

**2020-0316**

**INTRODUCED BY: MATTHEW JEWELL, PARISH PRESIDENT  
(DEPARTMENT OF PLANNING & ZONING)**

**ORDINANCE NO. 20-12-6**

An ordinance to amend the St. Charles Parish Subdivision Regulations of 1981 to amend the major subdivision process to require partial infrastructure review as part of the Preliminary Plat phase, and amend the Construction Plan Approval process.

**WHEREAS,** the Subdivision Regulations of 1981 establish the standards governing acceptable and proper land development patterns; and,

**WHEREAS,** these requirements are necessary for the planning of growth and management of land; and,

**WHEREAS,** the minor subdivision process is not intended to create major subdivisions through successive minor subdivisions; and,

**WHEREAS,** phased development of major subdivisions helps meet market demands but may inadvertently create deficiencies in the infrastructure network; and,

**WHEREAS,** the issues of infrastructure and drainage impacts would be better addressed early in the decision-making process granting Commissioners and the residents of St. Charles Parish more confidence in the subdivision process; and,

**WHEREAS,** the formal construction approval is grounded in engineering infrastructure informed by the preliminary plat process; and,

**WHEREAS,** the St. Charles Parish Council wishes to ensure that quality of life remains high.

**THE ST CHARLES PARISH COUNCIL HEREBY ORDAINS:**

**SECTION I.** That the St. Charles Parish Code of Ordinances, Appendix C, Section II. C. regarding minor subdivisions is amended by adding item 2 as follows, with additional text in underline and deleted text in ~~strikethrough~~:

2. Consecutive Minor Subdivisions. The Minor Resubdivision process is not intended to create major subdivisions from multiple minor subdivisions. Whenever a minor subdivision results in a net increase of lots, parcels, or tracts, no application for a further increase of lots shall be considered by the Planning Commission for a period of two years from the date of recordation unless a majority of the Planning Commission votes to consider the consecutive request to resubdivide into additional lots. This restriction shall not prohibit a property owner from changing boundary lines by administrative resubdivision.

**SECTION II.** That the St. Charles Parish Code of Ordinances, Appendix C, Section II. C. 3. regarding minimum requirements for minor subdivision plats is amended by adding item "I" as follows, with additional text in underline and deleted text in ~~strikethrough~~:

I. The following note shall be added to resubdivision maps that result in a net increase of lots: No lot created by this act of subdivision shall be divided in such a way that another net increase in the number of lots occurs for a period of two years.

**SECTION III.** That the St. Charles Parish Code of Ordinances, Appendix C, Section II. D. *Major Resubdivisions*, is amended as follows, with additional text in underline and deleted text in ~~strikethrough~~:

~~D. Major ReSubdivisions. For any major subdivision, subdivision or resubdivision resulting in six (6) or more lots, including any remainder of the original lot, plat, tract, parcel, and/or any subdivision or resubdivision requiring dedication of public improvements, approval shall consist of preliminary plat approval by the Planning and Zoning Commission, and construction approval by the Director of Planning and Zoning Commission, and final approval by the Parish Council.~~

~~1. Reserved. A pre-application meeting with the Department of Planning and Zoning, Department of Waterworks, and Department of Public Works and Wastewater is required prior to application acceptance.~~

~~a. Stormwater Pollution Prevention Plan. For Major Subdivisions that involve more than one (1) acre and/or the required public improvements are deemed by the Planning Director to be insignificant, the MS4 Administrator may require the submittal of a Stormwater Pollution Prevention Plan and/or Post Construction Stormwater Permit, including all required documentation, in accordance with Chapter 25 Stormwater Management and Erosion and Sedimentation Control.~~

**E. Preliminary Plat Requirements.**

~~1. When Required. A formal preliminary plat shall be required for major subdivisions except where no street, drainage, or sewer improvements are required. (See Section II.C.).~~

~~2. Mandatory Submission Requirements. The preliminary plat shall conform to the laws of the State of Louisiana governing surveying, platting, and subdivision of land. The preliminary plat shall contain the following mandatory information:~~

