



Title Page  
Town of St. Francisville Subdivision Regulations  
Chapter 17 – Code of Ordinances

Adopted November 10, 2015



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## ARTICLE 1. Purpose and Authority

### Section 1.1. Subdivision Regulations Short Title

These regulations shall be known and may be cited as the “Subdivision Regulations” of the Town of St. Francisville in the State of Louisiana.

### Section 1.2. Purpose

The purposes of these regulations are:

- A. To provide for an expeditious and efficient process for the review of proposed subdivisions;
- B. To assure that new development in the Town of St. Francisville conforms to the policies of the Town of St. Francisville Comprehensive Zoning Ordinance;
- C. To assure the comfort, convenience, safety, health and welfare of the people of the Town of St. Francisville;
- D. To protect the environment and conserve the natural and cultural resources of the Town of St. Francisville.
- E. To assure that a minimal level of services and facilities are available to the residents of new subdivisions and that lots in subdivisions are capable of supporting the proposed uses and structures;
- F. To minimize the potential impacts from new subdivisions on neighboring properties and on the Town of St. Francisville; and
- G. To promote the development of an economically sound and stable community.

### Section 1.3. Authority

These subdivision regulations are adopted under the authority granted by the provisions of Act 139 of 1956, Louisiana Revised Statute 33:101—33:120 [33:120.1], as amended. The St. Francisville Planning Commission (hereinafter referred to as the “Planning Commission”) has fulfilled the requirements set forth in these statutes as prerequisite to the adoption of such regulations.

### Section 1.4. Jurisdiction

From the date of adoption, this Ordinance shall regulate all subdivision of land within the corporate limits of the Town of St. Francisville. All developments shall meet minimum standards and requirements of these regulations, as amended. Any owner of land within the limits of said subdivision jurisdiction wishing to subdivide land shall meet all minimum standards and requirements of these regulations, as amended. No plat of subdivision lying within such territory or part thereof shall be filed and recorded with the West Feliciana Parish Clerk of Court, and no sale of lots in a subdivision shall occur until the final plat of such subdivision shall have been approved in accordance with these regulations.

### Section 1.5. Severability

If any part or provision of these regulations or the application thereof is judged invalid by any court of competent jurisdiction, such judgment shall be confined to the part, provision or application directly involved in the



controversy in which the judgment shall be rendered and it shall not affect or impair the validity of the remainder of these regulations or the application thereof. The Planning Commission and the Board of Aldermen hereby declares that it would have enacted the remainder of these regulations even without any such part, provision or application that is judged to be invalid.

### **Section 1.6. Interpretation**

In interpreting and applying the provisions of this chapter they shall be held to be the minimum requirements for the promotion of the public health, safety and general welfare. Whenever the provisions of this chapter requires higher standards than are required in any other applicable statute, ordinance or regulation, the provisions of this chapter shall govern; whenever other applicable statutes, ordinances or regulations require higher standards than the provisions of this chapter, such other applicable statutes, ordinances or regulations shall govern.

### **Section 1.7. Amendments**

These regulations are based on the adopted Master Plan, the adopted Comprehensive Zoning Ordinance, and other adopted development regulations for the Town of St. Francisville, as well as the need for uniform standard of design and construction for subdivisions and improvements to carry out the objective of a sound, stable and desirable development. However, from time to time it is recognized that for the purpose of protecting the public health, safety and general welfare, the Town of St. Francisville may amend these regulations. Additionally, amendments to this chapter may be requested by any person concerned with or affected by the application of this chapter. The Planning Commission shall hold a public hearing and make a recommendation to the Board of Aldermen on all proposed amendments, and the Board of Aldermen shall hold a public hearing before making a final decision on all proposed amendments in the manner prescribed by law. A request for amendment shall state the name, address and interest of the person requesting the amendment, the nature and purpose of the amendment requested and the need therefore.

### **Section 1.8. Exclusions**

These regulations shall NOT apply to:

- A. The subdivision of land to be used for agricultural uses as defined by the Comprehensive Zoning Ordinance, provided that the subdivider certifies upon the final plat to the Town of St. Francisville that such land is to be used only for agricultural uses and provided that such final plat evidences the Building Official and the Mayor's signature and approval prior to filing with the West Feliciana Parish Clerk of Court.
- B. The provisions of these regulations shall not apply in the case of bona fide partitions of property by the legal heirs of a landowner after his death, nor in the case of the distribution by a landowner to his direct descending heirs, either by testamentary disposition or through transfer and distribution during the lifetime of the landowner; however, such final plat shall evidence the Building Official and the Mayor's signature and approval prior to filing with the West Feliciana Parish Clerk of Court and such transfer or sale shall not be in violation of these regulations. This section shall not be interpreted to restrict the owners of property gained through this form of acquisition from constructing their single-family personal residence and residing in same.



- C. The public acquisition by purchase of land for additional public right of ways.

### Section 1.9. **Fees**

The Board of Aldermen shall establish a schedule of fees, charges and expenses and a collection procedure for building permits, certificates of occupancy, appeals and other matter pertaining to this Ordinance. This schedule of fees shall be available from the Town of St. Francisville and may be altered or amended only by the Board of Aldermen. No permit, certificate, waiver, or final approval shall be issued unless or until such costs, charges, fees or expenses have been paid in full.

## ARTICLE 2. ARTICLE II. DEFINITIONS AND RULES OF INTERPRETATION

### Section 2.1. Rules of Interpretation

The following rules of interpretation shall apply to the text of this subdivision ordinance:

- A. The particular controls the general.
- B. In the case of any difference in the meaning or implication between the text of these subdivision regulations and any caption or illustration, the text controls.
- C. "Shall" is always mandatory and not discriminatory.
- D. Words used in the present tense include the future; and words used in the singular include the plural, and the plural the singular, unless the context clearly states the contrary.
- E. A "building" or "structure" includes any part thereof.
- F. "Person" includes an individual, a corporation, a partnership, an incorporated association or any other similar entity.
- G. Unless the context clearly indicates the contrary, where a regulation involves two (2) or more items, conditions, provisions or events connected by the conjunction "and" or "or", the following shall apply:
  1. "And" indicates that all the connected items, conditions, provisions or events shall apply.
  2. "Or" indicates that the connected items, conditions, provisions or events may apply singularly or in any combination.
- H. Terms not defined in this Chapter have the meaning customarily assigned to them, or a meaning to be assigned by a designee of the Town of St. Francisville.

### Section 2.2. Definitions

In general, words and terms used in these regulations shall have their customary dictionary meaning. More specifically, any word or term defined in the Town of St. Francisville Comprehensive Zoning Ordinance shall have the definition contained in that Ordinance, unless defined differently below. Words and terms used herein are defined as follows:

**Alley:** (see Street definition).

**Application:** The process by which an applicant submits a request and indicates a desire to be granted a subdivision under the provisions of these regulations. An application includes all written documentation, verbal statements, and representations in whatever form or forum made by an applicant to the Town concerning a request.

**Block:** A parcel of land within a subdivision or development that is bounded by public streets, highways, railroad rights-of-way, public walks, cul-de-sac parks or open space, rural land or drainage channels, the exterior boundary of the subdivision, or a combination thereof. For this definition, an alley is not considered a street but part of the block.

**Block Length:** The distance between intersections of through streets, such distance being measured parallel to the longest street bounding the block and from right-of-way line to right-of-way line of the two intersecting streets.

**Buffer Area:** A part of a property or an entire property, which is not built upon and is specifically intended to

separate and thus minimize the effects of a land use activity (e.g. noise, dust, visibility, glare, etc.) on adjacent properties or on sensitive natural resources,

**Building (or Structure):** Any structure designed or built or used for the support, enclosure, shelter, or protection of persons, animals, chattels, or property of any kind.

**Construction Plan:** (see Engineering Plan definition)

**Culvert:** A pipe or enclosed channel that conveys water by gravity under a road, railway, or embankment.

**Developed Area:** Any area on which a site improvement or change is made, including buildings, landscaping, parking areas and streets.

**Drainageway: Non-navigable:** above ground watercourses, detention basins or depressions which collect and convey storm water runoff.

**Dwelling Unit:** A room or group of rooms located within a structure forming a single habitable unit with facilities that are used or intended to be used for living, sleeping, cooking, eating and sanitation by one (1) family.

**Easement (or Servitude):** The right, granted by the property owner, to use a parcel of land for the specified purposes, such as public utilities, drainage and other public purposes, the title of which shall remain with the property owner, subject to the right if use designated in the reservation of the easement. Easement and servitude are considered the same.

**Engineering Plan (or Construction Plan):** The drawings accompanying a subdivision plan for Major Subdivisions and showing the specific location and design of improvements, which if approved, will be used for construction of the improvements.

**Engineer, Professional:** A professional engineer in good standing registered by the Louisiana Professional Engineering and Land Surveying Board.

**Fill:** Any material including, but not limited to, dirt and concrete that is placed above natural grade.

**100-Year Flood:** The highest level of flood that, on the average, has a one percent (1%) chance of occurring in any given year.

**Grade:** The elevation of the ground at a building or building site.

**Green Infrastructure:** (see Stormwater Management definition)

**Lot (or Parcel):** A tract, plot or portion of a subdivision or other parcel of land intended as a unit for the purpose, whether immediate or future, of transfer of ownership or for building development.

**Lot, Corner:** A lot situated at the intersection of two (2) streets, the interior angle of such intersection not exceeding 135 degrees.

**Lot, Double Frontage:** A lot other than a corner lot that has frontage on more than one street. **Lot, Interior:** A lot that is not a corner lot.

**Lot Depth:** The distance between front and rear lot lines. If these lines are not parallel the mean dimension shall be deemed to be the lot depth.



**Lot Line, Front:** That line which separates the lot from the street or road. The front lot line of a corner lot shall be the line of least dimension.

**Lot Line, Rear:** That lot line which is opposite and generally parallel to the front lot line but to the rear of the lot. The rear lot line of an irregular shaped lot shall, for the purpose of these regulations, be a line not less than ten feet (10') long lying entirely within the lot, generally parallel to and the greatest distance from the front lot line.

**Lot Line, Side:** Any lot line not a front or rear lot line.

**Lot Width:** The width of a lot as measured along the minimum front building setback line.

**Lot of Record:** A recorded, platted lot or a parcel of land lot, the map of which has been recorded with the West Feliciana Parish Clerk of Court, or a lot described by metes and bounds, the description of which has been recorded with the West Feliciana Parish Clerk of Court.

**Multifamily Development:** A subdivision which contains three or more dwelling units on land in common ownership, such as apartment buildings, condominiums or mobile home parks.

**Open Space:** Those areas of a lot open and unobstructed from grade level upward, unless otherwise permitted by these regulations or by the comprehensive zoning ordinance.

**Parcel:** (see Lot definition)

**Person:** Includes a firm, association, organization, partnership, trust, company, or corporation, as well as an individual.

**Petitioner (or Applicant):** The person applying for subdivision approval under these regulations.

**Planned Unit Development (PUD):** A development planned under a unified site plan with the goals of: encouraging flexibility, innovation and variety in the development of land in order to promote its most appropriate use; improving the design, character and quality of development; facilitating the adequate and economic provision of streets, utilities and services; achieving beneficial land use relationships with the surrounding area; preserving the unique natural and scenic features of the landscape; and preserving open space as development occurs.

**Plat:** A survey of a tract of land showing the boundaries, dimensions and location of individual lots and streets, survey monuments, topographic data, easements, servitudes, rights-of-way, existing structures, and significant natural features. For purposes of these regulations the term plat is not to be construed as a site plan.

**Plat, Conceptual:** A conceptual representation of a proposed subdivision survey prior to the preparation of the Preliminary Plat (or final plat in the case of minor subdivision) sufficient for a tentative subdivision application. The Conceptual Plat may be drawn to scale in architectural freehand style to enable the developer to save time and expense in reaching general agreement with the Town regarding the objectives of these regulations but accurately representing the size and proposed dimensions of lots and the extent of any public facilities that are proposed for dedication and which is accompanied by a site features map and conceptual drainage study.

**Plat, Final:** A subdivision survey in substantial conformance with any preceding Preliminary Plat in accordance with the provisions of these regulations submitted to and approved by the to be signed by the required Town officials placed on file with the West Feliciana Parish Clerk of Court.



**Plat, Preliminary:** A subdivision survey plat preparatory to the preparation of a final plat, accompanied by engineering construction plans and specifications for the construction of any and all public and private improvements shown or required to be shown on the Preliminary Plat.

**Public Improvement Plan:** A detailed plan outlining the installation of all public improvements either in a subdivision or in conjunction with a subdivision.

**Right-of-way:** A grant by the property owner, usually in the form of a dedication to the public, of a strip or strips of land, title to which shall rest in the public for the purpose stated in the dedication.

**Servitude:** (see Easement).

**Sewage System, Individual:** Individual Sewage System means any system of piping (excluding plumbing within a building), treatment device or other facility that conveys, stores, treats, or disposes of sewage on the property where it originates, and which utilizes the individual sewage system technology.

**Sewage System, Private:** Private Sewage System means a collection and/or treatment facility which is owned, operated, maintained, and managed by a private individual or individuals or entity (partnership, corporation, etc.).

**Side Drain:** Drainage pipe placed under residential or commercial driveways, commonly referred to as a culvert or driveway pipe.

**Sidewalk:** An improved pedestrian surface that is typically located adjacent to a roadway or street.

**Sight Distance:** The length of an unobstructed view from a particular access point to the farthest visible point of reference on a roadway. Used in these regulations as a reference for unobstructed road visibility.

**Site Plan (also known as a Development Plan):** An accurate, scaled map or rendering showing the location of buildings, the landscaping, parking, circulation and other such features, and supportive data describing the project proposed by the applicant.

**Storm Drain:** Drainage pipe used for subsurface applications that does not include side drains or cross drains.

**Street:** Public and private ways such as alleys, avenues, highways, roads, and other rights-of-way, as well as areas on subdivision plans designated as rights-of-way, for vehicular access other than driveways. The following shall be used to classify all streets:

**Alley:** A public or private right-of-way primarily designed to serve as a secondary access to the side or rear of those properties, and not intended for general traffic.

**Arterial Street:** Public thoroughfares that serve the major movements of traffic within and through the Town and the Parish.

**Boulevard:** A street that is divided by a median or neutral ground.

**Collector Street:** Public thoroughfares that serve to collect and distribute traffic primarily from local residential streets to arterial streets.

**Cul-de-sac:** A local street with only one (1) outlet and having an appropriate termination based on adopted development standards for the safe reversal of traffic movement.

**Local Street:** A street that is used primarily for direct access to abutting residential properties and leading

into the collector street system.

**Marginal Access Street:** Minor streets that are parallel to or adjacent to arterial streets and highways that provide ingress and egress from abutting properties and protection from through traffic. The term is also, commonly referred to as a frontage road or service road.

**Private Street:** A privately owned and maintained street, generally providing access to abutting properties for private users of such property.

