

# Livingston Parish



## CODE OF ORDINANCES PLANNING & DEVELOPMENT

SAM DIGIROLAMO, PLANNING DIRECTOR

UPDATED 01/04/2024 BY NATALIE ALLEN

INCLUDES; LPO 01-16, LPO 02-02, LPO 02-22, LPO 03-09, LPO 03-10, LPO 03-12, LPO 03-24, LPO 04-02, LPO 04-37, LPO 05-19, LPO 06-05, LPO 06-14, LPO 06-18, LPO 06-19, LPO 06-27, LPO 06-31, LPO 08-18, LPO 08-20, LPO 08-25, LPO 08-29, LPO 08-31, LPO 09-28, LPO 09-33, LPO 09-34, LPO 10-03, LPO 10-06, LPO 10-10, LPO 10-24, LPO 12-19, LPO 12-34, LPO 12-37, LPO 13-07, LPO 13-12, LPO 14-17, LPO 14-19, LPO 14-20, LPO 14-21, LPO 14-22, LPO 14-24, LPO 14-25, LPO 14-26, LPO 14-38, LPO 14-44, LPO 15-07, LPO 15-08, LPO 15-09, LPO 15-10, LPO 15-26, LPO 15-27, LPO 16-26, LPO 16-35, LPO 16-36, LPO 16-37, LPO 16-38, LPO 17-10, LPO 17-13, LPO 17-18, LPO 17-19, LPO 17-22, LPO 17-30, LPO 17-50, LPO 18-02, LPO 18-03, LPO 18-16, LPO 18-17, LPO 18-22, LPO 18-23, LPO 19-03, LPO 19-04, LPO 19-09, LPO 19-40, LPO 20-07, LPO 20-10, LPO 20-12, LPO 20-16, LPO 20-21, LPO 20-26, LPO 21-02, LPO 21-03, LPO21-21, LPO 21-23,

LPO 21-40, LPO 22-07, LPO 22-08, LPO 22-10, LPO 22-11, LPO 22-13, LPO 22-14, LPO 22-18, LPO 22-19,  
LPO 22-20, LPO 22-22, LPO 22-23, LPO 2-24, LPO 22-28, LPO 22-31, LPO 22-32, LPO 22-33, LPO 22-34,  
LPO 22-35, LPO 22-36, LPO 22-40, LPO 22-41, LPO 22-42, LPO 22-51, LPO 22-52, LPO 22-53, LPO 22-60,  
LPO 22-61, LPO 22-64, LPO 22-65, LPO 22-66, LPO 23-03, LPO 23-04, LPO 23-12, LPO 23-06, LPO 23-14,  
LPO 23-15, LPO 23-16, LPO 23-18, LPO 23-25, LPO 23-28, LPO 23-29, LPO 23-44, LPO 23-45

## Chapter 1 - GENERAL PROVISIONS

### Section 1-8. - General penalty for violation of Code; separate offenses.

Whenever in this Code, or in any ordinance, any act or omission is prohibited or is made or declared to be unlawful or a misdemeanor, or whenever in said Code or ordinance the doing of any act or the failure to do any act is declared to be unlawful or a misdemeanor or is prohibited, and no specific *penalty* is provided therefor, and state law does not provide otherwise, or for a greater *penalty*, the violation of any such provision of this Code or any ordinance shall be a misdemeanor punishable by a fine of not more than five hundred dollars (\$500.00) or a term of imprisonment of not more than thirty (30) days in the Parish jail, or both. Unless specifically provided otherwise or the context thereof so dictates, each day any violation of any provision of this Code or any ordinance shall continue shall constitute a separate offense. In addition, the violator shall pay all costs and expenses involved in the case. Nothing in this Section shall prevent the Parish Council from taking other lawful action as is necessary to prevent or remedy any violation. Other *penalty* provisions of this Code do not affect this Section, except as to the portions of this Section amended by such other provisions.

(Code 1983, § 1-8)

**State Law reference**— Maximum *penalties*, R.S. 33:1243; enforcement of ordinances generally, R.S. 33:1242.

## CHAPTER 2 - ADMINISTRATION ARTICLE I – IN GENERAL

### Section 2-25 – Falsifying and Misrepresentation of Permit Applications (LPO 19-26)

No person, company, business or applicant shall falsify or misrepresent information given on any Livingston Parish Permit application.

Upon the discovery that the applicant falsified knowledge and misleadingly submitted information on a Permit application, the Livingston Parish Administration will cause said Permit to be pulled and revoked. These projects shall be issued a “cease and desist order” by the Livingston Parish Administration and applicant must start permitting process from the beginning.

Any violation of this ordinance is subject to a fine up to five hundred dollars (\$500.00) per violation.

## Section 14.3-1. - Safety Regulations

(a) The Livingston Parish Regulations Booklet, dated September 12, 2013 Edition, a copy of which is available in the office of the council clerk, is hereby adopted as the revised safety regulations of the parish for regulating hazardous material, explosives, underground pipelines, new gas or liquid pipeline construction and placement and the providing for the issuance of permits and fees therefor, and each and all of the regulations, provisions, conditions and terms of the Livingston Parish Regulations Booklet, September 12, 2013 edition, are hereby referred to, adopted and made a part hereof as if fully set out in this section.

(b) The following additions/revisions are hereby made to the Livingston Parish Regulations

Booklet:

*Operations and Activities, Commercial Building/Hazardous Materials Operations*, Section 2 “Requirements”, part (a) and part (a) (2) shall read as follows:

(a) The operating business/owner of each commercial building, including those required to submit Tier II reporting to the State (see Title 33, Part V, Subpart 2, Chapter 101 and Summary of Right to Know Law), located within Livingston Parish is required to submit electronic floor plans/layouts in PDF format, as well as a description of current operations, to the Livingston Parish Office of Homeland Security and Emergency Preparedness.

(2) Any new commercial buildings/operations, including those required to submit Tier II reporting to the State (see Title 33, Part V, Subpart 2, Chapter 101 and Summary of Right to Know Law), must submit the required floor plans/layouts to the Livingston Parish Office of Homeland Security and Emergency Preparedness no later than two (2) calendar days prior to final inspection/s. Floor plans/layouts shall include the following:

- a. All windows and doors with sizes of each
- b. FDC connection locations
- c. All fire hydrant locations
- d. Sprinkler/riser room location
- e. Location of connections and providers of gas, water, and electrical

All ordinances or parts of ordinances in conflict herewith are hereby repealed. If any provision of this ordinance shall be held to be invalid, such invalidity shall not affect other provisions herein which can be given effect without the invalid provision and to this end the provisions of this ordinance are hereby declared to be severable.

**Subdivision Regulation Fees**

<b>Preliminary subdivision plat approval</b>	<b>400.00, plus 15.00 per lot</b>
<b>Final subdivision plat approval *</b>	<b>200.00, plus 10.00 per lot</b>
<b>Re-subdivision of lots</b>	<b>200.00, plus 10.00 per lot</b>
<b>Mobile home park, preliminary or final plan</b>	<b>400.00, plus 20.00 per lot</b>
<b>Servitude or street revocation</b>	<b>500.00</b>
<b>Street name change</b>	<b>500.00</b>
<b>Construction plans (streets and drainage)</b>	<b>500.00, plus 30.00 per lot</b>
<b>Culvert permit in subdivision (per permit)</b>	<b>100.00</b>
<b>Culvert permit—other areas</b>	<b>100.00</b>
<b>Culvert permit – replacement (permit is required)</b>	<b>0.00</b>
<b>Posting of bonds (per occurrence)</b>	<b>500.00</b>
<b>All requested or mandated inspections</b>	<b>500.00</b>
- If the Camera is necessary, the fee will be	<b>1000.00</b>
<b>All re-inspections</b>	<b>500.00</b>
<b>Commercial developments</b>	<b>500.00</b>
<b>Multifamily developments</b>	<b>800.00, plus 30.00 per unit</b>
<b>Additions and expansion</b>	<b>400.00, plus 30.00 per unit</b>

**\*Provided preliminary plat approved by parish council; if not, same fee as preliminary plat**

**Does not include cost of newspaper advertisement**

**Telecommunication Fees**

<b>Permit fee for placing antennas on existing towers or other structures</b>	<b>750.00</b>
<b>Fees for communication tower construction</b>	<b>3,000.00</b>
<b>Fee for visual inspection and observation of tower construction</b>	<b>1000.00</b>

**ARTICLE II. REGIONAL PLANNING COMMISSION\***

**SEC. 120.21. RATIFICATION BY PARISH.**

Pursuant to the provisions of R.S. 33:131, this parish hereby ratifies and approves the creation of the regional planning area which shall have the boundaries shown on the map attached to the ordinance from which this section is derived and made a part hereof, which map has been filed with the clerk and recorder of each parish in the regional planning area.