~~a. The name(s) and address(es) of the owner(s) and subdivider(s).~~

- b. The seal of the land surveyor preparing the plat and the date of preparation. The plat shall be dated within one (1) year of the subdivision application date.
  - c. A title block containing the subdivision name, location of the property, a true north arrow, and scale, both written and graphic. The preliminary plat shall be drawn to a legible scale.
  - d. Existing property lines, including width and names of bounding streets.
  - e. Section and township lines.
  - f. Zoning district boundary lines, only when such boundary lines bisect the proposed subdivision.
  - g. Location and dimensions of existing improvements, including municipal numbering where applicable.
  - h. Qualifying statement, as follows: "St. Charles Parish land use regulations, including setback standards, supersede private subdivision covenants where parish regulations are more restrictive."
  - i. Existing drainage ditches and canals and their respective servitudes.
  - j. Existing lakes and ponds.
  - k. Name(s) and address(es) of adjoining property owner(s) as they appear on the tax assessor's roles.
  - l. Name(s) of adjoining subdivisions.
  - m. Layout and dimensions, including area, of all proposed lots which shall be numbered consecutively.
  - n. Layout and dimensions of existing and proposed servitudes and rights-of-way, including sidewalks.
  - o. Existing bridges, culverts, watermains, sanitary and storm sewers, and other underground structures indicating pipe sizes, grades, and manholes.
  - p. Existing contours at one-foot intervals using mean sea level datum for ground slope within the subdivisions.
  - q. Statement regarding P proposed method and source of sewage disposal and/or treatment.
  - r. Statement regarding P proposed method and plan for drainage.
  - s. Location and size of any proposed school sites, park sites, playgrounds, or other special uses of land.
  - t. A composite road plan with graphic alignment, proposed street names, right-of-way widths, curve radii and tangent length, intended type of surfacing material, street lighting plan, and the location and type of any proposed railroad crossing(s) for subdivision access.
  - u. Vicinity map at a scale of one (1) inch equals two thousand (2,000) feet.
  - v. Statement of Dedication. Submission of the Preliminary Plat shall be accompanied by a written "Statement of Dedication," indicating the subdivider's intent to submit a final "Act of Dedication" prior to approval of the Final Plat.
  - w. Statement regarding proposed phases (if any).
3. Preliminary Plat/Additional Submission Requirements.
- a. ~~Drainage Impact Analysis. A Drainage Impact Analysis shall be completed by a Civil Engineer registered with the State of Louisiana for all subdivisions of property of one (1) acre or greater. The said Drainage Impact Analysis shall be prepared pursuant to the guidelines specified in these regulations.~~
  - b. Traffic Impact Analysis. A traffic impact analysis, including all required documentation, shall be submitted in accordance with the Parish Traffic Impact Policy.
  - c. ~~Preliminary Subdivision Storm Water Pollution Prevention Plan. A Stormwater Pollution Prevention Plan, including all required documentation, shall be submitted in accordance with Chapter 25—Stormwater Management and Erosion and Sedimentation Control., Section 25-14.~~
  - d. Drainage Impact Report. A technical report by a Civil Engineer registered with the State of Louisiana delineating how the proposed development will impact downstream drainage
  - e. Sewer Impact Report. A technical report by a Civil Engineer registered with the State of Louisiana detailing how the proposed sewer plan will integrate with the St. Charles Parish Master Sewage Plan
  - f. Phasing document. When a preliminary plat shows a subdivision being completed in phases, the subdivider shall submit a document that outlines the proposed schedule for development.
4. Preliminary Plat Procedure.
- a. Submission Procedure. An application for subdivision approval, and the Preliminary Plat, and additional submission requirements shall be submitted to the Director of Planning and Zoning from the record owner(s) of the property being subdivided. If the property is in the name of a corporation, a resolution

authorizing the subdivision or authorizing an individual to request such approval shall be submitted. A PDF file and five (5) original copies of the Preliminary Plat shall accompany the application. ~~Upon submission, the Preliminary Plat shall be stamped with the date of filing, and with an acknowledgment that the required filing fees have been paid.~~ The Department of Planning and Zoning shall forward a copy of the plat and additional submission requirements to the appropriate Departments.

