entrance or road tied to the development for connectivity purposes.** The bottom of the sign shall be at least four (4') feet from the ground. Twenty-five (25%) percent of sign may be dedicated for advertising purposes and graphics, provided such area is contiguous. The sign shall be erected at least ten (10) days prior to the Planning Commission meeting at which the subdivision is to be considered. The sign must remain visible and upright throughout the construction phase. Failure to keep the sign visible and upright is cause for project work to be stopped by the Parish until the sign is corrected. The developer is responsible for any and all associated costs including attorney fees. The sign shall be titled "A Subdivision Is Proposed For This Site" and shall contain the following information:

(1) Name, address and telephone number of the O/D/S.

(2) Name of subdivision or development.

(3) Number of lots.

(4) Number of acres in the development.

Sec. 125-12. - Requirements for minor subdivisions.

The division or re-subdivision of a lot, tract or parcel of land or a portion thereof into nine (9) lots or less shall be deemed and referred to as a minor subdivision. The Parish Planning Director shall review and sign the plat for the minor subdivision. The Planning Director may send the minor re-sub to the Planning Commission and the Parish Council if needed. The Parish Planning Director shall notify the Councilmember in whose district the re-sub is located. Such minor subdivisions shall be submitted as per Section 125-9 and, upon approval, recorded as per this article.

(1) All division of property shall be cumulative and shall not be re-subdivided within a two (2) year period pursuant to this article; however, it may be re-subdivided as a subdivision with improvements within said two (2) year period, provided that it complies with the requirements of said article. As an exception, property of five (5) acres or more, where conveyance has occurred, shall begin the cumulative period upon the date of conveyance.

(2) Minimum area of sixteen thousand (16,000) square feet and a minimum footage of eighty (80) feet where an approved individual mechanical plant is to be utilized,

Minimum area of twelve thousand (12,000) square feet and a minimum footage of sixty (60) feet where an approved individual mechanical plant is utilized and is followed by fifty (50) feet of modified absorption field.

Minimum area of ten thousand (10,000) square feet and a minimum footage of fifty (50) feet where there is a Louisiana Department of Health and Hospitals approved community sewer system available.

(3) Any division of property where any lot within the division is less than one (1) acre, shall not be divided into more than seven (7) total lots.

(4) Any division of property where any lot within the division is less than one (1) acre, shall not have more than four (4) total lots on a private, non-public road or servitude. If the servitude is less than one thousand fifty-six (1,056) linear feet, then the servitude shall be no less than forty (40') feet in width. If the servitude is one thousand fifty-six (1,056) lineal feet or longer, then the servitude must be a minimum sixty (60') feet in width.

(5) Any division of property where all lots within the division is of one (1) acre or more, shall not be divided into more than nine (9) total lots.

(6) Any division of property where all lots within the division is of one (1) acre or more shall not have more than five (5) total lots on a private, non-public road or servitude. If the servitude is less than one thousand fifty-six (1,056) linear feet, then the servitude shall be no less than forty (40') feet in width. If the servitude is one thousand fifty-six (1,056) lineal feet or longer, then the servitude must be a minimum sixty (60') feet in width.

(7) Any division of property that utilizes the minimum forty (40') or sixty (60') foot servitude access with a mandatory buyer beware affidavit, must note on the plat that the Parish Council has no agreement or obligation to take in or maintain this access.

(8) Once the planning department has received a plat for a minor subdivision, the Parish Council clerk and any appropriate drainage district are to be notified in writing. The planning department will have ten (10) working days to approve or produce a written letter of objection to the developer or the developer's authorized representative, and the Councilmember of the area. The ten (10) working days will begin after the erection of the sign and plat has been submitted. This excludes family partition and is not subject to Section 125-17.

(9) The following sign will be required for minor subdivisions consisting of four (4) or more lots. (The family partitions and exchange of property between adjoining property owners are exempt) The O/D/S shall erect a four (4') foot by eight (8') foot black and white sign with a minimum of four (4") inch high letters located with no obstructions within five (5') feet of the nearest public right-of-way leading to ~~the subdivision~~ **the original filing, any new additional filing, and any other entrance or road tied to the development for connectivity purposes.** The bottom of the sign shall be at least four (4') feet from the ground. Twenty-five (25%) percent of the sign may be dedicated for advertising purpose and graphics, provided such area is contiguous. The sign shall be erected at least ten (10) days prior to the Planning Director approval. The sign shall be titled "A Minor Subdivision Is Proposed For This Site" and shall contain the following information:

a.  Name, address and telephone number of the O/D/S.

b.  Name of subdivision or development.

c.  Number of lots (to be divided).

d.  Number of acres in the development.

Sec. 125-13. - Procedures for subdivisions with improvements.

(a) *Stage 1—Preliminary meeting (informal discussion).* Prior to the filing of an application for approval of the preliminary plat, a representative is required to have an informal discussion with the Planning Commission's review engineer and other Parish staff and officials deemed appropriate in an effort to resolve technical matters regarding the proposed subdivision prior to consideration by the Planning Commission.

(b) *Stage 2—Preliminary plat.*

(1) Upon the satisfactory conclusion of the informal discussion with the Planning Commission's review engineer and other designated officials, the preliminary plat and the preliminary plat checklist Form 20-A shall be submitted. The preliminary plat is a conceptual plan of a proposed development and does not represent a fully engineered, dimensioned or designed project and must include current and future filings and/or development. A vicinity map must be included on the preliminary plat. The preliminary plat must be completed by an independent land surveyor licensed to practice in the state. The preliminary plat must be submitted in accordance with subsection 125-9(c), and placed on the Planning Commission agenda for a public hearing. After the Planning Commission has held a public hearing, and made its recommendation to the Parish Council, the preliminary plat proceeds to the Council for consideration. The Planning Director will submit the completed checklist to the Council with its recommendation.

(2) The O/D/S shall erect a four (4') foot by eight (8') foot black and white sign with a minimum of four (4") inch-high letters located with no obstructions within twenty-five (25') feet of the nearest public right-of-way leading to ~~the subdivision~~ **the original filing, any new additional filing, and any other entrance or road tied to the development for connectivity purposes.** The bottom of the sign shall be at least four (4') feet from the ground. Twenty-five (25%) percent of the sign may be dedicated for advertising purposes and graphics, provided such area is contiguous. The sign shall be erected at least ten (10) days prior to the Planning Commission meeting at which the subdivision is to be considered. The sign shall be titled "A Subdivision Is Proposed For This Site" and shall contain the following information:

a. Name, address and telephone number of the O/D/S.

b. Name of subdivision or development.

c. Number of lots.

d. Number of acres in the development.

(3) *Time in which the Council acts.* Following the submission of the preliminary plat and other material submitted in conformity to this chapter, the Parish Council shall, within sixty (60) days, approve, disapprove, or defer thereon as submitted or modified, and if approved, the Parish Council shall express its approval on the preliminary plat or give its reasons for disapproval. The applicant may waive this requirement and consent to an extension of such period. Any cancellation or deferral request by the O/D/S shall be deemed as consent to an extension of the time period contained herein. All such requests for deferrals or agenda cancellation shall be in written form.

(4) *Action noted on plat.* The action of the Parish Council shall be noted on five (5) copies of the preliminary plat. One (1) copy shall be returned to the O/D/S, one (1) copy provided to review engineer's office, one (1) copy to the Parish health office, one (1) copy to the Parish planning department and the remainder retained by the Parish Council.

(5) *Approval of preliminary plat.* Approval of the preliminary plat authorizes the O/D/S to proceed with the drainage impact study; however, the O/D/S may choose to submit the drainage impact study along with the preliminary plat. Following approval of the preliminary plat, the drainage impact study, and any other requested impact studies, the O/D/S may proceed with construction plans and final plat in accordance with this chapter. Approval of the preliminary plat shall be effective for twenty-four (24) months.

(6) *Changes or alterations.* Any changes made by the O/D/S after approval of the preliminary plat shall be submitted in electronic format and reviewed by the review engineer and Planning Director. If the change by the O/D/S is substantial in nature, which is defined below, then approval can only be granted by the Planning Commission or Parish Council. If the suggested change is not substantial in nature, then approval can be granted by the Planning Director. *Substantial changes* means:

a. A change in the number of lots, amounting to an increase or decrease of five (5%) percent or more of the total number from the previously approved plat.

b. Re-design of the subdivision, or any portion thereof, which would change the street pattern or overall layout of the previously approved plat.

c. Relocation or addition of any sewage treatment facility.

d. Relocation or addition of any drainage facility, except as mandated by an agency with the legal authority to govern the change.

(c) *Stage 3—2nd preliminary plat approval and other supplementary materials.* Once the preliminary plat approval is granted and prior to proceeding with construction plans, the O/D/S must submit for second (2nd) approval to the review engineer and the Planning Director, the following, along with a copy of the approved preliminary plat:

(1) *Drainage impact study (required and approved by review engineer).* Upon receipt of the preliminary plat, the review engineer must complete review of the drainage impact study in accordance with Section 125-24 of this chapter. The O/D/S shall have a drainage impact study prepared and sealed by a civil engineer currently licensed to practice in the state. The drainage impact study must be submitted to the review engineer and drainage district (if applicable) for review and approval. The drainage impact study must be submitted in accordance with subsection 125-9(c). Within ten (10) working days of submittal of the drainage impact study, the review engineer and drainage district (if applicable) must provide the O/D/S's project engineer with comments from his review.

(2) *Traffic impact study (if ordered and required by review engineer/Planning Director).* Upon receipt of the preliminary plat, the review engineer must complete review of the traffic impact study in accordance with Section 125-20 of this chapter. The O/D/S shall have a traffic impact study prepared and sealed by a civil engineer currently licensed to practice in the State of Louisiana. All information and analysis submitted by the O/D/S must follow the requirements and methods outlined in Section 125-20.

(d)  *Stage 4—Construction plans.*

(1) Within seven (7) days of submittal of the construction plans, specifications, and drainage calculations, the review engineer must provide the O/D/S's project engineer with comments from his review. After all the comments have been addressed by the project engineer, the review engineer must provide to the Parish President a letter of recommendation of conformity to this chapter. Following the review by the review engineer, two (2) sets of construction plans must be submitted to the Parish President's office for approval. Within seven (7) days of receipt of the letter of recommendation from the review engineer, the Parish President or the Planning Director must issue a letter of approval to the O/D/S's project engineer.

(2) Flood zones, as reflected on the FIRM maps, shall be indicated on the construction plans.