**SEC. 120-22 EXPANSION OF PLANNING AREA.**

The regional planning area may be expanded to include additional parishes and municipalities.

**SEC. 120-23. PARTICIPATION BY PARISH.**

The parish does hereby become a member of the Capital Region Planning Commission in accordance with the ordinances creating such commission, and under the provisions of R.S. 33:131 et seq.

**SEC. 120-24. COMPOSITION.**

Commissioners from the parish shall be appointed and shall serve and hold office in accordance with the provisions of R.S. 33:132, and the initial membership thereof shall be as provided in the ordinance from which this section is derived.

## **CHAPTER 117- ZONING**

### **ARTICLE I. – IN GENERAL**

#### **Sec. 117-1. – General Provisions**

#### **Sec. 117-2. – Legislative Intent.**

1. The citizens of Livingston Parish, after completing a detailed planning process, have determined:
  - a. Livingston Parish is experiencing unprecedented growth in new residential and commercial development in the future. This growth far exceeds historical trends.
  - b. As a rural parish, Livingston Parish does not have an extensive infrastructure public investment to support development. If development is not carefully planned, the costs of roads, water systems, and sewer systems can quickly accelerate the pressure to raise taxes.
  - c. Livingston Parish occupies an extensive floodplain which can create serious construction and public safety problems with concentrated development.
  - d. If growth is not carefully managed, development may destroy the rural character of the parish. This character represents a valuable property right to the residents of the parish.
2. To protect property rights and manage public investments, the Parish Council has enacted this ordinance to establish a clear plan for growth in the parish.
3. The purpose of this ordinance is to protect public health and safety, increase property values, promote orderly development consistent with the character of the parish, and provide for the careful management of public investment and taxes.

#### **Section 117-3. – Enactment.**

Be it ordained by the Livingston Parish Council, pursuant to the authority of the Home Rule Charter powers granted by Louisiana Constitution article 6, section 5, wishes to exercise all its power allowed under the United States Constitution, the Louisiana Constitution, and R.S. 33:1236, as amended.

#### **Section 117-4. – Jurisdiction.**

1. The provisions of this ordinance shall apply to the unincorporated areas in Livingston Parish, Louisiana.
2. This ordinance shall be administered by the Livingston Parish Planning and *Zoning* Commission, established under section 125-5: Livingston Parish Planning and *Zoning* Commission.

Secs. 117-5 – 117-29. – Reserved.

## **ARTICLE II. -ADMINISTRATION AND ENFORCEMENT**

### **DIVISION 1. – GENERALLY**

#### **Section 117-30. – Administrative official.**

The administrative official shall be director of the Planning and Zoning department, or his designee as appointed by the Parish Council. He may be provided with the assistance of such other persons as necessary. If the director of the Planning and Zoning Department finds that any

of the provisions of these regulations are being violated, he shall notify in writing the persons responsible for such violation, indicating the nature of the violation and ordering the action necessary to correct it. He shall order discontinuance of illegal use of land, buildings, or structures; removal of illegal buildings or structures, or of additions, alterations, or structural changes thereto; discontinuance of any illegal work being done; or shall take other action authorized by these regulations to ensure compliance with or to prevent violation of its provisions.

Sections. 117-31. – 117-49. – Reserved.

## **DIVISION 2. – AMENDMENT OF REGULATIONS.**

### **Section 117-50. – Amendments or changes to the development regulations or district map.**

- (a) The parish council may, from time to time, amend, supplement or change the regulations, restrictions, zoning districts, or boundaries as subsequently established in accordance with the provisions of this division.
- (b) No amendment, supplement or change of the development regulations shall become effective unless and until there shall have been held a public hearing in relations thereto before the planning and zoning commission at which parties in interest and citizens shall have had an opportunity to be fully heard.
- (c) Notice of such public hearings by the planning and zoning commission shall give the time and place of hearing and shall be published once a week in three different weeks in the official journal of the parish, together with a similar publication in a newspaper of general circulation in the area wherein the property is located, as determined by the director of planning and development. At least 30 days' notice of time and date of the public hearing shall be published in the official journal.

### **Section 117-51. – Amendments, changes, or variances.**

Amendments, changes, or variances shall be initiated in the following ways:

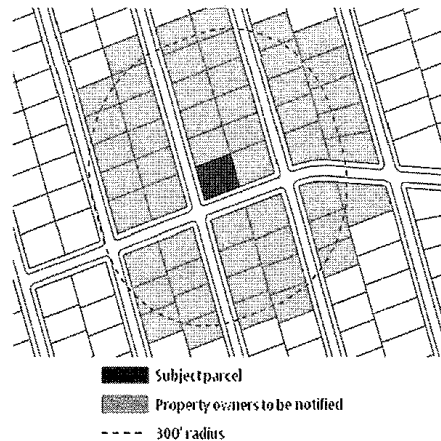
- (1) By action of the parish council itself by introduction of an ordinance or by adoption of a resolution or motion;
- (2) Upon recommendation by the planning and zoning commission, after determination by the planning and zoning department director that the amendment, or supplement or change to the regulations, restriction, zoning district or boundaries should be made; or

### **Section 117-52. – Notice requirements.**

- (a) *Posted notice.* For all proposed changes, except comprehensive zoning changes and text changes, a printed notice in bold type shall be posted for not less than ten consecutive days prior to the public hearing conducted by the parish planning and zoning commission on signs not less than one square foot in area, prepared, furnished, and placed by the director of planning and zoning or his designated appointee upon the principal and accessible rights of way adjoining the area proposed for a zoning change. Said signs shall contain the case number, the time and place of the public hearing as provided above. The parish council shall take no action until it has received the final reports of the planning and zoning commission.



- (b) No such posting is required of the area within or adjoining an area to be affected by any proposed changes provided there is compliance with the publication requirement set above.
- (c) Comprehensive rezoning proposals need be posted under the requirements set out above only within the area to be affected in general geographic terms and need not list the specific zone proposed for all land within that area. The planning and zoning commission may then adopt the final map after a public hearing on a ward of comprehensive rezoning area zoning change.
- (d) Mailed "abutter notice".
  - (1) In addition to the above posted notice, notice setting forth the date, time, place and purpose of the public hearing, a general description of the proposal, and location of the subject property shall be mailed to all property owners by regular mail within 300 feet, measured radially from the lot lines of the subject property (as depicted in the figure below), as listed in the online GIS Parcel Viewer records of the parish assessor, at least 20 calendar days before the public hearing by the department of planning and development.



- (2) A door hanger type notice setting forth the date, time, place and purpose of the public hearing, a general description of the proposal, and location of the subject property shall be placed at said property at least ten business days prior to the public meeting on all properties located within 100 feet measured radially from the lot lines of the subject property as listed in the online GIS Parcel Viewer records of the parish assessor.
    - (3) No amendment, supplement, or change to any zoning classification, regulation, map, district or boundary or denial by the Livingston Parish planning and zoning commission or Parish Council of any application, petition or other matter requiring notice shall be declared invalid by reason of any defect in the abutter notice described above. No further research, other than that provided for within this section shall be necessary, and no mistake in the assessor's records shall cause any action by the Livingston Parish planning and zoning commission or Parish Council to be declared invalid.

