

Michelle Impastato

From: Michael Albert
Sent: Friday, October 9, 2020 1:07 PM
To: Michelle Impastato
Cc: Marny Stein; Chris Welker; Michael Palamone; Parish President Matthew Jewell
Subject: Legislative Committee Documents
Attachments: Findings MEMO 2020.docx; Ord_2020-06-Ord_Infrastructure Review at PPlat - Updated.doc; PZO 2020-04_ORD_TIA Policy Ch.6.docx; PZO 2020-05_ORD_TIA (ONLY).docx; Rezoning Criteria Admin Draft.doc; Stormwater Detention LegReview.doc

For Monday.

This should be all the same documents with some responsive revisions.

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[SCP P&Z Website](#)

MEMO



To: Michael Albert, AICP
From: Planning Staff
Date: October 6, 2020
RE: Zoning Map Amendment Ordinance

Document submitted for 10/19/20 Legislative Committee Meeting

SUMMARY

Included in this memorandum are:

- Summaries of guidelines and criteria for zoning map amendments in St. Charles, Ascension, & Jefferson Parishes.
- A summary of proposed changes to guidelines and criteria for zoning map amendments in St. Charles Parish.
- Supporting documentation for the summary analysis.

ST. CHARLES PARISH

St. Charles Parish planning staff currently evaluates proposed changes to the zoning map based on three criteria. In summary, the three criteria are as follows:

1. The proposed rezoning must conform to the St. Charles Parish Comprehensive Plan Future Land Use Map and not create a spot zoning that is incompatible with the surrounding neighborhood.
2. The Land-use pattern or character has changed to the extent that the existing zoning no longer allows reasonable use of the applicant's property.
3. Potential uses permitted by the proposed rezoning will not be incompatible with existing neighborhood character nor will they overburden public facilities and infrastructure. The Planning Staff shall base rezoning analyses on these criteria but shall not be prohibited from factoring unique circumstances of the application into the analysis. Recommendations for approval must meet one of the three criteria.

Staff recommendations and a public hearing go before the Planning Commission. The Planning Commission's decision is forwarded to Council. Council may then adopt as presented, adopt with modification, or deny the proposed amendment.

ASCENSION PARISH

Ascension Parish does not have clearly defined criteria for evaluating zoning map amendments in the Ascension Parish Development Code. However, the Ascension Parish Council adopted the following principles by which to administer the Ascension Parish Development Code:

1. Protect public safety and property.
2. Manage growth.
3. Preserve the rural character of the Parish.
4. Encourage compact commercial centers.
5. Keep the process simple and open
6. Use flexible performance zones.
7. Discourage development in the 100-year floodplain.
8. Support development where future infrastructure is likely.
9. Use floodplain overlay zones.
10. Discourage strip commercial development along rural roads.
11. Establish a truck route between industrial plants and Interstate 10.
12. Create high quality business development zones.

Staff recommendations and a public hearing go before the Planning Commission. The Planning Commission submits a report of its findings to Council. Council may then adopt as presented, adopt with modification, or deny the proposed amendment.

JEFFERSON PARISH

Jefferson Parish planning staff evaluates proposed changes to the zoning map based on whether the proposed change is "compatible, possibly compatible, or not compatible" with the Future Land Use Map. A list of Future Land Use Map categories with criteria for each category (7) and a zoning and future land use compatibility matrix are indicated in the code.

Staff recommendations and a public hearing go before the Planning Commission. The Planning Commission's decision is forwarded to Council. Council may then adopt as presented, adopt with modification, or deny the proposed amendment.

PROPOSED AMENDMENTS

The Staff recommends against substantially changing the number of criteria and evaluation metrics. Reporting has been consistent and based on the same principle of using three criteria even prior to the 2015 Zoning Update. The intent of updating the code was to ensure clarity and certainty with the public who often expect favorable recommendations to be based upon a majority of evaluation criteria.

ADDITIONAL INFORMATION

The parishes we looked at provide recommendations to planning commission in conjunction with a public meeting. In SCP and JP the decision is then forwarded to council for them to adopt, adopt with modifications, or deny. In Ascension, the Planning Commission sends a report to the Council with its finding for them to then decide.

Of note, zoning related fees in JP and Ascension are considerably more than in SCP (ours caps at \$200). See examples below:

Jefferson

Zoning/Land Use Zoning (max. \$5000) _____ acres of land x \$200.00

Land Use, small scale (less than 2 acres) \$150.00

Land Use, large scale (over 2 acres) \$200.00

Land Use Map Amendment ONLY \$500.00

Zoning Text Amendment \$200.00

Comprehensive Plan Text Amendment \$500.00

Ascension

Application and Review Fee \$750.00 1 Acre

Application and Review Fee \$900.00 1.01 through 2.00 Acres

Application and Review Fee \$1,050.00 2.01 through 3.00 Acres

Application and Review Fee \$1,200.00 3.01 through 4.00 Acres

Application and Review Fee \$1,350.00 4.01 through 5.00 Acres

Application and Review Fee \$1,500.00 5.01 through 6.00 Acres

Application and Review Fee \$1,650.00 6.01 through 7.00 Acres

Application and Review Fee \$1,800.00 7.01 through 8.00 Acres

Application and Review Fee \$1,950.00 8.01 through 9.00 Acres

Application and Review Fee \$2,100.00 9.01 through 10.00 Acres

Application and Review Fee \$2,250.00 10.01 through 11.00 Acres

Application and Review Fee \$2,400.00 11.01 through 12.00 Acres

Application and Review Fee \$2,550.00 12.01 through 13.00 Acres

Application and Review Fee \$2,700.00 13.01 through 14.00 Acres

Application and Review Fee \$2,850.00 14.01 through 15.00 Acres

Application and Review Fee \$3,000.00 15.01 through 16.00 Acres

Application and Review Fee \$3,150.00 16.01 through 17.00 Acres

Application and Review Fee \$3,300.00 17.01 through 18.00 Acres

Application and Review Fee \$3,450.00 18.01 through 19.00 Acres

Application and Review Fee \$3,600.00 19.01 through 20.00 Acres

Application and Review Fee \$3,750.00 20.01 through 21.00 Acres

Application and Review Fee \$3,900.00 21.01 through 22.00 Acres

Application and Review Fee \$4,000.00 22.01 Acres and larger

2 **INTRODUCED BY: MATT JEWELL, PARISH PRESIDENT**
3 **(DEPARTMENT OF PLANNING & ZONING)**

4
5 **ORDINANCE NO.** _____

6 An ordinance to amend the St. Charles Parish
7 Zoning Ordinance of 1981, as amended, Section
8 **XV.D** to rezoning requests to meet a minimum of
9 two (2) rezoning guidelines and criteria in order to
10 receive a recommendation for approval from
11 Planning Staff.

12 **WHEREAS,** St. Charles Parish established zoning districts with certain boundaries "for
13 the purpose of promoting the public health, safety, morals, and general
14 welfare" which are depicted on the "Official Zoning Map of St. Charles
15 Parish, Louisiana," and,

16 **WHEREAS,** Zoning encourages neighborhoods to develop in an orderly way by
17 grouping compatible uses and separating incompatible uses; and,

18 **WHEREAS,** Section XV establishes the procedure to amend the map or "rezone"
19 property and identifies three *Rezoning guidelines and criteria* by which a
20 request to rezone should be evaluated; and,

21 **WHEREAS,** The St. Charles Parish Council wishes to preserve the integrity of the
22 "Official Zoning Map of St. Charles Parish, Louisiana," by requiring a rezone
23 request to meet a **majority** of the *Rezoning guidelines and criteria* in order
24 to receive a recommendation for approval from Planning Staff

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26 **NOW, THEREFORE, THE ST. CHARLES PARISH COUNCIL ORDAINS:**

27 That the St. Charles Parish Code of Ordinances, Appendix A.XV.D. is amended as
28 follows, with additional text in underline and deleted text in ~~strikethrough~~:

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30 **D. Rezoning guidelines and criteria:** ~~Before the Commission makes a recommendation~~
31 ~~or the Council rezones property; the~~ proponent for a change should be present
32 reasonable factual proof by the proponent of a change that ~~two~~ **one** or more of the
33 following criteria are met:

34 1. The proposed rezoning conforms to land development pattern established by
35 the St. Charles Parish Comprehensive Plan Future Land Use Map and does
36 not create a spot zoning that is incompatible with the surrounding
37 neighborhood.

38 1. 2. The Land-use pattern or character has changed to the extent that the
39 existing zoning no longer allows reasonable use of the applicant's
40 property, and that the proposed zoning does. ~~One or more of following~~
41 eAnalysis of reasonable use may consider be used in evaluating
42 reasonableness:

43 a. Consideration of uses on adjacent properties that would limit the use of the
44 site under consideration.

45 b. Consideration of unique or unusual physical or environmental limitations
46 due to size, shape, topography or related hazards or deficiencies.

47 c. Consideration of changes in land value, physical environment or economic
48 aspects which can be shown to limit the usefulness of vacant land or
49 buildings.

50 3. Potential uses permitted by the proposed rezoning will not be incompatible
51 with existing neighborhood character nor will they overburden public facilities
52 and infrastructure. **[INSERT A PARAGRAPH BREAK]**

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54 The Planning Staff shall base rezoning analyses on these criteria but shall not be
55 prohibited from factoring unique circumstances of the application into the analysis.
56 The Planning and Zoning Commission may state in its recommendations to the
57 Council: its concurrence with, or rejection of, any or all of the proponents' case for the
58 suggested amendment, and/or its position relative to proponents' statements on the
59 case. Planning Staff analyses and recommendations shall be forwarded to the
60 Council along with the Commission's recommendations.

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62 **E. Rezoning approval criteria:** Before the Council votes to approve a rezoning, there
63 should be reasonable factual proof by the applicant that:

64 1. The proposed map amendment is in compliance, or is not in conflict, with the

65 goals and recommendations of the St. Charles Parish Comprehensive Plan
66 and Future Land Use Map. And
67 2. The proposed map amendment does not negatively impact the health, safety,
68 and welfare of the community.

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

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76 And the ordinance was declared adopted this _____ day of _____, 2020, to
77 become effective five (5) days after publication in the Official Journal.
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79 CHAIRMAN: _____

80 SECRETARY: _____

81 DLVD/PARISH PRESIDENT: _____

82 APPROVED: _____ DISAPPROVED: _____

83 PARISH PRESIDENT: _____

84 RETD/SECRETARY: _____

85 AT: _____ RECD BY: _____

1 **2020-**

Document submitted for 10/19/20 Legislative Committee Meeting

2 **INTRODUCED BY: MATT JEWELL, PARISH PRESIDENT**

3 **(DEPARTMENT OF PLANNING & ZONING)**

4
5 **ORDINANCE NO.**

6 An ordinance to amend the St. Charles Parish Code of
7 Ordinances, Chapter 6 - Buildings and Building Regulations,
8 Article II, Section 6-14. - Permit Application, to require a Traffic
9 Impact Analysis as part of the permitting process for new
10 development.

11 **WHEREAS,** the permitting process is routine, orderly, and intended to ensure safe,
12 adequate, and proper construction practices; and,

13 **WHEREAS,** these requirements are necessary for understanding the impact of new
14 development on existing infrastructure; and,

15 **WHEREAS,** these requirements do not include traffic analysis as part of the review for
16 understanding the impact of new development on existing infrastructure;
17 and,

18 **WHEREAS,** the St. Charles Parish Council wishes to add a traffic impact analysis as
19 part of the review for new development to ensure quality of life remains high
20 and the transportation network remains safe.