(3) Any changes or re-design of construction plans shall be indicated on the construction plans.

(4) Construction procedure requirements are to be followed as set forth in Section 125-14 of this chapter.

(e) **Stage 5—As-built drawings. Upon completion of construction plans prior to final plat submittal, the O/D/S must submit a copy of the as-built drawings to the review engineer, Planning Director, and other applicable utilities.**

**Upon the approval from the Planning Director the surveyor shall provide the parish with the following:**

1. After the **Planning Director** preliminary approval of As- Built Drawings (see notes above for elements that require preliminary approval), the surveyor shall provide the Parish with the following:
	* 1. All design and As-Built elevations based upon the North American Vertical Datum of 1988 (NAVD88).
		2. All coordinates shall be based upon the State Plane Coordinate System.
		3. The As-Built Drawing shall be either the original, approved plan, or clearly marked as an As-Built Drawing. Unless otherwise approved by the Planning Director, all accepted As-Built Drawings shall be 22 inches by 34 inches or 24 inches by 36 inches.

~~(e)~~ (f) *~~Stage 5~~ Stage 6—Final plat and bonding.*

(1) Upon the recommendation of the review engineer, the Planning Director shall approve the final plat. The O/D/S may request approval of the final plat by constructing all improvements shown on the construction plans and posting a maintenance bond to start the eighteen (18) month maintenance period. The procedures are defined in Section 125-14 of this chapter and only apply after completion and inspection. The O/D/S may choose to substantially complete construction and post a performance bond for punch list items shown on the final inspection report to receive approval of the final plat.

(2) The O/D/S shall supply a Corps of Engineers jurisdictional wetland determination. If any jurisdictional wetlands and/or other waters of the United States exist, within the Parish rights-of-way, utility servitudes, drainage servitudes or any other public servitude located in this subdivision, Corps of Engineer documentation shall be submitted proving said jurisdictional wetlands and/or other waters of the United States have been mitigated or permitted for.

~~(f)~~ (g)*Acceptable surety instruments.* All bonds, when submitted, shall provide the name of the developer of the subdivision acting as the principal obligator; be for the correct amount; and be in the correct form. (See Submittals for submission of all bonds to Parish attorney.)

(1) *Performance and payment bonds.*

a. Commercial bonds for one hundred (100%) percent of the value of the punch list items; or

b. Letter of credit from a bank in the amount of one hundred (100%) percent of the value of the punch list items.

c. All punch list items shown on the final inspection report shall be completed within sixty (60) days of the date of final inspection report.

d. The term of the performance and payment bond shall be for a period of six (6) months from the date of the final inspection report.

e. All construction approved under the previous ordinance and bonded by a performance bond shall be completed August 1, 2004, and the O/D/S shall post a maintenance bond by August 1, 2004, or the Parish Council shall execute on the performance bond.

(2) *Maintenance bond.*

a. Maintenance bond amounts shall be equal to fifteen (15%) percent of the final cost of improvements (streets, drainage, and other publicly-maintained utilities), with said costs to be certified correct by the O/D/S's project engineer. The maintenance bond shall be for a period of twenty-four (24) months, although the maintenance period shall only be for eighteen (18) months.

b. A maintenance bond shall be either a commercial surety bond or a bank letter of credit.

c. Sixty (60) days prior to the expiration of the eighteen (18) month maintenance period, the O/D/S shall notify the Parish, in writing, to request an inspection to determine if the improvements (streets, drainage and other publicly-maintained utilities) are in accordance with the approved construction plans. All items not in accordance with the approved construction plans shall be corrected and re-inspected at least ten (10) days prior to the Parish Council meeting at which the improvements are requested to be accepted into the Parish maintenance system.

d. If an O/D/S uses access to his development through an existing subdivision, then the O/D/S shall post a separate and additional maintenance bond in an amount equal to fifty (50%) percent of the value of the roads in the existing subdivision.

e. No maintenance bond shall be posted until after final inspection and completion of punch list items.

(3) *Surety instruments.*

a. All commercial surety bonds shall be written by a surety or insurance company currently listed on the United States Department of Treasury financial management service list of approved bonding companies or a bonding company approved by the state commissioner of insurance.

b. All surety instruments shall be subject to review and approval by the Parish attorney prior to final approval.

c. All surety bonds shall have attached the certificate of the O/D/S's engineer attesting to the costs of the improvements (streets, drainage, and other publicly-maintained utilities).

d. All surety instruments shall be subject to cancellation only upon resolution of the Parish Council.

Sec. 125-14. - Construction procedure.

(a) Construction plans, specifications, drainage calculations, etc., must be reviewed by review engineer and approved by the Parish President or Planning Director.

(b) After the Review Engineer Agency recommends approval, and before the Planning Department approves and gives a permit for construction (Construction Permit is at no cost to owner/developer), there shall be a pre-construction meeting held at the Parish Planning office. The owner, owner's engineer, owner's testing lab and all other parties required by the Parish shall attend said pre-construction meeting.

(c) It shall be the responsibility of the owner/developer/contractor's to notify the Parish and the Parish Review Engineer, at a minimum, forty-eight (48) hours prior to beginning any phase of construction so that the review engineer may have a construction observer present for all utility, sub-base, drainage, and roadway work. It will be the owner/developer/contractor's responsibility to pay for such observation services. Should the observer not be notified prior to a work item, that work item will be subject to rejection by the Parish.

(d) At the discretion of the Planning Director, Parish Council, or Parish President a pre-construction meeting may be required for commercial and multi-family developments.

 (e) O/D/S to retain and pay for the services of an independent testing laboratory ~~acceptable to the Livingston Parish Council~~ **licensed and in good standing in the state of Louisiana.**

(f) Acceptance of construction and improvements by the Parish President or Planning Director.

(g) The O/D/S shall file with the Livingston Parish Council a surety Instrument (maintenance bond) securing to the Parish government the maintenance of this work for an eighteen (18) month period; however, the bond shall not expire prior to twenty-four (24) months.

(h) The O/D/S must record in the official records of the clerk of court, the approved final plat and maintenance bond and immediately provide four (4) certified copies of the final plat and one (1) certified copy of the maintenance bond to the Parish Council office.

(i) Lots may be sold upon completion of steps in subsections (a) through (h) of this Section.

(j) Building permits for individual lots will not be issued until a certified copy of the final plat is provided to the building permit office.

(k) Prior to the building permit office issuing an individual lot building permit, the builder shall retain the services of a licensed land surveyor/engineer to set the finished floor elevation in flood zone areas and to set driveway culvert elevations.

(l) Prior to permitted structure being approved for permanent power, the builder shall provide following to building permit office:

(1) Flood certificate that certifies finished floor is ~~equal to~~ **one foot** ~~or~~ above the latest one hundred (100) year flood elevation.

(2) Completed driveway culvert Form 20-C.

Sec. 125-**14.1** – As-built drawings

1. As-Built Drawings shall be prepared by a Professional Land Surveyor licensed by the State of Louisiana and shall contain an As-Built Certification that conforms to the following:

“I CERTIFY THAT THE LOCATIONS, ELEVATIONS, DEPTHS, AND AS-BUILT COMMENTS REFLECTING MATERIALS ACTUALLY USED DURING CONSTRUCTION ACCURATELY REFLECTS EXISTING FIELD CONDITIONS AS DETERMINED BY ME OR UNDER MY DIRECT SUPERVISION ON THIS DATE: .”

Professional Land Surveyor Stamp,

Signature and Date Signed

(b) All relevant improvement sizes, diameters, elevations, depths, and materials specified on the approved plans must be checked by a Louisiana-licensed Professional Land Surveyor in the field during and/or after construction. Note: that critical pipe invert elevations and pipe lengths must be checked by the surveyor and approved by the Parish prior to paving

 any portion of the site, and prior to installation of catch basin lids or manhole cones or lids.

(c) All grate and invert elevations and all pipe lengths shall be clearly marked “As-Built” in some way on the approved As-Built Drawings. The preferred format for As-Built Drawings is to draw a line through design elevations, lengths, etc., and to show the As- Built value within an “As-Built cloud.”

Where the As-Built information is the same as the design information, the design information shall be enclosed in an “As-Built cloud” to show that it was checked, but that it did not change.

1. All stormwater detention/retention storage volumes shall be clearly shown as “calculated As-Built volumes” on the As-Built Drawings. Note: that As-Built volumes must be provided to the Parish for review and approval prior to paving any portion of the site.

(e) To facilitate the preparation of a detailed As-Built Drawing, the surveyor may add a note that states “Unless otherwise shown on these As-Built drawings, all improvements shown hereon are the same diameter, length, and/ or size, and/or constructed of the same materials as shown on the approved plans.

1. When the design plans have been prepared with a computer-aided drafting (CAD) program, the design professional is required to provide the Parish with a digital copy of the approved As-Built Drawing(s) in digital format. The digital information can be formatted in either a \*.DWG file (AutoCAD file) or a \*.DXF file (Drawing Exchange File), and the digital information must be based upon State Plane Coordinates. An assumed coordinate system for digital files is not permitted.

(g) Regardless of whether plans are prepared by CAD or by hand, all plan sheets, including approved As-Built Drawings, must include at least four coordinate tics spaced across the extent of each plan view. Each coordinate tic must be labeled with State Plane Coordinate values, which will be used to facilitate registration

(h) Changes that occur during the construction phase should be brought to the attention of the Planning Department for that project. Minor alterations to the approved plan may, at the discretion of the Planning Director, be captured in an As- Built drawing. As-Built Drawings will be reviewed to ensure that the project was constructed per the approved plans and that all known changes are adequately documented.

(i) All cost incurred during any construction/repair/development shall be borne by the owner/developer.

(j) Subject to the following conditions, a waiver may be requested from the **Parish Council** for submittal of As-Built Drawings for specific constructed items.

(i) A waiver may be requested for submittal of As-Built Drawings of the following subsurface constructed items.

1. Pressure flow lines (e.g., gas, water, sewer force mains, etc.) that are designed

to convey pipe contents solely by pumped pressure flow and that typically do not have specific pipe invert elevation design requirements.

2. Gravity flow lines (e.g., storm water or sewer pipes) with documented as-built invert elevations that were surveyed by a Louisiana-registered Professional Land Surveyor at the time of installation.

3. Subsurface constructed items that cannot be safely accessed after completion of construction.

 (ii) Each waiver request must clearly identify the following specific items as they relate

to the constructed item for which the As-Built Drawing submittal requirement waiver is requested.

