

*Ord.*

2008-0188

INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT  
(DEPARTMENT OF PLANNING AND ZONING)

ORDINANCE NO. 08-4-11

An ordinance to provide permitting procedures for subdivision's platted prior to September 2, 1969, with sub-standard or no improvements.

WHEREAS, Ordinance # 82-1-10 (approved January 18, 1982) and 83-5-14 (approved May 16, 1983) provided permitting procedures for subdivision's platted prior to September 2, 1969, with sub-standard or no improvements; and,

WHEREAS, the purpose of these ordinances was to provide for subdivisions platted before the subdivision standards were in place; and,

WHEREAS, Ordinance # 99-12-06 repealed Ordinance # 82-1-10 and Ordinance #83-5-14 on December 6, 1999; and,

WHEREAS, the original ordinances were never included in the St. Charles Parish Code of Ordinances; and,

WHEREAS, the removal of this option has become a hardship for St. Charles Parish citizens owning lots in the above described subdivisions.

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

**SECTION I.** That the St. Charles Parish Code, Appendix C, Subdivision Regulations, Section V.B is hereby amended to add the following:

4. Residential development on sub-standard streets.

a) The following items shall be required from an applicant prior to the issuance of a building permit on lots that are part of a subdivision platted prior to September 2, 1969 and where substandard or no public improvements exist.

1. Dedication of additional property to provide for a fifty (50) foot right-of-way where possible (should the existing right-of-way be less than fifty (50) feet) provided the remaining depth of the lot is not less than seventy (70) feet.
2. If property is less than one hundred and twenty (120) feet in depth, the dedication of any property for a right-of-way shall be determined by the Public Works Department. However, a minimum right-of-way of twenty (20) feet shall be provided which shall consist of a fifteen (15) wide road and a five (5) foot wide utility easement.
3. All utilities shall be installed **by and** at the expense of the property owner(s) in accordance with current parish specifications and shall be inspected and approved by the appropriate Parish Department. **Upon completion and acceptance, all improvements shall be dedicated to the parish.**
4. The lot shall be provided access via an aggregate street. The street shall be constructed from the end of the nearest accessible existing paved street and shall extend across the entire lot frontage. The aggregate street shall be constructed by the Parish and paid for by the property owner(s) seeking the building permit. The Public Works Department shall determine the cost of the aggregate street. This payment shall be made prior to the issuance of a building permit.
5. The property owner(s) shall also pay a **one-time** fee of seventy-five (\$75.00) dollars per front foot of the lot toward a parish street maintenance program. **The fees in this section shall be increased or decreased February first of each year by the change in CPI applicable to the U.S. Cities average group, all urban consumers, all items, published by the U.S. Department of Labor Statistics, for the preceding twelve-month period ending each November. The Department of Finance shall notify the Department of Planning and Zoning in writing annually of the revised fees.**
6. The right-of-way for streets and utilities shall not exceed a length of seven hundred and fifty (750) feet per block. A sixty (60) foot long cross street shall be provided at the end of each block. An alternative turn-around may be approved by the Public Works Department.
7. Nothing in this section allows for the construction of roadways or utilities in subdivisions that are platted in wetland areas.
8. The use of this section shall be limited to single family development.

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

YEAS: SCHEXNAYDRE, AUTHEMENT, RAYMOND, TASTET, BENEDETTO, HOGAN, COCHRAN, LAMBERT, NUSS

NAYS: NONE

ABSENT: NONE

And the ordinance was declared adopted this 21st day of April, 2008, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: *Dennis*

SECRETARY: *Barbara Jawh Tucker*

DLVD/PARISH PRESIDENT: April 22, 2008

APPROVED:  DISAPPROVED:

PARISH PRESIDENT: *W. St. Pierre*

RETD/SECRETARY: April 22, 2008

AT: 3:15pm RECD BY: *CP*

REFERENCE

Ord. 82-1-10; Ord. 83-5-14;

Ord. 99-12-06