**Stormwater Management (also see Green Infrastructure):** Any technique, apparatus, or facility that controls and/or manages the path, storage, or rate of release of stormwater runoff including storm sewers, retention/detention basins, drainage swales and bioswales, rainwater reuse systems, drainage channels, inlet or outlet structures, and other similar techniques and facilities.

**Structure:** Anything constructed or erected that requires more or less permanent or semi---permanent location on the ground or the attachment to something having permanent location on the ground, including, but not limited to, retaining walls, gasoline pumps, signs, manufactured housing, and vending machines.

**Subdivider (also known as a Developer):** Any person, firm, partnership, corporation or other entity, acting as a unit, subdividing or proposing to subdivide land as herein defined.

**Subdivision:** The division of a parcel of land into two (2) or more lots, tracts, or parcels for the purpose, whether immediate or future, of sale, lease or building development, or if a new street is involved, any division of a parcel of land. The term includes re---subdivision and when appropriate to the context, shall relate to the process of subdivision or to the land subdivided.

**Subdivision, Major:** Any subdivision not classified as a minor subdivision or specifically exempted by these regulations.

**Subdivision, Minor:** An administratively approved subdivision that may be used to: adjust interior lot lines resulting in no new lots of record, combine two or more lots on a single, contiguous piece of property, or to create no more than four (4) new lots of record. A minor subdivision cannot require the creation of any new public street or public improvement.

**Substantial Completion:** The degree of completion of construction of required infrastructure improvements necessary for such improvements to operate and function appropriately as designed and to be utilized for the purpose for which it is intended and permitted. Substantial completion considers construction, installation, testing, inspection and approval or permitting when applicable. Whenever a subdivision is approved in phases, the substantial completion requirement shall apply to each phase independently.

**Surveyor:** A land surveyor in good standing registered by the Louisiana Professional Engineering and Land Surveying Board.

**Tract or Parcel of Land:** All contiguous land in the same ownership, provided that lands located on opposite sides of a public or private road shall be considered each a separate tract or parcel of land unless such road was established by the owner of land on both sides thereof.

**Waiver:** A grant of relief to an applicant from a specific subdivision development requirement of these regulations. A waiver can only be granted by the Planning Commission.

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**ARTICLE 3. ARTICLE III. SUBDIVISION APPLICATION AND PROCEDURES**

Any person desiring to subdivide any lot, tract or parcel of land or to change or rearrange any such lot, tract, or parcel of land within the Town of St. Francisville shall comply with the procedures established in this article and other applicable Sections of this article and in the sequence specified.

**Section 3.1. General Procedures**

Unless specifically excluded from these regulations in Section 1.8. Exclusions, whenever any subdivision of land is proposed, before any contract is made for the sale of any part thereof, and before any permit for the erection of any structure in such proposed subdivision shall be granted, the property owner, or authorized agent for the owner, shall apply for and secure the following required approvals, as described more fully elsewhere herein:

- A. **Minor Subdivision:** The minor subdivision is an administrative process that may be used to: adjust interior lot lines resulting in no new lots of record, combine two or more lots on a single, contiguous piece of property, or to create no more than four (4) new lots of record. A minor subdivision cannot require the creation of any new public street or public improvement.
- B. **Major Subdivision:** Any subdivision that is not a minor subdivision, or specifically exempted by this ordinance in Section 1.8. Exclusions.
  - 1. Approval of Preliminary Plat.
  - 2. Approval of final plat jointly with:
    - a) Acceptance of dedication of public improvements by Board of Aldermen.
    - b) Posting of performance bond or irrevocable letter of credit for the construction of required public improvements and subsequent acceptance of dedication of improvements by Board of Aldermen.

**Section 3.2. Application Procedures for All Subdivisions**

- A. **Pre-Application Meeting**
  - 1. A pre-application meeting is mandatory before filling an application for a major subdivision, and optional for a minor subdivision.
  - 2. The pre-application meeting shall be held with the Building Official and may include other Town staff or public officials to discuss the procedures, standards and regulations required for approval in accordance with this Ordinance and other applicable Town codes.
- B. **Application Forms:** Applications containing all information requested on the application and any additional information required by a duly authorized representative of the Town of St. Francisville must be submitted on forms and in such numbers as required by this Ordinance. All applications must be complete and sufficient for processing before they will be reviewed.
- C. **Fees:** In accordance with Section 1.9. Fees, of this ordinance, no applications shall be reviewed, and no permit, certificate, or approval shall be issued unless or until such costs, charges, fees or expenses have been paid in full. When an application is submitted on behalf of the Town of St. Francisville, no fees shall be required.

- D. **Complete Applications:** An application is complete when it contains all the information necessary to decide whether or not the application as proposed will comply with all of the requirements of this ordinance. Details for each application are included in the specific procedure Section of this Ordinance.

The presumption is that all of the information required in the application forms is necessary to satisfy the requirements of this ordinance. However, it is recognized that each application is unique, and more or less information may be required according to the needs of the particular case. The applicant shall rely on the determination of the Building Official as to whether more or less information is needed for the application to be considered complete.

- E. **Concurrent Applications:** Applications may be filed and reviewed concurrently, at the option of the applicant. However, any application that also requires a zoning application, including a zoning variance, shall not be eligible for final approval until the zoning application has been granted. Further, applications submitted concurrently are subject to approval of all other related applications; denial or disapproval of any concurrently submitted application shall stop consideration of any related applications until the denied or disapproved application is resolved.
- F. **Modification/Amendment of Application:** An application may be modified at the applicant's request following the determination of a complete application by the Building Official. Any modification requested by the applicant after the required public hearing, but prior to a final decision shall require a new public hearing.

### Section 3.3. Public Notice/Comment Period Requirements

- A. **Public Notice Required:** Required public notices are summarized below. More detailed information may be included with each specific procedure.

Minor: Posted and Published

Major: Posted, Published, Written

- B. **Information Required in Notice:** All notices for public hearing shall contain:

1. If a public hearing is required, the date, time and place of the hearing.
2. The section of this Ordinance under which the subject matter of the hearing will be considered.
3. The name of the applicant.
4. A brief description of the location of any land proposed for development and the subject matter to be considered at the hearing.
5. A statement that public comments on the application shall be accepted by the Town of St. Francisville during the public notice period, as determined in Section 3.3.D.
6. The dates of the public comment period.
7. If a public hearing is required, the date, time and place of the hearing.
8. A statement that the application and supporting materials are available for public inspection and copying at the St. Francisville Town Hall.
9. A brief description of the appeal process.

- C. **Forms of Public Notice:**

1. **Posted Notice of Application and Public Hearing (if required):** Posted notice in bold type shall be posted for at least ten (10) consecutive days prior to a public hearing on signs not less than 11"x17", prepared, furnished and placed by the Building Official on each block of each street adjoining the area proposed subdivision area, within reason. The applicant shall remove posted notices from the

- subject area no more than ten (10) days after the public hearing has been held. Posted notice shall also be posted at Town Hall.
2. **Published Notice of Application and Public Hearing (if required):** Notice of the time and place of a public hearing shall be published once a week in three (3) different weeks in the official journal, if designated, or a newspaper of general circulation in the area. The first notice shall be published at least fifteen (15) days prior to the hearing.
  3. **Written Notice of Public Hearing:** At least ten days prior to a public hearing, a written notice shall be sent by the Town to each property owner within three hundred (300) feet of the proposed subdivision.
- D. Public Notice/Comment Period**
1. The Town of St. Francisville shall determine a public notice/comment period that shall not violate the minimum required notice period determined in Section 3.3.D.
  2. The Town may establish a longer public notice/comment period than the minimum required if needed due to special circumstances (holidays, special events, etc.). However, the public notice/comment period shall not be so long as to conflict with any application approval deadlines in these regulations.
  3. The Town shall include all public comments received during the public notice/comment period as part of the review of the application for the Building Official, Planning Commission and any other parties required by these regulations to review the application.
  4. The public notice/comment period does not preclude any public comments presented at a public hearing.
  5. The Building Official and Town of St. Francisville may consider public comments submitted to the Town outside of the official public notice/comment period at their discretion.

#### Section 3.4. **General Subdivision Requirements (All Subdivisions)**

All subdivision plats, associated engineering and construction plans, and public improvement plans, shall comply with the following laws, rules and regulations or shall be subject to disapproval:

- A. All applicable statutory provisions.
- B. All applicable provisions of these regulations and all other applicable laws, ordinances and codes of the Town of St. Francisville.
- C. All regulations of the Louisiana Department of Health and Hospitals and/or appropriate agencies, with such regulations providing minimum standards to be met by all subdivision plats.
- D. The regulations of the Louisiana Department of Transportation and Development when so noted and if the subdivision or any lot contained therein abuts a highway or connecting street.
- E. All applicable standards and regulations adopted by the Town and all Boards, Commissions, agencies and officials of the Town.

#### Section 3.5. **Minor Subdivision (or Re-Subdivision) Approval Process**

- A. **Minor Subdivision Guidelines:** A Minor Subdivision may be applied for to adjust interior lot lines resulting in no new lots of record, combine two or more lots on a single, contiguous piece of property, or creating no more than four (4) new lots of record; providing the following conditions are met:

1. No more than two (2) minor subdivisions and/or consolidations involving the same land may be applied for or approved within any five (5) year period. If additional subdivisions are required they shall be considered only as a major subdivision.
  2. The original lot(s) must be existing lots of record.
  3. The subdivision is served by existing utilities and/or does not require the creation of any new public street or public improvement.
  4. Each lot resulting from the subdivision procedure will conform fully to all requirements of the zoning district that pertains to the lots; and each lot is developable according to the site development regulations of the zoning ordinance, except where to do so would lead to lots that are less nonconforming than prior to the resubdivision.
  5. No waiver from these regulations can be requested as part of a minor subdivision application. Any subdivision requiring a waiver from these regulations must be approved as a major subdivision.
  6. In the case of a Lot Line Adjustment, the adjustment shall alter the lot lines of no more than four (4) lots without creating additional lots.
  7. In the case of Lot Consolidation:
    - a) The lots must be under unified ownership.
    - b) The proposed platting creates no more than four (4) lots, or the proposed consolidation involves combining no more than four (4) lots into a lesser number of lots.
- B. Minor Subdivision Pre-Application Conference: A pre-application conference and Conceptual Plat is recommended, but not mandatory before submitting an application.
- C. Minor Subdivision Application Requirements: At the time of filing of an application for a Minor Subdivision with the Building Official or his/her duly authorized representative, the applicant shall submit the following:
1. A signed affidavit verifying ownership of all property to be subdivided.
  2. A copy of any covenants or restrictions that affect the property.
  3. A letter of request to subdivide, signed by the owner(s) stating the reason for the request.
  4. Final Minor Subdivision Plat: Five (5) copies of the Plat containing all required information (see Section 4.2. Minor Subdivision Final Plat).
- D. Review by Building Official: The Building Official may refer the application to other Town officials and affected or interested agencies for review and comment.
- E. Decision by Building Official on Minor Subdivision
1. After submission of a complete application the Town of St. Francisville shall establish a public notice/comment period for the application and shall post public notice at the proposed site and at Town Hall as required by Section 3.3. Public Notice Requirements.
  2. After the completion of the public notice/comment period, but within thirty (30) days of determination of a complete application, the Building Official shall consider the comments and recommendation of the Building Official, Town Engineer, and other relevant public officials, relevant comments of all interested parties and the review criteria in Section 3.4 General Subdivision Requirements and Section 3.5.F Review Criteria for Minor Subdivisions, and shall:
    - a) Approve the application with no conditions: Applicant authorized to submit the Final Minor Subdivision Plat for recording.
    - b) Approval with conditions:



- i) In the case of a conditional approval requiring amendment of the Minor Subdivision Final Plat, the applicant shall resubmit the required number of copies of the application documents with the amendments required for approval by the Building Official prior to recording of the Minor Subdivision Final Plat.
  - ii) Failure to submit amended documents sufficient to meet the conditional approval requirements of the Building Official in the time period prescribed by the Building Official shall constitute a failure to meet the conditions of approval and shall cause the application to be denied.
  - c) Deny the Application: The Building Official shall state the reason for denial of the application in writing to the applicant.
3. The Building Official may attach conditions required to make the subdivision comply with this and other Town Ordinances, or as necessary to protect the health, safety and welfare of the Town of St. Francisville and to minimize adverse impacts to adjacent properties.
- F. Appeal of Building Official Action on Minor Subdivisions: A final decision by the Building Official on a Minor Subdivision application may be appealed to the Planning Commission. The Town shall provide posted notice of the Planning Commission appeal hearing.
- G. Review Criteria for Minor Subdivision: The Building Official shall consider the following criteria in reviewing a Minor Subdivision:
1. Compliance with the requirements contained in this ordinance.
  2. Potential adverse environmental impacts or effects on neighboring properties.
  3. The subdivision is designed, located and proposed to be operated so that the public health, safety and welfare will be protected.
  4. The plat conforms to any additional conditions which shall be deemed necessary by the Building Official.
- H. Building Permit: No building permit shall be issued for development requiring subdivision approval until the final plat has been approved.
- I. Final Plat Distribution

When the Minor Subdivision Final Plat has been approved by the Planning Commission, the following copies shall be submitted to the Town of St. Francisville for distribution as follows (Note: this requirement does not preclude other public agencies from requesting a final copy of the plat):

1. One (1) approved copy to the Applicant for his records.
2. One (1) copy retained by the Town of St. Francisville Planning Commission.
3. One (1) copy to West Feliciana Parish Tax Assessor's office.
4. One (1) copy to the West Feliciana Parish Communications District (911) office.
5. One (1) copy with the certification thereon for filing with the West Feliciana Parish Clerk of Court's office as the official plat that must be filed within forty-five (45) calendar days; otherwise, such approval shall be voided.
6. One (1) additional copy with the Town of St. Francisville.