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22 **NOW, THEREFORE, THE ST PARISH COUNCIL ORDAINS:**

23 **SECTION I.** That the Code of Ordinances, Chapter 6 Buildings and Building
24 Regulations, Article II, Section 6-14 Permit Application, is amended as follows, with
25 additional text in underline and deleted text in ~~strikethrough~~:

26 Sec. 6-14. - Permit application.

27 To obtain a permit, the applicant shall first file an application on a form
28 furnished by the department of planning and zoning for that purpose. Such
29 application shall contain, at minimum the following information:

30 (n) Traffic Impact Analysis. A Traffic Impact Analysis (TIA) is required for
31 all new commercial, industrial, townhome, apartment, and multiplex
32 construction. The TIA, including all required documentation, shall be
33 submitted in accordance with the Parish's Traffic Impact Analysis
34 Policy as detailed in Appendix C. Subdivision Regulations.

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

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

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45 CHAIRMAN: _____

46 SECRETARY: _____

47 DLVD/PARISH PRESIDENT: _____

48 APPROVED: _____ DISAPPROVED: _____

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50 PARISH PRESIDENT: _____

51 RETD/SECRETARY: _____

52 AT: _____ RECD BY: _____

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2 **INTRODUCED BY: MATT JEWELL, PARISH PRESIDENT**
3 **(DEPARTMENT OF PLANNING & ZONING)**

4
5 **ORDINANCE NO. _____**

6 An ordinance to amend the St. Charles Parish Code of
7 Ordinances, Appendix C – St. Charles Parish Subdivision
8 Regulations of 1981, Section II. Subdivision procedure, C.
9 Minor Resubdivisions, 2. Reserved, and Section II.
10 Subdivision procedure, E. Preliminary Plat Requirements, 3.
11 Preliminary Plat/Additional Submission Requirements, and
12 Section IV. Design standards, to establish a process for
13 analyzing the impact of traffic generated by new development.

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

16 **WHEREAS,** these requirements are necessary for understanding the impact of new
17 development on existing infrastructure; and,

18 **WHEREAS,** the St. Charles Parish Council wishes to add a traffic impact analysis as
19 part of the review for new development to ensure quality of life remains high
20 and the transportation network remains safe; and,

21 **WHEREAS,** these requirements include policies to ensure open space and sites for
22 public use may be properly located and preserved as the parish develops;
23 and,

24 **WHEREAS,** the St. Charles Parish Council wishes to ensure that the decision to accept
25 a monetary fee in lieu of the dedication of land is solely at the discretion of
26 St. Charles Parish.

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28 **NOW, THEREFORE, THE ST PARISH COUNCIL ORDAINS:**

29 **SECTION I.** That the Code of Ordinances, Appendix C, Section II. Subdivision
30 Procedure, C. Minor Resubdivisions, is amended as follows, with additional text in
31 underline and deleted text in ~~strikethrough~~:

32 C. Minor Resubdivisions

33 2. ~~Reserved~~ Traffic Impact Analysis. A Traffic Impact Analysis, including all
34 required documentation, shall be submitted in accordance with the Parish's
35 Traffic Impact Analysis Policy.

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37 **SECTION II.** That the Code of Ordinances, Appendix C, Section II. Subdivision
38 Procedure, E. Preliminary Plat Requirements, 3. Preliminary Plat/Additional Submission
39 Requirements, is amended as follows, with additional text in underline and deleted text in
40 ~~strikethrough~~:

41 3. Preliminary Plat/Additional Submission Requirements.

42 c. Traffic Impact Analysis. A Traffic Impact Analysis, including all required
43 documentation shall be submitted in accordance with the Parish's Traffic
44 Impact Analysis Policy.

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46 **SECTION III.** That the Code of Ordinances, Appendix C – St. Charles Parish Subdivision
47 Regulations of 1981, Section IV. Design standards, is amended as follows, with additional
48 text in underline and deleted text in ~~strikethrough~~:

49 IV. – Design standards.

50 E. Traffic and vehicular movement

51 1. Traffic Control Signs, Signals, and Devices. The subdivider shall provide
52 all necessary traffic control signs, signals, and devices for all new streets
53 within the subdivision. All signs, signals, devices, and their installations
54 shall conform to the most recent edition of the Manual on Uniform Traffic
55 Control devices and the most recent edition of the Louisiana Standard
56 Specifications for Roads, and Bridges. Street signs shall be comprised of
57 8" tall aluminum panels with green background, shall have no border, shall
58 have 6" tall white letters, and shall be mounted on standard round
59 galvanized steel pipe sign posts. A barricade shall be provided by the
60 subdivider at all dead end streets which do not have cul-de-sacs. The
61 barricade shall consist of: 1) galvanized corrugated sheet steel guardrail
62 beams with flared end wings extending as near as possible from edge of

63 travel way to edge of travel way, 2) a 30" x 30" Dead End sign set above a
64 30" x 30" Stop sign (W14-1 and R1-1 per Manual of Uniform Traffic
65 Control Devices) mounted on galvanized U-channel (3 lbs per foot
66 minimum) centered on the guard railing, and 3) 2 - 18" x 18" red reflective
67 End of Road marker (OM4-3 per Manual of Uniform Traffic Control
68 Devices) with each being mounted on a galvanized U-channel being set at
69 6' 3" to the left and to the right of the Dead End and Stop sign. All traffic
70 control signs, signals, and devices shall be in place prior to dedication of
71 the construction improvements to the Parish.

72 2. Railroad Crossings. Streets within the proposed subdivision which cross
73 railroad rights-of-way shall, at railroad crossing, contain a median strip
74 between opposing traffic lanes. Minimum length of median shall be thirty-
75 five (35) feet from center of railroad crossing. Minimum curb height of
76 median shall be eight (8) inches. Railroad crossing shall be protected with
77 at least one (1) flashing light signal on each side of railroad crossing. Each
78 sign shall include at least one (1) automatic gate that when activated to
79 lower across roadway, extends to within one (1) foot of the median curb.
80 All railroad crossing signs and devices shall conform to the most recent
81 edition of the Manual on Uniform Traffic Control Devices and shall be in
82 place before acceptance of construction improvements.

