

*Ord.*  
1999-5005

**INTRODUCED BY: TERRY AUTHEMENT, COUNCILMAN, DISTRICT VI**  
**ORDINANCE NO. 99-12-9**

An ordinance to amend the St. Charles Parish Subdivision Regulations of 1981, to require the Planning Commission to hold a public hearing and consider construction approval for major subdivision development.

**WHEREAS,** any subdivider, developer or development group seeking to subdivide land in St. Charles Parish must, when required, submit a formal preliminary plat for approval by the St. Charles Parish Planning and Zoning Commission; and,

**WHEREAS,** provision of the St. Charles Parish Subdivision Ordinance also require that Construction Approvals be granted from the various departments before any construction on a subdivision requiring Preliminary Plat may begin; and,

**WHEREAS,** it would be desirable to increase public input into the approval procedure of subdivisions requiring preliminary plat approval by requiring that the St. Charles Parish Planning and Zoning Commission, grant official Construction Approval before construction may begin.

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

**SECTION I.** That Appendix C, the St. Charles Parish Subdivision Ordinance of 1981 is amended as follows:

II.D.1 **Subdivision Construction Approval Procedure - Planning Commission Approval Required.** After receiving Commission approval of the Preliminary Plat, the Subdivider shall submit complete construction plans and specifications to the Department of Planning and Zoning for the area to be developed. The construction plans shall conform to specifications outlined in these regulations. No construction work shall begin until the Director of the Department of Public Works forwards a letter of no objection to the St. Charles Parish Planning and Zoning Commission via the Director of Planning and Zoning, and the Planning Commission has granted formal construction approval. The St. Charles Parish Planning and Zoning Commission shall, through the Department of Planning and Zoning, schedule a public hearing on the proposed construction approval for the subdivision. Upon Construction Approval by the Planning and Zoning Commission, the Director of Planning and Zoning shall notify the Subdivider by registered letter that he may proceed with the construction of the proposed subdivision. This notification shall also include an itemized listing of all remaining subdivision development fees which shall be due and payable to the parish at least fifteen (15) days prior to Final Plat consideration by the Council. The Subdivider is then obligated to inform the Director of Planning and Zoning in writing of his intention to proceed, so that arrangements may be made to monitor the installation of improvements.

**SECTION II.** That Appendix C, the St. Charles Parish Subdivision Ordinance of 1981 is amended to add the following:

II.D.1.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.

11.D.1.b. Public Hearing/Decision Process. The 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 as submitted.
- (2) Conditionally approve the Preliminary Plat for Construction with conditions stated in writing.
- (3) Disapprove the Preliminary Plat for Construction 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. 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.

**NOW, THEREFORE BE IT ORDAINED, THAT WE THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL,** do hereby provide that the St. Charles Parish Subdivision Regulations of 1981, be amended to require that the Planning Commission hold a public hearing to consider construction approval for major subdivision development.

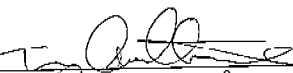
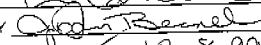
The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

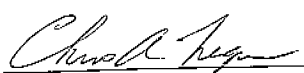
YEAS: RAMCHANDRAN, MINNICH, ALEXANDER, CHAMPAGNE, ABADIE, AUTHEMENT

NAYS: NONE

ABSENT: JOHNSON, DUHE, SIMON

And the ordinance was declared adopted this 6th day of December, 1999, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN:   
 SECRETARY:   
 DLVD/PARISH PRESIDENT: 12-8-99  
 APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

PARISH PRESIDENT:   
 RETD/SECRETARY: 12-9-99  
 AT 10 AM RECD BY: 