### Section 3.6. Major Subdivision Preliminary Plat Approval Process

- A. Major Subdivision Guidelines:



1. Any subdivision and the lot(s) resulting therefrom must meet the requirements of the zoning district in which they are located.
  2. All subdivided parcels or lots shall have access supplied by a public street and an easement supplied in perpetuity by instrument filed with the Town of St. Francisville.
  3. The applicant must be present or have a designated representative present for all public hearings. Failure to fulfill this requirement may be grounds for denial of the subdivision request.
- B. Major Subdivision Pre-Application Conference: A pre-application conference and Conceptual Plat is required before submitting an application.
- C. Major Subdivision Application Requirements: At the time of filing of an application for a Major Subdivision with the Building Official or his/her duly authorized representative, the applicant shall submit the following:
1. A signed affidavit verifying ownership of all property to be subdivided.
  2. A copy of any covenants or restrictions that affect the property.
  3. A letter of request to subdivide signed by the owner(s) stating the reason for the request.
  4. A copy of the dedication of any easements, servitudes or rights-of-way made by the owner to satisfy any of the above guidelines or other requirements as set forth by this ordinance.
  5. General specifications and/or drawing notes detailing proposed construction materials and methods.
  6. General description of proposed Public Improvements Plan.
  7. A Stormwater Drainage Study in accordance with Section 5.9.B of this ordinance.
  8. A detailed description of any requested waiver from these regulations (see Section 3.8 Subdivision Waivers).
  9. Major Subdivision Preliminary Plat: Five (5) copies of a Major Subdivision Preliminary Plat containing all required information (see Section 4.3. Major Subdivision Preliminary Plat).
- D. Review by Building Official: The Building Official may refer the application to other Town Officials and affected or interested agencies for review and comment.
- E. Public Hearing and Decision by Planning Commission on Major Subdivision Preliminary Plat
1. After submission of a complete application the Town of St. Francisville shall establish a public notice/comment period for the application and shall post public notice at the proposed site and at Town Hall and send written notice as required by Section 3.3. Public Notice Requirements.
  2. After the completion of the public notice/comment period, but within sixty (60) days of determination of a complete application, the Planning Commission shall consider the comments and recommendation of the Building Official, Town Engineer, and other relevant public officials, relevant comments of all interested parties and the review criteria in Section 3.4 General Subdivision Requirements and Section 3.6.G Review Criteria for Major Subdivision Preliminary Plat, and approve, approve with conditions, or deny the application.
    - a) Approve the application with no conditions: Applicant authorized to submit Construction/Engineering Plans and a Public Improvements Plan and to proceed with development of the final plat.
    - b) Approval with conditions:
      - i) In the case of a conditional approval requiring amendment of the Preliminary Plat, the applicant shall resubmit the required number of copies of the application documents with the amendments required for approval by the Planning Commission prior to submission of the Final Plat application.

- ii) Failure to submit amended documents sufficient to meet the conditional approval requirements of the Planning Commission in the time period prescribed by the Planning Commission shall constitute a failure to meet the conditions of approval and shall cause the application to be denied.
    - c) Deny the Application: The Planning Commission shall state the reason for denial of the application in the official records of the Planning Commission per LA RS 33:113.
  - 3. An extension of the sixty (60) day consideration period may be granted by the Planning Commission at the request of the applicant, however granting additional consideration time shall not preclude the Planning Commission from making a final decision on the application.
- F. Appeal of Planning Commission Action on Major Subdivision Preliminary Plat: A final decision by the Planning Commission on a Major Subdivision Preliminary Plat may be appealed to the Board of Aldermen. The Town shall provide posted notice of the Board of Alderman public hearing on the appeal.
- G. Review Criteria for Major Subdivision Preliminary Plat: The Building Official shall consider the following criteria in reviewing a Major Subdivision Preliminary Plat.
  - a) Compliance with the requirements contained in this ordinance.
  - b) Potential adverse environmental impacts or effects on neighboring properties.
  - c) The subdivision is designed, located and proposed to be operated so that the public health, safety and welfare will be protected.
  - d) The plat conforms to any additional conditions which shall be deemed necessary by the Planning Commission.
- H. Approval of the Preliminary Plat shall lapse, unless a final plat of at least the first phase of the development based thereon is submitted within twelve (12) months from the date of such approval, unless an extension of time is applied for and granted by the Planning Commission. Future phases of development that extend beyond the twelve (12) month limit shall be subject to review by the Building Official and the Town Engineer to determine if specifications and design standards meet current regulations.

### Section 3.7. Major Subdivision Construction

- A. Construction of Project
  - 1. Construction/engineering plans that include all materials for construction of the plat shall be submitted to the Building Official and the Town Engineer for approval.
  - 2. Developer shall submit in writing bi-monthly progress reports to Planning Commission regarding the construction of improvements.
  - 3. All required tests shall be made in the presence of the Town Engineer or his duly authorized representative at the expense of the developer.
  - 4. Six (6) sets of as-built drawings and one (1) electronic CAD file of as-built drawings for all utilities and showing exact location of mains, services, etc. shall be furnished to and approved by the Building Official and Town Engineer before final acceptance of the subdivision.
- B. Dedications and Improvements
  - 1. For development of property requiring subdivision approval under this Ordinance, the applicant must dedicate any additional right-of-way necessary to the width required by the Town of St. Francisville

- for streets adjoining the property, install curbs and gutters and pave all streets adjoining the property, and install sidewalks and street trees based on the standards of this Ordinance.
2. The applicant shall bear the costs of installation of any on-site or off-site improvements required by this Ordinance, including provisions for stormwater management, paving and utilities.
  3. The Town of St. Francisville is not required to accept any dedication or improvements that do not meet the standards of this ordinance and any other applicable Town ordinances or regulations.

C. Improvement Guarantee

1. Prior to the approval of any construction/engineering plan, the applicant shall submit a cost estimate and time schedule for installation of each phase of subdivision improvements.
2. An Improvement Bond shall be required guaranteeing all on-site and off-site improvements. The bond shall be in an amount equal to one hundred fifteen percent (115%) of the improvement cost estimate, and in a form approved by the Town Attorney.
3. As each phase of improvements is installed and inspected by the Building Official and Town Engineer, the bond may be reduced by the cost of the installed improvements.

### Section 3.8. Major Subdivision Final Plat Approval Process

- A. Major Subdivision Final Plat Application Requirements: At the time of filing of an application for a Major Subdivision Final Plat with the Town of St. Francisville, the applicant shall submit the following:
1. Five (5) copies of the Major Subdivision Final Plat
    - a) The plat shall contain all of the information required in Section 4.4. Major Subdivision Final Plat.
    - b) The plat shall conform substantially to the Preliminary Plat as approved; and, if desired by the applicant, it may constitute only that portion of the approved Preliminary Plat which was proposed to record and develop at the time, provided, however, that such portion conforms to all requirements of these regulations.
  2. Five (5) copies of the sanitary sewerage system plans.
  3. Five (5) copies of the water system plans,
  4. Five (5) copies of the street plans.
  5. Five (5) copies of the drainage plans.
  6. Five (5) copies of the street light plans.
  7. One (1) copy of a Public Dedications Letter of Request indicating all street, infrastructure, parks, and/or other improvements to be dedicated for public use.
  8. One (1) copy of any Covenants and Agreements
    - a) If common space, recreational areas, communal facilities and/or other improvements within the proposed subdivision are to be privately owned and not offered for dedication to the Town of St. Francisville, the Applicant shall submit agreement(s), covenant(s), or other legal instruments stating the ownership and setting forth the manner and means for permanent care and maintenance of the stated common spaces, etc., for review and approval of the City Attorney and the Board of Aldermen.
    - b) Deed Restrictions or Protective Covenants (may either be placed directly on the final plat or attached thereto in form for recording. If recorded separately, reference to the restrictions shall be made on the final plat). NOTE: IT WILL BE NEITHER THE DUTY NOR RESPONSIBILITY OF THE TOWN OF ST. FRANCISVILLE TO ENFORCE ANY DEED RESTRICTIONS OR PROTECTIVE COVENANTS.

9. One (1) original of the Maintenance Bond, Letter or Credit or other appropriate security required as assurance for completion and maintenance of improvements (see Section 5.4 Final Acceptance of Streets and Improvements).
- B. Public Hearing and Decision by Planning Commission Action on Final Plat
  1. After submission of a complete application the Town of St. Francisville shall establish a public notice/comment period for the application and shall post public notice at the proposed site and at Town Hall and send written notice as required by Section 3.3. Public Notice Requirements.
  2. After the completion of the public notice/comment period, but within sixty (60) days of determination of a complete application, the Planning Commission shall consider the comments and recommendation of the Building Official, Town Engineer, and other relevant public officials, relevant comments of all interested parties and the review criteria in Section 3.4 General Subdivision Requirements and Section 3.7.D Review Criteria for Major Subdivision Final Plat application, and shall:
    - a) Approve the Final Plat with no conditions
    - b) Approval with conditions:
      - i) In the case of a conditional approval requiring amendment of the Final Plat, the applicant shall resubmit the required number of copies of the application documents with the amendments required for approval by the Planning Commission prior to recording of the Final Plat.
      - ii) Failure to submit amended documents sufficient to meet the conditional approval requirements of the Planning Commission in the prescribed time period shall constitute a failure to meet the conditions of approval and shall cause the application as disapproved.
    - c) Deny with Application: The Planning Commission shall state the reason for denial of the application in the official records of the Planning Commission per LA RS 33:113.
- C. Appeal of Planning Commission Action on Major Subdivisions: A final decision by the Planning Commission on a Final Plat may be appealed to the Board of Aldermen. The Town shall provide posted notice of the Board of Alderman public hearing on the appeal.
- D. Review Criteria for Final Plat: The Planning Commission shall consider the following criteria in reviewing a Major Subdivision Final Plat:
  - a) Compliance with the requirements contained in this ordinance.
  - b) Potential adverse environmental impacts or effects on neighboring properties.
  - c) The subdivision is designed, located and proposed to be operated so that the public health, safety and welfare will be protected.
  - d) The plat conforms to any additional conditions which shall be deemed necessary by the Planning Commission.
- E. Building Permit: No building permit shall be issued for development requiring subdivision approval until the final plat has been approved.
- F. Final Plat Distribution

When the final plat has been approved by the Planning Commission, the following copies shall be submitted to the Town of St. Francisville for distribution as follows (Note: this requirement does not preclude other public agencies from requesting a final copy of the plat):

1. One (1) approved copy to the Applicant for his records.

2. One (1) copy retained by the Town of St. Francisville Planning Commission.
3. One (1) copy to West Feliciana Parish Tax Assessor's office.
4. One (1) copy to the West Feliciana Parish Communications District (911) office.
5. One (1) copy with the certification thereon for filing with the West Feliciana Parish Clerk of Court's office as the official plat that must be filed within forty-five (45) calendar days; otherwise, such approval shall be voided.
6. One (1) additional copy with the Town of St. Francisville.

### Section 3.9. Subdivision Waivers

- A. Purpose – Whenever a lot or piece of property to be subdivided is of such unusual size or shape, or is surrounded by such development or unusual conditions that the strict application of the requirements of these regulations would result in real difficulties and substantial hardships or injustices, the applicant may request modification or waiver of such requirements in order to develop the property in a reasonable manner, but so that, at the same time, the public welfare and interests of the Town are protected and the general intent and spirit of these regulations are preserved.
- B. Authority – The Planning Commission shall have the authority to modify or waive these regulations ONLY if each of the following conditions are present:
  1. Granting of the waiver will not be detrimental to the public safety, health, or welfare or injurious to other property.
  2. Purposes of these regulations may be served to a greater extent by an alternative proposal, or when the waiver is of such an inconsequential nature that it will not have any substantial effect on the purpose and intent of these regulations or the authority for which is specifically granted in these regulations.
  3. A particular hardship or unusual and practical difficulty, but specifically not to include financial hardship, may result from the strict application of these regulations and the conditions upon which the request for waiver are based are unique to the property for which the waiver is sought because of the physical surroundings, existing surround development, or shape or topographical conditions of the specific property, and are not applicable generally to other properties.
- C. Waiver Standards – All requested waivers must meet the following standards:
  1. Approval of any part of any plat that violates any part of these regulations can only be permitted as a waiver.
  2. Waivers may not be granted on a minor subdivision.
  3. Waivers may only be granted only for the provisions of Article V where waivers are not explicitly prohibited.
  4. No waiver shall be granted that violates any parish or state standard or regulation required by these regulations.
  5. Waivers only apply to these regulations in the creation of official lot(s) of record in the Town of St. Francisville. No waiver approved as part of this ordinance shall be considered as a waiver or variance for any part of the comprehensive zoning ordinance. If a zoning variance is required, such a variance must be approved through the process delineated in the comprehensive zoning ordinance.
  6. In granting a waiver, the Planning Commission may require such alternative conditions as will serve substantially the same objective as the standards or regulations waived.
  7. Any waivers approved by the Planning Commission and the reason(s) for granting the waiver are required to be entered in writing in the minutes of the Planning Commission.

8. All approved waivers must be recorded on the final plat and certified by the chair of the Planning Commission. Any approved waiver that is not recorded on the final plat and certified by the chair of the Planning Commission shall be considered void.
- D. Waiver Requests – Petition for a waiver from these regulations, when allowed, shall be made by written request of the applicant, stating fully the grounds for the request and the facts relied upon by the applicant.
1. Waiver request by the applicant shall be submitted and reviewed as part of the Major Subdivision Preliminary Plat.
  2. During review of the application before the official public hearing, the Building Official, Town Engineer and/or other public officials or agencies may recommend that the applicant seek additional waivers for the application. However, it shall be the responsibility of the applicant to submit the recommended waiver to the Town.
  3. Any new waiver request after the public hearing, but before the final decision by the planning commission on the major subdivision preliminary plat, shall be considered a modification of the application and shall require a new public hearing before any decision by the Planning Commission (see Section 3.2.F).
  4. Any waiver request after approval of the preliminary plat, but before the final decision on the major subdivision final plat, shall be considered a significant amendment to the preliminary plat and shall require a new public hearing before a decision by the Planning Commission.

#### Section 3.10. **Subdivision Amendments**

- A. Minor changes to the final, approved subdivision such as the location and siting of buildings and structures, and minor dimensional adjustments may be authorized by the Planning Commission by recommendation from the Building Official without a public hearing.
- B. Any change to the final, approved subdivision considered a major or significant amendment to the subdivision shall require a public hearing by the Planning Commission in accordance with the provisions of this Article.
- C. Any change to any waiver approved as part of the final, approved subdivision shall be considered a major or significant amendment.

## ARTICLE 4. SUBDIVISION PLAT REQUIREMENTS

### Section 4.1. Conceptual Plat

The purpose of the Conceptual Plat is for the applicant and the Town to evaluate and discuss the basic concepts for development of the proposed subdivision, and to consider whether there are any alternative concepts the applicant should explore.

A Conceptual Plat shall contain the following general information:

- A. Name(s) of owners of property.
- B. Estimated size and number of proposed lots.
- C. General location of current streets, rights-of-way, utility easements and servitudes.
- D. General location of any current structures.
- E. General description of property including any waterbodies, environmental features, and/or any other development concerns for the property.

### Section 4.2. Minor Subdivision Final Plat

A Minor Subdivision Plat shall contain the following information:

- A. Name of owner(s) of property;
- B. A legal description of the property.
- C. A vicinity map at one (1) inch equals five hundred (500) feet.
- D. North arrow and scale of plat, with a maximum scale of one (1) inch equals one hundred (100) feet.
- E. All dimensions, bearings and corner markers.
- F. All property as currently subdivided and how the property is proposed to be subdivided, with square footage and dimensions of all such divisions.
- G. Surveyor's certification, signature and seal.
- H. All existing adjacent streets, alleys, rights-of-way, utility easements and servitudes and their widths. For revoked streets or alleys, the former right-of-way and the date and ordinance number of the revocation must be shown.
- I. Location of all buildings and structures and setback requirements as required by the subdivision regulations and the zoning ordinance, along with the current zoning of the property.
- J. Place for the signature of the Chairperson and/or Vice Chairperson of the Planning Commission and Town of St. Francisville, the date and filing number.
- K. Identifying numbers for all property as currently divided and as to be subdivided. No new division of the property may be left unnumbered.