1. The specific constructed item type, material of construction, and known dimensions.

2. Location of tie-in points to surveyed features (e.g., sewer wyes, surface outfalls, service drops, etc.).

3. Reason why an As-Built survey of the constructed item cannot be completed.

4. Basis for estimating the lateral and vertical location on submitted As-Built Drawings of all subsurface items for which the waiver is requested.

Sec. 125-15. - Final plats.

(a) Within seven (7) days of submittal, the review engineer shall review the final plat to ensure that it is made in accordance with the approved preliminary plat, construction plans, and other requirements of this article. Legal matters must be referred to the Parish attorney. Once the review engineer has completed his review and the plat meets the requirements of this article, then he shall provide a letter of recommendation to the Parish President. Upon receipt of the letter of recommendation and receipt of the original bond from the Parish attorney, the Parish President or the Planning Director shall sign the plat. The plat must be recorded by the O/D/S in the official records of the clerk of court. The following items must be completed prior to approval of the final plat:

(1) All requirements of completed Form 20-A (preliminary plat checklist) have been complied with (for subdivisions with improvements).

(2) All requirements of completed Form 20-B (final plat checklist) have been complied with.

(3) Payment in full of all permit and inspection fees.

(b) Upon final approval of a subdivision, the project engineer, if capable, shall furnish to the Planning Commission office said subdivision drawing on a disk in CAD (computer aided drawing) format. Drawing shall include lot lines, street names, lot numbers and servitudes.

 Sec. 125-16. - Streets.

(a) The O/D/S's project engineer shall design all roads/streets utilizing sound engineering practices, principles and the criteria specified in this chapter.

(b) The arrangement, character, extent, width, grade and location of all streets shall conform to the major street plan and shall be considered in their relation to existing streets; to topographical conditions; to public convenience and safety; and in their appropriate relation to the proposed uses of land to be served by such streets. Prior to acceptance by the Parish Council of any roads/streets in a subdivision, the O/D/S shall furnish proof and certification that the roads/streets join an existing publicly-maintained road/street. The subdivider shall furnish proof and certification that the owner of the private road or street has executed and recorded a written instrument allowing use by the public of such private road or street. If the streets in the proposed subdivision do not join a publicly-maintained road or street, the recorded subdivision plat shall contain the following statement:

"Streets, servitudes and rights-of-way in the subdivision which do not join or connect with publicly-maintained streets, roads, servitudes or rights-of-way shall not be maintained by the Parish Council or any other public body."

(c) Where such is not shown in the major street plan, the arrangement of streets in a subdivision shall conform to a plan for the neighborhood approved or adopted by the Parish Council to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impracticable.

(d) No street name or subdivision name shall be used which will duplicate or be confused with the names of existing streets or subdivisions. All street names and subdivision names must be approved by the Parish building permit office. Streets that are obviously in alignment with other already existing streets shall bear the names of the existing streets.

(e) Street jogs with centerline offsets of less than one hundred twenty-five (125') feet shall be prohibited.

(f) Streets shall be laid out so as to intersect as nearly as possible at right angles and no street shall intersect any other street at less than seventy-five (75) degrees.

(g) All dead-end streets, roads, etc., must have a cul-de-sac or a T-turnaround as per Section 125-17(b)(8).

(h) Subdivision Covenants shall not be written to discourage or disallow the connection to adjacent properties thru any existing lots or tracts when such connections can be made using good engineering practices.

(i) The arrangement of new public streets in new subdivisions or developments shall make provisions for the continuation of existing streets in adjoining areas on each side of the development, as deemed necessary by the Parish to promote the development of a good street network. The street arrangement must also be such as to not intentionally cause any hardship to owners of adjoining property when they plat their own land and seek to provide convenient access. In general, provisions should be made for through streets at twenty-five hundred (2,500’) feet intervals unless otherwise directed or approved by the Parish of Livingston. The existence of two (2) or more street entrances does not eliminate the need to provide connectivity to the properties adjacent to the proposed subdivision.

(j) Any opportunities to connect to existing streets shall be identified and presented to the Livingston Parish Planning Commission during the preliminary meeting for the proposed land development.

(k) Elevation of all roads must be equal to or above the ten (10) year storm based on drainage calculations and projected hydraulic grade lines.

Sec. 125-17. - Street standards.

(a) All new roads/streets (private or public) shall be paved and constructed in accordance with these regulations and to Louisiana DOTD Standard Specifications for Roads and Bridges, 2016 Edition (or latest). These LA DOTD Standards Specifications will specifically apply for any roadway base work, asphalt work, concrete work (including curbs) and subsurface drainage (with exception of side drain inlets; Parish inlets shall still be required but constructed using DOTD specifications). The O/D/S that constructs a private road shall be required to obtain a signed affidavit from all buyers located on the private road acknowledging it is a private road and not maintained by the Parish. A copy of the signed affidavit must be sent to the Parish Council office. A large note shall be placed on the final plat stating the following: BUYER BEWARE—-THE STREETS, ROADS, SERVITUDES AND RIGHTS OF WAY IN THIS SUBDIVISION WILL NOT BE MAINTAINED BY THE LIVINGSTON PARISH COUNCIL OR ANY OTHER PUBLIC BODY.

~~A variance for private all-purpose servitudes may be contained when a subdivision of four (4) lots or less (minor subdivision) is created as a subdivision that may be legally re-subdivided. A minimum forty-foot (40’), all purpose private servitude is required. This type of minor subdivision must be approved by the Parish Council or the Planning Director and cannot undergo future re-subdividing.~~

(b)  Design and construction criteria.

(1) The riding surface of all public streets/roads where open ditches are used for drainage shall be a minimum of twenty (20') feet wide:

a. With three (3") inch hot asphaltic concrete wearing surface (One and one-half (1 1/2") inch and one and one-half (1 1/2") inch layers) on ten (10") inch soil cement base at least twenty-one (21') feet wide;

b. With three (3") inch hot asphaltic concrete wearing surface (One and one-half (1 1/2") inch and one and one-half (1 1/2) inch layers) on compacted eight (8") inch crushed limestone base at least twenty-one (21') feet wide;

c. With eight (8") inches of four thousand (4,000) psi concrete on eight (8") inch compacted base; or

d. Same standards as c of this Section, but with five (5") inches of four thousand (4,000) psi concrete base and one and one-half (1 1/2") inches of hot asphaltic concrete wearing surface.

e. Crown of roadbed shall be a minimum of thirty (30') feet wide.

f. Road shoulders shall be a minimum of five (5') feet wide and be fertilized and seeded to prevent erosion of shoulders and to prevent depositing of soil in road ditches.

g. Roadside ditches shall be constructed with a roadside slope of three (3) to one (1) and a back slope of three (3) to one (1).

(2) The area between the backside of the road ditch and the road right-of-way shall be graded to drain, fertilized and seeded and erosion hay blankets installed per manufacturer and as approved by review engineer and Planning Director.

(3) All streets with curb, gutter and/or enclosed drainage systems shall be at least twenty-seven (27') feet wide from back of curb to back of curb or twenty (20') feet with subsurface drainage and no curbs.

a. With three (3") inch hot asphaltic concrete wearing surface (one and one-half (1 1/2") inch and one and one-half (1 1/2") inch layers) on ten (10") inch soil cement base at least 21 feet wide;

b. With three-inch hot asphaltic concrete wearing surface (one and one-half (1 1/2") inch and one and one-half (1 1/2") inch layers) on compacted eight (8") inch crushed limestone base at least twenty-one (21') feet wide;

c. With eight (8") inches of four thousand (4,000) psi concrete on eight (8") inch compacted base; or

d. With six (6") inches of four thousand (4,000) psi concrete and three (3") inches of hot asphaltic concrete wearing surface on eight (8") inch compacted base.

(4) The area between the backside of the curb and the road right-of-way shall be graded to drain, fertilized and seeded and erosion hay blankets installed per manufacturer and as approved by review engineer and Planning Director.

(5) Based upon the soil classification and strength test results, the licensed engineer shall design the typical street sections. If the licensed engineer recommends a soil-cement treated base or sub-base, or a lime modified base or sub-base, the minimum amount of lime and/or cement required shall also be shown on the typical section. The amount of lime and/or cement shall be indicated in pounds per square yards for the base or sub-base thickness specified. For lime-treated bases or sub-bases the type of lime shall also be specified (hydrated or quicklime).

(6) All costs for the sampling and all required laboratory tests shall be borne by the O/D/S. The O/D/S may select any approved materials testing laboratory acceptable to the Department of Public Works.

(7) Where boulevards are constructed, this is, two (2) lanes of traffic separated by a neutral ground, the paving on each lane shall be not less than twenty (20') feet in width with a center neutral ground of not less than fifteen (15') feet in width.

(8) Cul-de-sacs (turnarounds) at the end of dead-end streets shall have a minimum outside turning radius of fifty-five (55') feet, with a minimum inside turning radius of thirty-five (35') feet. The O/D/S shall provide street right-of-way sufficient to accommodate the cul-de-sac described in this subsection. Pavement width in the turnarounds shall have a minimum width of twenty (20') feet. The center of the cul-de-sac shall be graded in order to provide positive drainage. Once graded, this area is to be immediately fertilized and seeded to stabilize the soil and prevent erosion. Permanent T-turnarounds may be used for streets no greater than five hundred (500') feet in length. The T-turnaround shall have a minimum paved width of twenty (20') feet and a minimum paved length of eighty (80') feet. Sufficient right-of-way shall be dedicated to accommodate necessary drainage.

(9) Profiles of all streets and ditches shall be submitted with the construction plans. Minimum gutter slope shall be 0.40%. Where open ditches are used for drainage, a drainage map showing size and grade of all pipe to be used under driveways and inverts of all ditches at property corners also shall be furnished.

(10) All roads/streets shall have a minimum of the following signs: street name, speed limit twenty-five (25) miles per hour, stop, dead-end (if applicable).

(11) When sidewalks are constructed in an approved subdivision, such sidewalks shall be at least four (4") inches thick and four (4') feet wide. All sidewalks shall be located in a five (5') foot servitude on each lot abutting all road/street rights-of-way.