**Section 117-53. Voting.**

- (a) Any amendment that has failed to receive the approval of the planning and zoning commission shall not be passed by the parish council except by the affirmative vote of a simple majority of the legislative body.
- (b) A final ye and nay vote shall have been taken on the proposal by the parish council within 125 days dated from the introduction of an ordinance in correct form.
- (c) In case, however, of a protest against such change signed by the owner of 20 percent or more either of the area of the lots included in such proposed change, or in those immediately adjacent, extending 200 feet from said lot, or those directly opposite thereto extending 500 feet from the street frontage of such opposite lots, such amendments shall not become effective except by the favorable vote of at least a simple majority of the governing body.
- (d) After published notice, the parish council may hold any public hearing required by this article or the state statutes pertaining to land use jointly with any public hearing required to be held by the parish planning commission, but the parish council shall not take action until it has received the final report of the zoning commission.
- (e) Whenever a petition or application for a site or cumulative acreage of less than 20 acres is filed requesting or proposing a zoning change to these regulations and said petition or application has been received, officially advertised and subsequently a public hearing has been held, the parish council shall not consider any further petition or application requesting or proposing such change for the same property within one year from the date of the parish council's final action on said petition or application. The provisions of this subsection shall not apply in cases where the parish council wishes to consider a comprehensive zoning revision of an area.
- (f) Whenever a proposed change has been forwarded to the parish council with a recommendation for approval, and no protest or appeal has been filed with the department of planning and development and permits as outlined in these regulations, the proposed change shall be placed upon the consent agenda for final adoption at the next appropriate parish council meeting.

Sections. 117-54 – 115-69. – Reserved.

**DIVISON 3. – VIOLATIONS.**

Secs. 117-70. – 117-79. – Reserved.

**DIVISION 4. – “AFTER THE FACT” BUILDING PERMITS**

Secs. 117-80 – 117-84. – Reserved.

**ARTICLE III. – NONCONFORMITIES.**

**DIVISION 1. – GENERALLY.**

**Section 117-85        Definitions**

*Nonconformities:*     A nonconformity shall be defined as any existing use, lot, or structure that was established, but as a result of the adoption of, or amendments to this zoning ordinance and a Livingston Parish zoning map, does not meet the current standards of the ordinance or the adopted zoning map.

**Section 117-86        Nonconforming Uses**

Nonconforming uses shall be those established existing uses of property that do not conform with the requirements of the zoning district in which they are located.

Existing and established nonconforming use may be allowed to continue and be transferred.

Non existing non established nonconforming uses must meet the requirements of the zoning ordinance and zoning map.

Section 117-87 -117-94 Reserved.

**DIVISION 2. – TYPES OF NONCONFORMITIES**

**Section 117-95        Nonconforming Lots**

Nonconforming lots may be subdivided, developed and permitted to conform to the requirements of the zoning district in which they are located.

**Section 117-96        Nonconforming Structures**

Existing nonconforming structures, established previous to the adoption of this ordinance and Livingston Parish Zoning map may be allowed to continue, be transferred, and may be permitted to be enlarged, extended, reconstructed, or structurally altered.

New structures must adhere to the zoning ordinance and/or zoning map.

Secs. 117-97 -117-114. – Reserved.

**DIVISION 3. – ABANDONMENT OF OR RESTORATION AFTER DAMAGE**

Secs. 117-115- 117-119. – Reserved.

**DIVISION 4. – EXPANSIONS**

Sec. 117-120- 117-124. – Reserved.

**ARTICLE IV. – ZONING DISTRICTS**

**DIVISION 1. – GENERALLY.**

Secs. 117-125-117-134. – Reserved.

**DIVISION 2. -(AG) AGRICULTURAL – RESIDENTIAL, COMMERCIAL, INDUSTRIAL**  
**Sec. 117-135. - Purpose.**

The purpose of (AG) is to promote the growth of agricultural development and is intended to protect farming, ranching and timberland harvesting. This district also promotes the growth of low-density residential development, commercial and industrial development which promotes agricultural uses. All lots will be a minimum of three (3) acres.

**Sec. 117-136. - Permitted uses.**

A. Allowed Uses:

1. Detached Single-Family Dwelling (including Mobile/Manufactured homes)
2. Modular with or without chassis
3. Vegetable and flower gardens
4. Growing of crops (commercial and noncommercial)
5. Timberland harvesting
6. Livestock (commercial and noncommercial)
7. Major/Minor utilities (wastewater treatment facilities/electrical sub-stations)
8. Civic, school and municipal uses (see definition)
9. Cemeteries and/or memorial gardens
10. Day Care Facilities
11. Convenience stores (with/without gas)
12. Churches, temples, rectories, parish houses, and synagogues
13. Guest houses
14. Water wells
15. Communication towers

B. Accessory uses:

1. Home Occupations
2. Garages
3. Small business
4. Tennis courts, swimming pools, garden homes, tool sheds
5. Raising and keeping of domestic animals

C. Recreational uses:

1. Public parks, playgrounds, playfields, parkways, etc. including uses accessory to their incidental operations.
2. Country club/Golf courses

D. Not Allowed:

1. Landfills
2. Gentlemen's clubs/private adult membership clubs
3. Adult video/bookstores and adult gift shops

**Sec. 117-137. - Site and structure provisions.**

Required Minimum Building Line Setbacks:

Front Yard: twenty-five (25') feet

Rear Yard: twenty (20') feet

Side Yard: All lots shall have a minimum seven (7') foot setback.

**Secs. 117-138 -117-144. - Reserved.**

### **DIVISION 3. - (R-1) RESIDENTIAL – RURAL SINGLE FAMILY**

#### **Section 117-145. - Purpose.**

The purpose of (R-1) is to permit low-density single family residential development on individual lots. This District also allows for small business and some agriculture uses. All lots in the development shall be a minimum of one (1) acre.

#### **Section 117-146. - Permitted uses.**

##### A. Allowed Uses:

1. Detached Single Family Home (including mobile/manufactured homes)
2. Vegetable and flower Gardens
3. Minor Utilities (neighborhood wastewater treatment facility)
4. Civic, educational and municipal Uses (see definitions)
5. Guest House
6. Cemeteries and/or Memorial Gardens
7. Day Care Facilities
8. Convenience stores (with/without gas)
9. Small Business (see definitions)
10. Hospitals and clinics
11. Churches, temples, rectories, parish houses and synagogues
12. Water wells
13. Communication towers

##### B. Accessory Uses:

1. Home Occupations (see definitions)
2. Vegetable and flower Gardens (commercial and noncommercial)
3. Individual boat or camping trailer storage
4. Tennis court, swimming pools, garden homes, tool sheds

##### C. Recreational Uses:

1. Public parks and open spaces, playgrounds, playfields, parkways, etc. including accessories incidental to their operations
2. Country club/Golf courses

##### D. Not Allowed:

1. Landfills
2. Gentlemen's clubs/private adult membership clubs
3. Adult video/book stores and adult gift shops

#### **Section 117-147 - Site and structure provisions.**

Minimum Lot Width: eighty (80') feet

Required Minimum Building Line Setbacks:

Front Yard: twenty-five (25') feet

Rear Yard: thirty (30') feet

Side Yard: seven (7') foot setback

Building Height: maximum thirty-five (35') feet

**DIVISION 3.1 - (R-1.5) RESIDENTIAL – RURAL SINGLE FAMILY**

**Section 117-148. - Purpose.**

The purpose of (R-1.5) is to permit low-density single family residential development on individual lots. This District also allows for small business and some agriculture uses. All lots in the development shall have a minimum density of two and a half (2.5) per acre.

**Section 117-149. - Permitted uses.**

E. Allowed Uses:

14. Detached Single Family Home (including mobile/manufactured homes)
15. Vegetable and flower Gardens
16. Minor Utilities (neighborhood wastewater treatment facility)
17. Civic, educational and municipal Uses (see definitions)
18. Guest House
19. Cemeteries and/or Memorial Gardens
20. Day Care Facilities
21. Convenience stores (with/without gas)
22. Small Business (see definitions)
23. Hospitals and clinics
24. Churches, temples, rectories, parish houses and synagogues
25. Water wells
26. Communication towers

F. Accessory Uses:

5. Home Occupations (see definitions)
6. Vegetable and flower Gardens (commercial and noncommercial)
7. Individual boat or camping trailer storage
8. Tennis court, swimming pools, garden homes, tool sheds

G. Recreational Uses:

3. Public parks and open spaces, playgrounds, playfields, parkways, etc. including accessories incidental to their operations
4. Country club/Golf courses

H. Not Allowed:

4. Landfills
5. Gentlemen's clubs/private adult membership clubs
6. Adult video/book stores and adult gift shops

**Section 117-150. - Site and structure provisions.**

Minimum lot width: seventy (70') feet

Required Minimum Building Line Setbacks:

Front Yard: twenty-five (25') feet

Rear Yard: thirty (30') feet

Side Yard: seven (7') foot setback

Building Height: maximum thirty-five (35') feet

**Sections. 117-151 -117-154. - Reserved.**

## **DIVISION 4. -(R-2) RESIDENTIAL – SINGLE FAMILY**

### **Sec. 117-155. - Purpose.**

The purpose of (R-2) is to permit low-density single family residential development. All lots will have a maximum of no more than four (4) lots per one (1) acre.