83 3. Traffic Impact Analysis (Traffic Impact Analysis Policy). The Traffic Impact
84 Analysis (TIA), including all required documentation, shall be submitted in
85 accordance with the following TIA Policy.

86 a. Purpose. This policy establishes requirements for studies that provide
87 information on traffic projected to be generated by all proposed
88 developments. The purpose and intent of these requirements is to
89 protect the health, safety, and welfare of the citizens and visitors of St.
90 Charles Parish (hereinafter "The PARISH") by ensuring the provision of
91 safe and adequate transportation facilities.

92 b. Objective. The objective of this policy is to establish requirements for
93 the identification of potential traffic impacts, operational and/or safety,
94 of proposed developments and potential mitigation where required.
95 Traffic Impact Policies are a standard method utilized by all levels of
96 government to address the contribution to traffic congestion by new or
97 expanded development.

98 c. Applicability.

99 (1) A TIA is required for all subdivisions (new or expansions), all new
100 commercial/industrial developments requiring a building permit, and
101 all multi-family developments (townhomes, apartments, and
102 multiplexes).

103 (2) Where expansion of an existing commercial/industrial facility will
104 increase an existing building or paved area by 50% or more, the
105 expansion shall also be subject to this policy.

106 (3) This policy does not apply to individual single family and two-family
107 residences.

108 (4) Developments seeking access to state roadways where a review of
109 a traffic impact study is performed by the Louisiana Department of
110 Transportation and Development (hereinafter "The LADOTD") are
111 not exempt from the requirements of this policy.

112 d. Required. The landowner, developer, and/or engineering
113 representative (hereinafter "The APPLICANT") must provide an
114 engineering study to document the anticipated impact of the proposed
115 development on the existing transportation network. All information and
116 analysis submitted by the APPLICANT must follow the requirements
117 and methods outlined in this policy.

118 e. Procedure

119 (1) Pre-Application Meeting. The PARISH Department of Planning and
120 Zoning (hereinafter "the DPZ") should be contacted prior to all new
121 development applications, Plat Plan and Building Permit
122 Applications, to arrange for a Pre-Application Meeting. If required,
123 the APPLICANT shall submit a Traffic Scoping Information Form
124 and the required supporting documentation to the Department of

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Public Works (hereinafter "the DPW") two weeks (14 days) prior to the Pre-Application Meeting. At this meeting, the DPW, or their designee, will determine the level of traffic impact analysis required, and shall discuss and develop the following Traffic Impact Analysis requirements based on project specific conditions:

- i. TIA Threshold
- ii. Study area
- iii. Data Collection Requirements which could include, but not be limited to:
 - Traffic Signal Inventory /phasing/timing
 - Seven-day, 24-hour volume counts
 - Turning movement counts
 - Daily volume counts
 - Classification counts
 - Field observations
 - Crash history
 - Travel times
 - Speed data
- iv. Trip generation and distribution which could include, but not be limited to:
 - Land Use Category
 - Daily trips
 - Peak hour trips
 - Internal Capture percentages
 - Pass by percentages
- v. Analysis requirements which could include, but not be limited to:
 - Capacity Analysis
 - Turn Lane Warrant Analysis
 - Signal Warrant Analysis
 - Safety Analysis
 - Roundabout Study
 - AutoTurn Analysis
 - Simulation Modeling
- vi. Incorporation of trips for other proposed developments within the study area and/or growth rate usage and methodology

A subsequent Traffic Scoping Meeting may be scheduled with the DPW Representative if more specific information or analysis are required.

- (2) State Roads. In instances where the APPLICANT is requesting access to a state roadway and/or where a traffic impact study is required by the LADOTD Traffic Impact Policy, the PARISH process should be initiated first. LADOTD should not be contacted until after the PARISH Pre-Application/Traffic Scoping Meeting unless the PARISH requests LADOTD attend. When the LADOTD process is initiated separately, the APPLICANT shall inform and invite the designated PARISH representative to LADOTD traffic impact meetings and copy him/her on subsequent correspondence. If the designated PARISH representative is not available or elects not to attend any meetings with LADOTD regarding traffic impacts/access connections, the APPLICANT shall provide him/her minutes of the meeting(s).
- (3) Review and Approval. The APPLICANT should provide the required stamped and signed TIA and supporting data to the DPW, or their designee, for review and approval. The DPW, or their designee, shall provide a TIA Approval Letter to the APPLICANT that clearly outlines any required mitigation.
- (4) Post-Approval. The TIA Approval Letter shall be included in the packet provided to the commissioners for projects requiring approval by the Planning Commission. The TIA Approval Letter shall be submitted with the Permit Application for projects requiring a building permit. A building permit will not be issued unless the