### Section 4.3. Major Subdivision Preliminary Plat:

A Major Subdivision Preliminary Plat shall contain the following information:

- A. Name of owner(s) of property;
- B. A legal description of the property;



- C. A vicinity map at one (1) inch equals five hundred (500) feet;
- D. North arrow and scale of subdivision plat, with a maximum scale of one (1) inch equals five hundred (500) feet.
- E. All dimensions, bearings and corner markers;
- F. All property as currently subdivided and how the property is proposed to be subdivided, with square footage and dimensions of all such divisions;
- G. Surveyor's certification, signature and seal.
- H. All existing adjacent streets, alleys, rights-of-way, utility easements and servitudes and their widths. For revoked streets or alleys, the former right-of-way and the date and ordinance number of the revocation must be shown.
- I. Location of all buildings and structures and setback requirements as required by the subdivision regulations and the zoning ordinance, along with the current zoning of the property.
- J. Place for the signature of the Chairperson and/or Vice Chairperson of the Planning Commission, the Town Engineer and the Town Clerk, as well as the date and filing number.
- K. Identifying numbers for all property as currently divided and as to be subdivided. No new division of the property may be left unnumbered.

#### Section 4.4. Major Subdivision Final Plat

A Major Subdivision Final Plat shall contain the following:

1. Primary control points, or descriptions and "ties" to such control points, to which all dimensions, angles, bearings, and similar data on the plat shall be referred.
2. Tract boundary lines, right-of-way lines of streets, easements and other right-of-way and property lines of residential lots, sites for public use or open space, and other sites with accurate dimensions, bearings or deflection angles, and radii, arcs, and central angles of all curves.
3. Name and right-of-way width of each street or other right-of-way.
4. Location, dimensions and purpose of any easement.
5. Number to identify each lot or site.
6. Minimum building setback line on all lots and other sites.
7. Wetland demarcation lines (as determined by the U.S. Army Corps of Engineers) and Flood Zone demarcation lines (indicate FIRM Map and panel number).
8. Location and description of monuments: Permanent reference monuments shall be shown thus: All corner lot markers shall be permanently located and show thus: "O" and located in the ground to existing grade.
9. Names of record owners of adjoining un-platted lands.
10. Reference to recorded subdivision plats of adjoining platted land by record name, date and number.
11. Title, scale, north arrow and date.
12. Any zoning districts shown on any official map of the Town of St. Francisville.
13. Mailing address on each lot.
14. A site plan showing the location and dimensions of all installed utilities and appurtenances.
15. The following certificates shall be recorded on the final plat:
  - a) Certificate showing the applicant is the landowner and dedication of streets, rights-of-way, open spaces and/or recreational parks, and any sites for public use.
  - b) Certificate by surveyor and/or engineer certifying to accuracy of survey and plat.
  - c) Certification by the St. Francisville Parish Board of Health.



- d) Certification by the chair of the Planning Commission of all waivers approved by the Planning Commission.
- e) Certification by the Town Engineer and the Building Official prior to the approval of the plat that the developer has complied with one of the following alternatives:
  - i) Installation of all improvements in accordance with the requirements of these regulations; or
  - ii) Upon substantial completion of the improvements as certified by the Town Engineer (i.e. the improvements can be used for the purposes intended) the developer shall post a performance bond, letter of credit, or other surety as determined by the Planning Commission, in sufficient amount as certified by the Town Engineer, for completion of all required improvements. For any bond, letter of credit or other surety, there shall be submitted with the plat a determination by the Town Attorney as to the sufficiency of the bond offered.
- f) Certification of a maintenance bond, letter of credit or other surety, approved by the Town Attorney, in an amount sufficient to cover any costs which might be incurred by the Town of St. Francisville for the maintenance and/or repair to the required improvements for a period of two years after completion has been furnished by the developers and accepted by the Planning Commission.

## ARTICLE 5. SUBDIVISION DESIGN AND PERFORMANCE STANDARDS

### Section 5.1. Street Standards

- A. The arrangement, character, extent, width, grade and location of all streets shall be considered in their relation to existing streets; to topographical conditions; to public convenience and safety; and in their appropriate relation to the proposed uses of land to be served by such streets. Prior to acceptance by the Board of Aldermen of any streets in a subdivision, the Petitioner shall furnish proof and certification that the streets join an existing publicly maintained street. The Petitioner shall furnish proof and certification that the owner of the private road or street has executed and recorded a written instrument allowing use by the public of such private road or street. If the streets in the proposed subdivision do not join a publicly maintained road or street, the recorded subdivision plat shall contain the following statement:

**"Streets, servitudes and rights-of-way in the subdivision which do not join or connect with publicly maintained streets, roads, servitudes or rights-of-way shall "NOT" be maintained by the Town of St. Francisville or any other public body."**

- B. No street name or subdivision name shall be used which will duplicate or be confused with the names of existing streets or subdivisions. All street names and subdivision names must be approved by the Town of St. Francisville. Streets that are obviously in alignment with other already existing streets shall bear the names of the existing streets.
- C. Street jogs with centerline offsets of less than one hundred twenty-five (125) feet shall be prohibited.
- D. Streets shall be laid out so as to intersect as nearly as possible at right angles and no street shall intersect any other street at less than seventy-five (75) degrees.
- E. All dead-end streets, roads, etc., must have a cul-de-sac or a T-turnaround.
- F. No Petitioner shall use an existing dead-end street, cul-de-sac or T-turnaround as access to a new development if the existing road was not specifically designated as future access to any development, unless approved by the Board of Aldermen.
- G. All new streets (private or public) shall be paved and constructed in accordance with these regulations. The Petitioner that constructs a private road shall be required to obtain a signed affidavit from all buyers located on the private road acknowledging it is a private road and not maintained by the Town. A copy of the signed affidavit must be submitted to the Town of St. Francisville. A large note shall be placed on the final plat stating the following: BUYER BEWARE—THE STREETS, ROADS, SERVITUDES AND RIGHTS OF WAY IN THIS SUBDIVISION WILL NOT BE MAINTAINED BY THE TOWN OF ST. FRANCISVILLE OR ANY OTHER PUBLIC BODY."
- H. A waiver for private, all purpose servitudes may be obtained when a subdivision of four (4) lots or less (minor subdivision) is created as a subdivision that may be legally re-subdivided. A minimum of (30) thirty-foot, all purpose private servitude is required. This type of minor subdivision must be approved by the Board of Aldermen and cannot undergo future re-subdividing.
- I. Design and construction criteria
1. The riding surface of all public streets/roads where open ditches are used for drainage shall be a minimum of twenty (20) feet wide.
    - a) With three (3) inch hot asphaltic concrete wearing surface (1.5 inch and 1.5 inch layers) on ten (10) inch soil cement base at least twenty-one (21) feet wide; or
    - b) With three (3) inch hot asphaltic concrete wearing surface (1.5 inch and 1.5 inch layers) on compacted eight inch crushed limestone base at least twenty-one (21) feet wide; or

- c) With six (6) inches of 4,000 psi concrete on eight (8) inch compacted base; or
  - d) Same standards as (c) above, but with five (5) inches of 4,000 psi concrete base and one and one-half (1-1/2) inches of hot asphaltic concrete wearing surface.
  - e) Crown of roadbed shall be a MINIMUM of thirty (30) feet wide.
  - f) Road shoulders shall be a MINIMUM of five (5) feet wide and be fertilized and seeded to prevent erosion of shoulders and to prevent depositing of soil in road ditches.
  - g) Roadside ditches shall be constructed with a roadside slope of 3 to 1 and a back slope of 3 to 1.
2. The area between the backside of the road ditch and the road right-of-way shall be graded to drain, fertilized and seeded as soon as possible to prevent erosion.
  3. All streets with curb, gutter and/or enclosed drainage systems shall be at least twenty-seven (27) feet wide from back of curb or twenty (20) feet with subsurface drainage and no curbs.
    - a) With three (3) inch hot asphaltic concrete wearing surface (1.5 inch and 1.5 inch layers) on ten (10) inch soil cement base; or
    - b) With three (3) inch hot asphaltic concrete wearing surface (1.5 inch and 1.5 inch layers) on compacted eight (8) inch crushed limestone base; or
    - c) With six (6) inches of 4,000 psi concrete on eight (8) inch compacted base; or
    - d) With five (5) inches of 4,000 psi concrete and one and one-half (1-1/2) inches of hot asphaltic concrete wearing surface on eight (8) inch compacted base.
  4. The area between the backside of the curb and the road right-of-way shall be graded to drain, fertilized and seeded as soon as possible to prevent erosion.
  5. Based upon the soil classification and strength test results, the licensed engineer shall design the typical street sections. If the licensed engineer recommends a soil-cement treated base or sub-base, or a lime modified base or sub-base, the minimum amount of lime and/or cement required shall also be shown on the typical section(s). The amount of lime and/or cement shall be indicated in pounds per square yards (lbs./s.y) for the base or sub-base thickness specified. For lime treated bases or sub-bases the type of lime shall also be specified (hydrated or quicklime).
  6. All costs for the sampling and all required laboratory tests shall be borne by the Petitioner.
  7. Where boulevards are constructed, this is, two lanes of traffic separated by a neutral ground, the paving on each lane shall be not less than twenty (20) feet in width with a center neutral ground of not less than fifteen (15) feet in width.
  8. Cul-de-sacs (turnarounds) at the end of dead-end streets shall have a minimum outside turning radius of fifty-five (55) feet, with a minimum inside turning radius of thirty-five (35) feet. Petitioner shall provide street right-of-way sufficient to accommodate the cul-de-sac described in the ordinance herein. Pavement width in the turnarounds shall have a minimum width of twenty (20) feet. The center of the cul-de-sac shall be graded in order to provide positive drainage. Once graded, this area is to be immediately fertilized and seeded to stabilize the soil and prevent erosion. Permanent T-turnarounds may be used for streets no greater than five hundred (500) feet in length. The T-turnaround shall have a minimum paved width of twenty (20) feet and a minimum paved length of eighty (80) feet. Sufficient right-of-way shall be dedicated to accommodate necessary drainage.
  9. Profiles of all streets and ditches shall be submitted with the construction plans. Minimum gutter slope shall be 0.40%. Where open ditches are used for drainage, a drainage map showing size and grade of all pipe to be used under driveways and inverts of all ditches at property corners also shall be furnished.

10. All streets shall have a minimum of the following signs: street name, speed limit, stop, dead-end (if applicable).
  11. When sidewalks are constructed in an approved subdivision, such sidewalks shall be at least four (4) inches thick and four (4) feet wide. All sidewalks shall be located in a five (5) foot servitude on each lot abutting all road/street rights-of-way.
  12. Minimum longitudinal slope for street design shall be 0.40%.
  13. Minimum of 50' length vertical curve shall be required for all longitudinal slope breaks of 1.00% or greater.
  14. Temporary T-turnarounds as approved by the Town Engineer and Mayor shall be twenty 20' x 80' and constructed of aggregate or crushed limestone six 6" thick.
  15. Streets with sub-surface drainage and curb shall have maximum of 8' of lane flooding on 10-year storm.
- J. The Town Engineer and/or Building Official shall be present for independent testing of the soil, base, concrete, and paving surface.

## Section 5.2. Street Classification

- A. In all new subdivisions, streets that are dedicated to public use shall be classified.
1. The classification shall be based upon the projected volume of traffic to be carried by the street.
  2. Whenever a subdivision street continues an existing street that formerly terminated outside the subdivision or it is expected that a subdivision street will be continued beyond the subdivision at some future time, the classification of the street will be based upon the street in its entirety, both within and outside of the subdivision.
- B. Access to Public Streets in General
1. Every lot shall have either direct or indirect access to a public street. A lot has direct access to a public street if a sufficient portion of a boundary of the lot abuts the public street right-of-way so that an access way meeting the criteria set forth in this ordinance can be established. A lot has indirect access if it connects to a public street by means of one or more private roads that are of sufficient size to meet the criteria set forth in this section.
  2. The access provided must be adequate to afford a reasonable means of ingress and egress for emergency vehicles as well as for all those likely to need or desire access to the property in its intended use.
- C. Access to Arterial Streets - Whenever a major subdivision that involves the creation of one or more new streets borders on or contains an existing or proposed arterial street, no direct driveway access may be provided from the lots within this subdivision onto this street.
- D. Coordination with Surrounding Streets
1. The street system of a subdivision shall be coordinated with existing, proposed and anticipated streets outside the subdivision or outside the portion of a single tract that is being divided into lots (hereafter, "surrounding streets") as provided in this Section.
  2. Collector streets shall intersect with surrounding collector streets or arterial streets at safe and convenient locations.
  3. Local streets shall connect with surrounding streets where necessary to permit the convenient movement of traffic between residential neighborhoods or to facilitate access to neighborhoods by

emergency service vehicles or for other sufficient reasons, but connections shall not be permitted where the effect would be to encourage the use of such streets by substantial through-traffic.

4. Whenever connections to anticipated or proposed surrounding streets are required by this Section, the street right-of-way shall be extended and the street developed to the property line of the subdivided property (or to the edge of the remaining undeveloped portion of a single tract) at the point where the connection to the anticipated or proposed street is expected. In addition, the permit issuing authority may require temporary turnarounds to be constructed at the end of such streets pending their extension when such turnarounds appear necessary to facilitate the flow of traffic or accommodate emergency vehicles, Notwithstanding the other provisions of this subsection, no temporary dead-end street in excess of 1,000 feet may be created unless no other practicable alternative is available.

**E. Street Rights-of-Way**

1. Street rights-of-way are designed and developed to serve several functions: (1) to carry motor vehicle traffic, and in some cases, allow on-street parking; (2) to provide a safe and convenient passageway for pedestrian traffic; and (3) to serve as an important link in the Town's drainage system. In order to fulfill these objectives, all public streets shall be constructed to meet either the standards set forth in Table 11.
2. Widths and grades shall conform to the following minimum requirements outlined in Table 11: Minimum grades shown apply to curb and gutter sections only additional right-of-way, if necessary, to meet the minimum street width requirements set forth herein. Such dedication shall be in accordance with the following:

TABLE 5.1: STREET AND RIGHTS OF WAY AND GRADE REQUIREMENTS

<b>STREETS RIGHTS OF WAY WIDTH AND GRADE</b>			
Type of Street	Minimum Right-of-Way Width (in feet)	Grades by Percent	
		Maximum	Minimum
ARTERIAL	110	5	.3
COLLECTOR	60	5	.3
LOCAL (w/sub-surface drainage)	50	5	.3
LOCAL (w/out sub-surface drainage)	60	5	.3
FRONTAGE (MARGINAL ACCESS)	40	5	.3
ALLEYS	20	5	.3

3. At least the minimum right-of-way width shall be dedicated where the subdivision is on both sides of an existing street.
4. When the subdivision is located on only one side of an existing street, one-half of the required width, measures from the centerline of the right-of-way, shall be dedicated. However, the owner or owners of such property shall not be forced to dedicate from their land more than one-half of the required rights-of-way width.