### **Sec. 117-156. - Permitted uses.**

#### A. Allowed uses:

1. Detached Single Family Home
2. Flower and Vegetable Garden
3. Parks and open spaces
4. Minor Utilities (neighborhood wastewater treatment facility)
5. Civic, school and Municipal Uses (see definitions)
6. Guest House
7. Cemeteries and/or Memorial Parks
8. Day Care Facilities
9. Convenience stores (with/without gas)
10. Communication towers

#### B. Accessory Uses:

1. Home Occupations
2. Vegetable and Flower Gardens (noncommercial)
3. Individual boat or camper trailer storage
4. Tennis Court, swimming pools, Garden Homes, tool sheds

#### C. Recreational Uses:

1. Public parks and open spaces, playgrounds, playfields, parkways, etc. including accessories incidental to their operations
2. Country club/Golf courses

#### D. Not Allowed:

1. Landfills
2. Gentlemen's clubs/adult private membership clubs
3. Adult video/bookstores and adult gift shops

### **Sec. 117-157. - Site and structure provisions.**

Minimum Lot Area: seven thousand two hundred (7200sqft) square feet

Minimum Width: sixty (60') feet

Minimum Length: one hundred twenty (120') feet

Required Minimum Building Line Setbacks:

Front Yard: twenty-five (25') feet

Rear Yard: twenty (20') feet

Side Yard: A lot width of sixty-five (65') feet or less shall have a six (6') foot setback

A lot width of sixty-five (65') feet or more shall have a seven (7') foot setback

Building Height: maximum thirty-five (35') feet

### **Secs. 117-158 -117-164. - Reserved.**

## **DIVISION 5. -(R-3) – GARDEN HOMES**

### **Sec. 117-165. - Purpose.**

All lots in (R-3) will consist of standalone detached garden style homes on a reduced lot that orients outdoor activity to the rear patio. The garden home cannot be in a zero (0) lot-line configuration. All lots will have a maximum of no more than seven (7) lots per acre.

### **Sec. 117-166. - Permitted uses.**

#### A. Allowed Uses:

1. Detached single family Home
2. Flower and Vegetable Garden
3. Parks and Open Spaces
4. Minor Utilities (neighborhood wastewater treatment facility)
5. Civic, school and Municipal Uses (see definitions)
6. Cemeteries and/or Memorial parks
7. Day Care Facilities
8. Convenience stores (with/without gas)

#### B. Accessory Uses:

1. Swimming pools, tool sheds

#### C. Recreational Uses:

1. Public parks and open spaces, playgrounds, playfields, parkways, etc. including accessories incidental to their operations
2. Country club/Golf Courses

#### D. Not Allowed:

1. Landfills
2. Gentlemen's clubs/adult private membership clubs
3. Adult video/bookstores and adult gift shops

### **Sec. 117-167. - Site and structure provisions.**

Minimum Lot Area: four thousand (4000sqft) square feet

Minimum Width: forty (40') feet

Minimum Length: one hundred (100') feet

Required Minimum Building Line Setbacks:

Front Yard: twenty-five (25') feet

Rear Yard: twenty (20') feet

Side Yard: A lot width of sixty-five (65') feet or less shall have a six (6') foot setback

A lot width of sixty-five (65') feet or more shall have a seven (7') foot setback

Building Height: maximum thirty-five (35') feet

### **Secs. 117-168 -117-174. - Reserved.**

## **DIVISION 6. - (R-4) RESIDENTIAL – MULTI-FAMILY (DUPLEXES, ROW HOUSES AND TOWNHOMES)**

### **Sec. 117-175. - Purpose.**



The purpose of (R-4) is to permit medium-density two-family and multi-family homes. R-4 allows for buildings up to two (2) stories in height. These individual attached buildings are usually structured in a row and often share a common roof and foundation. Each individual attached building will have its own outdoor space. Buildings must be compatible with surrounding residential developments.

**Sec. 117-176. - Permitted uses.**

A. Allowed Uses:

1. Attached house
2. Flower and Vegetable Garden (noncommercial)
3. Parks and open Spaces
4. Minor utilities (neighborhood wastewater treatment facility)
5. Civic, school and municipal Uses (see definitions)
6. Guest House
7. Cemeteries and/or Memorial Gardens
8. Day care facilities
9. Convenience stores (with/without gas)

B. Accessory Uses:

1. Bed and breakfast
2. Major Utilities
3. Home Occupations
4. Flower and Vegetable Gardens
5. Private Garages
6. Tennis Courts, swimming pools, tool sheds

C. Recreation Uses:

1. Public parks, playgrounds, playfields, parkways etc. including uses accessory to their incidental operations
2. Golf courses

D. Not Allowed:

1. Landfills
2. Gentlemen's clubs/adult private membership clubs
3. Adult video/bookstores and adult gift shops

**Sec. 117-177. - Site and structure provisions.**

A minimum buffer zone of twenty-five (25') feet shall be established and maintained between a multi-family development and adjacent property or as approved by the Parish Council. No building or permanent structure shall be located within this buffer zone. The buffer zone may be used for parking, underground utilities, drainage, green area (landscaping and planting) and access.

The buffer zone shall also have an eight (8') foot-high solid wood, brick, or masonry fence between the R-4 multifamily unit and any residential development.

Minimum Lot Area: two thousand (2,000sqft) square feet

Minimum Width: twenty (20') feet

Minimum Length: one hundred (100') feet

Minimum Building Line Setbacks:  
Front Yard: twenty feet (25') feet (may be used for parking)  
Rear Yard: twenty-five (25') feet  
Side Yard: seven (7') feet  
Building Height: maximum thirty-five (35') feet

**Secs. 117-178 - 117-184. - Reserved.**

**DIVISION 7. -(R-5) RESIDENTIAL – MULTI-FAMILY (MULTI-LEVEL CONDOMINIUMS AND APARTMENTS)**

**Sec. 117-185. - Purpose.**

The purpose of (R-5) is to permit the use of multi-family high density residential developments. R-5 allows for a multi-level building structure divided into multiple units or dwellings with a minimum of three (3) acres per development. These buildings are surrounded by a common outdoor area or green space shared by tenants. Buildings must be compatible with surrounding residential developments.

**Sec. 117-186. - Permitted uses.**

- A. Allowed Uses:
  - 1. Attached Home
  - 2. Apartments (multi-family Dwelling)
  - 3. Flower and Vegetable Gardens (noncommercial)
  - 4. Parks and Open Spaces
  - 5. Minor Utilities (neighborhood wastewater treatment facility)
  - 6. Civic, school and municipal Uses (see definitions)
  - 7. Cemeteries and/or Memorial Gardens
  - 8. Day Care Facilities
  - 9. Convenience stores (with/without gas)
  - 10. Bed and Breakfast
  - 11. Major Utilities (parish water treatment facilities and electrical sub-stations)
- B. Accessory Uses:
  - 1. Home Occupations
  - 2. Flower Gardens
  - 3. Private Garages
  - 4. Tennis courts, swimming pools, tool sheds, pergolas, barbecue ovens and similar uses customary to residential uses
  - 5. Coin operated laundry rooms
- C. Recreation uses:
  - 1. Public parks, playgrounds, playfields, parkways, etc. including uses accessory to their incidental operation
  - 2. Golf courses
- D. Not Allowed:
  - 1. Landfills
  - 2. Gentlemen's clubs/adult private membership clubs
  - 3. Adult video/book and adult gift shops

**Sec. 117-187. - Site and structure provisions.**

A minimum buffer zone of twenty-five (25') shall be established and maintained between a multifamily development and adjacent property or as approved by the Parish Council. No building or permanent structure shall be located within this buffer zone. The buffer zone may be used for parking, underground utilities, drainage, green area (landscaping and planting) and access.