- b. Departmental Reviews. The Director of the Department of Planning and Zoning shall ~~then~~ review the Preliminary Plat for conformance with the relevant ~~land use~~ regulations. The Director of the Department of Public Works and Wastewater shall review the Drainage Impact Analysis and the Traffic Impact Analysis. The Director of Planning and Zoning shall inform the subdivider in writing within fifteen (15) calendar days of the date of receipt of the Preliminary Plat and additional submissions, whether the application data submitted does or does not meet the standards and objectives of these subdivision regulations. If the application data submitted does not meet the standards and objectives of these regulations, the reason(s) shall be so stated. When the Preliminary Plat is found to conform to these regulations, and the Drainage Impact Analysis and Traffic Impact Analysis are approved by the Director of Public Works and Wastewater; the Commission, through the Department of Planning and Zoning, shall schedule a public hearing on the proposed subdivision.
- c. Waiver or Modification of Specific Subdivision Regulations. Should the Director discover that specific aspects of the submitted Preliminary Plat fail to conform to the regulations contained in this ordinance, he may choose to forward the proposal for formal consideration by the Planning Commission and Parish Council if the literal enforcement of one or more provisions of the ordinance (i) is impracticable, or (ii) will exact undue hardship because of peculiar conditions pertaining to the land in question. Financial hardships shall not be considered as valid criteria for any such waiver or modification of existing regulations. Any application for Preliminary Plat approval which contains a request for a waiver or modification of any subdivision regulation shall contain a specific reference to the request and state the reasons that the request be granted. The Planning Commission, with a supporting resolution of the Council, may grant a waiver or modification of these regulations only when such requests meet the conditions of this subsection (i, ii) and are not detrimental to the public interest.
  - (1) Waivers to Preliminary Plats of specific Subdivision or Zoning requirements as approved under the Special Permit procedure for Garden Home Developments may be approved on the Preliminary Plat by the Planning Commission with a supporting resolution of Council.
- d. Public Hearing Notice. The Department of Planning and Zoning shall post a sign on the affected property which calls attention to the public hearing at least ten (10) days prior to that hearing date. Similar notification shall also be posted at the principal office of the Department of Planning and Zoning and at the building in which the public hearing shall be held. The public hearing shall be advertised in the official journal of the Parish at least three (3) times on at least three (3) separate weeks, and at least fifteen (15) days shall elapse between the first publication and the date of the hearing. Notice of the time and place of the public hearing shall be sent by certified mail not less than ten (10) days in advance of the hearing to the following parties:
  - (1) The subdivider and/or the owners ~~(at the address(es) listed on the Preliminary Plat).~~
  - (2) The owners of the land adjoining the platted land as their names appear on the tax assessor's records. If the subdivider owns the contiguous property, the next subsequent landowner shall be notified.
  - (3) The St. Charles Parish Council through the Council Secretary.
- e. Phased Subdivisions: A preliminary plat may show construction and/or dedication of a major subdivision in phases. The Planning Commission may consider all phases of a subdivision on one preliminary plat. Should construction of any phase be interrupted for a period of six (6) months, the Preliminary Plat shall expire. The expiration shall not affect phases of the subdivision that have been constructed and dedicated.
- e.f. Public Hearing/Decision Process. The subdivider or his representative shall be present at the public hearing to explain the proposal and to answer questions. The Department of Planning and Zoning may make recommendations to the Planning Commission regarding the layout of lots, blocks, streets and general orientation of the design. Following the public hearing, the Commission shall either:
  - (1) Approve the Preliminary Plat as submitted.

- (2) Conditionally approve the Preliminary Plat with conditions stated in writing. Conditional approvals may include any or none or the Planning Department's recommendations. Conditional approvals may be granted to ensure that the proposed subdivision conforms to the general safety and welfare of surrounding developments. Conditional approvals may be granted for all, some, or only one proposed phase(s) of a phased subdivision.
- (3) Disapprove the Preliminary Plat within sixty (60) calendar days of the date of the public hearing unless the time is extended by mutual agreement between the Commission and the subdivider. The reason(s) for disapproval shall be stated in writing to the subdivider.