(12) A minimum of the following independent testing laboratory reports: within five (5) days of the test results, a copy of said results is to be submitted directly to the following: Parish Council office, office of the review engineer, the O/D/S's project engineer's office and contractor's office.

a. Soil test to determine percent of lime required in road base.

b. Soil test to determine percent of cement required for soil cement base.

c. Tested limestone base material.

d. Asphaltic concrete batch mixture and certify thickness.

e. Inspection of soil-cement installation.

f. Ample number of field density tests to confirm limestone or soil cement base is properly compacted.

g. Inspection of hot asphaltic concrete wearing surface or concrete roadway during installation.

h. Test sub-base and base prior to concrete street being poured.

i. Pull and test standard concrete cylinders for concrete strength four thousand (4,000) psi or as required by review engineer).

j. Certify concrete street depth—thickness measurement required every one hundred (100') feet.

k. Certify that construction and expansion joints on concrete streets are adequate.

l. Any and all road failures shall be repaired and proof rolled afterwards with twelve (12) yard dump truck fully loaded. All work to be performed in presence of testing lab employee and lab to certify repairs to the Parish Council.

m. Reports to provide, at a minimum, the following:

1. Full name of subdivision.

2. Name and address of the O/D/S.

3. Location of subdivision—section, township and range, Parish or state road.

(13) Minimum longitudinal slope for street design shall be 0.40 percent.

(14) Minimum of fifty (50') feet length vertical curve shall be required for all longitudinal slope breaks of one (1%) percent or greater.

(15) Temporary T-turnarounds, as approved by the review engineer and Planning Director, shall be twenty (20') feet by eighty (80') feet and constructed of aggregate or crushed limestone six (6") inches thick.

(16) Streets with sub-surface drainage and curb shall have maximum of eight (8') feet of lane flooding on ten (10) year storm.

(17) Gutter inlets shall be used on all curb and gutter sections (detail attached to ordinance from which this article is derived). Curb inlets shall not be allowed unless approved by the review engineer and Planning Director.

(18) Where a subdivision borders on or contains an existing or proposed roadway, it shall be required for access to such street of said subdivision that lots be platted such that the driveway of said lots connects to the proposed street and not the existing Parish street, with exception to minor subdivisions.

(c) Criteria for accepting existing roads into the Parish maintenance system.

(1) Must have five (5) residential structures in place fronting said road.

(2) Gravel or asphalt roads with open ditches are to have a sixty (60') foot right-of-way, gravel roads with closed drainage are to have a fifty (50') foot right-of-way, and asphalt roads with curb and gutter and subsurface drainage are to have a fifty (50') foot right-of-way.

(3) Gravel roads must have a twenty (20') foot surface with three (3") inches washed gravel or crushed limestone. Asphalt roads must meet Parish standards as described in subsection (b) of this Section.

(4) Dead-end streets shall have a cul-de-sac or T-turnaround that meets the Parish standards as described in subsection (b)(8) of this Section.

(5) Pictures of the road and residential structures must be presented to the full Parish Council.

(6) Complete ownership of land and mineral rights within the right-of-way shall be deeded to the Parish. If the mineral rights have been transferred or alienated such as to prevent ownership from vesting in the Parish, the Council may, in its discretion, refuse to accept such streets into the Parish system.

(7) Acceptance into the Parish system must be approved by the Parish Council.

(8) Minimum of one thousand fifty-six (1,056') feet of road length required.

(9) Property owners must provide to Parish a complete survey of road right-of-way to be dedicated to Parish.

Sec. 125-18. - Road base testing required; culvert requirement.

(a) The developer shall retain and pay for the services of an independent testing laboratory acceptable to the Parish Council and such testing lab will provide a minimum of the following services along with certified testing and inspection reports to the Parish Council, review engineer, the O/D/S and the O/D/S's project engineer:

(1) If the review engineer or testing lab deems it necessary, test the soil to determine the percent of lime.

(2) If the review engineer or testing lab deems it necessary, test the soil to determine the percent of cement.

(3) Verify asphaltic concrete batch mixture for wearing course per LA DOTD specifications.

(4) Inspect soil-cement installation for soil-cement base roads.

(5) Provide ample field density tests to determine that limestone base is compacted.

(6) Inspect installation of hot asphaltic concrete wearing surface of concrete roadway.

(b) Developers shall be required to install bituminous coated or reinforced concrete (Class III) culverts in all cross drains under streets and roads.

Sec. 125-19. - Final acceptance of streets and improvements.

The O/D/S must maintain all streets and improvements for a period of eighteen (18) months from acceptance for maintenance period. Before the end of the eighteen (18) month period, a final inspection must be made by the Department of Public Works and the review engineer who recommend to the Parish Council whether or not to accept the streets and improvements into the Parish maintenance system. All repairs including crack sealing must be completed.

Sec. 125-20. - Traffic impact study.

This Section establishes requirements for transportation studies that provide information on traffic projected to be generated by proposed developments. The purpose and intent of these requirements is to protect the health, safety, and welfare of the citizens and visitors of the Parish by ensuring the provision of safe and adequate transportation facilities. It is the further intent of this Section to establish requirements for the identification of any potential traffic operational problems or concerns, as well as potential solutions to such problems or concerns.

(1) The O/D/S must determine, and state in writing, the anticipated impact of the proposed development on the existing transportation network. All information and analysis submitted by the O/D/S must follow the requirements and methods outlined in this Section. There are four (4) levels (Thresholds 1, 2, and 3) of analysis. Any development that is required to submit a traffic impact statement or study to DOTD will be exempt from the requirements of this Section and shall submit the required traffic impact statement or study to the proper review agency at DOTD. When a traffic impact statement or study is submitted to the Parish for review, the following conditions will apply:

a.  The study must be completed and submitted with the preliminary plat or Stage 3 submittal.

b.  All analysis must be performed by a state-registered professional civil engineer with experience in performing similar-type studies.

c.  Prior to beginning a comprehensive traffic impact study (Threshold 3), the engineer will meet with the review engineer and the Planning Director to develop the exact scope of the study and determine the actual area to be studied and methods used.

(2) Traffic impact analysis threshold levels.

a. *Threshold 0 (traffic impact statement required).* If the proposed development results in less than forty (40) (< 40) peak hour trips, either a.m. or p.m. (whichever is greater) the O/D/S would submit:

1. The proposed trip generation and distribution;

2. Source of information (trip generation manual), or a comparison to an equivalent site in the Parish with known trip data;

3. Sight distance evaluation.

b. *Threshold 1 (traffic impact statement required).* If the proposed development results in greater than forty (40) and less than seventy-five (75) peak hour trips, either a.m. or p.m. (whichever is greater) the O/D/S would submit:

1. Subsections (2)a.1. through 3. of this Section; and:

2. Analysis of the access/egress of development in relation to level-of-service of the adjacent roadway system.

c. *Threshold 2 (limited traffic impact study).* If the proposed development results in greater than seventy-five (75) and less than four hundred (400) peak hour trips either a.m. or p.m. the O/D/S would submit:

1. Subsections (2)b.1 and 2 of this Section;

2. Recommendations for any roadway and/or intersection improvements to maintain or improve the existing level of service;

3. Provide vehicle accident data in proximity to site (if available);

4. Analysis of the roadway capacity (existing and/or proposed) on all roadway links abutting the proposed development site and identify necessary roadway and/or intersection improvements to maintain the existing level-of-service;

5. An analysis of the nearest major intersection (typically signalized) in each direction from the major site driveway.

d. *Threshold 3 (comprehensive traffic impact study).* If the proposed development results in greater than four hundred (> 400) peak hour trips either a.m. or p.m. the O/D/S would submit:

1. Subsections (2)c.1 through 5 of this Section;

2. The new traffic generated for the proposed development would be distributed onto the existing transportation network within an area defined by the engineer review agency. Analysis of each roadway link and intersection link within this area for both existing and proposed conditions;

3. Identification of any deficiencies determined by this analysis and resolve such deficiencies.

(3) The peak hour trips are not the only threshold factor in deciding which type of analysis will be required. At the discretion of the review engineer and the Parish Planning Director, other items which significantly influence the traffic movements or safety (such as a development that falls within a high-accident area) may require a higher level of study.

(4) A proposed development which is found to overburden the existing transportation network or cause a reduction in service of affected roadways below an acceptable level of service may require the O/D/S, at the agreement of the review engineer and the Parish Planning Director, to modify the development proposal to minimize the identified traffic related impacts. Modifications to applications for projects may include, but shall not be limited to:

a. A reduction in the projected vehicle trips per day;

b. Dedication of additional right-of-way for future roadway improvements;

c. Rerouting of traffic and proposed access points serving the proposed project; or

d. Participation in funding transportation facilities, including signals, roadway, and intersection improvements. Sec. 125-21. - Servitudes; rights-of-way.

(a) The Parish Council may require the dedication of additional right-of-way when the existing major or secondary street has a width less than the minimum established herein.

(b) Where a subdivision or development is traversed by a watercourse, drainageway, channel, or stream, there shall be provided a stormwater servitude or drainage right-of-way conforming substantially with the lines of such watercourse, plus be adequate in size (as per Section 125-5(g)) for future drainage purposes.

(c) The minimum servitude width shall be fifteen (15') feet.

(d) All street and road rights-of-way shall conform to the widths designated on the major street plan as adopted by the Parish Council and on all subsequent amendments and additions thereto. The minimum street/road right-of-way/servitude widths acceptable shall be as follows: a fifty (50') foot right-of-way with a fifteen (15') foot servitude on both sides for curb and gutter streets/roads and/or enclosed drainage systems and a sixty (60') foot right-of-way with a fifteen (15') foot servitude on both sides for open ditch streets/roads. Private streets shall have sufficient right-of-way or servitude to accommodate the necessary drainage facilities and utilities. For minor subdivisions, see Section 125-17.

(e) No subdivider shall alienate the oil, gas and mineral rights to that land lying beneath the street and road rights-of-way, publicly-maintained, with the intention of depriving the Parish Council of the ownership of the oil, gas or minerals beneath such road or street. In the event any subdivider should do so, the Parish Council is not obligated to accept such road or street for inclusion in the Parish road system for future maintenance or upkeep.

(f) The full width and length of all rights-of-way and servitudes are to be completely cleared and grubbed of all trees, brush, debris, etc.

(g) Permanent structures, such as fences, portable buildings, sheds, etc., cannot be constructed or placed within servitudes or rights-of-way.

(h) All subdivision/re-subdivision garden home and multifamily developments consisting of a combined total of thirty (30) lots/units or more, not yet submitted, must include non-wetland, usable and cleared recreational space of a minimum one-fourth (1/4) acre for every thirty (30) lots/units.

(i) All subdivision/re-subdivision developments consisting of combined total of fifteen (15) lots or more, not yet approved, must include:

(1) Subsurface drainage culverts of the size and specification required shall be designed by the O/D/S project engineer and approved by the review engineer and the Planning Director, unless it can be shown to the review engineer that such a system will not facilitate positive drainage. The review engineer/Planning Director shall be responsible for granting such a variance.