The buffer zone shall also have an eight (8') foot-high solid wood, brick, or masonry fence between any residential and multifamily unit.

Multi-story units shall have a minimum buffer zone of fifty (50') feet or as approved by the Parish Council.

Required Building Line Setbacks:

No building shall be less than twenty-five (25') feet from any accessory structure or street

Building Height: maximum forty (40') feet

**Secs. 117-188 - 117-194. - Reserved.**

**DIVISION 8. - (MHP) MOBILE HOME PARK**

**Sec. 117-195. - Purpose.**

The purpose of (MHP) is to permit the use of mobile home parks. A minimum of three (3) acres is required for each mobile home park with a minimum frontage of two hundred (200') feet. A maximum density of seven point five (7.5) mobile home sites per one (1) acre shall be allowed.

**Sec. 117-196. - Site and structure provisions.**

See Parish Ordinance; Article II, Sec. 125-49 – 125-52

**Secs. 117-197 - 117-204. - Reserved.**

**DIVISION 9. - (MU) MIXED-USE – RESIDENTIAL/COMMERCIAL**

**Sec. 117-205. - Purpose.**

The purpose of (MU) (ex. Juban Crossing) is to promote the use of hotels/motels, multi-family residential, retail, service and commercial development within this district. This district should serve as a transition between Commercial/Industrial and Residential districts.

**Sec. 117-206. - Permitted uses.**

A. Allowed uses:

1. Detached living (single-family Dwelling)
2. Attached homes
3. Apartments (multi-family dwelling)
4. Hotels/Motels
5. Civic, school and municipal uses
6. Parks and open spaces
7. Major /minor utilities (water treatment/electrical sub-stations)
8. Day Care

9. Country Clubs
  10. All Medical
  11. All Office
  12. Financial Institutions
  13. All restaurants
  14. Retail
  15. Manufacturing of articles to be sold on the premises provided such manufacturing is incidental to the retail business (ex. Furniture, micro-breweries)
  16. Convenience stores (with/without gas)
  17. Cemeteries and/or Memorial Gardens
- B. Accessory uses:
1. Gardens (non-commercial)
  2. Storage garages and parking lots solely by occupants and guest of the premises
  3. Communication towers
  4. Home Occupations
  5. Tennis courts, swimming pools, tool sheds
  6. Sale of alcohol (when not primary revenue of business)
- C. Recreational uses:
1. Indoor Recreation (ex. jump parks, laser tag, paintball, escape rooms, golf)
  2. Country club/ golf course
  3. Public parks, open spaces, playgrounds, playfields and parkways including uses accessory to their incidental operations
- D. Not Allowed:
1. Landfills
  2. Gentlemen's clubs/adult private membership clubs
  3. Adult video/bookstores and adult gift shops
  4. Liquor store

**Sec. 117-207. - Site and structure provisions.**

A minimum buffer zone of twenty-five (25') feet shall be established and maintained when adjacent to any other land use or as approved by the Parish Council. No building or permanent structure shall be located within the buffer zone. The buffer zone may be used for parking, underground utilities, drainage, green area (landscaping and planting) and access.

The buffer zone shall also have an eight (8') foot-high solid wood, brick, or masonry fence between any multi-family, commercial, institutional, religious, educational or public property adjacent to any residential development and maintained by property owner.

Mixed-use Development (hotels/motels)

Minimum Lot Area: nine thousand (9000sqft) square feet

Minimum Width: seventy-five (75') feet

Minimum Length: one hundred twenty (120') feet

Required Building Line Setbacks:

Duplex and Townhome: see R-4 residential

Multi-family: see R-5 residential

Building Height: see R-4 & R-5 residential

Commercial Development:

Minimum Lot Size: see C-2 commercial

Minimum Parking Setbacks: see C-2 commercial

Building Height: see C-2 commercial

**Secs. 117- 208 - 117-214. - Reserved.**

**DIVISION 10. -(PDD) PLANNED DOWNTOWN DEVELOPMENT – MIXED-USE COMMERCIAL/RESIDENTIAL**

**Sec. 117-215. - Purpose.**

The purpose of (PDD) (ex. Perkins Rowe on a smaller scale) is to promote new construction for a planned downtown mixed-use development. The downtown district allows flexible planning and design of land uses, circulation and open spaces. This district promotes an active, walkable mixed use center while promoting vertical growth with active ground floor commercial spaces and upper floor residential units. Business fronts should be located along the side walk on the main street on which the building is located. The buildings should be designed to reflect the style and culture of the existing community and architecture.

**Sec. 117-216. - Permitted uses.**

A. Allowed uses:

1. Upper-story living
2. Multi-family living
3. Office
4. Medical
5. Civic and municipal
6. Parks and open space
7. Overnight lodging (boutique hotel, bed and breakfast, air bnb)
8. Retail
9. Restaurants
10. Microbreweries
11. Financial Institutions
12. Convenience store with/without gas
13. Cemeteries and/or Memorial Gardens
14. Day Care Facility
15. Home Occupations
16. Commercial parking
17. Off street parking facility
18. Places of worship
19. Major/minor utilities (water treatment/electrical sub-stations)

B. Accessory uses:

1. Home Occupations
2. Private Garages
3. Tennis courts, swimming pools, garden homes, sheds

4. Accessory places of worship
  5. Gardens (non-commercial)
  6. Sale of alcohol (primary revenue of business is alcohol or tobacco)
- C. Recreational uses:
1. Public parks, open spaces and playgrounds including uses accessory to their incidental operations
  2. Indoor recreation (ex. jump park, laser tag, escape rooms, golf)
- D. Not Allowed:
1. Landfills
  2. Gentlemen's clubs/adult private membership clubs
  3. Adult video/bookstores and adult gift shops

**Sec. 117-217. - Site and structure provisions.**

Minimum Parking Setbacks:

Primary Parking: primary parking should be located behind the building or in a designated

Parking lot area; street parking is allowed if a designated space is available

Side Street: street parking is allowed if a designated space is available

Building Height: maximum three (3) stories or forty (40) feet

**Secs. 117-218 - 117-224. - Reserved.**

**DIVISION 11. -(SNB) SMALL NEIGHBORHOOD BUSINESS – SMALL BUSINESS**

**Sec. 117-225. - Purpose.**

The purpose of (SNB) is to permit a limited range of commercial activity, primarily retail shopping, personal services and restaurants in close proximity to residential neighborhoods. Buildings shall be designed at a neighborhood scale and reflect the style and culture of the existing community and architecture.

**Sec. 117-226. - Permitted uses.**

A. Allowed uses:

1. Civic, school and municipal uses
2. Minor utilities (neighborhood wastewater treatment)
3. Day Care
4. Medical
5. Office
6. Overnight Lodging (boutique hotel, bed and breakfast, air bnb)
7. Financial Institutions
8. Business Services (see definitions)
9. Retail
10. Restaurants
11. Convenience store with/without gas
12. Cemeteries and/or Memorial gardens
13. Major Utilities (parish water treatment facilities and electric sub-stations)
14. Places of worship

- B. Accessory uses:
  - 1. Gardens (non-commercial uses)
  - 2. Home Occupations
- C. Recreational uses:
  - 1. Tennis courts, swimming pools, garden homes
  - 2. Parks, playgrounds, play fields, open spaces
  - 3. Country club/golf courses
- D. Not Allowed:
  - 1. Landfills
  - 2. Gentlemen's clubs/adult private membership clubs
  - 3. Adult video/book stores and adult gift shops
  - 4. Sale of alcohol (primary revenue of business is alcohol/tobacco)

**Sec. 117-227. - Site and structure provisions.**

Minimum Lot Size:

Area: eleven thousand two hundred (11,200sqft) square feet

Width: eighty (80') feet

Minimum Building Line Setbacks:

Front Yard: forty (40') feet

Rear Yard: forty (40') feet

Side Yard: twenty (20') feet

Building Height: maximum two stories or thirty-five (35') feet

**Secs. 117-228 - 117-234. - Reserved.**

**DIVISION 12. -(C-1) COMMERCIAL- LIGHT COMMERCIAL**

**Sec. 117-235. - Purpose.**

The purpose of C-1 is to provide a variety of light commercial activities including warehousing and distribution. This promotes major retail, office and services that generate high traffic volume and require easy access to a major highway or interstate roads.