**F. Sidewalks**

1. The sidewalks required by this Section shall be at least four (4) feet in width and constructed according to the specifications set forth by the Town except that the Building Official may permit the installation of walkways constructed with other suitable materials when it concludes that:
  - a) Such walkways would serve the residents of the development as adequately as concrete sidewalks; and
  - b) Such walkways would be more environmentally desirable or more in keeping with the overall design of the development.
2. Whenever the Building Official finds that a means of pedestrian access is necessary from the subdivision to schools, parks, playgrounds, or other roads or facilities and that such access is not conveniently provided by sidewalks adjacent to the streets, the Petitioner may be required to reserve an unobstructed easement of at least ten feet in width to provide such access.
3. The establishment of sidewalks along streets shall be determined on a case by case basis by an evaluation of relevant criteria such as, but not limited to, the nature of the area, location of existing sidewalks, need to serve the general public, and proximity of community facilities such as schools, recreation areas, parks and daycare facilities. As a part of review and evaluation by the Town of St. Francisville a recommendation shall be forwarded to the Planning Commission concerning the provision of sidewalks on either/or both of the sides of any proposed streets. The Planning Commission shall make the final determination of requirement.

G. Street Names

1. Duplication - The name of a new street shall not duplicate existing or platted street names in the Town of St. Francisville, or approximate such names in spelling or pronunciation, or by the use of alternate suffixes such as "Lane", "Way", "Drive", "Court", "Avenue", or "Street".
2. Continuation of Streets - New street names shall bear the same name of any continuation of, or when in alignment with, an existing or platted street.
3. Approval of Street Names - All street names shall be approved by the Town of St. Francisville, Town of St. Francisville branch of the United States Postal Service, and any other duly authorized agencies, before approval of the final plat. Street names are accepted by ordinance through the Board of Aldermen.

H. Alleys - Alleys shall be permitted as a secondary auto access only. Lots with alley access must still front on a non-alley public street. Alleys shall not serve as part of the required off-street parking, loading and/or unloading space required.

I. Private Streets and Reserve Strips - New private streets, alleys and sidewalks shall be constructed according to the specifications outlined in this Section.

### Section 5.3. Road Base Testing Required

- A. The Petitioner shall retain and pay for the services of an independent testing laboratory acceptable to the Planning Commission and such testing lab will provide a minimum of the following services along with certified testing and inspection reports to the Building Official, Planning Commission and Town Engineer.
1. If the Town Engineer or testing lab deems it necessary, test the soil to determine the percent of lime.
  2. If the Town Engineer or testing lab deems it necessary, test the soil to determine the percent of cement.
  3. Verify asphaltic concrete batch mixture for wearing course per DOTD specifications.
  4. Inspect soil-cement installation for soil-cement base roads.

5. Provide ample field density tests to determine that limestone base is compacted.
6. Inspect installation of hot asphaltic concrete wearing surface of concrete roadway.

#### Section 5.4. Final Acceptance of Streets and Improvements

The Petitioner must maintain all streets and improvements for a period of two (2) years from the date of official acceptance of the street and improvement. Before the end of the two (2) year period, a final inspection must be made by the Building Official and the Town Engineer who recommend to the Board of Aldermen whether or not approve final acceptance of the streets and improvements into the Town maintenance system. The Town may require a bond, letter of credit or other surety approved by the Town Attorney.

#### Section 5.5. Servitudes

- A. The Town of St. Francisville may require the dedication of additional right-of-way when the existing street has a width less than the minimum established herein.
- B. Where a subdivision or development is traversed by a water course, drainage way, channel, or stream, there shall be provided a storm water servitude or drainage right-of-way conforming substantially to the lines of such water course, plus be adequate in size for future drainage purposes.
- C. The minimum servitude width shall be fifteen (15) feet.
- D. The minimum street/road right-of-way width acceptable shall be as follows: Fifty (50) foot right-of-way for curb and gutter streets/roads and/or enclosed drainage systems and sixty (60) foot right-of-way for open ditch streets/roads. Private streets shall have sufficient right-of-way or servitude to accommodate the necessary drainage facilities and utilities.
- E. No Petitioner shall alienate the oil, gas and mineral rights to that land lying beneath the street and road rights-of-way, publicly maintained, with the intention of depriving the Town of St. Francisville of the ownership of the oil, gas or minerals beneath such road or street. In the event any developer should do so, the Town of St. Francisville is not obligated to accept such road or street for inclusion in the Town road system for future maintenance or upkeep.
- F. The full width and length of all rights-of-way and servitudes are to be completely cleared and grubbed of all trees, brush, debris, etc.

#### Section 5.6. Blocks

- A. General: The arrangement of blocks shall be such as to provide for convenient access, circulation, control and safety of street traffic. Blocks intended for commercial and industrial purposes shall be designated specifically for such uses with space set aside for off-street parking and loading and/or unloading facilities. Parking requirements shall conform to the Town of St. Francisville Comprehensive Zoning Ordinances.
- B. Length: Blocks should not exceed one thousand (1000) feet or be less than three hundred (300) feet in length.
- C. Width: The width of blocks should ordinarily be sufficient to allow for two (2) tiers of lots with easements as required, except for double frontage lots as permitted in these regulations and those lots which abut natural buffer zones such as streams, canals or golf courses.
- D. Blocks for Commercial or Industrial Development: Blocks designed for commercial and industrial uses shall be of a length and width determined suitable for the proposed use and to accommodate anticipated development. Blocks intended to be used for commercial or industrial purposes shall be designed specifically for such uses with space set aside for buffer, off-street parking and loading and unloading



facilities as required by these regulations. Specific design standards and construction standards shall be in accordance with the recommendation of the Town Engineer and/or Building Official and the standards of this article.

### Section 5.7. **Building Lines**

The building lines shall be appropriate for the location of the zoning district in which the subdivision is being proposed.

### Section 5.8. **Benchmarks**

Petitioner must furnish benchmarks in all subdivisions, with improvements, filed with the Planning Commission, at locations approved by the Town Engineer. Benchmarks are to be identified as to location and elevation and shall be noted on the construction plans and final plat.

### Section 5.9. **Stormwater Drainage Requirements**

When required, a Preliminary Plat or Final Plat shall not be considered for approval until the Petitioner has submitted to the Town of St. Francisville a Stormwater Drainage Impact Study by a professional engineer registered in the State of Louisiana, as to the ability of existing watercourse channels, storm sewers, culverts and other improvements pertaining to drainage or flood control within the subdivision, to handle the additional run-off which would be generated by the development of the land within the subdivision. Additional information shall be submitted to adequately indicate that provisions have been made for disposal of surface water without any damage to the developed or undeveloped land downstream, below or adjacent to the proposed subdivision.

#### A. General Requirements

1. The preferred design for stormwater drainage shall be sub-surface enclosed conduit systems.
  - a) If a developer wishes to install a drainage system utilizing open ditches, the developer must state to the Planning Commission why the installation of sub-surface drainage will: 1) Create undue hardship on developer, 2) Create potential adverse environmental impacts or effects on neighboring properties, and 3) Will impair the public health, safety and welfare of the community.
  - b) Installation of a drainage system utilizing open ditches must be specifically approved by the Planning Commission. The Planning Commission shall consider the recommendation of the Building Official and Town Engineer in making this decision.
2. In the design of the drainage system for the proposed subdivision, right-of-way provisions shall be made to adequately protect the adjacent watershed areas. All drainage rights-of-way and structures shall be sufficient for the drainage of the adjacent watershed after complete development of the total watershed area.
  - a) Accommodation of upstream drainage areas: No development may be constructed or maintained so that such development unreasonably impedes the natural flow of water from higher adjacent properties across such development.
  - b) Effect on downstream drainage areas: No development may be constructed or maintained so that surface waters from such development are unreasonably collected and channeled onto



lower adjacent properties at such locations or at such volumes or velocities as to cause substantial damage to such lower adjacent properties.

- i) Where it is anticipated that the additional runoff incident to the development of the subdivision will overload an existing downstream drainage facility, the Planning Commission may withhold approval of the subdivision until provision has been made for the retention of stormwater and resolution of such potential conditions in a manner satisfactory to the Planning Commission.
  - ii) No subdivision shall be approved unless adequate drainage will be provided to a drainage watercourse or facility adequate to receive the proposed drainage without adverse impact on downstream development.
3. Whenever any stream or improved surface drainage course is located in an area that is being subdivided, the Petitioner shall dedicate an adequate right-of-way along each side of the stream sufficient for maintenance thereof.
4. Floodplain areas: The Planning Commission may, when it deems it necessary for the health, safety, or welfare of the present and future population of the area or necessary to the conservation of water, drainage, and sanitary facilities, prohibit the subdivision or development of any portion of property that lies within the floodplain of any stream or drainage course. These floodplain areas shall be preserved from any and all destruction or damage resulting from clearing, grading, or dumping of earth, waste material, or stumps, except as otherwise expressly permitted by the Planning Commission and concurred in by appropriate state and federal agencies.
5. Development of areas of extremely poor drainage will be discouraged.
6. The storm or flood water drainage system shall be separate and independent of any sanitary sewer system and shall be located within the street right-of-way except where it is located in servitudes to facilitate outfall needs or for subdivision interconnections.
7. The natural drainage within the subdivision shall be followed insofar as economically feasible. Streets and lots shall be arranged so as to keep artificially relocated drainage canals to a minimum.
8. The developer shall not deepen, widen, fill, reroute or change the location of any existing ditch, stream, drain or drainage canal without first obtaining written permission from the Town Engineer, the Building Official and all other applicable state and federal agencies.
  - a) Plans for such filling, deepening, widening, rerouting, or changing the location of any existing ditch, stream, drain, or drainage canal shall comply with all design requirements and improvement standards of these regulations, as well as all applicable state and federal agency requirements.
  - b) All such work shall be constructed under the review and subject to the approval of the Town Engineer, the Building Official and all other applicable state and federal agencies. Adequate servitudes of rights-of-way must be dedicated for the construction and maintenance of any drainage ways that may be relocated. No structures shall be erected or placed upon the drainage easements.
9. Street drainage systems: All roadways shall be provided with an adequate storm drainage system. No stormwater shall be permitted to run into the sanitary sewer system within the proposed subdivision.
10. Exempt Activities: The following activities are exempt from all stormwater management requirements:
  - a) Any emergency activity that is immediately necessary for the protection of life, property, or natural resources;

- b) Any temporary activity that lasts less than two weeks and returns the site to the pre activity conditions;
- c) Expansion in gross floor area or impervious area of less than 10 percent or 2,000 square feet, whichever is less; and
- d) Lands used for agricultural purposes.

B. Stormwater Drainage Impact Study:

In all areas to be developed, the Petitioner's engineer shall prepare and submit a Stormwater Drainage Study of the area prior to approval of construction plans.

1. Exceptions: The following activities may be exempted from the requirement of preparing a Stormwater Drainage Impact Study:
  - a) Development in which the area of impervious surface does not exceed twenty (20) percent of the development area at the point of discharge from the site. The total impervious area shall include all buildings, driveways, sidewalks, streets, parking lots, lakes, ponds, etc. All undeveloped open space, common area, etc., must be clearly identified.
  - b) Additions or modifications to existing developments which result in no more than a ten (10) percent increase in existing impervious area and which have existing public storm drainage facilities designed to accommodate runoff from the existing site.
  - c) The proposed development results in no more than a ten (10) percent increase in the ten (10) year pre-development peak discharge at the point of discharge from the development site.
  - d) The site is located within existing developed areas, which are served by both existing on-site storm drainage infrastructure and a network of public storm drainage facilities, which were designed to accommodate any additional runoff from the development site.
2. Site Location and Description: The drainage impact study shall comply with the following minimum requirements:
  - a) Location: Describe location of subject property; located by township and range; identify adjacent developments, major drainage outfalls, streets, highways, lot and block page number; and provide a vicinity map.
  - b) Site Description: Describe the predominate existing land use and future land use in project watershed using the latest data available. Describe the proposed development, soil types, vegetative cover, watershed slopes and provide an estimate of percent of impervious area for pre and post development conditions.
3. Watershed Map:
  - a) The watershed map should show the location of the project, drainage boundaries and acreage, existing channels, ditches, natural drains, proposed major drainage structures, channel realignment cross section locations and contours.
  - b) Contours may be taken from the latest U.S.G.S. 7.5 minute quadrangle map or better.
  - c) The watershed map must be at least 1"= 500' feet scale or less.
  - d) The pre-development and post-development ten (10) year and one-hundred (100) year run-off rate and water surface must be shown at all entrance and exit points of the development. Twenty-five (25) year run-off rate and water surface may be required by Town Engineer.
4. Hydrologic Design:

- a) The drainage impact analysis shall indicate existing condition peak ten (10) year and one hundred (100) year flow rates at the development entry and exit points. Twenty-five (25) year run-off flow rates may be required by Town Engineer.
  - b) The drainage impact analysis shall indicate future condition peak ten (10) year and one hundred (100) year flow rates at the development entry and exit points. Twenty-five (25) year flow rates may be required by Town Engineer.
5. Hydraulic Capacities:
- a) On site capacity: Indicate capacity of any existing drainage outfall facility (ditch, canal, culvert, bridge, etc.) within the proposed development site and required type size, and capacity of any proposed outfall facilities as defined above.
  - b) Off-site capacity: Determine capacity of existing downstream outfall facilities (ditches, canals, culverts, bridges, etc.) that will be utilized to convey flow from the downstream limits of the proposed development. An inventory of downstream structures including size, type, invert elevation, and cover topping elevation should be made. Channel cross sections at upstream and downstream limits of the proposed development at structure locations and at intermediate canal locations shall be required to adequately define existing channel capacities.
6. Special Site Conditions: Special conditions which may exist at the proposed development site should be clearly identified including but not limited to such items as:
- a) Special flood hazard areas (FIRM Zones A and AE).
  - b) Regulatory floodway (if applicable).
  - c) Churches.
  - d) Schools.
  - e) Cemeteries.
  - f) Landfills and hazardous waste sites.
  - g) Parks.
7. Study Conclusions and Recommendations: Study should clearly identify the results and conclusions of the analysis and provide recommendations of any required action(s) so that no adverse impact is experienced by surrounding properties.
- C. Design and Construction Criteria:
1. Subdivision drainage shall be designed in accordance with one of the following three (3) options:
    - a) Open Ditch Subdivision- A Subdivision that will be designed and built with open ditches. Installation of any subsurface drainage (other than a driveway culvert) is prohibited in any subdivision designed for open ditches. Driveway culvert pipe shall be designed and shown on the drainage layout map. Enclosure of open ditches in previously developed subdivisions shall follow the ordinance in place at the time of approval unless altered by ordinance. All sellers of any lot/parcel within an open ditch subdivision shall make the buyer beware that any subsurface drainage will not be allowed to be added (other than one (1) driveway culvert per lot or parcel). The following statement must be placed on the bill of sale: BUYER BEWARE: Installation of any subsurface drainage (other than a driveway culvert) is prohibited in this subdivision designed for open ditches.
    - b) Open Ditch Subdivision with design for Subsurface: A subdivision designed for subsurface drainage and built as an open ditch subdivision. Should the subdivision be initially built as an