(2) Curb and gutter shall be as required and approved by the review engineer and the Planning Director, unless it can be shown to the review engineer that such an improvement will not be feasible. The review engineer/Planning Director shall be responsible for granting such a variance.

(3) Street lights shall be according to specifications by the utility company.

Sec. 125-22. - Provision for subdivision street entrances.

The intent of this Section is to ensure that there is a minimum of at least two (2) separate safe and available entrances for subdivisions that meet the following criteria:

(1) *Parish and State roads and highways.*

a. All subdivisions or subdivision developments, whether with improvements or without Improvements, consisting of a combined total of two hundred (200) lots or more must have a minimum of two (2) separate entrances that meet or exceed all Parish and State Road and Street Standards.

b. When the access to a new subdivision is provided thru an existing subdivision, the number of lots within the existing subdivision shall be added to the number of lots in the proposed subdivision to determine the number of entrances required. If the combined total number of lots exceeds one hundred and ninety-nine (199) then two (2) entrances shall be provided. If the existing subdivision already has two (2) street entrances, then that requirement will be considered met.

c. When the cumulative number of lots exceeds seven hundred and fifty (750), three (3) street entrances shall be required.

d. Both entrances must connect to an approved main road and be at least fifty (50) yards apart from each other.

e. Subdivision covenants shall not be written to discourage or disallow the connection to adjacent properties thru any existing lots or tracts when such connections can be made using good engineering practices.

f. The arrangement of new public streets in new subdivisions or developments shall make provisions for the continuation of existing streets in adjoining areas on each side of the development, as deemed necessary by the Parish to promote the development of a good street network. The street arrangement must also be such as to not intentionally cause any hardship to owners of adjoining property when they plat their own land and seek to provide convenient access. In general, provisions should be made for through streets at twenty-five hundred feet (2500') intervals unless otherwise directed or approved by the Parish of Livingston.

g. Any opportunities to connect to existing streets shall be identified and presented to the Livingston Parish Planning Commission during the preliminary meeting for the proposed land development.

(2) *Failure to comply.* Failure to comply will result in denial or forfeiture of approval of Preliminary Subdivision Plans and Final Subdivision Plans by the Planning Commission and Planning Department. Any cost incurred as a result of the denial or forfeiture is the sole responsibility of the Developer. Permit(s) will not be issued.

Sec. 125-23. - Building lines.

(a) The building lines shall be appropriate for the location of the subdivision and for the type of development and use contemplated. For all subdivision/re-subdivision developments not yet approved including minor subdivisions, subdivisions with improvements and subdivisions without improvements, the required minimum building line setbacks are:

(1) Front yard: twenty-five (25') feet;

(2) Rear yard: twenty (20') feet;

(3) Side yard: A lot width of sixty-five (65') feet or less shall have a six (6') foot setback. A lot width of sixty-six (66') feet or more shall have a seven (7') foot setback.

Developments such as garden homes may not have zero (0') foot building lines (no zero (0) lot lines) for any detached single-family dwelling.

(b) Corner lots shall have extra width to permit appropriate building setback from and orientation to both streets.

(c) Minor variance of servitudes and lot line setback may be granted with the approval of the review engineer and Planning Director or by resolution of the Parish Council.

Sec. 125-24. - Drainage/drainage impact study.

(a) The O/D/S's engineer shall plan all drainage for the project in accordance with the master drainage plan. Until such time that a master drainage plan is adopted by the Parish Council, the O/D/S's engineer shall utilize sound engineering practice and the criteria specified in this chapter. Subdivisions shall be designed for either open ditches or enclosed conduit systems. Installation of subsurface drainage is prohibited in any subdivision designed for open ditches.

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

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

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

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

(1) Development in which the area of impervious surface does not exceed twenty (20%) percent of the development area at the point of discharge from the site. The total impervious area shall include all buildings, driveways, sidewalks, streets, parking lots, lakes, ponds, etc. All undeveloped open space, common area, etc., must be clearly identified.

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

(3) The site is located within existing developed areas which are served by a network of public storm drainage facilities which were designed to accommodate runoff from the development site.

Sec. 125-25. - Drainage impact study/drainage design requirements.

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

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

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

(b) *Watershed map.*

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

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

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

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

(c) *Hydrologic design.*

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

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

(d) *Hydraulic capacities.*

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

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

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

(1)  Special flood hazard areas (FIRM Zones A and AE).

(2)  Regulatory floodway (if applicable).

(3)  Churches.

(4)  Schools.

(5)  Cemeteries.

(6)  Landfills and hazardous waste sites.

(7)  Parks.

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

(g) *Design and construction criteria.*

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

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

(3) Technical Release 55 (TR-55) “Urban Hydrology for Small Watersheds” (frequently called the SCS method) shall be used to produce pre and post development runoff hydrographs. The computations shall be based on twenty-five (25) year, and one hundred (100) year Type III rainfall distributions producing totals of eight point six (8.6) inches and twelve point six (12.6) inches of rainfall respectively in twenty-four (24) hours. The pre-development times of concentration must be determined by either the lag or TR-55 worksheet methods, but the post development times of concentration must be determined by the TR-55 worksheet method. Other methods may be used to calculate pre and post development runoff hydrographs, if approved by the Engineer Review Agency prior to preforming the drainage impact analysis. (h)  *Erosive soils.* Many subdivisions are developed in areas of the Parish where erosive soils exists. All ditch side slopes shall be stabilized by fertilizing and seeding and erosion hay blankets installed per manufacturer and as approved by review engineer and Planning Director.

(4) Complete hydraulic calculations shall be prepared and sealed by a professional civil engineer and submitted along with the construction plans. The interior drainage calculations shall be based on a ten (10) year design.

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

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

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

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

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

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

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

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

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

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

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

Where a proposed ditch must discharge into a major unlined canal, the O/D/S shall be required to enclose the ditch, under the necessary strip of the major canal in an adequate size ~~bituminous-coated~~ polyamorous-coated metal pipe. The pipe shall be a minimum of twenty (20) feet long and shall extend ~~four (4) feet~~ **one (1) foot** into the canal beyond the side slope, and shall discharge into rip rap that extends a minimum of five (5) feet into the bottom of the canal. Rip rap shall be constructed immediately after conduit is installed.

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

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

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

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

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

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

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

(1) Detention basin shall be designed to detain flows so as not to increase in downstream runoff for a twenty-five (25) year pre-development storm.

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

(3) Adequate land must be reserved for maintenance of detention pond.

(4) Detention basins may be wet (lakes or ponds) or dry.

a. Wet detention basins shorelines and control structures shall be privately owned and maintained. The basin must have minimum side slopes of three to one (3 to 1) and must have a minimum fifteen (15') feet wide access along the entire perimeter for maintenance. Both the construction plans and final plat for development shall include a note which states that the proposed detention basin, shoreline and control structure shall be privately owned and maintained. Storm drainage pipe inverts must be designed to be above the normal water surface elevation of the basin, unless the review engineer approves variations.

b. Dry detention basins shall be privately owned and maintained as part of the development drainage system. The basin must have minimum side slopes of three to one (3 to 1) and must have a minimum fifteen (15') feet-wide access along the entire perimeter for maintenance. Storm drainage pipe inverts must be designed to be above the normal water surface elevation of the basin, unless the review engineer approves variations. The basin bottom shall be designed and compacted to allow for proper maintenance with mowing machines and other equipment.

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

 Sec. 125-26. - Utilities.

(a) *Sewerage and water supply.* Proposed sewerage and water systems must be shown on the construction plans and submitted in accordance with this chapter. The O/D/S must obtain approval from the state department of health and hospitals and/or any other required approval.

(1) *Sanitary sewer accessible.* The subdivider shall connect with the public sanitary sewer and provide adequate sewer lines to the property line of each lot, and for site or tract developments provide additional treatment where existing trunk lines are inadequate.

(2) *Sanitary sewer not accessible.* Sewage treatment and disposal shall be as follows according to the number and sizes of lots in the subdivision or resubdivision (the number of lots to be determined by all filings and/or connecting filings of the subdivision):

a. Subdivisions having twenty (20) or less lots, each containing sixteen thousand (16,000) square feet or more and with a width of at least eighty (80') feet at building line, may have effluent from an approved individual mechanical system and absorption bed draining to open effluent ditches.

b. Subdivisions having twenty-one (21) through thirty (30) lots, each containing thirty thousand (30,000) square feet or more and with a width of at least eighty (80') feet at building line may have effluent from an approved individual mechanical system and absorption bed draining to open effluent ditches.

c. Subdivisions having thirty-one (31) or more lots shall have an approved community sewage treatment system.

(3) In no event shall the O/D/S fail to meet minimum standards prescribed by the state.

(4) Sanitary sewer wet wells shall be coated with a minimum of coal tar epoxy (two (2) coats at ten (10) to twelve (12) mils per coat).

(5) O/D/S shall not place sewer treatment facility for development next to existing residential property. Approval shall be at the discretion of the Parish Council.

(b) *New water lines/fire hydrants.*

(1) All newly constructed water distribution lines for either new water systems or extensions to existing systems will be designed and constructed in accordance and in conjunction with the utility company providing water service to subdivisions to provide adequate flow capacity and pressure, together with an adequate number of fire hydrants required for fire protection in that area. The minimum pipe size will be six (6") inches.

(2) Materials and methods used to construct the systems will be of such quality and standards as approved for fire defense by Underwriters' Laboratories, Inc., and/or the American Water Works Association.

(3) The placement of any form of landscape material, plantings or any type of trash, garbage, junk, vehicles, or any other items is prohibited within a ten (10') foot radius of any fire hydrant or in any such manner that it is not clearly visible or freely accessible by fire or other emergency personnel. Landscaping materials are exempt if fire hydrant is set in place in existing plantings and/or materials.

(4) No new fire hydrant shall be placed within a ten (10') foot radius of any existing landscape materials, plantings, or anything else that may cause it to be not readily visible or freely accessible by fire or other emergency personnel. Fire or other emergency personnel or public employees having to remove such items blocking clear visibility or free accessibility in an emergency shall not be liable for any damages caused in their removal.

(c) *Utilities.* Utilities shall not be situated or located under any Parish road/street ditch or road/street bed except if the utility is located perpendicular to the road/street bed.

