

Commissioner Frangella: First case is a postponed case is there a motion to remove it from postponement?

2019-10-ORD requested by Paul J. Hogan, PE, Councilman-at-Large, Div. B for 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 a. Construction Plan. (11) Railroad Crossing(s). 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.

Commissioner Richard: I move to remove it from postponement

Commissioner Frangella: is there a second?

Commissioner Petit: Second

Commissioner Frangella: Ok call for the vote.

YEAS: Gordon, Petit, Granier, Richard, Dunn, Frangella, Galliano

NAYS: None

ABSENT: None

Commissioner Frangella: That passes unanimously. Also we have a request to move 2019-11-ORD behind 2019-10-ORD, do I have a motion?

Commissioner Richard: I move to move 2019-11-ORD behind 2019-10-ORD

Commissioner Petit: Second

Commissioner Frangella: Call for the vote.

YEAS: Gordon, Petit, Granier, Richard, Dunn, Frangella, Galliano

NAYS: None

ABSENT: None

Commissioner Frangella: Motion carries. First up 2019-10-ORD is the public hearing.

Good evening, thank yall Commissioners. This is a proposed amendment

Commissioner Frangella: State your name and address for the record please.

Paul Hogan, 222, Down the Bayou Road. This is a proposed ordinance to amend the subdivision regulations to provide for private streets within major subdivisions and before we get started there's a couple of changes that I'd like to request that yall make a motion to amend and then take up that amended version and they're simple. If you go to Section III in the first paragraph, I'd like to delete "a. Construction Plan. (11) Railroad Crossing(s)", that was inadvertently put in there, those few words right there should be deleted. If you go to Section VI, the very last part of it where it says "within 25 ft. in advance of where the private street", strike that and in Section VII under 2. Traffic Control Signs, Signals and Devices add after, it starts Within twenty-five (25) feet in advance of private streets developed under the major subdivision procedure a sign shall be placed by the developer so it would be adding "by the developer" after placed and those are the changes I'd like for yall to make a motion to amend this section and take up that amended version.

Commissioner Frangella: Alright do I have a motion?

Commissioner Richard: I make a motion.

Commissioner Frangella: Do I have a second?

Commissioner Dunn: I second.

Commissioner Frangella: Call for the vote.

YEAS: Gordon, Granier, Richard, Dunn, Frangella, Galliano

NAYS: Petit

ABSENT: None

Commissioner Frangella: That passes with Mr. Randy Petit voting nay.

Mr. Hogan: Thank yall fellows and ladies. This ordinance is a second version of one that came to yall at a previous meeting. The previous attempt to amend the code was to create a whole new section of the code to provide for what this is providing. We took that and worked it into the existing code so no new section of the code needs to be amended it's just a matter of amending wording within here. We'll go down piece by piece, the first one is just an amendment to the definition of what a right of way is and what this does is addresses what a right of way is within a major subdivision when the street is to be private. The second section, Section II, item b, what that says is that whenever a subdivision does have a private street developed within a major subdivision that in those cases the recreation department will accept the fees instead of land being that not all streets are accessible by the public within the development, so we would want to take fees instead of land in that case. And if you go to Section IV, item 2.h being that the streets that would be private would be not dedicated to the parish it would need to be designated as an individual lot, so that's what 2.h is doing. If you go to 3.c, what that section is doing is once a street has been accepted, the major subdivision has been accepted and some streets within it are private, there may come a time where the residents or the homeowner's association would want to dedicate that street to the parish at that time instead of it remain public so that provides for how that is done. Then is you go to Section V, Acceptance of Improvements, the part at the bottom what that says is whenever you have a private street within a subdivision that any repairs that are needed to the road or sidewalk because of damage caused by the parish running or repairing utilities under the roadway that the parish is responsible of those repairs being that it was damaged putting in their or repairing their infrastructure. And if you go to Section VI, item 6 what that requires, it makes a statement wherever a street turns from public to private it makes mention that a sign needs to be placed in accordance with another provision that is further down which we'll get to in a minute. And then c. says Extension of Existing Street, that also references a sign that needs to be placed. So if you go to Section VII, Section VII addresses which pertains to Traffic Control Signs, Signals and Devices, what that requires is that wherever a street is public and it turns into a private street in a major development that a sign needs to be posted at that location notifying the public, Public Works Department and everybody, utility people, that this is a private road. What the sign would say private road, garbage trucks, school busses, public works/street repairs prohibited. As in the case right now with all private streets school busses cannot run down private streets, school busses, garbage trucks and no parish repair can occur on private street. So in a subdivision where some streets are made private there needs to be something there informing those particular groups that you cannot go back here or do work or access that particular, private street. And the last part of that allows for gates to be constructed where the streets turns from public to private should the subdivision would like to make it a private, gated community, that's a provision to allow a gate on their private property. And with that if you have any questions I'd be glad to answer them.

Commissioner Frangella: Does anybody have any questions?

Mr. Albert: Mr. Chairman you do have the staff report in front of you that recommends denial. I understand the background on this but in terms of process review, a

subdivision ordinance is as much Planning & Zoning's as it is the Department of Public Works who has not had input to this. This is a substantial revision to the code, it hasn't had a committee process, doesn't have support from this department and doesn't have a statement either way from Public Works. We still cannot support these changes to the ordinance at this time.

Commissioner Frangella: Thank you. Any questions, comments from the Commission?

Commissioner Petit: Just a comment from me. Mr. Hogan I feel like there's a place for this in the ordinance and there may be a need for this but it just feels like to me it needs additional work and we seem to continue to make changes on the fly each time it comes up, I just don't think, to me it just doesn't feel ready, it's not supported by me.

Mr. Hogan: Well this is the second attempt to make it fit within the code rather than doing major amendments, it's not really major changes, it's relatively simple and the spirit of it is in line with the Planning & Zoning Department's recommendation to allow subdivision in this case, as this, as was the Commission's decision to allow subdivisions to occur like this, as was the Council's decision to allow subdivisions to occur like this, as was the Parish President's decision to allow subdivisions to occur like this. So everybody within the parish was in agreement to allow a subdivision to occur like this so it only seems logical that we would want to amend the codes being that everybody that's any governmental authority has approved a subdivision like this. So anyway, I say y'all can vote on it and as far as the next item coming up, I'm withdrawing that one, I thought was had already done that. Thank you.

Commissioner Granier: I have a question. What is the process for Public Work's to review this? I'm a little confused why they hadn't.

Mr. Albert: It's been made available. All I'm saying is we don't have comments on it.

Commissioner Frangella: Alright any other questions or comments? Call for the vote.

YEAS: None

NAYS: Gordon, Petit, Granier, Richard, Dunn, Frangella, Galliano

ABSENT: None

Commissioner Frangella: That fails motion fails with Gordon, Petit, Granier, Richard, Dunn, Frangella, Galliano voting nay.

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