

INTRODUCED BY: PAUL J. HOGAN, PE, COUNCILMAN-AT-LARGE, DIVISION B

An ordinance to amend the Code of Ordinances for the Parish of St. Charles, Appendix C, Subdivision Regulations of 1981, Section I. General. B. Definitions: Right-of-way, Section II. Subdivision procedure. E. Preliminary Plat Requirements. 2. Mandatory Plat Requirements t., F. Subdivision Construction. 2. Construction Plan Mandatory Submission Requirements b. Recreation Impact Acknowledgement., G. Final Plat Requirements. 2. Mandatory Submission Requirements. h. and o., 3. Final Plat/Additional Submission Requirements. c. Act of Dedication., H. Acceptance of Improvements. 1. Procedure., 2. Maintenance Agreement/Surety Bond., 4. b. Streets., Section III. Geometric standards. A. Streets. 3. Street Names: a. (6) Road, Street, Drive, or Avenue: and c. Extension of Existing Street., and Section IV. Design standards. E. Miscellaneous: 2. Traffic Control Signs, Signals, and Devices.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the Code of Ordinances, Appendix C, Section I. General. B. Definitions: Right-of-way be hereby amended as follows with new text underlined and deleted text in ~~strikethrough~~:

Right-of-way. A parcel of land dedicated by the developer for public use, the title of which shall rest in the public for the purpose stated in the dedication. In the case of a major subdivision with private streets constructed for private use, the right-of-way for utilities shall be in the form of a Parish access/utility servitude across the entire lot upon which the private street is located.

SECTION II. That the Code of Ordinances, Appendix C, Section II. Subdivision procedure. E. Preliminary Plat Requirements. 2. Mandatory Plat Requirements t. be hereby amended as follows with new text underlined and deleted text in ~~strikethrough~~:

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, a statement regarding the intent for the streets to be public or private, street lighting plan, and the location and type of any proposed railroad crossing(s) for subdivision access.

SECTION III. That the Code of Ordinances, Appendix C, Section II. Subdivision procedure. F. Subdivision Construction. 2. Construction Plan Mandatory Submission Requirements b. Recreation Impact Acknowledgement. be hereby amended as follows with new text underlined and deleted text in ~~strikethrough~~:

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. When any private streets are proposed, the letter shall state that the calculated fee amount shall be accepted in lieu of land donation.

SECTION IV. That the Code of Ordinances, Appendix C, Section II. Subdivision procedure. G. Final Plat Requirements. 2. Mandatory Submission Requirements. h. and o. and 3. Final Plat/Additional Submission Requirements. c. Act of Dedication. be hereby amended as follows with new text underlined and deleted text in ~~strikethrough~~:

2. Mandatory Submission Requirements.

h. All lots and tracts with dimensions, linear and angular, necessary to readily determine the exact boundary of all lots and tracts which are part of the subdivision. All lots shall be numbered in a consecutive manner with no tract or portion of the subdivision omitted. In addition, municipal numbering shall be provided where applicable. Tracts upon which private streets are to be located shall be provided a lot number.

o. Statement of Dedication printed upon the Final Plat, signed by the owner(s), and stated as follows:

Dedication

"The right-of-way of streets which are to be public as shown hereon, if not previously dedicated, is hereby dedicated to the perpetual use of the public. All areas shown as servitudes are granted to the public for use of utilities, drainage, sewage removal, or other proper purpose for the general use of the public. No building, structure, or fence shall be constructed, nor shrubbery planted within the limits of any servitude so as to prevent or unreasonably interfere with any purpose for which the servitude is granted.

3. Final Plat/Additional Submission Requirements.

- c. Act of Dedication. Submission of the final Plat shall be accompanied by a written "Act of Dedication" (example supplied by the parish upon request) which shall be signed by the owner(s) dedicating the streets which are to be public, rights-of-way, and railroad crossings (if any) to the perpetual use of the public for proper purposes. If railroad crossings required for subdivision access are to be dedicated, the Parish shall perform the required action for accepting ownership and maintenance of said railroad crossings within ten (10) working days of the Act of Dedication being accepted by the Parish, if not done so previously. Should an owner desire to dedicate a private road and lot created by means of major subdivision to the Parish following final approval of the Act of Dedication, the dedication shall be in accordance with Chapter 2, Article I, Section 2-4. At the time of dedication, the street(s) are to have no existing damage of any type. In addition, the owner shall provide a warranty and a maintenance/surety bond in accordance with the provisions of Section H, Paragraphs 1 and 2 of Appendix C of the Code of St. Charles Parish.

SECTION V. That the Code of Ordinances, Appendix C, Section II. Subdivision procedure. H. Acceptance of Improvements. 1. Procedure., 2. Maintenance Agreement/Surety Bond., and 4. b. Streets. be hereby amended as follows with new text underlined and deleted text in ~~strikethrough~~:

H. Acceptance of Improvements.

1. Procedure. When construction is complete and in accordance with approved plans and specifications and after the railroad crossing(s), if any, has been accepted by the Parish, the subdivider, through his engineer, shall certify that all work has been completed and may request final inspection so that he may obtain written approval and acceptance from the St. Charles Parish Council. For a period of twelve (12) months after acceptance of the work, the subdivider shall keep all filled trenches, pipes, manholes, structures, public streets, paved or unpaved surfaces, railroad crossings, etc., constructed and in good condition. The subdivider shall make repairs to such defects in material and workmanship as may develop and may be discovered. If sewage treatment plants and/or pumping stations are constructed, the subdivider shall guarantee materials and workmanship of these facilities for a period of twelve (12) months. The subdivider shall also be responsible for reimbursing the Parish for any repair or maintenance cost associated with railroad crossings and related mechanical devices submitted to the Parish by the railroad from the date of the crossing(s) acceptance by the Parish until the end of the twenty-four-month period following acceptance. Railroad crossings shall remain the property of the developer until dedicated to and accepted by the Parish. The Public Works Department shall develop a standard inspection checklist covering each possible warranted item constructed or installed within a new subdivision. The checklist shall be used by the Parish during the inspection of the subdivisions with the developer (or its authorized representative) within a two-week period prior to the end of the warranty period. Within five (5) days following the inspection, the Parish Council shall be forwarded a copy of the completed inspection checklist along with a copy of a Public Works letter formally informing the developer of items to be addressed. All items noted to be repaired and/or addressed shall be repaired and/or addressed to the satisfaction of the Public Works Department Within forty-five (45) days following the date of the letter. Upon all items being addressed and/or repaired, the Public Works Department shall provide the Parish Council and the Developer with a letter indicating such. In the event that not all items are addressed and/or repaired with the forty-five-day period, the Parish shall immediately take the steps needed to have the items addressed and/or repaired under the provision of the Maintenance Agreement/Surety Bond. Prior to final plat approval, the applicant shall submit a fee of one thousand dollars (\$1,000.00) to pay for the Parish's final warranty inspection. Any unused fees will be reimbursed by the Parish. Upon Parish inspection of the satisfactorily completed warranty work by the developer, the Public Works Department shall notify the Developer and the Council in writing that the work has been accepted thereby ending the Developer's responsibility for the subdivision improvements unless other stipulations relating to identified deficiencies are imposed on the developer by the Parish, which may extend certain warranty periods on certain items as agreed to by both parties. Following the warranty period, the Parish shall be responsible for the repair and/or replacement of any portions of the private roads and sidewalks which are damaged in any way by the Parish when providing connections to public utilities for adjacent property owners and/or damage caused as a result of repairing or accessing any public utilities located adjacent to and/or underneath the private road.

2. Maintenance Agreement/Surety Bond. The subdivider shall file with the parish a maintenance agreement and surety bond securing to the Parish Council the satisfactory performance of ~~this~~ the work dedicated to the Parish for a period of eighteen (18) months from the date of the bond. The amount of the bond shall be ten (10) percent of the cost of the dedicated improvements as determined by the Parish Engineer and the form of the bond shall be approved by the Parish Attorney. The bond shall only be subject to cancellation prior to its eighteen-month duration upon the Parish President receiving the letter from the Public Works Department indicating that all items have been addressed and/or repaired and the Parish President writing a letter indicating such and authorizing the cancellation of the bond.

4. b. Streets. (both public and private with each being listed separately)

SECTION VI. That the Code of Ordinances, Appendix C, Section III. Geometric standards. A. Streets. 3. Street Names: a. (6) Road, Street, Drive, or Avenue: and c. Extension of Existing Street. be hereby amended as follows with new text underlined and deleted text in ~~strikethrough~~:

(6) Road, Street, Drive, or Avenue: Public Streets which continues through to other street rights-of-way, including straight, meandering, curvilinear, and curving streets; streets with temporary cul-de-sacs with the ability to be extended in excess of five hundred (500) feet; streets over five hundred (500) feet in lengths ending with a temporary or permanent cul-de-sacs. Where private streets developed as part of a major resubdivision abuts a public street, a sign is to be posted in accordance with the provisions of IV. E. 2. within 25' in advance of where the private street begins.

c. Extension of Existing Street. A new street shall bear the same name of any street which it is an extension of or which it is in alignment with. In cases where the extension of the existing street is to be private, a sign is to be posted in accordance with the provisions of IV. E. 2.

SECTION VII. That the Code of Ordinances, Appendix C, Section IV. Design standards. E. Miscellaneous: 2. Traffic Control Signs, Signals, and Devices. be hereby amended with new text underlined and deleted text in ~~strikethrough~~ by adding the following after the last paragraph:

2. Traffic Control Signs, Signals, and Devices.

Within twenty-five (25) feet in advance of private streets developed under the major subdivision provisions, a sign shall be placed by the developer within in the street right-of-way on the right side of the street at a height of six (6) feet above the ground facing the traffic entering the private street which shall have the street name written in six (6) inch tall lettering in white print situated on a blue background in addition to the following written in four (4) inch tall white lettering: PRIVATE ROAD; GARBAGE TRUCKS, SCHOOL BUSES, PUBLIC WORKS STREET/SIDEWALK REPAIRS PROHIBITED*, and in three (3) inch lettering across the bottom of the sign;

* (SEE ORD. xxx FOR EXCEPTION).

Gates are allowed at the beginning of private streets constructed on private property. Gates shall have an electronic keypad entry system which shall be allowed to be mounted within the Parish right-of-way in advance of the gates. Gate codes shall be provided to the St. Charles Parish Communication Center and the local volunteer fire department. Should the private street become public, the gates shall be removed and/or be modified in such a way that they are permanently secured in the open position.

The foregoing proposed ordinance was Postponed Indefinitely per Council Rule 8 on February 17, 2020.