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- APPLICANT receives a TIA Approval Letter. Required mitigation measures, if any, shall be in place prior to issuance of a Certificate of Occupancy.
- (5) Fees. The APPLICANT shall be solely responsible for the cost of preparation of any required Traffic Impact Studies. Review fees will be assessed in accordance with the St. Charles Parish Fee schedule.
- f. TIA Threshold Levels. Generally, three (3) threshold levels of Traffic Impact Studies (Thresholds 1, 2, and 3) are defined to include, but not be limited to, the following requirements. The exact requirements based on site-specific and project specific elements will be defined at the Pre-Application Meeting. Threshold 2 and 3 Traffic Impact Analysis studies shall be stamped and signed by an approved registered Louisiana Professional Engineer who is a certified PTOE.
- (1) Threshold 1 (Traffic Impact Analysis Statement Required) – If the proposed development results in less than forty (<40) peak hour trips, either AM or PM (whichever is greater) the APPLICANT will be required to submit the following items:
- i. The proposed trip generation and distribution with source information;
 - ii. Traffic Scoping Information Form with Required Additional Information (may include revisions per the Pre-Application Meeting);
 - iii. Sight distance evaluation at proposed driveway locations.
- (2) Threshold 2 (Traffic Impact Analysis Study Required) – If the proposed development results in greater than forty (>40) and less than four hundred (<400) peak hour trips, either AM or PM (whichever is greater) the APPLICANT will be required to submit the items for Threshold 1 plus the following additional items:
- i. Capacity analysis for existing and proposed conditions at intersections within the study area established during the Pre-Application Meeting;
 - ii. Capacity analysis for proposed condition at the development driveways;
 - iii. Left turn lane, right turn lane and signal warrants at the development driveways;
 - iv. Recommendations for mitigating improvements to maintain or improve the existing Level-of-Service, as well as recommendations for driveway locations and configurations.
- (3) Threshold 3 (Limited Traffic Impact Analysis Study Required) – If the proposed development results in greater than four hundred (>400) peak hour trips, either AM or PM, the APPLICANT will be required to submit the items for Thresholds 1 and 2 plus the following items:
- i. Obtain summary of the crash history within the study area;
 - ii. Review crash reports and provide recommendations to improve safety.
- g. Determination of TIA Threshold Levels. In general, applicants shall use the trip rates (use fitted equation if available) contained in the most recent edition of the Institute of Transportation Engineers' (ITE) *Trip Generation Manual* or count data from an equivalent site.
- The peak hour trips are not the only threshold factor in deciding the analysis that will be required. At the discretion of the DPW, or their designee, other items which significantly influence the traffic movements or safety may require a higher level of study. These include but are not limited to the following:
- (1) High volumes on surrounding roads affecting access to a proposed development
 - (2) Proximity of proposed access points to existing drives or intersections
 - (3) Areas currently experiencing excessive traffic congestion

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- (4) Developments that include drive-thru operations
 - (5) Lack of existing left turn lanes on adjacent roadways
 - (6) Areas currently undergoing substantial growth
 - (7) Inadequate sight distance at access points
 - (8) High-accident areas
- h. TIA Content and Format. The contents of the TIA, as well as the TIA study area limits shall vary depending on the site and prevailing conditions. Content requirements shall be established by the DPW, or their designee during the Pre-Application Meeting.

Each TIA must take into account other proposed developments in the study area for which a TIA has been submitted or approved. This information shall be obtained and provided by the DPW, or their designee, and/or the LADOTD. A growth rate may be applied to existing traffic data in lieu of estimated trips for specific development if approved by the DPW in the Pre-Application Meeting.

The TIA study should be prepared in the following format:

- (1) Description of Study Area. A vicinity map and description of the study area shall be provided. The map shall include roadways that allow access to the site and are included in the study area. Documentation of the study area development established during the Pre-Application Meeting shall be included in the appendix.
- (2) Description of the Project. This description shall include the size of the parcel, access to the site, onsite circulation, and the existing and proposed uses of the site. In addition, the square footage of each use or number and size of units proposed shall be specified. A proposed site plan shall be included.
- (3) Existing Conditions. The existing conditions, in the vicinity of the project, shall be described including field observations. Existing traffic controls and geometrics (number of lanes, intersection configurations, etc.) on roadways or at intersections within the study area shall be described in detail.
- (4) Existing Traffic Volumes. Traffic data shall be collected/conducted at study area intersections during peak hours and dates approved by the DPW, or their designee. The TIA shall include a description of traffic count type, location of count and date of collection. A figure that presents AM and PM peak hour counts with turning movements and average daily traffic shall be included when applicable. Raw count data shall be included in the appendix.

Unless approved by the DPW at the Pre-Application Meeting, the counts shall be conducted during the school year (September through May) and during weeks that have no major school holidays (These holidays shall include, but are not limited to, Thanksgiving, Christmas Break, Spring Break, Mardi Gras, Labor Day, and Exam weeks). Counts shall not be conducted during special events in the area unless for a specific purpose.

- (5) Trip Generation Estimates. Traffic volumes expected to be generated by the proposed development shall be estimated. Trip generation calculations shall be included in the appendix.
- (6) Trip Distribution. Trips generated by the site must be distributed and assigned to the roadway network to determine the project's impacts. The methodology and assumptions which are used in the determination of trip distribution shall be described. For projects with several phases to be developed over several years, the trip distribution shall be estimated for the completion of each phase of the development as well as the final build-out of the development. A figure that presents the new trips distributed and assigned to the roadway network shall be included.
- (7) Projected Traffic Volumes within the TIA Study Area. Project generated, and distributed trips shall be estimated for intersections

311 in the study area, including proposed driveways. A figure that
312 presents AM and PM peak hour projected volumes with turning
313 movements shall be included. A detailed description shall be
314 included of how the trips generated from other proposed
315 developments are incorporated in the model or how the use of the
316 growth rates approved by the DPW, or their designee, at the Pre-
317 Application Meeting are being applied in the model.

318 (8) Capacity Analysis. Capacity analyses provide an indication of how
319 well the study area intersections serve existing and future traffic
320 demands. A description of the methodology and Level of Service
321 (LOS) definitions shall be included within the TIA. For existing and
322 future conditions, LOS at all study intersections, inclusive of the site
323 access locations, shall be calculated for signalized and
324 unsignalized intersections using procedures contained in the
325 Highway Capacity Manual. The LOS and delay shall be reported for
326 each turning movement at each approach, each overall approach
327 and the overall intersection as applicable in tabular format.
328 Capacity analysis documentation shall be included in the appendix.