(d) *Plan submission and transmittal letter.* The O/D/S must submit a plan for the water supply and distribution system and sewerage treatment and collection system to the review engineer along with a copy of transmittal letter to utility companies and state/Parish board of health.

(e) *Public systems.* All inhabited premises and buildings located within three hundred (300') feet of an approved public water supply or wastewater system shall be connected to such supply, provided that the property owner is legally entitled to make such a connection. The Parish President and/or Parish Council may grant permission to use water and wastewater from some other source. This shall apply to new or existing water supplies and wastewater systems and shall include all new or existing inhabited premises, residences and buildings. (The term "public system" means a system owned and/or operated by the Parish or an entity of the Parish such as a water district or sewer district).

(f) *Penalty for violations.* Each and every day of violations of this Section shall be considered a separate violation bearing a penalty of two hundred fifty dollars ($250.00) per day of violation.

Sec. 125-27. - Driveway culverts and/or subsurface drainage.

(a) All culverts in subdivisions legally platted and accepted by the Parish Council shall be installed to the size and grade shown on the construction plans or as determined by a licensed engineer and submitted in writing to the Parish building permit office. In the division or re-subdivision with improvements, a licensed engineer shall provide in the construction plans stated above a separate drainage map that will include ditch inverts at property corners and a culvert size list.

(1) Culverts installed in other areas of the Parish shall be installed pursuant to the procedure mandated by the Parish Department of Public Works.

(2) In the division or re-subdivision without improvements on an existing roadway, culverts shall be allowed by either requesting the Parish Department of Public Works to designate the size of the needed culvert and shoot elevations or have a state-licensed civil/registered land surveyor perform the work and submit the information to the Parish permit office for the issuance of a culvert permit.

(b) No person, including, but not limited to, contractor, house-builder, homeowner, or lot owner, shall install subsurface drainage culverts, other than an approved driveway culvert, in road/street ditches for subdivisions designed for open ditches. Only subdivisions designed for subsurface drainage may install subsurface drainage during or after the maintenance period in accordance to the drainage plans provided in the construction plans.

(c) An impervious substance (asphalt, tar, concrete, etc.) shall have expansion joints placed three (3') feet from center of culvert on either side. This shall apply to all driveway, path or sidewalk culverts. In the event there is less than three (3') feet distance, joint shall be placed at the furthest point.

(d) Parish building permit office.

(1) Anyone installing culverts in any Parish road/street ditch shall obtain a permit to install culverts from the Parish building permit office. Improper, inadequate or un-permitted installations shall be corrected by the Parish Council and all expenses incurred shall be borne by the property owner.

(2) In subdivisions legally platted and approved by the Parish Council, the building contractor or homeowner shall hire a licensed engineer or licensed surveyor to stake in the field the required grade and driveway culvert size. Culvert size is to be determined by licensed engineer as per the recorded plans. After culvert is installed but prior to concrete or asphalt being installed over culvert, building contractor or homeowner shall have a licensed engineer or licensed surveyor return to site to certify size and grade and report same in writing to the permit office, on Form 20-C provided. The permit office will not authorize the utility company to provide permanent power to the building until driveway culvert grade and size is certified correct.

(3) The Parish building/permit office is authorized to issue permits to all persons installing subsurface drainage wherein aggregate coated steel, concrete, galvanized or plastic pipe were installed between September 13, 2001, and March 1, 2002, without the need to correct improper and/or inadequate installation as determined by subsection (d)(2) of this Section. This waiver is only limited to the installation of aggregate coated steel, concrete, galvanized or plastic pipe.

(e) No person shall intentionally obstruct the flow or alter the design of any open ditch or subsurface drainage. The discharge or placing of any foreign material in open ditches or subsurface drainage is hereby prohibited.

(f) Culverts.

(1) Driveway culverts and culverts not located under pavement shall be one (1) of the following:

a. Reinforced concrete pipe (ASTM C-76, Class III).

b. Bituminous coated corrugated steel pipe (Minimum 16 gage).

c. Plastic pipe (as approved by LA DOTD QPL List).

(2) Pipes located under pavement shall be one (1) of the following:

a. Reinforced concrete pipe (ASTM C-76, Class III).

b. Bituminous coated corrugated steel pipe (Minimum 14 gage).

(3) Pipes not located under pavement for subsurface drainage shall be one (1) of the following:

a. Reinforced concrete pipe (ASTM C-76, Class III).

b. Bituminous coated corrugated steel pipe (Minimum 14 gage).

c. Plastic pipe (as approved by LA DOTD QPL List).

(4) All pipes/culverts shall be laid in accordance with the manufacturer's recommendations and having watertight joints. Backfill for reinforced concrete pipe and bituminous coated corrugated steel pipe shall be selected soils or granular materials. Backfill for plastic pipe shall be granular material. A minimum of a nine (9") inch cover shall be required over plastic pipe. Any pipes found to be damaged or out of alignment or grade shall be removed and reinstalled, or replaced at the expense of the O/D/S.

**(g) Gravity Drainage District Two (2) exceptions within their jurisdiction.**

1. **Any new installation of subsurface culverts shall be preauthorized by Livingston Parish Gravity Drainage District Two (2) and a culvert permit shall be obtained.**
2. **Permits shall be granted assuming the subsurface culvert improves the overall drainage of the surrounding areas.**
3. **Any new installation shall be sized by a licensed professional engineer and approved by an engineer representing Livingston Parish Gravity Drainage District Two (2).**
4. **Any new installation shall consist of the following materials only:**
	* **Polyvinyl Chloride (PVC)**
	* **Reinforced Concrete (RCP)**
	* **Polymer Coated Corrugated Metal**
		+ **Uncoated, galvanized steel, and asphalt coated are not approved coatings**
5. **All installations shall consist of proper bedding material that ensures pipe stability and adheres to standard construction pipe installation practices.**
6. **All installations shall be inspected prior to trench backfill by an authorized representative of Livingston Parish Gravity Drainage District Two (2).**
7. **Livingston Parish Gravity Drainage District Two (2) shall not perform or assist in installing any new subsurface culvert installations for private individuals, commercial entities, etc.**
8. **Should any of these policies not be met, Livingston Parish Gravity Drainage District Two (2) shall issue a cease-and-desist order and/or remove the subsurface culvert and return the jurisdictional waterway to pre-project conditions with or without authorization of the landowner**.

Sec. 125-28. - Construction.

(a) The O/D/S may construct the required improvements after filing two (2) sets of the approved construction plans with the Parish President's office. Prior to construction, written notification is to be given to the Parish President of the O/D/S's intention to proceed with construction; and that an independent testing laboratory, acceptable to the Parish Department of Public Works, has been employed by the O/D/S for this project.

(b) The Parish Council has established detailed inspection and testing requirements for each project, the cost of which will be borne by the O/D/S. The Parish inspector shall attach to all approved construction plans a list of required inspections. It is the responsibility of the contractor to notify the Parish inspector to schedule these inspections forty-eight (48) hours prior to proceeding with the work.

(c) Upon completion, the O/D/S shall notify the Parish President's office, in writing, of the completion of construction and request an inspection to begin the eighteen (18) month maintenance period. Upon a satisfactory inspection, the Parish President shall in turn submit to the O/D/S, in writing, that the construction meets the specifications of the construction plan. Also, to begin the eighteen (18) month maintenance period, an as-built set of plans must be provided to the Parish and the review engineer to include, but not be limited to, the following: roadway and ditch elevations, sewer, water and other utilities.

(d) For a minimum period of eighteen (18) months after acceptance of the work by the Department of Public Works, the O/D/S shall keep all filled trenches, outfall ditches, pipes, manholes, structures, road ditches, paving, etc., constructed by him in a good condition, making repairs to such defects in materials or workmanship as may develop or be discovered by the Parish inspector. In no event shall the bond be released until all repairs to defects in materials or workmanship are made.

(e) The O/D/S shall file with the Parish Council an approved surety instrument maintenance bond, securing to the government the satisfactory performance of this work.

Sec. 125-29. - Subdivision processing fees schedule.

(a) The fees for this Section are or shall be in amounts as established by the Parish Council from time to time and do not include fees for review engineering or any other professional service fee which may be incurred on the part of the Parish in review and/or certification of plans, plats or specifications, inspection and/or analysis of materials, sites or any other services rendered. These services shall be performed to ensure adherence to the subdivision and/or development ordinances of the Parish, and proper planning on behalf of the Parish and its residents.

(b) These charges shall be invoiced by the review engineer directly to the O/D/S. Invoices shall be due and payable upon receipt, and failure to remit such payment invoiced shall be cause for denial of any and all submission for development, future developments and for the revocation of any and all permits issued for the construction of any such development and/or subdivision.

(c) The Parish hereby reserves the right to select and direct the individuals and/or firms needed for professional services described herein.

(d) The fees for this Section are or shall be in amounts as established by the Parish Council from time to time and this Section do not include charges for media advertising as mandated by federal, state or local law or ordinance. Such charges will be invoiced by the Parish directly to the O/D/S. Invoices shall be due and payable upon receipt, and failure to remit such payment invoiced shall be cause for denial of any and all submission for development and for the revocation of any and all permits issued for the construction of any such development and/or subdivision.

Sec. 125-30. - Drainage districts.

(a) In all areas of development which lie all or in part within a recognized drainage district, complete drainage impact studies, when required, shall be submitted to the applicable drainage district in accordance with Section 125-9 of this chapter. Any comments must be directed to the O/D/S's project engineer and the review engineer for consideration; however, the review engineer will make the final recommendation to the Planning Director.

(b) All costs incurred by the drainage district in the course of their review of any construction/development shall be borne by the drainage district.

Sec. 125-31. - Variances.

Adherence to the provisions of this article is required except for special cases which arise because of the configuration of a particular parcel or to be consistent with adjoining property or adjoining developments. In no case shall the granting of a variance impair the health, safety, comfort or general welfare of the public.

Sec. 125-32. Streets, quitclaims, servitude and rights-of-way revocation procedure.

(a) Application requirements. An application must be filed with the Livingston Parish Planning Department to initiate the quitclaim and revocation of any street, servitude or right-of-way dedication that is no longer needed for public purposes.

Said application shall contain the following:

(1) A cover letter indicating the applicant's full name, mailing address, phone number and the reason and/or purpose for the quitclaim/revocation submission.

(2) Letters of no objection shall be obtained by the applicant from all current neighboring property owners and shall contain the names and addresses of those property owners.

(3) Letters of no objection shall be obtained from the utility companies located in the area of the quitclaim/revocation submission.