- open ditch subdivision, any future installation of subsurface drainage shall be in accordance to the drainage plans provided in the construction and public infrastructure plans.
- c) Subsurface Drainage Subdivision: A subdivision that will be designed and built for subsurface drainage.
2. Design shall be in accordance with DOTD hydraulics manual. The run-off used shall be computed using the Soil Conservation Service (S.C.S.) or rational method ( $Q=ACI$ ) as described in the manual for all drainage areas (off-site and on-site) and any drainage channels affected by the development.
  3. Dedication of Drainage Servitudes (Easements)
    - a) If a watercourse traverses a subdivision, drainage way, channel or stream, an easement or drainage right-of-way conforming substantially to the lines of such watercourse shall be provided.
    - b) Where topography or other conditions are such as to make impractical the inclusion of drainage facilities within road rights-of-way, perpetual unobstructed drainage easements at least 20 feet in width, depending on width of drainage facility, shall be dedicated to the Town for drainage ways that traverse property outside the road right-of-way lines with satisfactory access to the road. If the drainage easement abuts a street right-of-way, a ten-foot easement may be allowed, as determined by the Town Engineer.
    - c) When a proposed drainage system will carry water across private land outside the subdivision, appropriate drainage rights and easements across abutting property must be secured prior to the final subdivision approval and such easements must be indicated on the plat.
    - d) The necessary width of all drainage easements, whether supporting manmade or natural drainage ways shall be determined by the Petitioner's engineer and approved by the Town Engineer and the Building Official. When any of these drainage easements overlap, the largest area will be used to determine the minimum drainage easement.
    - e) In the case of all privately-owned stormwater management facilities, including stormwater infrastructure on commercial or institutional property, or contained within residential common areas, the owner, at his/her sole expense, shall:
      - i) Maintain the retention/detention facility in a structurally sound condition so that it satisfies the drainage function for which it was intended;
      - ii) Maintain the retention/detention facility in a clean and safe condition so as not to constitute a hazard or nuisance to the public; and
      - iii) Maintain the retention/detention facility in accordance with all rules, standards and regulations applicable thereto as may from time to time be enacted by any governmental agency or authority.
  4. Complete hydraulic calculations shall be prepared and sealed by a professional engineer and submitted along with the construction plans.
  5. Open canals shall have side slopes of three (3) to one (1) if not lined with concrete. Slope grades of one and one-half ( $1\frac{1}{2}$ ) to one (1) may be used if concrete lining is utilized.
  6. Erosive Soils: Many subdivisions are developed in areas where erosive soils exist. All outfall ditches side slopes shall be stabilized by fertilizing and seeding and erosion hey blankets installed per manufacturer and as approved by Town Engineer.
  7. The following servitude criteria shall be required for each ditch, canal, and storm sewer; however the Town Engineer may allow variations based on sound engineering practices:
    - a) Storm sewers and Swale Ditches: Fifteen (15) foot minimum servitude.

- b) Ditches with a top width up to fifteen (15) feet: Width of ditch plus a minimum of fifteen (15) feet from the top of bank on one side.
  - c) Canals with a top width greater than fifteen (15) feet: Width of canal plus a minimum of fifteen (15) feet on each side.
  - d) Canals with bottom widths greater than six (6) feet to fifteen (15) feet: Width of the canal plus a minimum of ten (10) feet from the top of the bank on one side.
  - e) Canals with a bottoms widths greater than fifteen (15) feet and a top width of less than forty (40) feet: Width of canal plus a minimum of ten (10) from the top of bank on one side and twenty-five (25) feet on the other.
  - f) Canals with a top width greater than forty (40) feet: Twenty-five (25) feet from the top bank on both sides.
8. Outlet ditches (minor and major) located between lots shall be piped their entire length.
  9. All design criteria of drainage whether open or closed system shall meet sound engineering practices and principles. The Town Engineer will have the option to ask for any outfall ditch (outfall ditch is defined as a ditch that connects to the roadside ditch and outfalls at another location) to be enclosed for the entire length of the outfall.
  10. Detention Basin: Whenever a Detention Basin is utilized to minimize downstream flooding, the design shall address, at a minimum, the following:
    - a) Detention basin shall be designed to detain flows so as not to increase downstream runoff more than ten (10) percent for a ten-year pre-development storm.
    - b) Detention basin shall be checked for the twenty-five (25) and one hundred (100) year frequency to assure that adequate capacity is provided in the basin and at the outlet to prevent flooding of upstream and downstream developments.
    - c) Adequate land must be reserved for maintenance of detention pond.
    - d) Detention basins may be wet (lakes or ponds) or dry.
      - i) Wet detention basins shorelines and control structures shall be privately owned and maintained. Both the construction plans and final plat for development shall include a note which states that the proposed detention basin, shoreline and control structure shall be "Privately Owned and Maintained". Storm drainage pipe inverts must be designed to be above the normal water surface elevation of the basin, unless the Town Engineer approves variations.
      - ii) Dry detention basins shall be privately owned and maintained as part of the development drainage system. The basin must have minimum side slopes of three (3) to one (1) and must have a minimum fifteen (15) feet wide access along the entire perimeter for maintenance. Storm drainage pipe inverts must be designed to be above the normal water surface elevation of the basin, unless the Town Engineer approves variations. The basin bottom shall be designed and compacted to allow for proper maintenance with mowing machines and other equipment.
    - e) The Petitioner may propose off-site improvements to downstream facilities to minimize the impact of the development, subject to approval of the Town Engineer.
- D. Floodplain Management: When any part of a subdivision is located in a special flood hazard area as identified by the Federal Emergency Management Agency (FEMA):
    1. The proposed subdivision shall not violate Article V. Flood Ordinance of these regulations.

2. All public utilities and facilities, such as sewer, gas, electrical and water systems shall be located and constructed to minimize or eliminate flood damages.
  3. Adequate drainage shall be provided so as to reduce exposure to flood hazards.
  4. The plan shall include a statement that habitable structures in the subdivision shall be constructed with their lowest floor, at least one foot above freeboard. Such a restriction shall be included in any deed, lease, purchase and sale agreement, or document transferring or expressing intent to transfer any interest in real estate or structure, including but not limited to a time-share interest. The statement shall clearly articulate that the municipality may enforce any violation of the construction requirement and that fact shall also be included in the deed or any other document previously described. The construction requirement shall also be clearly stated on the plan.
- E. Alternate Management Measures: Alternate management measures, applied alone or in combination with standard management measures to satisfy the intent of this section, are acceptable if there are no objectionable secondary consequences, they conform to standard and acceptable engineering principles, and they comply with other existing Town development standards. Innovative techniques and ideas will be considered and may be used when shown to have potential to produce successful results. Alternative management measures should reduce stormwater runoff volumes and velocities by:
1. Including measures to promote infiltration.
  2. Using green infrastructure tools where appropriate (see Section 5.9. Green Infrastructure and Stormwater BMPs).
  3. Provide for energy dissipation at outlets of stormwater drainage facilities to reduce flow velocities at the point of discharge.

#### Section 5.10. Green Infrastructure and Stormwater BMPs

- A. Green Infrastructure, also commonly referred to as Stormwater Best Management Practices (BMP), help to minimize runoff, increase infiltration, recharge groundwater, improve water quality, and mitigate the effect of new development, redevelopment, or infill development on the existing drainage system. The following list of tools is not prescriptive, but provides guidance for establishing a site-specific stormwater management regime, and include, but are not limited to:
1. Bioswales – Vegetated swales planted with native plants or ornamental grasses. They transport water, allow some to infiltrate, and can be designed as a landscape feature. Bioswales are not grassed but are planted with a variety of wetland plant species that flower, fruit, and have ornamental qualities
  2. Grassed Swales – Designed conveyance devices used to transport water over the surface of the ground to a point of disposal that may be a catch basin, ditch, water body, or a stormwater BMP that will filter, infiltrate, evaporate, and clean the water of TSS, solid waste, and other pollutants. Swales are often appropriate along property lines, public streets, and around buildings.
  3. Constructed and/or Preserved Wetlands – Constructed wetlands, such as wet ponds, are commonly used on large development projects such as golf courses, shopping centers, business parks and industrial sites. These wetlands shall be designed as part of an integrated drainage system, built around lakes and ponds that may include detention areas, retention areas, irrigation ponds, or low-lying areas that collect and store stormwater.
  4. Detention/Retention Basins – Wet retention basins are constructed, naturalistic ponds with a permanent or seasonal pool of water (also called a “wet pool” or “dead storage”). Dry extended detention (ED) basins are basins whose outlets have been designed to drain from a full condition

- within thirty-six (36) to forty-eight (48) hours to allow sediment particles and associated pollutants to settle and be removed.
5. Habitat Preservation and Protection Areas – Large tree protection areas in which a complete habitat of plants, soils, water regimes, animal life, and nutrients work together to produce clean air, pure water, rich soils, and a population of animal life living and growing off of the biological productivity and diversity.
  6. Permeable Pavers, Porous Surfaces, Grass Paving, Structural Soils – Porous paving reduces site runoff and allows the infiltration of stormwater. Structural soils are designed to bear the weight of heavy construction such as parking lots, terraces, and courtyard, but also provide void space for tree roots and stormwater infiltration.
- B. Use of Green Infrastructure to satisfy any of the requirements of these regulations shall:
1. Meet the requirements of Section 5.8.E Stormwater Drainage Requirements. Alternate Management Measures.
  2. Be included as part of the Stormwater Drainage Impact Study, when required, or submitted to the Town as a separate Stormwater Management Plan, prepared by a registered landscape architect licensed by the Louisiana Horticulture Commission or a registered professional engineer licensed by the Louisiana Professional Engineering and Land Surveying Board (LAPELS).
  3. Be subject to the recommendation and approval of the Town Engineer and Building Official.

#### Section 5.11. **Sanitary Sewer (Waste Water) System**

- A. The Petitioner shall provide a sanitary sewerage collection system designed to adequately serve all lots in the subdivision plus lines adequate in size to facilitate the orderly development of nearby land which is an integral part of the service area. The developer shall connect said collection system to the public sewerage system or to a separate sanitary sewerage system in conformance with the Sanitary Code of the State of Louisiana and the requirements of the Louisiana Department of Health and Hospitals and any other appropriate agencies.
- A. Plans Required - When the developer submits any plat the conditional plat for approval, the developer shall submit plans and specifications prepared by a civil engineer registered in the State of Louisiana showing the proposed sanitary sewerage system and facilities. Said plans shall show pipe sizes, gradients, type of pipe, invert and finished grade elevations, location and type of manholes, the location, type and size of all lift or pumping stations and such other information as required by the Planning Commission
- B. Design and Construction Standards - The design criteria for the sanitary sewerage system shall be based on standards of the Town, Parish, State and/or the Sewerage District in which it is installed. In no case shall any developer fail to meet the minimum standards required by these regulations.

#### Section 5.12. **Water System**

- A. The developer shall provide a complete water distribution system that shall serve adequately all lots within the proposed subdivision plus lines adequate in size to facilitate the orderly development of nearby land that is an integral part of the service area. The water distribution system shall include appropriately spaced fire hydrants, valves and other appurtenances necessary.
- B. Plans Required: When the developer submits any plat for approval, the developer shall submit plans and specifications prepared by a professional engineer registered in the State of Louisiana showing the proposed water system. Said plans shall show line sizes, type of pipe, location of hydrants and valves and



other appurtenances, if applicable, supply facilities, booster pumps, and elevated or ground level storage tanks.

- C. The St. Francisville Fire Department shall review the submitted plans and make formal recommendations including a standard size for all water mains.
- D. Design and Construction Standards:
  - 1. All newly constructed water distribution lines for either new water systems or extensions to existing systems, will be designed and constructed in accordance in conjunction with the recommendation of the St. Francisville Fire Department, the Building Official, and the Town Engineer to provide adequate flow capacity and pressure, together with an adequate number of fire hydrants required for fire protection in that area. The minimum pipe size will be eight (8) inches.
  - 2. Materials and methods used to construct the systems will be of such quality and standards as approved for fire defense by Underwriters' Laboratories, Inc., and/or the American Water Works Association.
- E. All inhabited premises and buildings located within three hundred (300) feet of an approved public water supply shall be connected to such supply, provided that the property owner is legally entitled to make such a connection. The Town of St. Francisville may grant permission to use water from some other source. (Public system means a system owned and/or operated by the Town of St. Francisville).

### Section 5.13. Fire Protection

- A. The Petitioner shall provide a complete fire protection system that shall serve adequately all lots within the subdivision plus fire protection provisions adequate in size to facilitate the orderly development of nearby land which an integral part of the fire service area. No subdivision shall be established unless there are appropriate provisions for fire protection service.
- B. Fire protection provisions shall be outlined during the Preliminary Plat approval process and shown on all improvement plans.
- C. Fire protection improvements shall be subject to the same financial assurances as other subdivision improvements.
- D. Fire service provisions and water systems provided within or adjacent to the subdivision shall be located per the Fire Code adopted by the Town of St. Francisville at the time of development, as well as standards outlined by the National Fire Protection Association (NFPA) and the Property Insurance Association of Louisiana (PIAL).