~~The reason(s) for disapproval shall be stated in writing to the subdivider. Approval or conditional approval shall be evidenced by the Commission Chairman's signature on the Preliminary Plat. Any conditions or requirements shall be referenced and attached to the Preliminary Plat and application. The Commission, through the Department of Planning and Zoning, shall notify the Parish President and the Parish Council of the decision regarding the presented Preliminary Plat. Approval or conditional approval of a preliminary plat shall be valid for a period of six (6) months from the date of the Commission decision, unless specifically extended by the Commission. Preliminary Plat approval for phased subdivisions of any successive phase of an approved subdivision shall also expires when if construction within the subdivision, according to the phasing document is interrupted on any such phase for a period of six (6) months or more.~~

F. Subdivision Construction.

1. Approval Procedure—~~Planning Commission Approval of the Planning and Zoning Department Required.~~ After receiving Commission approval of the Preliminary Plat and approval by the railroad company for installation of a new railroad crossing (if any) to be dedicated for public subdivision access, the applicant shall submit a PDF file and five (5) original full-size (24" x 36") copies of complete construction plans and specifications, ~~and a PDF file of the site plan to the Department of Planning and Zoning for the area to be developed.~~ The Department of Planning and Zoning shall distribute the PDF file and two (2) copies to the Department of Public Works and Wastewater, the PDF file and one (1) copy to the Department of Waterworks, and the PDF file to the members of the Parish Council for informational purposes only.

~~Upon the Department of Planning and Zoning receiving letters of approval or objection to the complete construction plans and specifications from the Directors of the Department of Public Works and Wastewater, the Department of Waterworks, the Contract Monitor (for street light plan), and Parks and Recreation (detailing the accepted recreation obligation), the complete construction plans and specifications may be considered for approval by the Department of Planning and Zoning. shall be forwarded to the Planning and Zoning Commission via the Department of Planning and Zoning. Upon receipt, the Planning and Zoning Commission shall, through the Department of Planning and Zoning, schedule a public hearing on the proposed construction approval for the subdivision. No construction work shall begin until formal construction approval by the Director of Planning and Zoning Commission is granted, the developer is notified of the approval by registered letter, and a Pre-Construction Review Meeting is held.~~

- a. ~~Public Hearing Notice.~~ The Department of Planning and Zoning shall post a sign on the affected property which calls attention to the public hearing at least ten (10) days prior to that hearing date. Similar notification shall also be posted at the principal office of the Department of Planning and Zoning and at the building in which the public hearing shall be held. The public hearing shall be advertised in the official journal of the Parish at least three (3) times on at least three (3) separate weeks, and at least fifteen (15) days shall elapse between the first publication and the date of the hearing. Notice of the time and place of the public hearing shall be sent by certified mail not less than ten (10) days in advance of the hearing to the following parties:
  - (1) ~~The subdivider and the owners (at the address(es) listed on the Preliminary Plat).~~
  - (2) ~~The owners of the land adjoining the platted land as their names appear on the tax assessor's records. If the subdivider owns the contiguous property, the next subsequent landowner shall be notified.~~
  - (3) ~~The St. Charles Parish Council through the Council Secretary.~~

- a. ~~Public Hearing/Decision Process. When considering approval of the construction plans, the Director of Planning and Zoning shall either: subdivider or his representative shall be present at the public hearing to explain the proposal and to answer questions.~~

~~Following the public hearing, the Commission shall either:~~

- ~~(1) Approve the Preliminary Plat for Construction Plans as submitted.~~
- ~~(2) Conditionally approve the Preliminary Plat for Construction Plans with conditions stated in writing.~~
- ~~(3) Disapprove the Preliminary Plat for Construction Plans within sixty (60) calendar days of the date of submittal the public hearing unless the time is extended by mutual agreement between the Commission Director and the subdivider. The reason(s) for disapproval shall be stated in writing to the subdivider.~~

~~Any conditions or requirements shall be referenced and attached to the Preliminary Plat and application. The Commission, through the Department of Planning and Zoning, shall notify the Parish President and the Parish Council of the decision regarding the presented Preliminary Plat and its Construction Approval. Documents related to the approval process shall be posted to the Parish website within ten business days of the Planning Director's approval. Construction approval of any phase of an approved subdivision expires when construction is interrupted on any such phase for a period of six (6) months or more.~~

- b. Appeals. Subdividers who have been denied approval of construction plans may appeal to the Planning Commission, through the Department of Planning and Zoning via certified letter, within 30 days of receiving written notice of denial.