(4) Quitclaim/revocation survey map containing the measurements, degrees and bearing calls (legal description), inclusive of the plotting of all utility locations and hatch marks and/or shading of the area to be revocated. Said survey map must be certified by a state registered engineer or land surveyor and stamped with an official seal. Signature lines shall be placed on the survey map for signatures by the Livingston Parish President and/or the Livingston Parish Planning Director.

(5) The survey map indicating the area to be revocated (submitted in PDF format), a proposed ordinance and a quitclaim document shall be submitted in digital format (Word format and/or other preferred method of the Livingston Parish Council), in addition to a hard copy.

(6) Submission of five hundred dollar ($500.00) filing fee.

(b) Procedure. Upon the acceptable submission of application to the Livingston Parish Planning Department, the request shall be placed on the next available agenda of the Livingston Parish Planning Commission to investigate the propriety and feasibility of the quitclaim/ revocation. A recommendation shall be provided to the Livingston Parish Council by the Livingston Parish Planning Commission. The recommendation shall include all application documents received, including required digital copies as stated above. Such recommendation shall be placed on the next available agenda of the Livingston Parish Council.

(c) Actions by the Livingston Parish Council. Upon being set on the next available agenda, the Livingston Parish Council shall review the recommendations received from the Livingston Parish Planning Commission, and may, if it so desires, introduce an ordinance revoking the street, right-of-way or servitude. The date and time of a Public Hearing shall be set and announced on the matter. Said Public Hearing and Notice of Introduction of Ordinance shall be published in the Parish Official Journal and follow the publication requirements of the Livingston Parish Home Rule Charter. Upon the outcome and closure of the Public Hearing, the Livingston Parish Council may adopt or reject the ordinance as it sees fit by majority vote.

The Council clerk shall certify the passage of the adopted ordinance, quitclaim document and survey map and shall present said documentation to the office of the Parish President. The office of the Parish President shall contact the applicant and arrange for the notarization of the quitclaim. Upon receipt of the completion and execution of the adopted ordinance, quitclaim document and survey map, the Council Clerk shall publish the ordinance in the Parish Official Journal. The quitclaim and survey map are to be filed at the Livingston Parish Clerk of Court's office. The costs associated with these actions shall be assumed by the applicant and are to be considered collected within the submission of the Planning Department's five hundred dollar ($500.00) filing fee. The Livingston Parish Council office will submit the invoices for these actions to Administration to be paid and coded from the hundred dollar ($500.00) filing fee that has been previously collected by the Planning Department.

Secs. 125-33—125-48. - Reserved.

ARTICLE II. - MOBILE HOME PARKS

Sec. 125-49. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning:

*Mobile home park* means more than one (1) mobile home located on the same tract of land occupying such space as required by this article. However, if a landowner makes application with the planning department and meets the requirements of the affidavit attached to the ordinance from which this article is derived and executed, then placement of three (3) mobile homes on the same tract of land, excluding the homestead, will be permitted by the planning department. Two (2) of the placements of the mobile home park exception shall be lineal descendants of the landowner, and one (1) of the placements of the mobile home park exception may be a family member or friendly acquaintance. The landowner must subdivide to add any more mobile homes.

*Trailer* or *mobile home,* for the purpose of this article, means a vehicle equipped for use as a dwelling that may be hauled or transported along a highway. As such, the mobile home will be duly titled by the appropriate regulatory agency. A mobile home which has been rendered unsuitable for transportation, and which has had its title rescinded, shall not be considered a mobile home. Vacation trailers, travel trailers, pick-up campers, tent trailers and bus campers are included in this definition if they are located in a trailer or mobile home park as defined in this Section and are intended for occupancy, but no occupancy permits may be issued for any use including leasing, occupancy, renting or offering for sale of such trailers and no utility or sewer tie-ins will be permitted unless they are located in a trailer or mobile home park as defined in this Section and are intended for occupancy.

Sec. 125-50. - Public notice.

At least ten (10) days prior to the Planning Commission meeting at which any approval of the mobile home park development is sought, the O/D/S shall erect a four (4') foot by eight (8') foot black and white sign with a minimum of four (4") inch high letters located with no obstructions within five (5') feet of the nearest public right-of-way leading to ~~the entrance~~ any and all entrances of the mobile home park. The bottom of the sign shall be at least four (4') feet from the ground. The sign must remain visible and upright throughout the construction phase. Failure to keep the sign visible and upright is cause for project work to be stopped by the Parish until the sign is corrected. The developer is responsible for any and all associated costs including attorney fees. Twenty-five (25%) percent of sign may be dedicated for advertising purposes and graphics, provided such area is contiguous. The sign shall be erected at least ten (10) days prior to the Planning Commission meeting at which the subdivision is to be considered. The sign shall be titled "A Mobile Home Park Is Proposed for This Site" and shall contain the following information:

(1)  Name, address and telephone number of the O/D/S.

(2)  Name of mobile home park.

(3)  Number of mobile home sites.

(4)  Number of acres in development.

Sec. 125-51. - Procedures for development.

(a) All developers of mobile home or trailer parks shall submit a preliminary site plan to the Planning Commission and Parish Council for approval. The Planning Commission or Council may request a traffic impact study. The drainage impact study and construction plans will be submitted to the review engineer for review and approval. A waiver of the drainage impact study may be considered upon request. Upon receipt of the preliminary site plan, the development will be placed on the Planning Commission agenda for a public hearing. After the Planning Commission has held a public hearing, it will make a recommendation to the Parish Council and forward the development to the Parish Council for approval. Upon approval of the preliminary site plan, the drainage impact study and construction plans may be submitted to the planning department and review engineer for review and approval. When the drainage impact study, construction plans and final site plan are approved, the site construction may begin. Certificate of occupancy may not be given unless an on-site inspection of the site has been made by representatives of the Parish and approval by the planning department. Approval to construct the project shall expire after twelve (12) months unless extended by the Parish Council.

(b) Prior to the filing of an application for approval of the preliminary plat, a representative is required to have an informal discussion with the Planning Commission's review engineer and other Parish staff and officials deemed appropriate in an effort to resolve technical matters regarding the proposed subdivision prior to consideration by the Planning Commission.

(c) No mobile home parks shall be developed until owners or developers secure approval from the Parish health unit or the state department of health and hospitals of the method of sewage treatment and disposal and of the public water supply. Each shall be constructed in accordance with the following minimum standards:

(1) Individual mobile home or trailer sites may be leased or rented, but not subdivided or sold. No mobile home shall be moved into a mobile home park until all construction and related road, drainage and utility work are complete, and the final site plan is approved by the Planning Commission and Parish Council.

(2) A minimum of three (3) acres is required for each trailer or mobile home park, with a minimum frontage of two hundred (200') feet, located on a publicly-maintained street or road.

(3) Maximum density would be seven point five (7.5) mobile home sites per acre.

(4)  Access to each mobile home site shall be provided by twenty-four (24') foot wide private drives located within private servitudes of access having a minimum width of fifty (50') feet. Minimum improvement requirements for private drives within the mobile home park shall be thirty (30') feet roadway with an eight and one-half (8 1/2) inch base as specified by the Parish Council and a twenty-four (24') foot wide, two (2") inch thick hot asphaltic concrete, crushed concrete, or limestone surface. A protective apron shall be required at the entrance to any site equal to the radius of the driveway or equal to the depth of the servitude, whichever is greater.

(5) Where only one (1) drive is to be provided, each mobile home park shall include Cul-de-sacs (turnarounds)shall have a minimum outside *turning* radius of fifty-five (55') feet, with a minimum inside *turning* radius of thirty-five (35') feet. Width in the turnarounds shall have a minimum width of twenty (20') feet. Permanent *T*-turnarounds may be used. The *T*-turnaround shall have a minimum width of twenty (20') feet and a minimum length of eighty (80') feet.

 (6) Each trailer or mobile home shall be set on solid concrete, crushed concrete, or limestone footings of a minimum of four (4") inches thick and have a four (4") inch thick, eighteen (18') foot by twenty-four (24') foot solid concrete, crushed concrete, or limestone parking area, to be measured from the back of the curb or edge of surface at the front of the site.

(7) Garbage hoppers with a minimum capacity of point five (0.5) cubic yards per family per week must be provided and must be enclosed with a six (6') foot solid fence.

(8) Each mobile home site shall be provided with a sanitary sewer connection, and each mobile home park shall be provided with a collection and treatment system and public water

supply in compliance with the standards of the state health department.

 (9) Any mobile home park developed under these standards shall provide a solid wood or metal fence at least eight (8') feet high along all side and rear property lines of said mobile home park.

(10) All mobile homes shall be required to have, on all sides at the base of the unit, a skirting or a rigid-type material specific to trailers.

(11)Utilities. Refer to Section 125-26(b).

 (12) A minimum of one (1) streetlight for every three (3) lots shall be provided along the private drives within the mobile home park, as dictated by the illumination design.

 (13) Before the site plan is submitted to the Planning Commission for review and approval, the developer and his consulting engineer must meet with the Parish engineer, a representative of the Department of Public Works and the Planning Director and staff for a pre-application meeting. Prior to the issuance of a permit for a mobile home park, the site plan shall be subject to a public hearing held by the Planning Commission with the Planning Commission staff mailing notices by certified mail to the adjacent property owners. The site plan shall be reviewed by the Department of Public Works, the chief of the fire department responsible for providing fire protection services and the Parish engineer prior to the Planning Commission public hearing. After approval of the site plan by the Planning Commission, the construction plans shall be reviewed and approved by the Department of Public Works and the Parish engineer. With the submittal of the construction plans, the wetlands determination, delineation and permit shall also be submitted. Construction of the improvements shall be reviewed and inspected by the Parish engineer and the Department of Public Works.

(14) Prior to issuance of a permit for a mobile home park, the plan of the proposed development shall be placed on the Planning Commission's agenda. After consideration by the Planning Commission, the Planning Commission's recommendation will be submitted to the Parish Council for approval. Plans shall be reviewed by the review engineer prior to said hearing.

(15) Sewer treatment plant has been completed, and written approval from the Department of Health and Human Resources of the state has been obtained.

(16) FEMA elevation requirements for a trailer on each rental site shall be of a permanent material and attached to a service pole or concrete monument.

(17) Form 20-D. This form shall only be used as a checklist. For further details on the items addressed in the checklist, refer to the requirements of the subdivision regulations. This form must accompany the preliminary site plan submittal.

Sec. 125-52. - Mobile home park submittals.