329
330 The objective of the APPLICANT shall be to maintain or improve
331 the existing LOS. An overall LOS "D" shall be considered
332 acceptable. Where LOS "D" is not existing or the existing LOS
333 cannot be achieved with improvements/mitigation, a description of
334 impacts, constraints, mitigation measures analyzed, and results
335 shall be provided.

336 (9) Warrant Analysis. Traffic signal and/or left/right turn lane warrants
337 may be conducted and storage lengths recommended where
338 applicable. Meeting warrants is not the only consideration for
339 signalization and/or left/right turn lanes, engineering judgement
340 must also be applied. Warrant analysis documentation shall be
341 included in the appendix.

342 (10) Crash Data. When required, three years of the most current crash
343 data shall be obtained for intersections within the study area. The
344 details of the safety analysis shall be determined on a project
345 specific basis by the DPW, or their designee.

346 (11) Traffic Improvements. Improvements to the network should be
347 developed to address deficiencies. Improvements shall be analyzed
348 to determine the expected impact.

349 (12) Conclusions and Recommendations. The equivalent of an executive
350 summary should be provided to describe the proposed project, the
351 data collected, the analysis conducted, improvements considered
352 and resulting recommendations.

353 i. Actions Based on TIA.

354 (1) A proposed development which is subject to the TIA requirements
355 of this policy may be disapproved when the results of the required
356 TIA demonstrate that the proposed project will overburden the
357 existing roadway system by causing a reduction in service of
358 affected roadways, negatively impacts the safety of the roadway, or
359 is below the adopted Level of Service (LOS) "D".

360 (2) In the case where the existing Level of Service (LOS) is below "D",
361 the required mitigating improvements shall improve the LOS to "D"
362 or better.

363 (3) An APPLICANT, in coordination with the DPW, or their designee,
364 may modify the development proposal to reduce traffic-related
365 impacts. Modifications to applications for projects may include, but
366 shall not be limited to:

367 i. Dedication of additional right of way

368 ii. Re-routing of traffic and proposed access points serving the
369 proposed project

370 iii. Traffic signal timing and/or phasing adjustments (with
371 coordination and approval from the owner of the signal)

372 iv. Restriping or reconfiguration of intersections

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- v. Construction of additional lanes
- vi. Installation of a roundabout
- vii. Installation of a signal
- viii. Providing funding for infrastructure improvements
- ix. Any other recommendations by the DPW upon review

j. Mitigation

- (1) APPLICANTS will be responsible for the cost and implementation of identified improvement(s) to mitigate the traffic impact of their proposed development unless funding can be provided through a grant mechanism.
- (2) If traffic mitigation is part of an approved Traffic Impact Analysis, all approved traffic improvements must be implemented prior to issuance of an occupancy permit that it is to be completed within construction of a subsequent phase.
- (3) The APPLICANT shall meet all applicable requirements found in the Parish Zoning and Subdivision Ordinance Code.
- (4) Mitigation shall comply with the St Charles Parish Master Plan in place at the time of application, if any. The APPLICANT shall verify with the DPW whether a Master Plan proposed route or improvement will affect the subject property. If so, access through the property and/or require Right-of-Way, may be required to be dedicated to the Parish as part of the APPLICANTS's mitigation efforts.
- (5) The Parish has the right to place moratoriums in areas where reasonable operational conditions, as determined by the DPW, or their designee, are not able to be achieved with mitigation.

k. Waiver/Exception from TIA Requirements.

- (1) The Parish Engineer may waive the Threshold 1 requirements for any commercial construction project requiring a building permit through a written statement. The waiver shall note the most recent ITE Manual, the use code, and the proposed use of the development.
- (2) The Planning Commission may not waive the traffic impact analysis submittal requirements of this policy without the consent of both the Department of Planning and Zoning and the Department of Public Works.

SECTION IV. That the Code of Ordinances, Appendix C – St. Charles Parish Subdivision Regulations of 1981, Section IV. Design standards, E. Miscellaneous, is amended as follows, with additional text in underline and deleted text in strikethrough:

EF. Miscellaneous:

- 2. Traffic Control Signs, Signals, and Devices. ~~The subdivider shall provide all necessary traffic control signs, signals, and devices for all new streets within the subdivision. All signs, signals, devices, and their installations shall conform to the most recent edition of the Manual on Uniform Traffic Control devices and the most recent edition of the Louisiana Standard Specifications for Roads, and Bridges. Street signs shall be comprised of 8" tall aluminum panels with green background, shall have no border, shall have 6" tall white letters, and shall be mounted on standard round galvanized steel pipe sign posts. A barricade shall be provided by the subdivider at all dead end streets which do not have cul-de-sacs. The barricade shall consist of: 1) galvanized corrugated sheet steel guardrail beams with flared end wings extending as near as possible from edge of travel way to edge of travel way, 2) a 30" x 30" Dead End sign set above a 30" x 30" Stop sign (W14-1 and R1-1 per Manual of Uniform Traffic Control Devices) mounted on galvanized U-channel (3 lbs per foot minimum) centered on the guard railing, and 3) 2-18" x 18" red reflective End of Road marker (OM4-3 per Manual of Uniform Traffic Control Devices) with each being mounted on a galvanized U-channel being set at 6' 3" to the left and to the right of the Dead End and Stop sign. All traffic control signs, signals, and devices shall be in place prior to dedication of the construction improvements to the Parish.~~

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~~Railroad Crossings. Streets within the proposed subdivision which cross railroad rights-of-way shall, at railroad crossing, contain a median strip between opposing traffic lanes. Minimum length of median shall be thirty-five (35) feet from center of railroad crossing. Minimum curb height of median shall be eight (8) inches. Railroad crossing shall be protected with at least one (1) flashing light signal on each side of railroad crossing. Each sign shall include at least one (1) automatic gate that when activated to lower across roadway, extends to within one (1) foot of the median curb. All railroad crossing signs and devices shall conform to the most recent edition of the Manual on Uniform Traffic Control Devices and shall be in place before acceptance of construction improvements.~~

