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**2001-0069**

**INTRODUCED BY: ALBERT LAQUE, PARISH PRESIDENT**  
**(Department of Planning & Zoning)**

**ORDINANCE NO. 01-4-5**

An ordinance amending the St. Charles Parish Code of Ordinances to modify the requirements for request for waiver from subsurface drainage and to impose additional submission requirements for construction approval when a waiver from subsurface drainage has been obtained, and imposing additional requirements for final plat when a waiver from subsurface drainage has been obtained.

**WHEREAS,** the Subdivision Regulations set forth a procedure for the installation of open swale drainage in new subdivisions by waiver only; and,

**WHEREAS,** the restrictive nature of the Subdivision Regulations as they pertain to open swale drainage does not completely restrict their installation; and,

**WHEREAS,** drainage systems designed and installed as open swale are required to remain open swale; and,

**WHEREAS,** new subdivisions receiving the open swale waivers should be designed and built to accommodate the installation of culverts as desired by the homeowners.

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

**SECTION I.** That the St. Charles Parish Code of Ordinances, Appendix C, Section II.E. 3. Final Plat/Additional Submission Requirements, is hereby amended by adding:

- k. If the subdivider has requested and received a waiver to subsurface drainage requirements and built the subdivision in accordance with those provisions, he shall provide a retrofit manual, including a plat, for incremental migration to a subsurface drainage system. The manual and plat shall include, but not be limited to, all needed culvert sizing, slopes and material specifications needed to complete the project. This manual is to be used to size all culverts, including single driveway culverts, in the subdivision.

**SECTION II.** That the St. Charles Parish Code of Ordinances, Appendix C, Section IV.D.2. is hereby amended by inserting the following :

2. Roadside Drainage. All roadside drainage shall be of subsurface design. The roadside drainage system shall be designed to carry roadway, adjacent land, and structural storm water drainage. Waiver of Subsurface Drainage Requirement. Waiver of the requirement for subsurface design shall be by formal letter written to the Director of Planning & Zoning. This letter shall contain a specific reference to the request and state the reasons that the request be granted and shall contain an acknowledgement that the proposed drainage system will be designed to accommodate incremental subsurfacing of the system. The Planning & Zoning Commission, with a supporting resolution of the Parish Council, may grant a waiver only when letters of acceptance from the Directors of Public Works and Wastewater, and Planning & Zoning are submitted to the Commission.

**SECTION III.** That the St. Charles Parish Code of Ordinances, Appendix C, Section IV.D.2.b.7. is hereby amended to read:

7. All new subdivisions receiving the waivers to allow open swale drainage systems shall be designed to allow the incremental subsurfacing of that system. All open swale systems designed and installed under the strict prohibition of incremental subsurfacing of the open swale system shall continue to be prohibited from closing the system and their subdivision covenants shall continue to hold that restriction.