- (1) The Department of Planning and Zoning shall forward to the Planning Commission all construction plans, review memos, responses to review memos, and request for appeal.
- (2) The Commission shall consider the stated reasons for denial, the submitted plans, and the regulations related to the specific reason for denial. Aspects of the plan already found to be in conformity to the regulations shall not be further considered unless they would be altered in any way to achieve compliance with the Commission's actions.
- (3) The Commission in voting shall either:
  - i. Uphold the original denial.
  - ii. Reverse the denial of the agency decision being appealed and order the Director of Planning and Zoning to approve the documents for construction. Such order shall take the place of the letter of approval for the agency in question as described in section F. Subdivision Construction.

## 2. Construction Plan Mandatory Submission Requirements

- a. Construction Plan. All improvements shall conform to Section III, Geometric Standards, and Section IV, Designs Standards, as contained in these regulations. The basic requirements of construction plans for street, drainage, water, and sewer improvements include, but are not limited to, the following:

- (1) Title Sheet. The title sheet shall show the following:
  - a. Vicinity Map. The vicinity map shall show an area large enough to identify several surrounding landmarks or municipalities. The map shall be oriented so that the north arrow points upward.
  - b. Layout Map. The layout map shall be drawn at a scale of one (1) inch equals two thousand (2,000) feet and shall show the general configuration of the subdivision and the immediate surrounding or connecting roadways or subdivisions. The scale shall be shown below the map.
  - c. Subdivision Name. The name of the subdivision as it appears on the approved preliminary plat and the words "Construction Approval Subdivision Plans" shall be shown in bold letters. The subdivision name shall also be shown on the lower right hand corner of the title sheet. (Ord. No. 02-9-22, § I, 9-23-02)
  - d. Index. The index to sheets in the plans will be shown in the upper left hand corner of the title sheet. The index shall include a list of all sheets in order by number and description.
  - e. Signature. The signature and seal of a Professional Land Surveyor licensed to practice in the State of Louisiana.