~~32. Electrical Service/Street Lights. The subdivider shall provide street lights on all new streets within the subdivision. The street lighting system shall be based on the "American Standard Practice for Roadway Lighting" prepared by the American Standards Association. The street lighting system and electrical service shall be installed in accordance with the requirements of the local power company regulations. All general electrical service and street lighting systems within the subdivision shall be provided via underground feeder lines. All new installations of buried wire shall be encased in 1-inch PVC conduit. The minimum size and type of copper wire to the light poles shall be #8 THHN.~~

~~43. Reserved.~~

~~54. Monuments.~~

~~65. The subdivider shall be liable for any damages incurred to public and/or private property in the conduction of his work.~~

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

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

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

The Public Works Department recommends that the Code of Ordinances, Section 25-52, Paragraph (b)(2), be amended as follows:

DELETE: "(2) *Overbank flooding protection of bayous and waterways.* Downstream overbank flood and property protection shall be provided by controlling the post-development peak discharge rate to the pre-development rate for the ten-year, twenty-four-hour return frequency storm event."

REPLACE WITH: ""(2) *Overbank flooding protection of bayous and waterways.* Downstream overbank flood and property protection shall be provided by controlling the post-development peak discharge rate to the pre-development rate for the 25-year, 24-hour return frequency storm event."

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. The recommended amendments as described above are hereby approved.

2 INTRODUCED BY: MATT JEWELL, PARISH PRESIDENT

3 (DEPARTMENT OF PLANNING & ZONING)

4 ORDINANCE NO. _____

5 An ordinance to amend the St. Charles Parish Subdivision
6 Regulations of 1981 to amend the major subdivision process to
7 require partial infrastructure review as part of the Preliminary Plat
8 phase, and amend the Construction Plan Approval process.
9

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

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

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

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

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

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

23 WHEREAS, the St. Charles Parish Council wishes to ensure that quality of life remains high
24

25 THE ST PARISH COUNCIL HEREBY ORDAINS:

26
27 SECTION I. That the St. Charles Parish Code of Ordinances, Appendix C, Section II. C.
28 regarding minor subdivisions is amended to add item 2 as follows in **bold underline**:

29
30 **2. Consecutive Minor Subdivisions. The Minor Resubdivision process is not intended**
31 **to create major subdivisions from multiple minor subdivisions. Whenever a minor**
32 **subdivision results in a net increase of lots, parcels, or tracts, no application for a**
33 **further increase of lots shall be considered by the Planning Commission for a period**
34 **of two years from the date of recordation unless a majority of the Planning**
35 **Commission votes to consider the consecutive request to resubdivide into additional**
36 **lots. This restriction shall not prohibit a property owner from changing boundary lines**
37 **by administrative resubdivision.**
38

39 SECTION II. That the St. Charles Parish Code of Ordinances, Appendix C, Section II. C. 3.
40 regarding minimum requirements for minor subdivision plats is amended to add item "1" as
41 follows in **bold underline**.

42
43 **1. The following note shall be added to resubdivision maps that result in a net increase**
44 **of lots: No lot created by this act of subdivision shall be divided in such a way that**
45 **another net increase in the number of lots occurs for a period of two years.**

46
47 SECTION III. That the St. Charles Parish Code of Ordinances, Appendix C, Section II. D *Major*
48 *Resubdivisions*, is amended as follows, with additional text in **bold underline** and deleted text
49 in strikethrough:

50
51 D. ~~Major Re~~**Subdivisions**. For any **major subdivision**, ~~subdivision or resubdivision resulting~~
52 ~~in six (6) or more lots, including any remainder of the original lot, plat, tract, parcel, and/or~~
53 ~~any subdivision or resubdivision requiring dedication of public improvements, approval shall~~
54 ~~consist of preliminary plat approval~~ **by the Planning and Zoning Commission**, and
55 ~~construction approval by the~~ **Director of** Planning and Zoning Commission, and final
56 approval by the Parish Council.

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

60 a. ~~Stormwater Pollution Prevention Plan. For Major Subdivisions that involve more than one~~
61 ~~(1) acre and/or the required public improvements are deemed by the Planning Director to~~
62 ~~be insignificant, the MS4 Administrator may require the submittal of a Stormwater~~
63 ~~Pollution Prevention Plan and/or Post Construction Stormwater Permit, including all~~

64 required documentation, in accordance with Chapter 25—Stormwater Management and
65 Erosion and Sedimentation Control.

66 E. *Preliminary Plat Requirements.*

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

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

- 72 a. The name(s) and address(es) of the owner(s) and subdivider(s).
- 73 b. The seal of the land surveyor preparing the plat and the date of preparation. The
74 plat shall be dated within one (1) year of the subdivision application date.
- 75 c. A title block containing the subdivision name, location of the property, a true north
76 arrow, and scale, both written and graphic. The preliminary plat shall be drawn to a
77 legible scale.
- 78 d. Existing property lines, including width and names of bounding streets.
- 79 e. Section and township lines.
- 80 f. Zoning district boundary lines, only when such boundary lines bisect the proposed
81 subdivision.
- 82 g. Location and dimensions of existing improvements, including municipal numbering
83 where applicable.
- 84 h. Qualifying statement, as follows: "St. Charles Parish land use regulations, including
85 setback standards, supersede private subdivision covenants where parish
86 regulations are more restrictive."
- 87 i. Existing drainage ditches and canals and their respective servitudes.
- 88 j. Existing lakes and ponds.
- 89 k. Name(s) and address(es) of adjoining property owner(s) as they appear on the tax
90 assessor's roles.
- 91 l. Name(s) of adjoining subdivisions.
- 92 m. Layout and dimensions, including area, of all proposed lots which shall be numbered
93 consecutively.
- 94 n. Layout and dimensions of **existing and proposed** servitudes and rights-of-way,
95 including sidewalks.
- 96 o. Existing bridges, culverts, watermains, sanitary and storm sewers, and other
97 underground structures indicating pipe sizes, grades, and manholes.
- 98 p. Existing contours at one-foot intervals using mean sea level datum for ground slope
99 within the subdivisions.
- 100 q. **Statement regarding** Proposed method and source of sewage disposal and/or
101 treatment.
- 102 r. **Statement regarding** Proposed method and plan for drainage.
- 103 s. Location and size of any proposed school sites, park sites, playgrounds, or other
104 special uses of land.
- 105 t. A composite road plan with graphic alignment, proposed street names, right-of-way
106 widths, curve radii and tangent length, intended type of surfacing material, street
107 lighting plan, and the location and type of any proposed railroad crossing(s) for
108 subdivision access.
- 109 u. Vicinity map at a scale of one (1) inch equals two thousand (2,000) feet.
- 110 v. Statement of Dedication. Submission of the Preliminary Plat shall be accompanied
111 by a written "Statement of Dedication," indicating the subdivider's intent to submit a
112 final "Act of Dedication" prior to approval of the Final Plat.
- 113 **w. Statement regarding proposed phases (if any).**