**Sec. 117-236. - Permitted uses.**

- A. Allowed use:
  - 1. Civic, school and municipal uses
  - 2. Major/minor utilities (Parish/neighborhood water treatment facilities/electric sub-stations)
  - 3. Day Care
  - 4. Medical
  - 5. Office
  - 6. All overnight lodging
  - 7. Service Businesses (see definitions)
  - 8. Financial institutions
  - 9. Retail

10. Restaurant
  11. Convenience store with/without gas
  12. Commercial self-storage
  13. Warehouse and distribution
  14. All vehicle sales, rentals and services
  15. All boat sales, rentals and services
  16. Cemeteries and/or Memorial parks
  17. Commercial parking lot and garage
  18. microbreweries
- B. Accessory uses:
1. Gardens (non-commercial)
  2. Communication towers
  3. Sale of alcohol (primary revenue of business is alcohol/tobacco)
- C. Recreational uses:
1. Tennis courts, swimming pools, garden homes,
  2. Parks, playgrounds, play fields, open spaces
  3. Country club/golf courses
  4. Indoor recreation facilities (ex. jump parks, laser tag, escape rooms, golf)
- D. Not Allowed:
1. Landfills
  2. Gentlemen’s clubs/adult private membership clubs
  3. Adult video/bookstores and adult gift shops

**Sec. 117-237. - Site and structure provisions.**

A minimum buffer zone of twenty-five (25’) feet shall be established and maintained between the commercial, residential, light industrial, institutional, religious, educational or public property developments or as approved by the Parish Council. No building or permanent structure shall be located within this buffer zone. The buffer zone may be used for parking, underground utilities, drainage, green area (landscaping and planting) and access.

The buffer zone shall consist of an eight (8’) foot solid wood, brick or masonry fence between the residential, commercial, light industrial, institutional, religious, educational or public developments adjacent to any residential development and maintained by property owner.

Minimum Lot Size:

Area: six thousand five hundred (6,500sqft) square feet

Width: sixty-five (65’) feet

Max Height:

Three (3) stories or forty-five (45’) feet

**Secs. 117-238 - 117-244. - Reserved.**

**DIVISION 13. -(C-2) COMMERCIAL- HEAVY COMMERCIAL**



**Sec. 117-245. - Purpose.**

The purpose of C-2 is to promote a variety of heavy commercial activities along with warehousing and distribution. Because of high commercial traffic this district should be located on a major artery with easy access to interstate roads.

**Sec. 117-246. - Permitted uses.**

A. Allowed uses:

1. Civic, school and municipal uses
2. Major/minor utilities (Parish/neighborhood water treatment plants/electrical sub-stations)
3. Day Care
4. Medical
5. Office
6. Overnight Lodging
7. Financial Institutions
8. Business Services
9. Retail
10. Restaurants
11. microbreweries
12. Convenience store with/without gas
13. Commercial self-storage
14. Warehouse and distribution
15. All vehicle sales, rentals and service
16. All boat sales, rental and services
17. Commercial parking lot and garage
18. All light industrial
  - a. Metal fabrication
  - b. Lumber/metal yards
  - c. Canning and bottling plants
  - d. Contractor yards
  - e. Equipment repair

B. Accessory uses:

1. Gardens (non-commercial)
2. Communication towers
3. Sale of alcohol (primary revenue of business is alcohol/tobacco)

C. Recreational uses:

1. Tennis courts, swimming pools, garden homes
2. Parks, playgrounds, play fields, open spaces
3. Country club/ golf courses
4. Indoor recreation (ex. Jump parks, laser tag, escape rooms, golf)

D. Not Allowed:

1. Landfills
2. Gentlemen's clubs/adult private membership clubs
3. Adult video/bookstores and adult gift shops

**Sec. 117-247. - Site and structure provisions.**

A minimum of twenty-five (25') foot buffer zone shall be established and maintained between locations of any residential, commercial, light industrial, institutional, religious, educational or public property developments unless approved by the Parish Council. The buffer zone may be used for parking, underground utilities, drainage, green area (landscaping and planting) and access.

The buffer zone shall consist of an eight (8') foot-high solid wood, brick or masonry fence between the residential, commercial, light industrial, institutional, religious, educational or public property developments adjacent to any residential development and maintained by property owner.

Minimum Lot Size:

Area: five thousand (5,000sqft) square feet

Width: sixty-five (65') feet

Max Height:

Five (5) stories or sixty (60') feet

**Secs. 117-248 - 117-254. - Reserved.**

**DIVISION 14. -(I-1) INDUSTRIAL – LIGHT INDUSTRIAL**

**Sec. 117-255. - Purpose.**

The purpose of I-1 is to permit non-hazardous light manufacturing, fabricating, processing and wholesale distribution activities that are generally not considered dangerous to nearby areas. Because of high commercial traffic this district should be located on a major artery with easy access to interstate roads.

**Sec. 117-256. - Permitted uses.**

A. Allowed uses:

1. Machinery repair
2. Railroad stations and yards
3. Guard shack/watchmen quarters
4. All commercial vehicle sales, rental, and service
5. All vehicle sales, rental, and service
6. Convenience stores with/without gas
7. Off street parking facilities
8. Warehouse
9. Distribution
10. Lumber/steel yards
11. Storage yards (non-hazardous)
12. Salvage yards
13. Canning and bottling
14. Transportation terminals
15. Machine shops
16. Concrete plants
17. Light Manufacturing and processing

- 18. Commercial storage units
- 19. Major/minor utilities (parish water treatment/electrical sub-stations)
- B. Accessory uses:
  - 1. Accessory structures shall be clearly incidental to a principal structure
  - 2. Accessory structures shall be located on the same or contiguous lot with same ownership
  - 3. Accessory structures shall be separated from all principle structures by twenty (20) feet
- C. Recreational uses:
  - 1. No recreational uses
- D. Not Allowed:
  - 1. Landfills
  - 2. Gentlemen’s clubs/adult membership clubs
  - 3. Adult video/bookstores and adult gift shops

**Sec. 117-257. - Site and structure provisions.**

A minimum buffer zone of twenty-five (25’) feet shall be established and maintained between residential, commercial, light industrial, institutional, public property or any conflicting land use. The buffer zone may be used for parking, underground utilities, drainage, green areas (landscaping and planting) and access.

Minimum lot size:

Area: seventeen thousand five hundred (17,500sqft) square feet

Width: one hundred twenty-five (125’) feet

**Secs. 117-258 - 117-264. - Reserved.**

**DIVISION 15. -(I-2) INDUSTRIAL – HEAVY INDUSTRIAL**

**Sec. 117-265. – Purpose.**

The purpose of I-2 is to permit heavy industrial manufacturing, fabricating, processing and wholesale distribution activities that are generally considered a nuisance or dangerous to nearby areas. All residential and most commercial uses are prohibited in this area. Because of high commercial traffic this district should be located on a major artery with easy access to an interstate road.

**Sec. 117-266. - Permitted uses.**

- A. Allowed uses:
  - 1. Machinery repair
  - 2. Railroad stations and yards
  - 3. Guard shack/watchmen quarters
  - 4. All commercial vehicle sales, rentals and service
  - 5. Convenience stores with/without gas
  - 6. Warehouse
  - 7. Off street parking facilities
  - 8. Distribution
  - 9. Lumber/steel yards

10. Salvage yards
  11. Storage yards
  12. Transportation terminals
  13. Heavy/light Manufacturing
  14. Canning and bottling
  15. Concrete plants
  16. Machine shop
  17. Storage of petroleum or similar products
  18. Petroleum processing
  19. Smelters
  20. Metal processing
  21. Major/minor utilities (parish water treatment/electrical sub-stations)
- B. Accessory uses:
1. Accessory structures shall be clearly incidental to a principle structure
  2. Accessory structures shall be located on the same or contiguous lot with same ownership
  3. Accessory structures shall be separated from principle structures by ten (10) feet
- C. Recreational uses:
1. No recreational uses
- D. Not Allowed:
1. Landfills
  2. Gentlemen's clubs/adult private membership clubs
  3. Adult video/bookstores and adult gift shops

**Sec. 117-267. – Site and structure provisions.**

A minimum buffer zone of fifty (50') feet shall be established and maintained between any industrial, commercial and public property developments or as approved by the Parish Council. No building or permanent structure shall be located within this buffer zone. The buffer zone may be used as parking, underground utilities, drainage, green areas (landscaping and planting) and access.

