

**2015-**

**INTRODUCED BY: PAUL J. HOGAN, PE, COUNCILMAN, DISTRICT IV**

**ORDINANCE NO. \_\_\_\_\_**

An ordinance of the Parish of St. Charles providing that the Code of Ordinances, Parish of St. Charles, be amended by revising Appendix C, the St. Charles Parish Subdivision Regulations of 1981, I. General., B. Definitions: to add Commercial Subdivision, Commercial Development Subdivision, Industrial Area Status, Industrial Subdivision, and Industrial Development Subdivision, and to amend V. Administrative., A. Fees, 1, 2, and 4.

**WHEREAS**, an amendment was made to Appendix C of the St. Charles Parish Subdivision regulations with Ordinance 00-5-9 to establish procedures relative to the subdivision of industrial property having Industrial Area Status; and,

**WHEREAS**, properties having Industrial Area Status are industrial properties that are responsible for all drainage, construction and maintenance of streets, sewers, and sewerage systems, fire protection, street lighting and garbage collection; and,

**WHEREAS**, the codes does not provide for a definition of Industrial Area Status and requires additional definitions required for clarity; and,

~~**WHEREAS**, the codes do not clearly provide for the resubdivision of commercial properties that are responsible for all drainage, construction and maintenance of streets, sewers, and sewerage systems, fire protection, street lighting and garbage collection; and,~~

**Comment [P&Z1]:** There are no commercial properties currently doing this nor is it allowed by code. Recommend removal.

**WHEREAS**, the process of the resubdivision of commercial and industrial property ~~not having Industrial Area Status~~ is equivalent to the process of that for a residential subdivision; and,

**Comment [P&Z2]:** Recommend removal for clarity.

**WHEREAS**, since the processes for the resubdivision of residential property and that of commercial and industrial property ~~not having Industrial Area Status~~ is the same, it is the desire of the Council that the fees associated with each be the same; and,

**Comment [P&Z3]:** Recommend removal for clarity

**WHEREAS**, the code does not provide for fees associated with the administrative resubdivisions; and,

**WHEREAS**, it is the desire of the Council to establish fees for administrative resubdivision; and,

**WHEREAS**, it is the desire of the Council to amend the code as noted below.

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

**SECTION I.** That the Code of Ordinances, Appendix C, the St. Charles Parish Subdivision Regulations of 1981, I. General, B. Definitions: to add Commercial Subdivision, Commercial Development Subdivision, Industrial Area Status, Industrial Subdivision, and Industrial Development Subdivision, and to amend V. Administrative., A. Fees, 1, 2, and 4 is hereby amended as follows:

**AS WRITTEN:**

V. Administrative.

A. Fees:

1. At the time of filing a Preliminary Plat for a residential subdivision, a fee of one hundred dollars (\$100.00) plus twenty dollars (\$20.00) for each lot included in the subdivision shall be charged. Residential subdivisions containing five (5) lots or less shall be charged a fee of fifty dollars (\$50.00) plus ten dollars (\$10.00) per lot.

2. At the time of filing a preliminary plat or a resubdivision request for a commercial or industrial subdivision, or a planned industrial park, a fee of one hundred dollars (\$100.00) plus one hundred dollars (\$100.00) for each acre or fraction thereof included in the subdivision shall be charged up to a maximum fee of \$5,000.00.
  
4. Prior to Council approval of the final plat, the Parish shall be reimbursed by the developer for all contractual fees incurred in association with any preconstruction phrase technical reviews or inspections of any residential, commercial, or industrial subdivision, or any planned industrial park. Examples of such preconstruction technical reviews or inspections include, but are not limited to, Parish reviews of preliminary plats, drainage impact analyses, subdivision drainage designs, etc. The Director of the Department of Planning and Zoning shall establish, on an annual basis, a maximum fee schedule for preconstruction reviews and inspections based on subdivision acreage and average lot size for both residential and commercial/industrial subdivisions.

**REVISED:**

B. Definitions:

Planned Industrial Park. A development of land, used primarily for industrial and related uses, under unified control, that is planned and developed as a whole operation or programmed series of development stages.

**Comment [P&Z4]:** The Department supports this needed definition into the Zoning Ordinance.

V. Administrative.

A. Fees:

1. At the time of filing a Preliminary Plat for ~~a residential, commercial, or industrial subdivision or a resubdivision of such properties~~, a fee of one hundred dollars (\$100.00) plus twenty dollars (\$20.00) for each lot included in the subdivision shall be charged. ~~Residential Minor Subdivisions containing five (5) lots or less shall be charged a fee of fifty dollars (\$50.00) plus ten dollars (\$10.00) per lot. For any administrative resubdivision of lots created under this provision, a fee of fifty dollars (\$50.00) plus ten dollars (\$10.00) for each lot included in the subdivision shall be charged.~~
2. At the time of filing a preliminary plat ~~or a resubdivision request for a~~ **commercial or industrial subdivision with industrial area status as defined by State Statute**, or a planned industrial park, a fee of one hundred dollars (\$100.00) plus one hundred dollars (\$100.00) for each acre or fraction thereof included in the subdivision shall be charged up to a maximum fee of \$5,000.00. **For any administrative resubdivision of lots created under this provision, a fee of one-hundred dollars (\$100.00) plus twenty dollars (\$20.00) for each lot included in the subdivision shall be charged.**
4. Prior to Council approval of the final plat, the Parish shall be reimbursed by the developer for all contractual fees incurred in association with any preconstruction phrase technical reviews or inspections of any ~~residential, commercial, or industrial~~ subdivision or any planned industrial park. Examples of such preconstruction technical reviews or inspections include, but are not limited to, Parish reviews of preliminary plats, drainage impact analyses, subdivision drainage designs, etc. The Director of the Department of Planning and Zoning shall establish, on an annual basis, a maximum fee schedule for preconstruction reviews and inspections based on subdivision acreage and average lot size for ~~both residential and commercial/industrial~~ subdivisions.

**Comment [P&Z5]:** Under the proposed revisions, these designations are not necessary.

**Comment [P&Z6]:** This is redundant and should be removed.

**Comment [P&Z7]:** Minor Subdivisions are defined by this section in more detail than here.

**Comment [P&Z8]:** We recommend that this be struck as it does not clarify what Administrative Resubdivisions do.

**Comment [P&Z9]:** We recommend further reduction in this portion.

**SECTION II.** That the foregoing provisions of this ordinance shall be included and incorporated in the Code of Ordinances of the Parish of St. Charles as an addition or amendment thereto, and the provisions shall be appropriately renumbered to conform to the uniform numbering system of the Code.

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

And the ordinance was declared adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2015, to become effective five (5) days after publication in the Official Journal.

2015- (1-8-15) Amend Code Appendix C Section V Administrative (I ) PH (01-07-15)

CHAIRMAN: \_\_\_\_\_

SECRETARY: \_\_\_\_\_

DLVD/PARISH PRESIDENT: \_\_\_\_\_

APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

PARISH PRESIDENT: \_\_\_\_\_

RETD/SECRETARY: \_\_\_\_\_

AT: \_\_\_\_\_ RECD BY: \_\_\_\_\_