### Section 5.14. Driveway and Street Culverts

- A. All culverts in subdivisions legally platted and accepted by the Town of St. Francisville shall be installed to the size and grade shown on the construction plans or as determined by a licensed engineer and submitted in writing to the Town of St. Francisville. In the division or re-subdivision with improvements, a professional engineer shall provide in the construction plans stated above a separate drainage map that will include ditch inverts at property corners and a culvert size list.
  - 1. Culverts in the Town of St. Francisville shall be installed pursuant to the procedure mandated by the Town of St. Francisville. Improper, inadequate or un-permitted installations may be corrected by the Town of St. Francisville and all expenses incurred shall be borne by the property owner.
  - 2. In the division or re-subdivision without improvements on an existing roadway, culverts shall be allowed by either requesting the Town of St. Francisville to designate the size of the needed culvert



- and shoot elevations or have a Louisiana professional land surveyor to perform the work and submit the information to the Building Official for the issuance of a culvert permit
3. In subdivisions legally platted and approved by the Planning Commission, the building contractor or homeowner shall hire a professional engineer or professional surveyor to stake in the field the required grade and driveway culvert size. Culvert size shall be determined by a professional engineer as per the recorded plans. After a culvert is installed but prior to concrete or asphalt being installed over culvert, the building contractor or homeowner shall have a professional engineer or professional surveyor return to site to certify size and grade and report the same in writing to the Building Official.
- B. No person, including but not limited to contractor, house-builder, homeowner, or lot owner, shall install subsurface drainage culverts, other than an approved driveway culvert, in road/street ditches for subdivisions designed for open ditches. Only subdivisions designed for subsurface drainage may install subsurface drainage during or after the maintenance period in accordance to the drainage plans provided in the construction plans. Enclosure of open ditches in a previously developed subdivision shall be allowed by either requesting the Town of St. Francisville to designate the size of needed culvert and shoot elevations or have a Louisiana professional engineer design a subsurface drainage plan to enclose the roadside ditch and have it approved by the Town of St. Francisville. Approved plan shall include, at a minimum, catch basins (2' x 2' minimum) with removable grate located a maximum of every forty (40) feet.
  - C. An impervious substance (asphalt, tar, concrete, etc.) shall have expansion joints placed three (3) feet from center of culvert on either side. This shall apply to all driveway, path or sidewalk culverts. In the event there is less than three (3) feet distance, joint shall be placed at the furthest point.
  - D. No person shall intentionally obstruct the flow or alter the design of any open ditch or subsurface drainage. The discharge or placing of any foreign material in open ditches or subsurface drainage is hereby prohibited.
  - E. Driveway culverts and culverts not located under pavement shall be one of the following:
    1. Reinforced concrete pipe (ASTM C-76, Class III)
    2. Bituminous coated corrugated steel pipe (Minimum 16 gage)
    3. Plastic pipe (as approved by LA DOTD QPL List)
  - F. Pipes located under pavement shall be one of the following:
    1. Reinforced concrete pipe (ASTM C-76, Class III)
    2. Bituminous coated corrugated steel pipe (Minimum 14 gage)
  - G. Pipes not located under pavement for subsurface drainage shall be one of the following:
    1. Reinforced concrete pipe (ASTM C-76, Class III)
    2. Bituminous coated corrugated steel pipe (Minimum 14 gage)
  - H. All pipes/culverts shall be laid in accordance with the manufacturer's recommendations and having watertight joints. Backfill for reinforced concrete pipe and bituminous coated corrugated steel pipe shall be selected soils or granular materials. Backfill for plastic pipe shall be granular material. A minimum of nine-inch cover shall be required over plastic pipe. Any pipes found to be damaged or out of alignment or grade shall be removed and reinstalled, or replaced at the expense of the developer.

## Section 5.15. Street Lights and Utility Poles

- A. The Town shall approve the location and number of streetlights to be installed in any proposed subdivision. Streetlights are required in all subdivisions consistent with the following criteria:
  1. The proposed streetlight locations shall be designated on the plat submitted for approval.
  2. Streetlights shall be installed at all intersections and within all new subdivisions with improvements.
  3. Lighting levels should be designed to meet or exceed the average minimum illumination levels as recommended by the Illumination Engineering Society (IES) for the particular roadway type and subdivision type. Lighting designs should be such that glare is minimized and spacing is adequate to avoid dark areas.
  4. Street light fixtures shall be full cutoff or otherwise designated as dark sky friendly design.
  5. Street lighting shall be installed on poles of proper mounting height and strength to meet or exceed the transverse wind loading criteria based on the effective projected area of the particular pole and fixture selected. Street light wiring shall be installed underground from source to pole.
  6. All cost associated with the construction and installation of streetlights in subdivisions shall be paid by the developer.
- B. Poles
  1. When located on a street right-of-way, utility poles shall be located adjacent to the property line, but can be no further than six feet (6') into the street right-of-way from the property line or beyond the property side of open drainage. In no case should poles be placed closer than six feet (6') from the traveled surface of the roadway.
  2. Pole placement may be adjusted with Town approval for protected Live Oaks or other trees, historical structures, necessary public access, or other conflicts.
  3. Street light pole placement is acceptable within the median of a boulevard, provided adequate space exists between the pole and the traveled surface of the roadway. Generally, the minimum acceptable median width to accommodate street light poles would be eight feet (8') with six inches (6") of curbing.

## Section 5.16. Preservation and Public Use

- A. General Requirements
  1. Existing features that would add value to residential development or to the Town of St. Francisville as a whole, such as trees required to be preserved by these regulations, watercourses, historic spots, and similar irreplaceable assets, shall be preserved in the design of subdivisions or other developments. No trees shall be removed from any subdivision nor the grade of the land within the subdivision be altered until approval of a preliminary or final plat has been granted. If certain trees on the plat are to be retained, they shall be preserved and the area of land within their drip lines shall be protected against any change of grade.
- B. Public Use and Open Space
  1. The Petitioner of each major subdivision for residential or commercial development shall dedicate a portion of such land, in accordance with this Section, for a public park, greenway, recreation and/or open space site to serve the natural and recreational needs of the subdivision or development.
- C. Amount of Land to be Dedicated

1. Each new Major Subdivision shall be required to include a minimum of five (5) percent of the net land area of the subdivision (the total acreage excluding land in existing and proposed street right of ways) as an open space contribution.
2. The Planning Commission may allow the Petitioner to provide one (1) acre of created wetlands habitat in lieu of one and one--quarter (1.25) acres of otherwise required open space, provided such created wetlands constitute less than 20% of the total required area.

D. Nature of Land to be Dedicated

1. Except as otherwise required by the Planning Commission at the time of Preliminary Plat approval, all dedications of land shall meet the following criteria:
2. The dedicated land shall form a single parcel of land, except where the Planning Commission determines that two (2) or more parcels would be in the best interest of the public. In such cases, the Planning Commission may require that such parcels be connected by a greenway or other form of pedestrian access.
3. At least one--half (1/2) of the total land dedicated shall be located outside areas of special flood hazard areas as determined by FEMA, lakes or other water bodies and areas with slopes greater than five percent (5%), and at least seventy--five percent (75%) of the total land dedicated shall be located outside of wetlands subject to Federal or State regulatory jurisdiction. Lakes, ponds, creeks, or other water bodies, and wetlands may be dedicated only if a sufficient amount of abutting land, as determined by the Planning Commission, is dedicated as a public recreation area or park or if such area constitutes a necessary part of the drainage control system.
4. The dedicated land shall be located so as to reasonably serve the recreation and open space needs of residents of the subdivision.

E. Procedure for Dedication of Land

1. The dedication of such land shall be reviewed and approved as part of the Preliminary Plat. The Petitioner shall designate on the Preliminary Plat the area or areas of land to be dedicated pursuant to this section. Where wetlands falling under the jurisdiction of State or Federal agencies have been certified to exist on the property, the wetlands shall be designated. Upon receipt of the Preliminary Plat the Town Engineer shall submit any and all recommendations concerning the land to be dedicated to the Planning Commission.

## Section 5.17. Impact Fees

- A. Impact fees are payments required by local governments of new development for the purpose of providing new or expanded public capital facilities required to serve that development. The fees typically require cash payments in advance of the completion of development, are based on a methodology and calculation derived from the cost of the facility and the nature and size of the development, and are used to finance improvements offsite of, but to the benefit of the development.
- B. Using impact fees allows the municipality to shift more of the costs of financing public facilities from the general taxpayer to the beneficiaries of those new facilities. As a general matter, impact fees are capitalized into land values, and thus represent an exaction on the incremental value of the land attributable to the higher and better use made possible by the new public facilities.
- C. Impact fees can be an effective tool for ensuring adequate infrastructure to accommodate growth where and when it is anticipated. It is important that communities rely on zoning and other land use regulations,

consistent with a comprehensive plan, to influence patterns of growth and to more accurately predict new infrastructure needs. While these subdivision regulations do not provide the legal basis for implementing impact fees in the Town of St. Francisville, it does outline standards by which the Town can equitably and efficiently execute such payments.

D. Impact Fee Standards

1. The impact fee is rationally linked (the "rational nexus") to the impact created by the new development and the demonstrated need for related capital improvements pursuant to the Town of St. Francisville capital improvement plan and program.
2. Some benefit must accrue to the development as a result of the payment of a fee.
3. The amount of the fee is a proportionate fair share of the costs of the improvements made necessary by the development and do not exceed the cost of the improvements. Additionally, credits will be given for outside funding sources (such as federal and state grants, developer initiated improvements for impacts related to new development, etc.) and local tax payments which assist in funding the proposed capital improvement.
4. The fee is not imposed to address existing deficiencies except where they are exacerbated by the new development, including but not limited to: schools, fire stations, roads, drainage, public recreation, traffic improvements, etc.
5. The funds received are segregated from the general fund and used solely for the purposes for which the fee is established.
6. The fees collected will be encumbered or expended within a reasonable timeframe to ensure that needed improvements are implemented.
7. The fee assessed does not exceed the cost of the improvements, and the fee will not be used to cover normal operation and maintenance or personnel costs, but will be used for capital improvements, or under some linkage programs, affordable housing, job training, child care, etc.
8. The fee established for specific capital improvements and the capital improvements plan will be reviewed at least once every three (3) years to determine whether an adjustment is required.
9. The town will permit refunds for projects that are not constructed, since no impact will have manifested.
10. Impact fee payments shall be made as a condition of approval of the subdivision or development, in accordance with other development fees required by these regulations and the Town of St. Francisville.

## ARTICLE 6. SPECIAL DEVELOPMENTS

### Section 6.1. Planned Unit Development (PUD) Purpose

The purpose of the Planned Unit Development (PUD) is to encourage flexibility, innovation and variety in the development of land in order to promote its most appropriate use; to improve the design, character and quality of development; to facilitate the adequate and economic provision of streets, utilities and services; to achieve beneficial land use relationships with the surrounding area; to preserve the unique natural and scenic features of the landscape; and to preserve open space as development occurs.

All PUD development should meet the following criteria:

- A. Environmentally sensitive design that is of a higher quality than would be possible under the regulations otherwise applicable to the property.
- B. Diversification and variation of uses, infrastructure, open spaces and lot developments.
- C. Functional and beneficial uses of open space areas.
- D. Preservation of natural features of a development site such as ponds, lakes, creeks, streams, wetlands, animal habitats, etc.
- E. Creation of a safe and desirable living environment for residential areas characterized by a planned building and site development program.
- F. Efficient and effective circulation for various means of transportation, both within and adjacent to the development site.
- G. Creation of a variety of architectural styles and housing types compatible with surrounding neighborhoods to provide greater housing choice.

### Section 6.2. Planned Unit Development General Development Standards

- A. Minimum Area
  1. The minimum area for PUDs under this article shall be as follows:
    - a) In residential districts – three (3) contiguous acres
    - b) In all other zoning districts – five (5) contiguous acres
- B. The site of the planned development must be under common ownership and/or unified control. If there are two (2) or more owners, the application for the planned development must be jointly filed by all owners.
- C. Maximum residential density for a PUD in a residential district shall be whatever is greater, either five (5) units per acre or the permitted residential district in the underlying residential zoning district, up to a maximum of ten (10) units per acre. The maximum residential density for a PUD in any other district shall be ten (10) units per acre, subject to all other requirements of the Town.
- D. Every PUD developed under these provisions shall comply with all of the regulations established herein for the district(s) in which the PUD is located unless the regulations have been waived by the Planning Commission or as otherwise stated in Section 6.4.PUD Exemptions from District Regulations.

### Section 6.3. PUD Design Standards

- A. Infrastructure

1. The PUD site shall be accessible to public streets that are adequate to carry the traffic that will be generated by the proposed development. The circulation system within the proposed development shall be adequate to serve the uses within the development. The applicant is responsible for the cost and installation of any additional traffic controls and regulating devices that may be required.
  2. All PUDs shall provide for acceptable design and construction of all utilities, roadways, parking facilities, landscape, and other site improvements, in accordance with the requirements of this Ordinance and all other relevant ordinances of the Town of St. Francisville.
  3. The pedestrian circulation system and its related walkways shall be located to provide for separation of pedestrian and vehicular movement and for maximum pedestrian safety.
  4. The PUD shall connect to the municipal sewer system.
- B. Open Space
1. Required open space shall comprise at least thirty percent (30%) of the total gross area of any residential PUD.
  2. Within said thirty percent (30%), one-half (½) of the same may be developed for planting, pedestrian connections, and landscape elements, or may remain in a natural state. The remaining one-half (½) shall be developed for active recreational uses.
  3. Recreational facilities or structures and their accessory uses located in approved areas shall be considered open space.
  4. Public dedications may not contribute to the open space requirement.
- C. PUD Buffers
1. Where PUDs adjoin public streets or lands with a different zoning classification, the installation and maintenance of a landscaped buffer area at such perimeter shall be required in accordance with the requirements of the comprehensive zoning ordinance. The detailed landscape plan for any such buffer required shall be part of the landscape plan filed in conjunction with the final plan.

#### Section 6.4. PUD Exemptions from District Regulations

The ordinance authorizing a PUD may grant exceptions to the regulations contained in these regulations and in the comprehensive zoning ordinance including, but not limited to, use, density, area, bulk, required yards, off-street parking and loading, and signage to achieve the objectives of the proposed planned development. Such exceptions shall be consistent with the procedures and standards of this section.

- A. Exceptions to zoning district regulations may be granted when such exceptions do not negatively affect the value and enjoyment of surrounding property, the provision of municipal services, or vehicular and pedestrian circulation, subject to the following:
1. In residential zoning districts, no waiver or exception shall be granted for any non-residential uses that are not listed as permitted or conditional use in the base zoning district.
  2. No waiver or exception shall be granted to exceed the maximum allowed residential density as permitted in this section.
- B. To be granted an exception to the underlying zoning district regulations, the applicant must demonstrate a substantial benefit to the Town, which may include, but is not limited to, superior design characteristics, enhanced amenities within the development, and a commitment to the appropriate use of sustainable design techniques. The following design characteristics and amenities are provided as a guide for

consideration as to whether to grant an exception to district requirements, but do not constitute an exclusive list of requirements. Additional design characteristics, public benefits and amenities not listed below may also be considered.

1. Enhanced design characteristics including mixed-use development, circulations systems that utilize traffic calming techniques and pedestrian-oriented environments.
  2. Community amenities including plazas, public parks and other areas to congregate, outdoor seating, public art, and pedestrian amenities.
  3. The use of sustainable design and architecture, such as the use and/or incorporation of green roofs, white roofs, bio-swales, solar panels, wind turbines and other energy efficient design concepts, new building technologies, and/or Leadership in Energy Efficiency Design (LEED) or LEED-equivalent structures.
  4. Preservation of natural areas.
  5. Historic preservation, included the adaptive reuse of historic structures.
  6. Additional open space and recreational amenities such as ball fields, playgrounds, dog parks, natural water features and conservation areas.
  7. Additional public infrastructure improvements (in addition to the minimum requirements).
  8. Provision of accessible dwelling units with accessible features beyond what is required by the Americans with Disabilities Act (ADA) or any other applicable codes.
- C. Any exception approved for a PUD shall be considered as waiver and recorded and certified on the final subdivision plat and site plan (see Section 6.8. Final PUD Plan Application).