114 3. Preliminary Plat/Additional Submission Requirements.

- 115 a. Drainage Impact Analysis. A Drainage Impact Analysis shall be completed by a
116 Civil Engineer registered with the State of Louisiana for all subdivisions of property
117 of one (1) acre or greater. The said Drainage Impact Analysis shall be prepared
118 pursuant to the guidelines specified in these regulations.

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- 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

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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 of 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.

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Upon the Department of Planning and Zoning receiving letters of approval ~~no~~ 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. 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. Construction Plans that have been disapproved may appeal that decision to the Planning Commission within 30 days of receiving written notice.

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:

- 299 a. Vicinity Map. The vicinity map shall show an area large enough to identify
300 several surrounding landmarks or municipalities. The map shall be
301 oriented so that the north arrow points upward.
- 302 b. Layout Map. The layout map shall be drawn at a scale of one (1) inch
303 equals two thousand (2,000) feet and shall show the general
304 configuration of the subdivision and the immediate surrounding or
305 connecting roadways or subdivisions. The scale shall be shown below the
306 map.
- 307 c. Subdivision Name. The name of the subdivision as it appears on the
308 approved preliminary plat and the words "Construction Approval
309 Subdivision Plans" shall be shown in bold letters. The subdivision name
310 shall also be shown on the lower right hand corner of the title sheet. (Ord.
311 No. 02-9-22, § I, 9-23-02)
- 312 d. Index. The index to sheets in the plans will be shown in the upper left
313 hand corner of the title sheet. The index shall include a list of all sheets in
314 order by number and description.
- 315 e. Signature. The signature and seal of a Professional Land Surveyor
316 licensed to practice in the State of Louisiana.
- 317 (2) Contour Map. The contour map shall be prepared covering the area of the
318 subdivision and all additional areas of any watershed which drains into the
319 property to be developed.
- 320 (3) Storm Drainage System Plan. A layout map shall be prepared showing the
321 proposed and existing subsurface storm drainage system and/or ditch
322 drainage system within the subdivision, all outfall drainage systems, and
323 individual drainage areas.
- 324 (4) Sanitary Sewer System Plan. A layout map shall be prepared showing the
325 proposed and existing sanitary sewerage systems.
- 326 (5) Water Distribution System Plan. A layout map shall be prepared showing the
327 proposed and existing water distribution systems.
- 328 (6) Street Lighting System Plan. A layout map shall be prepared showing the
329 proposed street lighting system.
- 330 (7) Typical Section Sheet. A section sheet shall be provided showing the finished
331 section of streets with all utilities included.
- 332 (8) Plan Profile. A plan profile of all streets shall be provided including the
333 following:
- 334 a. Profile along centerline and each property line.
- 335 b. Proposed finished centerline grade with station numbers and elevations.
- 336 c. Grade of storm sewer and/or ditch drainage system.
- 337 d. Size and grade of sanitary sewer lines.
- 338 e. Design details of street, drainage, and sewerage improvements.
- 339 (9) Base Flood Elevation Data. Base Flood Elevation (FEMA) data shall be
340 provided for subdivision proposals and other proposed development which
341 contain at least fifty (50) lots or five (5) acres, whichever is less.
- 342 (10) Soils Analysis, soil borings, and geotechnical reports shall be performed by
343 a Licensed Professional Engineer. This shall apply to proposed subdivisions,
344 which abut an existing or proposed Major Drainage Canal. The Department of
345 Public Works shall determine specification of the soil analysis, soil borings,
346 and geotechnical reports. Should analysis indicate substandard soils, the
347 Department of Public Works shall require bulkhead construction or acceptable
348 alternatives for the purpose of stabilizing the canal banks. (Ord. No. 99-12-8, §
349 III, 12-6-99)
- 350 (11) Railroad Crossing(s). If roadway requires a railroad crossing for subdivision
351 access, the subdivider shall submit with the construction plans a copy of the
352 proposed railroad crossing agreement required by the applicable railroad
353 company. The Parish Attorney shall review and return the proposed
354 agreement with comments to the developer within two (2) weeks of the
355 submittal date. Upon submittal of an agreement satisfactory to the Parish
356 Attorney, the Parish President is given authority to execute the agreement as
357 needed for construction of the railroad crossing. (Ord. No. 00-8-1, § III, 8-7-00)

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- 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.
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- 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)
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- 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:
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- (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.
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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.
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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.
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- During the Pre-Construction Review meeting:
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- 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.
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- 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.
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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.
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- 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.
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- 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.
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- 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.
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- 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

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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 **bold 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 **bold 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 **bold underline** and deleted text in ~~strikethrough~~.

- 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 slow 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.