(a) Preliminary site plan. The preliminary site plan shall be submitted in accordance with Section 125-9(c)(1) (preliminary plat) of this chapter.

(b) Drainage impact study. The drainage impact study shall be submitted in accordance with Section 125-9(c)(2) (drainage impact study).

(c) Construction plans. One (1) set of the construction plans must be submitted to the Planning Commission, review engineer, applicable sewer district, and applicable drainage district at least on the eighth day of the month prior to the Planning Commission meeting.

(d) ~~Seven (7)~~ Twelve (12) copies and one (1) eleven (11") inch by seventeen (17") inch copy of the final site plan must be submitted to the Planning Commission and one (1) copy must be sent to the review engineer at least on the eighteenth (18th) day of the month prior to the Planning Commission meeting.

(e) In lieu of school impact studies, the O/D/S shall submit a one (1) page description and preliminary plat/site plan to the Parish school board.

Secs. 125-53—125-77. - Reserved.

ARTICLE III. - COMMERCIAL DEVELOPMENTS

Sec. 125-78. - Generally.

All developers of institutional, hotel, motel, R.V., rental property (residential and business), religious, commercial and industrial developments (schools, hospitals, manufacturing plants, shopping centers, etc.), are required to prepare a preliminary site plan, drainage impact study, construction plans, (when applicable), and a site plan detailed for construction (asphalt or concrete pavement section, grading, drainage, sewerage facilities, utilities, etc.) of proposed improvements to submit to the planning department for consideration. Paved surfaces shall be required for, but not limited to, all publicly-accessible areas, for example, parking, driveways, etc. The only exception to this shall be for commercial or industrial lay down areas, solely for the purpose of manufacturing lay down and storage, at the discretion of the Planning Commission and/or review engineer. A waiver of the drainage impact study and/or traffic impact study may be considered upon request. Upon receipt of the preliminary site plan and traffic study, the development will be placed on the Planning Commission agenda for a public hearing. After the Planning Commission has held a public hearing, they will make a recommendation to the Parish Council and forward the development to the Parish Council for approval. Upon Parish Council approval, the drainage impact study shall be submitted and approved by the review engineer. Once the drainage impact study is approved, the construction plans (if applicable) may be submitted to the review engineer and the planning department for review and approval. When the drainage impact study and construction plans and/or a final site plan are approved, the site construction may begin. Certificate of occupancy may not be given unless an on-site inspection of the site has been made by representatives of the Parish and approved by the planning department. Approval to construct the project shall expire after twelve (12) months unless extended by the Parish Council. Sec. 125-79. - Commercial development buffer zones.

(a) A minimum of twenty-five (25') foot buffer zone shall be established and maintained between conflicting uses caused by the location of any new institutional, commercial, industrial developments or public project adjacent to the property being used for residential purposes unless approved by the Parish Council. No building or permanent structure shall be located within this buffer zone. The buffer zone may be used for parking, underground utilities, drainage, green area (landscaping and planting) and access.

(b) The buffer zone shall be established and maintained by the owner of the property on which the new institutional, commercial, industrial developments or public project is established.

(c) The buffer zone shall consist of an eight (8') foot-high solid wood, brick or masonry fence between the residential and commercial, industrial, multifamily, religious, educational, institutional or public property lines. Sec. 125-80. - Commercial development notifications.

At least ten (10) days prior to the Planning Commission meeting at which approval is being sought, the developer shall erect a four (4') foot by eight (8') foot black and white sign with a minimum of four (4") inch-high letters located with no obstructions within five (5') feet of each public right-of-way on which the tract of the proposed development fronts. The bottom of the sign shall be at least four (4') feet from the ground. Twenty-five (25%) percent of the sign may be dedicated for advertising purposes and graphics, provided such area is contiguous. The sign shall be erected at least ten (10) days prior to the Planning Commission meeting at which the development is to be considered. The sign must remain visible and upright throughout the construction phase. Failure to keep the sign visible and upright is cause for project work to be stopped by the Parish until the sign is corrected. The developer is responsible for any and all associated costs including attorney fees. The sign shall be titled "A Commercial Development Is Proposed For This Site" and shall contain the following information:

(1) Name, address and telephone number of the developer.

(2) Name of development or complex.

(3) Number of proposed commercial units.

(4) Number of acres in the development.

Sec. 125-81. - Commercial development submittals.

(a)  The following plans and impact studies must be received by the Parish planning department and the review engineer's office by the eighteenth (18th) day of the month for plans prior to the Planning Commission meeting, in order for the development to be placed on the Planning Commission agenda for consideration:

(1) Preliminary site plan.

(2) Traffic impact study. (May be waived by Planning Director and review engineer).

(3) School impact study. In lieu of school impact studies, the O/D/S shall submit a one (1) page description and preliminary plat/site plan to the Parish school board.

(b) Proposed construction located in a Parish fire district must submit a copy of the preliminary site plan and construction plans showing detailed drawings for the proposed commercial development at the same time as other required submittals.

Secs. 125-82—125-105. - Reserved.

ARTICLE IV. - MULTIFAMILY DEVELOPMENTS

Sec. 125-106. - Generally.

(a) All developers of multifamily developments are required to prepare and submit a traffic impact study, public school impact study (approved by the Parish school board) and a site plan detailed for construction (pavement section, grading, drainage, sewerage facilities, utilities, etc.) of proposed improvements to the Planning Commission and Parish Council for approval. A waiver of the traffic impact study may be considered upon request. Upon receipt of the preliminary site plan and traffic impact study, the development will be placed on the Planning Commission agenda for a public hearing. After the Planning Commission has held a public hearing they will make a recommendation to the Parish Council and forward the development to the Parish Council for approval. Upon Parish Council approval, the drainage impact study shall be submitted and approved by the review engineer. Once the drainage impact study is approved, the construction plans (if applicable) may be submitted to the review engineer and the planning department for review and approval. When the drainage impact study and construction plans and/or a final site plan are approved, the site construction may begin. Certificate of occupancy may not be given unless an on-site inspection of the site has been made by representatives of the Parish and approved by the planning department. Approval to construct the project shall expire after twelve (12) months unless extended by the Parish Council.

(b) Prior to the filing of an application for consideration by the Parish, a representative for the developer is required to have an informal discussion with the Planning Director, Parish review engineer and Parish staff and officials deemed appropriate, in an effort to resolve technical matters regarding the proposed development prior to consideration by the Planning Commission.

(c) Multifamily developments, additions or modifications which may qualify for an exemption from the requirement for preparing a drainage impact study under Section 125-24, may also have the required traffic impact study, school impact study waived administratively upon recommendation of the Parish review engineer.

Sec. 125-107. - Multifamily development buffer zones.

(a) A minimum of twenty-five (25') foot buffer zone shall be established and maintained between conflicting uses caused by the location of a new multifamily development adjacent to the property being used for residential purposes or as approved by the Parish Council. No building or permanent structure shall be located within this buffer zone. The buffer zone may be used for parking, underground utilities, drainage, green area (landscaping and planting) and access.

(b) For multi-story units, the buffer zone shall be a minimum of fifty (50') feet or as approved by the Parish Council.

(c) The buffer zone shall be established and maintained by the owner of the property on which the new multifamily development is established.

(d) The buffer zone shall also have an eight (8') foot-high solid wood, brick or masonry fence between the residential and multifamily development.

(e) The twenty-five (25') foot buffer zone and eight (8') foot fence requirements shall be waived if all adjacent landowners to the required buffer zone submit a notarized letter of no objection on a single-floor, multifamily development only. All multi-story family units shall adhere to the twenty-five (25') foot buffer zone and eight (8') foot fence requirements.

Sec. 125-108. - Multifamily development notifications.

At least ten (10) days prior to the Planning Commission meeting at which approval is being sought, the developer shall erect a four (4') foot by eight (8') foot black and white sign with a minimum of four (4") inch-high letters located with no obstructions within five (5') feet of each public right-of-way on which the tract of the proposed development fronts. The bottom of the sign shall be at least four (4') feet from the ground. Twenty-five (25%) percent of the sign may be dedicated for advertising purposes and graphics, provided such area is contiguous. The sign shall be erected at least ten (10) days prior to the Planning Commission meeting at which the development is to be considered. The sign must remain visible and upright throughout the construction phase. Failure to keep the sign visible and upright is cause for project work to be stopped by the Parish until the sign is corrected. The developer is responsible for any and all associated costs including attorney fees. The sign shall be titled "A Multifamily Development Is Proposed For This Site" and shall contain the following information:

(1) Name, address and telephone number of developer.

(2) Name of development or complex.

(3) Number of proposed commercial units.

(4) Number of acres in the development.

 Sec. 125-109. - Multifamily development submittals.

(a) The following plans and impact studies must be received by the Parish planning department and the review engineer's office by the eighteenth (18th) day of the month for plans prior to the Planning Commission meeting in order for the development to be placed on the Planning Commission agenda for consideration.

(1) Preliminary site plan.

(2) Traffic impact study. (May be waived by Planning Director and review engineer).

(3) Public school impact statement. In lieu of school impact studies, the O/D/S shall submit a one (1) page description and preliminary plat/site plan to the Parish school board.

(b) Proposed construction located in a Parish fire district must submit a copy of the preliminary site plan and construction plans showing detailed drawings for the proposed commercial development at the same time as other required submittals.

Sec. 125-110. - Multifamily development parking and drives.

The developer shall provide a minimum of two (2) parking spaces per living unit. For developments consisting of a combined total of twenty (20) units or more not yet approved, must include one (1) guest parking space for every three (3) multifamily units. All parking and drives shall be concrete. Sec. 125-111. Reserved

All ordinances or parts of ordinances in conflict herewith are hereby repealed. If any provision of this ordinance shall be held to be invalid, such invalidity shall not affect other provisions herein which can be given effect without the invalid provision and to this end the provisions of this ordinance are hereby declared to be severable.

This ordinance shall become effective upon adoption.

This ordinance having been submitted to a vote, the vote thereon was as follows:

YEAS:

NAYS:

ABSENT:

ABSTAIN:

And the ordinance was declared adopted on the 9th day of July 2020.

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Shane Mack, Council Chairman

ATTEST:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Sandy Teal, Council Clerk

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INTRODUCED\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ ADOPTED\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

DELIVERED TO PRESIDENT \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_o’clock \_\_\_. M.

APPROVED BY PRESIDENT \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Layton Ricks Date

VETOED BY PRESIDENT \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Layton Ricks Date

RECEIVED FROM PRESIDENT \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_\_o’clock \_\_\_. M.