#### **Section 6.5. PUD Conceptual Plan Application and Approval**

- A. The PUD application and review process shall consist of three (3) processes: Conceptual Plan application and approval, Preliminary Plan application and approval, and Final Plan/Final Plat application and approval. This review and approval process does not substitute for any additional public review and/or approvals required by other parts of the Town code, including the comprehensive zoning ordinance. The following outlines the requirements for each stage of the PUD application:
- B. PUD Conceptual Plan Approval – PUD Conceptual Plan approval shall follow the process outlined in Part VIII. Administration and Enforcement of the comprehensive zoning ordinance.

#### **Section 6.6. PUD Preliminary Plan Application and Approval**

- A. PUD Preliminary Plan Pre-Application Conference: A pre-application conference is required before submission of a PUD Preliminary Plan application.
  1. This stage of processing is to allow the exchange of information between the proposed developer, planning and zoning staff, and all other applicable Town agencies.
  2. The general characteristics of the proposal, evidenced schematically by a conceptual plan, shall be considered during the Pre-Application Conference
  3. The Building Official and other relevant Town of St. Francisville officials shall furnish the applicant with written comments from the pre-application conference, including appropriate recommendations to inform and assist the applicant prior to preparing the components of the PUD application.
- B. Preliminary PUD Plan Application:



1. Upon completion of the Pre-Application Conference and after recommendations from the conference have been made provided to the applicant by the Town, a preliminary application may be filed for a PUD.
2. The application for the PUD Preliminary Plan shall include a site and development plan with the following:
  - a) A detailed narrative of the proposed development plan for the PUD including any future phases of development.
  - b) A detailed description of any proposed exceptions to these regulations and/or the comprehensive zoning ordinance.
  - c) Proposed lot lines.
  - d) Proposed location and floor area of all existing and proposed buildings, structures and other improvements, including maximum building heights.
  - e) Density of residential uses.
  - f) Location and size in acres or square feet of all areas to be conveyed, dedicated, reserved, or otherwise used as common open space, public park, recreational areas, schools sites, and similar public and semi-public uses.
  - g) Existing and proposed circulation system of streets and pedestrian ways, including off-street parking areas, service areas, loading zones, major points of access to public rights-of-way, and ingress and egress to the development. Street standards shall be consistent with the minimum street standards for the Town.
  - h) General landscape plan for all areas.
  - i) Vicinity map of the area surrounding the site within a distance of at least one (1) mile, at a scale of not less than 1"=500'.
  - j) Proposed treatment of the perimeter of the PUD, including materials and techniques used (i.e. fences, walls, and other landscaping)
  - k) Adequate drainage facilities for storm water, including storm sewers, gutters, paving, and the proper design of finished grades.
  - l) Any additional fiscal, traffic, or environmental information as required by the Town to evaluate the character and impacts of the PUD.
- C. Review by Building Official: The Building Official may refer the application to other Town Officials and affected or interested agencies for review and comment.
- D. Public Hearing and Recommendation by Planning Commission on PUD Preliminary Plan
  1. After submission of a complete application the Town of St. Francisville shall establish a public notice/comment period for the application and shall post public notice at the proposed site and at Town Hall and send written notice as required by Section 3.3. Public Notice Requirements.
  2. After the completion of the public notice/comment period, but within sixty (60) days of determination of a complete application, the Planning Commission shall consider the comments and recommendations of the Building Official, Town Engineer, and other relevant public officials, relevant comments of all interested parties, the PUD development criteria in Section 6.1 and the review criteria for a PUD Preliminary Plat in Section 6.6.G, and recommend approval, approval with conditions, or denial the application.
  3. An extension of the sixty (60) day consideration period may be granted by the Planning Commission at the request of the applicant, however granting additional consideration time shall not preclude the Planning Commission from making a recommendation on the application.



- E. Public Hearing and Decision by Board of Alderman on PUD Preliminary Plan
1. Within sixty (60) days of an official recommendation on the application by the Planning Commission, the Board of Alderman shall consider the official recommendation of the Planning Commission, the comments and recommendation of the Building Official, Town Engineer, and other relevant public officials, relevant comments of all interested parties, the PUD development criteria in Section 6.1 and the review criteria for a PUD Preliminary Plat in Section 6.6.G, and approve, approve with conditions, or deny the application.
    - a) Approve the application with no conditions: Applicant authorized to submit Construction/Engineering Plans and a Public Improvements Plan and to proceed with development of the Final PUD Plan.
    - b) Approval with conditions:
      - i) In the case of a conditional approval requiring amendment of the Preliminary PUD Plan, the applicant shall resubmit the required number of copies of the application documents with the amendments required for approval by the Board of Alderman prior to submission of the PUD Final Plan application.
      - ii) Failure to submit amended documents sufficient to meet the conditional approval requirements of the Board of Aldermen in the time period prescribed by the Board of Aldermen shall constitute a failure to meet the conditions of approval and shall cause the application to be denied.
    - c) Deny the Application: The Board of Aldermen shall state the reason for the denial of the application in the official record.
  1. An extension of the sixty (60) day consideration period may be granted by the Board of Aldermen at the request of the applicant, however granting additional consideration time shall not preclude the Board of Aldermen from making a final decision on the application.
- F. Appeal of Board of Aldermen decision on a PUD Preliminary Plan: A final decision by the Board of Aldermen on a PUD Preliminary Plan may be appealed to the West Feliciana Parish Civil District Court.
- G. Review Criteria for PUD Preliminary Plan: The Building Official shall consider the following criteria in reviewing a PUD Preliminary Plan.
- a) Compliance with the requirements contained in this ordinance.
  - b) Potential adverse environmental impacts or effects on neighboring properties.
  - c) The subdivision is designed, located and proposed to be operated so that the public health, safety and welfare will be protected.
  - d) The plan conforms to any additional conditions which shall be deemed necessary by the Planning Commission and/or the Board of Alderman.
- H. Approval of the PUD Preliminary Plan shall lapse, unless a final plan of at least the first phase of the development based thereon is submitted within two (2) years from the date of such approval, unless an extension of time is applied for and granted by the Planning Commission. Future phases of development that extend beyond the two (2) year limit shall be subject to review by the Building Official and the Town Engineer to determine if specifications and design standards meet current regulations.

## Section 6.7. PUD Construction

Construction of the planned development shall be in accordance with the provisions and standards of Section 3.7. Subdivision Construction.

## Section 6.8. Final Plan Application and Approval

### A. PUD Final Plan Application

1. After approval of the PUD Preliminary Plan, application may be made for approval of the PUD Final Plan. Application for the PUD Final Plan shall not be made until substantial completion of the requirements of the approved PUD Preliminary Plan has occurred, provided the final plan does not violate any provision of this section and does not substantially deviate from the approved PUD Preliminary Plan.
2. If the PUD Final Plan is not in substantial compliance with the approved PUD Preliminary Plan, the revisions shall require the same review and public hearing process required for approval of the PUD Preliminary Plan.
3. Final Site Plan --The final site plan shall also serve as the official subdivision final plat and shall meet all of the requirements of a Major Subdivision Final Plat. This plat must conform to the subdivision ordinance and the comprehensive zoning ordinance of the Town of St. Francisville except where exceptions have been approved by the Board of Aldermen as part of the approved PUD Preliminary Plan. The plat shall contain proper dedications for public streets, utility easements, and all other public rights required by the PUD Preliminary Plan. In addition to the requirements of a Major Subdivision Final Plat (see Section 3.8), the final site plan shall also contain the following:
  - a) Zoning designations of planned development.
  - b) Description of all uses in the planned development.
  - c) Location and floor area of all existing and proposed buildings, structures, and other improvements, including maximum building heights, types of dwellings, and density per building type. All buildings shall be dimensioned with distances shown from clear reference points.
  - d) Final design of circulation system of streets and pedestrian ways, including off-street parking areas, service areas, loading zones, major points of access to public rights-of-way, and ingress and egress to the development.
  - e) Location and size in acres or square feet of all areas to be conveyed, dedicated, reserved, or otherwise used as common open space, public park, recreational areas, schools sites, and similar public and semi-public uses.
  - f) Final landscape plan shall be submitted, and no certificates of occupancy shall be issued until the landscaping is in place for all non-residential areas.
  - g) Detailed utility plans for sewer, water, electrical, street improvements, and other public improvements must be submitted and approved by the Building Official and Town Engineer. The developer shall execute an agreement in proper form providing for the installation of such improvements prior to submission of the final plan to the Board of Aldermen. All utilities shall be placed underground.
  - h) Adequate drainage facilities for surface water, including storm sewers, gutters, paving, and the proper design of finished grades.
  - i) Documentation of all waivers and exceptions granted by the Planning Commission during approval of the PUD Preliminary Plan.



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- B. Final PUD Plan Approval – Approval by the Planning Commission of the final PUD plan and plat shall be required before filing the plat with West Feliciana Parish Clerk of Court. Final PUD Plan approval will comply with the standards and procedures of Section 3.7. Major Subdivision Final Plat Approval.

#### Section 6.9. PUD Amendments

- A. Minor changes to the final, approved PUD such as: location, sizing, height, and siting of buildings and structures, may be approved by the Planning Commission by recommendation from the Building Official without a public hearing.
- B. Any change to the final, approved PUD considered a major or significant amendment to the planned development shall require public hearings by the Planning Commission and the Board of Aldermen in accordance with the provisions of this Article.
- C. Any change to any exception or waiver approved as part of the final, approved PUD shall be considered a major or significant amendment.



## **ARTICLE 7. FLOOD ORDINANCE**

Any subdivision in the Town of St. Francisville shall comply with **Chapter 5. Article II. Flood Damage Prevention** in the Town of St. Francisville Code of Ordinances.

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**ARTICLE 8. ADMINISTRATION AND ENFORCEMENT****Section 8.1. Inspection of Required Improvements**

- A. At least ten (10) days prior to commencing construction of required improvements, the developer shall notify the Building Official in writing of the time when the developer proposes to commence construction of such improvements to arrange for inspections to assure that all specifications, requirements, and conditions of approval are met during the construction of required improvements, and to assure the satisfactory completion of said improvements and utilities.
- B. If the inspecting official finds upon inspection of the improvements that any of the required improvements have not been constructed in accordance with the plans and specifications filed by the developer, the inspecting official shall so report in writing to the Building Official and developer. The Building Official shall take any steps necessary to assure compliance with the approved plans.
- C. If at any time it appears necessary or desirable to modify the required improvements before or during the construction of the required improvements, the inspecting official is authorized to approve minor modifications due to unforeseen circumstances. The inspecting official shall issue any approval under this section in writing and shall transmit a copy of the approval to the Building Official. For major modifications, such as relocation of rights-of-way, property boundaries, or substantial changes of grade, the developer shall obtain permission from the Planning Commission to modify the plats.
- D. Prior to the sale of any lot, the developer shall provide Building Official with a letter from a professional land surveyor, stating that all monumentation shown on the plat has been installed.
- E. Upon completion of street construction and prior to the dedication of any public right-of-way by the Board of Aldermen, a written certification signed by a professional engineer shall be submitted to the Building Official, certifying that the proposed public way meets or exceeds the design and construction requirements of these regulations. If there are any underground utilities, the servicing utility shall certify in writing that they have been installed in a manner acceptable to the utility. "As built" plans shall be submitted to the Building Official and Town Engineer.
- F. The developer shall be required to maintain all improvements until final acceptance of the improvements by the Town.

**Section 8.2. Violations**

- A. No subdivision plan shall be recorded with the West Feliciana Parish Clerk of Court until a final plat has been approved by the Planning Commission in accordance with these regulations.
- B. A person shall not convey, offer or agree to convey any land in a subdivision that has not been approved by the Planning Commission and recorded with the West Feliciana Parish Clerk of Court.
- C. A person shall not sell, lease or otherwise convey any land in an approved subdivision which is not shown on the plat as a separate lot.
- D. No public utility, water district, or any utility company of any kind shall serve any lot in a subdivision for which a final plat has not been approved by the Planning Commission.
- E. Any subdivision that is not approved in accordance with the regulations, procedures and approval processes of these regulations or without Planning Commission approval shall be in violation of the law.

- F. No lot may be sold, leased, or otherwise conveyed before the street upon which the lot fronts is completed in accordance with these regulations up to and including the entire frontage of the lot. No structure shall be occupied before the street upon which the unit is accessed is completed in accordance with these regulations.
- G. Violations of the above provisions of this section shall be punished in accordance with the provisions of Section 8.3 of this Ordinance.

### Section 8.3. Enforcement and Penalty

- A. **Administration of Enforcement** - The provisions of these regulations shall be administered by the Mayor, or his/her duly authorized representative, as designated herein, who shall have the power to make inspections of buildings or premises necessary to carry out their administrative duties in the enforcement of these regulations. The Town of St. Francisville Police Department shall enforce the provisions of these regulations. The Mayor or his /her duly authorized representative may call upon the Police to furnish the necessary personnel to carry out enforcement.
- B. **Enforcement Proceedings** - In the case of any violation as determined in these regulations, any proper Town official or his or her duly authorized representative may institute any appropriate action or proceedings to: 1) Prevent such unlawful construction or alteration or use or other violations, to restrain, to correct or to prevent any illegal act, or 2) Prevent the conduct of any business or any use in or about such premises. Furthermore, any resident of the community who believes that a violation of any of the provisions of these regulations is occurring may file a written complaint with the Town of St. Francisville. Such complaint shall fully set forth the acts or omissions constituting the alleged violation and the site or sites at which such violation or violations are alleged to be occurring. The Building Official shall properly record such complaint, promptly investigate the allegations underlying said complaint, and take action on such complaint as provided by these regulations.
- C. **Responsibility for Violations** - Whenever the Building Official, on the basis of a written complaint, has reason to believe that a violation of these regulations may exist, he may require any person owning the structure or land or operating a use thereon to provide, within thirty (30) days of notification or the next available Town of St. Francisville Court date, information as may be necessary, in his judgment, to determine the existence or extent of any violation.
- D. **Penalty** - Any person violating any provision of these regulations shall be guilty of a misdemeanor, and deemed a public nuisance and upon conviction shall be punished for each separate offense by a fine not exceeding five hundred dollars (\$500.00). Each day any violation of any provisions of these regulations shall continue to constitute a separate offense.

### Section 8.4. Conflicting Provisions Repealed

All ordinances or regulations or parts of ordinances or regulations in conflict with any of the provisions of these regulations are hereby repealed.

### Section 8.5. Severability

If any provisions of these regulations, or the applications of such provisions to any person or circumstances, shall be held invalid, the remainder of the regulations shall not be affected thereby.



**Section 8.6. Effective Date**

This ordinance shall take effect after adoption pending public notice of the adoption.