Minimum lot size:

Area: forty-three thousand five hundred sixty (43,560sqft) square feet

Width: two hundred twenty-five (225') feet

**Secs. 117-268 - 117-274. - Reserved.**

**DIVISION 16. -(APT) AIRPORT – AIRPORT**

**Sec. 117-275. – Purpose.**

The purpose of APT is to promote development, business and growth that corresponds to the air travel industry while also promoting safe practices and procedures inside the airport. APT also establishes certain zones and buffers of all land located in and around the airport for aircraft approach and clear zone planning.

**Sec. 117-276. - Permitted uses.**

- A. Allowed uses:
  - 1. See Airport Commission for rules and regulations
- B. Accessory uses:
  - 1. See Airport Commission for rules and regulations
- C. Recreational uses:
  - 1. See Airport Commission for rules and regulations
- D. Not Allowed:
  - 1. See Airport Commission for rules and regulations
  - 2. Landfills

**Secs. 117-277 - 117-284. - Reserved.**

## **DIVISION 17. -(H-1) HISTORICAL – HISTORICAL BUILDINGS**

### **Sec. 117-285. – Purpose.**

The purpose of H-1 is to promote the preservation of historical buildings at least 50 years old or older. H-1 also promotes the educational, cultural, economic and general welfare through the preservation and protection of all such buildings, sites, monuments, and structures of historic interest or importance through their protection, maintenance, and development as historic landmarks and their recognition as such in the history and traditions of the state and nation. Buildings in this district will adhere to the Historical Society’s rules and regulations.

### **Sec. 117-286. - Permitted uses.**

- A. Allowed uses:
  - 1. See Historical Society rules and regulations
- B. Accessory uses:
  - 1. See Historical Society for rules and regulations
- C. Recreational uses:
  - 1. See Historical Society for rules and regulations
- D. Not Allowed:
  - 1. See Historical Society for rules and regulations
  - 2. Landfills

**Secs. 117-287 - 117-294. - Reserved.**

## **DIVISION 18. -(UC) UNCLASSIFIED – RESIDENTIAL AND COMMERCIAL**

### **Sec. 117-295. – Purpose.**

The purpose of UC is to reduce regulations in rural areas of Livingston Parish and allow for residential and commercial growth in these areas which are difficult to plan. The intent is to allow development in rural areas to advance to the point where parish planners can identify patterns and implement appropriate land use principals. This zoning will contain a specific list of uses that WILL NOT be allowed to help ensure growth is positive and has minimal impact on the quality of life rural residents of Livingston Parish enjoy today. All lots in this development shall be a minimum of a one half (1/2) acre.

### **Sec. 117-296. - Permitted uses.**

- A. Allowed uses: (list in progress)

- B. Accessory uses:
- C. Recreational uses:
- D. Not Allowed:
  - 1. Landfills
  - 2. Gentlemen’s clubs/adult private membership clubs
  - 3. Adult video/bookstores and adult gift shops

**Sec. 117-297. – Site and structure provisions.**

Required Minimum Building Line Setbacks:

Front Yard: thirty-five (35’) feet

Rear Yard: forty (40’) feet

Side Yard: ten (10’) feet

Minimum Lot Size:

Width: Seventy-five (75’) feet

**Secs. 117-298 - 117-304. - Reserved.**

**ARTICLE V. SPECIAL USE PERMITS**

**DIVISION 1. – GENERALLY.**

**Sec. 117-305- Purpose.**

All Special Use Permits are subject to perform impact surveys concerning infrastructure (street, traffic, drainage, sewage) and public facilities (schools, parks, transportation and other public facilities) by the O/D/S as determined by the Parish Council. Upon completion of said surveys, the Parish Council will vote as to approve or not approve the specific special use permit.

**Secs. 117-306 - 117-309. – Reserved.**

**DIVISION 2. -(SRP) SHOOTING RANGE PERMIT**

**Sec. 117-310. – Purpose.**

This Shooting Range Permit is intended to regulate the establishment and operation of Outdoor Shooting Range Facilities. Due to their potential noise impacts and safety concerns, shooting range facilities merit careful review to minimize adverse effects on adjoining properties. This ordinance does not otherwise apply to the general discharge of firearms or the use of bows and arrows in accordance with all other applicable laws or regulations. This ordinance shall not include incidental target practice areas on private property.

**Sec. 117-311. – Site and structure provisions.**

Rules and Regulations; See Parish Ordinance, Amendments sec. 9-32 - 9-43

**Secs. 117-312 - 117-324. - Reserved.**

**DIVISION 3. -(CM) COMMERCIAL MINING PERMIT – DIRT, SAND AND GRAVEL MINING**

**Sec. 117-325. – Purpose.**

The purpose of CM is to permit the commercial mining of dirt, sand and gravel. This permit shall meet the rules and regulations set forth by the Livingston Parish code of Ordinances and approved by the Parish Council.

**Sec. 117-326. – Site and structure provisions.**

Rules and Regulations; See Parish Ordinance, Amendments sec. 9-111.1 – 9-111.9

**Secs. 117-327 - 117-334. - Reserved.**

**DIVISION 4. -(AE) ADULT ENTERTAINMENT PERMIT – ADULT STORES, GENTLEMEN’S CLUBS, PRIVATE ADULT MEMBERSHIP CLUBS**

**Sec. 117-335. – Purpose.**

The purpose of AE is to permit the use of adult book and video stores, adult gift shops, gentlemen’s clubs and private adult membership clubs. This is a special use permit that must be overwhelmingly approved by the parish council with a unanimous vote and debated within an open meeting. Constituents must be notified one month in advance of debate.

**Secs. 117-336 - 117-344. - Reserved.**

**DIVISION 5.- (ERP) EXPEDIATED RE-ZONING PERMIT – RESIDENTIAL, COMMERCIAL, INDUSTRIAL**

**Sec. 117-345.- Purpose.**

The purpose of LRRP is to permit an expedited residential, commercial or industrial development rezoning process within any zoned district for Parish residents and locally owned small businesses only. This is a special use permit that provides a faster, easier process for rezoning as opposed to the standard rezoning process when there is no opposition against the proposed use inside any particular district. This expedited permit is to be used by Livingston Parish residents and locally owned small businesses only and not for any person, business or entity residing outside the parish. The permit must be approved by at least a 7-2 margin by the parish council and debated within an open meeting. Constituents must be notified in advance of the debate. This expedited permit should be written as an amendment in the zoning ordinance when approved.

**Secs. 117-346 – 117-354. – Reserved.**

All ordinances or parts of ordinances in conflict herewith are hereby repealed. If any provision of this ordinance shall be held to be invalid, such invalidity shall not affect other provisions herein which can be given effect without the invalid provision and to this end the provisions of this ordinance are hereby declared to be severable.

## **Chapter 125 - SUBDIVISION REGULATIONS**

### **ARTICLE I. - IN GENERAL**

#### **Section 125-1. - Definitions.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning:

***As-built drawings*** means a final record to show all modifications or deviations from the approved plan. They are required to reflect the same degree of detail as the original construction plans and are required for all new construction, excluding new single residential dwellings.

***Boulevard*** an entrance to a subdivision that shall have a minimum of two (2) twenty (20') foot lanes with a fifteen (15') foot median.

***Combination of lots*** is combining two or more adjacent lots or parcels of land into one larger parcel.

***Commercial development*** means any proposed development that has a proposed use as institutional, religious, commercial, and industrial (schools, hospitals, manufacturing plants, shopping centers, churches, R.V. parks, motels, hotels, and rental property, etc.).

***Condominium*** means a building or group of buildings in which units are owned individually and the structure, common areas, and facilities are owned by all owners on a proportional, undivided basis. It is a legal form of ownership of real estate and not a specific building type or style. A condominium is a form of multifamily development as set forth in this Section.

***Exchange survey*** is transferring or conveying property in exchange for the reciprocal transfer or conveyance of property between two adjacent property owners.

***FONSI*** is a certification by a licensed engineer that has validated the drainage impact study and traffic impact study based on as-built conditions and has concluded that the project as designed and constructed will pose no additional negative impacts on the surrounding communities.