- (2) Contour Map. The contour map shall be prepared covering the area of the subdivision and all additional areas of any watershed which drains into the property to be developed.
  - (3) Storm Drainage System Plan. A layout map shall be prepared showing the proposed and existing subsurface storm drainage system and/or ditch drainage system within the subdivision, all outfall drainage systems, and individual drainage areas.
  - (4) Sanitary Sewer System Plan. A layout map shall be prepared showing the proposed and existing sanitary sewerage systems.
  - (5) Water Distribution System Plan. A layout map shall be prepared showing the proposed and existing water distribution systems.
  - (6) Street Lighting System Plan. A layout map shall be prepared showing the proposed street lighting system.
  - (7) Typical Section Sheet. A section sheet shall be provided showing the finished section of streets with all utilities included.
  - (8) Plan Profile. A plan profile of all streets shall be provided including the following:
    - a. Profile along centerline and each property line.
    - b. Proposed finished centerline grade with station numbers and elevations.
    - c. Grade of storm sewer and/or ditch drainage system.
    - d. Size and grade of sanitary sewer lines.
    - e. Design details of street, drainage, and sewerage improvements.
  - (9) Base Flood Elevation Data. Base Flood Elevation (FEMA) data shall be provided for subdivision proposals and other proposed development which contain at least fifty (50) lots or five (5) acres, whichever is less.
  - (10) Soils Analysis, soil borings, and geotechnical reports shall be performed by a Licensed Professional Engineer. This shall apply to proposed subdivisions, which abut an existing or proposed Major Drainage Canal. The Department of Public Works shall determine specification of the soil analysis, soil borings, and geotechnical reports. Should analysis indicate substandard soils, the Department of Public Works shall require bulkhead construction or acceptable alternatives for the purpose of stabilizing the canal banks. (Ord. No. 99-12-8, § III, 12-6-99)
  - (11) Railroad Crossing(s). If roadway requires a railroad crossing for subdivision access, the subdivider shall submit with the construction plans a copy of the proposed railroad crossing agreement required by the applicable railroad company. The Parish Attorney shall review and return the proposed agreement with comments to the developer within two (2) weeks of the submittal date. Upon submittal of an agreement satisfactory to the Parish Attorney, the Parish President is given authority to execute the agreement as needed for construction of the railroad crossing. (Ord. No. 00-8-1, § III, 8-7-00)
- b. Recreation Impact Acknowledgement. After receiving Commission approval of the Preliminary Plat, the Director of Planning and Zoning shall submit a letter to the Director of Parks and Recreation detailing the land donation calculations and the fee calculations that the developer is to satisfy. A letter of reply from the Director of Parks and Recreation, detailing the accepted provisions, shall be submitted to the Director of Planning and Zoning before formal construction approval.
  - c. Wetland Delineation and/or Wetland Permits. Wetland Delineations must be approved by the U.S. Army Corps of Engineers/New Orleans District; Surveillance and Enforcement Section. If any portion of the property to be developed is designated as jurisdictional wetlands, then all wetland permits must be received prior to construction plan approval. All wetland documentation shall be approved, in writing, by the St. Charles Parish Coastal Zone Management Section before formal construction approval. (Ord. No. 99-3-16, § 1, 3-22-99)
  - d. Private Utilities. Concurrent with the submission of the Construction Plans, the Developer shall submit a letter to the Director of the Department of Planning and Zoning which shall:
    - (1) Identify the private utilities which are to serve the subdivision, and,
    - (2) Provide a statement that the Developer shall notify each of the private utility companies upon construction plan approval to indicate the need for the design and installation of their utilities.

3. Subsequent to approval of Construction Plans by the ~~Planning Commission~~ Director of Planning and Zoning and at least fourteen (14) days in advance of the Applicant's intent to commence subdivision construction activities, the Department of Public Works, the Department of Waterworks, and the Department of Planning and Zoning shall be notified by the Applicant in writing of the intent to commence subdivision construction so that a Pre-Construction Review Meeting may be scheduled and so that arrangements can be made to monitor the installation of improvements.
4. Pre-Construction Review Meeting: Upon receipt of the Applicant's written request to begin construction activities, the Department of Public Works shall notify the Applicant, the Department of Planning and Zoning, and the Department of Waterworks of the time and date of the mandatory Pre-Construction review meeting.  
During the Pre-Construction Review meeting:
  - a. An itemized listing of all remaining subdivision development fees shall be provided to the Applicant. The Applicant shall be advised that all outstanding fees must be paid to the Parish at least fifteen (15) days prior to Final Plat consideration by the Council.
  - b. At the conclusion of the Pre-Construction Review meeting, the Director of the Department of Public Works may issue a formal Notice to Proceed in writing for construction activities. In no event shall construction activities commence until such time that a formal Notice to Proceed is issued in writing.
5. Construction Inspection. The Department of Public Works shall arrange for the inspection of construction activities and infrastructure. The inspection arrangements shall be in place prior to the commencement of any work noted in the approved construction plans. The inspection shall be conducted by a licensed professional engineer registered with the State of Louisiana or by competent individuals having inspection experience working under the PE's direct supervision and instructions, all being employees of the Parish.
  - a. The inspection direction and requirements shall be in accordance with an "Inspection Guidance" document for each subdivision that is to be constructed. The document is to be prepared by the Department of Public Works and approved for use by resolution of the Parish Council prior to the start of construction.
  - b. The fees for construction testing shall be the actual billed cost of testing performed by an accredited independent material testing firm contracted by the Parish which shall be paid to the Parish by the developer or subdivider prior to Council approval of the final plat.
  - c. The fee for construction inspection shall be the actual billed cost for any contracted inspection of a subdivision. The cost shall be borne by the Applicant and paid to the Parish prior to Council approval of the final plat.
  - d. The various Parish departments shall have the right to perform any necessary testing and/or inspections supplemental to and/or in addition to that associated with 5.a above and to address issues/conflicts which may arise during construction in order to approve modifications to the approved construction plans or to provide direction as may be needed.

**SECTION IV.** That the St. Charles Parish Code of Ordinances, Appendix C, Section III. Geometric Standards, D. Servitudes and Rights-of-Way, 2. Drainage Servitude is amended as follows, with additional text in underline and deleted text in ~~strikethrough~~:

2. Drainage Servitude. ~~Whenever a drainage channel, stream, or water course exists or is provided for in a subdivision, a servitude or right-of-way shall be dedicated on each side of such facilities to provide for maintenance and construction. The minimum width shall be the top bank width of the drainage ditch plus twenty (20) feet on one (1) side and ten (10) feet on the opposite side. A drainage servitude shall be provided for all existing and proposed watercourses including swales, ditches, canals, and ponds. The minimum width of a drainage servitude shall be 20 feet. For larger watercourses, the minimum width shall be the top of the bank width of the watercourse plus 10 feet on each side of the watercourse.~~

**SECTION V.** That the St. Charles Parish Code of Ordinances, Appendix C, SECTION III.F.1.b *Parks, Playgrounds, School Sites, Etc* "Fees in Lieu of Dedication" is amended as follows, with additional text in underline and deleted text in ~~strikethrough~~:

- b. Fees in Lieu of Dedication. ~~If the proposed dedication is unsuitable because of the area, location, or other reasons, the Parish shall~~ At the sole discretion of St. Charles Parish, the Parish may require the developer to pay a fee in lieu of such dedication. The amount of the fee shall be three hundred dollars (\$300.00) for each six thousand (6,000) square feet of residential area, up to a maximum fee of one thousand, five hundred dollars (\$1,500.00) per individual lot. Minor residential subdivisions containing

only five (5) lots or less, and those subdivisions which require no infrastructure improvements (i.e., streets, sewerlines, etc.) shall be exempt from the provisions of Section [III] F. of these regulations.

**SECTION VI.** That the St. Charles Parish Code of Ordinances, Appendix C, Section IV. Design Standards, D. Drainage, 5. Drainage Impact Analyses, g, h, i, k, and o are amended as follows, with additional text in underline and deleted text in ~~strike through~~.

- g. The subdivision drainage and impact analysis and the subdivision drainage design shall be based on the ~~ten-year~~ 25-year, 24-hour return frequency storm event.
- h. Subsurface drainage of drainage outfalls serving more than the subdivision will be based on the ~~ten-year~~ 25-year, 24-hour return frequency storm event.
- i. Open channel drainage of channels serving more than the subdivision shall be based on a ten-year storm event with one (1) foot of freeboard existing in the channel above the ten-year water surface elevation.
- k. Ponding, retention or detention of stormwater shall ~~not~~ be used in the drainage impact analysis unless authorized in writing by the Director of Public Works. The peak post-development flow rate from storm water runoff shall be equal to or less than the pre-development flow rate for 25-year, 24-hour return frequency storm event. A professional engineer shall design storm water detention
- o. Subdivision subsurface storm sewers shall be designed for the ~~ten-year~~ 25-year, 24-hour return frequency storm. Outfall structures and outfall channels shall be designed for the ~~ten-year~~ 25-year, 24-hour return frequency storm. Collector street crossings shall be designed for the ~~ten-year~~ 25-year, 24-hour return frequency storm. Arterial street crossings shall be designed for the ~~ten-year~~ 25-year, 24-hour return frequency storm.

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

YEAS: DONALDSON, FONSECA, DARENSBOURG GORDON, CLULEE, GIBBS, DUFRENE, BELLOCK, FISHER, FISHER-PERRIER  
NAYS: NONE  
ABSENT: NONE

And the ordinance was declared adopted this 7th day of December, 2020 to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: [Signature]  
SECRETARY: Michelle Inpartat  
DLVD/PARISH PRESIDENT: December 8, 2020  
APPROVED:  DISAPPROVED:

PARISH PRESIDENT: Matthew Fonseca  
RETD/SECRETARY: December 8, 2020  
AT: 1:20 pm RECD BY: [Signature]