***Garden home*** means a garden home is a detached, single-family unit typically situated on a reduced size lot that orients outdoor activity within rear patio areas for better use of the site for outdoor living space. The garden home cannot be in a zero (0) lot-line configuration. The rear yard of a garden home is typically



enclosed with a privacy fence, which is six (6') feet high within required setback areas and sometimes higher within the building envelope. **Garden home lots shall be ten thousand (10,000 sq ft) square feet or less.**

***Large Lot Subdivision*** means the division of a lot, tract or parcel of land into ten (10) or more lots and a maximum of forty (40) with a minimum lot size of eighty-seven thousand one hundred twenty (87,120) square feet (2 acres) and a maximum density of one (1) lot per three (3) acres. Should a development of large lots exceed the maximum of forty (40) lots, then they shall be governed and fall under the regulations of subdivisions with improvements and subdivisions without improvements.

***LOT*** is a parcel of ground not to exceed a density two and a half (2.5) per acre.

***Major street plan*** means a plan delineating a system of streets adopted by the Parish Council and includes all subsequent revisions or extensions and applicable rights-of-way and/or servitudes required herein.

***Manufactured home*** means a structure transportable in one (1) or more sections, which is built on a permanent chassis, is designed for use with or without a permanent foundation and is to be used as a dwelling. Such use thereof shall be governed by the same restrictions as for a mobile home.

***Minor subdivision*** means the division or re-subdivision of a lot, tract or parcel of land or a portion thereof into nine (9) lots or less shall be deemed and referred to as the term "minor subdivision."

***Mobile home park*** means more than one (1) mobile home located on the same tract of land occupying such space as required by this chapter.

***Multifamily development*** means any proposed development that has a proposed use of two (2) or more living units and shall include duplexes, apartment houses, townhouses and condominiums with a density of eight (8) units per acre.

***O/D/S*** means owner/developer/subdivider.

***Owner*** means the individual or company that has legal possession and rights to the property.

***Preliminary plat*** is a conceptual plan of a proposed development and does not represent a fully engineered, dimensioned or designed project and must include current and future filings and/or development. The preliminary plat must be completed by an independent land surveyor licensed to practice in the state.

***Recreational vehicle (RV)***: motorhomes, campervans, coaches, caravans, fifth-wheel trailers, popup campers, truck campers, vacation trailers, travel trailers, pick-

up campers, tent trailers, and bus campers. Recreational Vehicles located in a trailer park, mobile home park, or camp site and are intended for occupancy will be permitted through the Livingston Parish Permit Office through regulatory permitting processes.

**Review engineer** means a licensed civil engineering firm appointed to review technical documents and advise the Planning and Zoning Commission.

**Right-of-way** means a parcel of ground dedicated by the public owner/developer/subdivider (O/D/S) for public use, title to which shall rest in the public for the purposes stated in the dedication.

**Servitude** means a parcel of ground reserved by the O/D/S for public utilities, drainage and other public purposes, the title to which shall remain with the property owner, subject to the right of use designated in the reservation of the servitude; or a strip of ground designated to be used for access to a building or other sites.

**Street** means a way for vehicular traffic, whether designated as a street, highway, thoroughfare, parkway, throughway, freeway, road, avenue, boulevard, place, lane or however otherwise designated.

**Subdivision** means:

- (1) The division of a lot, a tract, or parcel of land or a portion thereof into two (2) or more lots, sites, or other divisions, any one or more of which is to be platted as a lot of record for the purpose whether immediate or future, of sale or building development. Lot size shall be as per Section 125-106.
- (2) The re-subdivision of a lot, a tract, or parcel of land or a portion thereof, into two (2) or more lots, sites, or other divisions, any one (1) or more of which is to be platted as a lot of record for the purpose, whether immediate or future, of sale or building development.
- (3) The dedication, granting or constructing of a road, highway, street, alley or servitude of passage through a tract of land regardless of size, unless expropriated by a public entity.
- (4) All subdivision and/or re-subdivision developments with and without improvements consisting of a combined total of ten (10) lots or more, not previously submitted, must submit for approval to the Parish Planning and Zoning Commission, all requirements set forth in Section 125-68 or 125-118, accordingly.

***Subdivision with improvements*** means the division of a lot, tract or parcel of land into ten (10) or more lots when the O/D/S intends to construct a road, highway, street, alley, drainage or any utilities that include, but are not limited to, sewer, water or gas.

***Subdivision without improvements*** means the division of a lot, tract or parcel of land into ten (10) lots or more when the O/D/S does not intend to construct a road, highway, street, alley, any utilities that include, but are not limited to, sewer, water, or gas.

***Submittal Date*** when the plat goes before the Planning and Zoning commission for a vote (Stage 3).

***Townhouse*** means an attached, privately-owned single-family dwelling unit which is a part of, and, adjacent to other similarly owned single-family dwelling units that are connected to but separated from one another by a common party fire wall having no doors, windows, or other provisions for human passage or visibility. The rear yard of a townhome is enclosed by a privacy fence. A townhouse is a form of multifamily development as set forth in this Section.

***Trailer or mobile home***, for the purpose of this chapter, means a vehicle equipped for use as a dwelling that may be hauled or transported along a highway. As such, the mobile home will be duly titled by the appropriate regulatory agency. A mobile home which has been rendered unsuitable for transportation, and which has had its title rescinded, shall not be considered a mobile home. Recreational Vehicles are included in this definition if they are intended for occupancy.

***Under construction***, for the purpose of these regulations, means the O/D/S has submitted construction plans.

***Vicinity map*** is a map showing sufficient features and landmarks (officially named streets and street intersection, lots and blocks within a subdivision, adjoining subdivisions, Township-Range-Section lines, etc.) that would sufficiently enable a person to identify the location of the survey site.

**Section 125-2. - Authority; purpose.**

- (a) In accordance with the provisions of R.S. 33:101 et seq., and particularly R.S. 33:112 thereof, and in order to promote the health, safety, convenience, morale and general welfare of the community, to provide for the proper arrangement and width of streets in relation to other existing or planned streets and to the master plan, and to provide for adequate and convenient open spaces for traffic, vehicular parking, utilities, access of firefighting apparatus, recreation, light and air for avoidance of congestion of population, the following regulations are adopted by the Parish Council.

- (b) The Parish may reject any permit application based upon the health, safety and welfare based on the factors enumerated in subsection (a) of this Section. No sale of land shall occur when such sale meets the descriptions contained herein, including, but not limited to, Section 125-1, until such approval is granted as required by this chapter or by other local and state law.
- (c) Administration of this chapter shall be by the Parish Council Planning and Zoning Commission under the direction of the Parish President. These regulations shall apply to any developments that are not under construction as defined in Section 125-1, definitions, as of the date of the adoption of the ordinance amending this article, February 14, 2002. However, Sections 125-9, 125-13, 125-14, 125-15, 125-19, 125-24, 125-25, 125-27 and 125-28 shall apply upon adoption of the ordinance from which this article is derived.

**Section 125-3. - Exclusions.**

- (a) These regulations shall not apply to:
  - (1) Land in subdivisions previously legally recorded, except in the case of resubdivisions which plat shall evidence the Parish President or Planning Director's signature and approval prior to filing with the Parish clerk of court.
  - (2) Subdivisions in which a building exists on each proposed lot, provided that the owner certifies on the plat that all such existing buildings were constructed prior to April 27, 1982.
  - (3) The division of land to be used for orchards, forestry or farming, provided that the owner certifies upon the final plat to the Parish President that such land is to be used only for orchards, forestry or farming and provided that such final plat evidences the Parish President or Planning Director's signature and approval prior to filing with the Parish clerk of court.
  - (4) Parcels of land sold to or exchanged between adjoining property owners, where such sale or exchange does not create additional lots and where the sale or transfer results in one (1) contiguous tract, provided that the property owner certifies upon the revised plat that the sale or exchange does not create additional lots and provided that such final plat evidences the Parish President or Planning Director's signature and approval prior to filing with the Parish clerk of court.
- (b) The O/D/S or donor or donee shall be responsible for filing the approved plat in the office of the clerk of court and providing the Parish with the number of certified copies as required for minor subdivisions.

**Section 125-4. - Parish Council Planning and Zoning Commission.**

- (a) There is hereby established the Parish Council Planning and Zoning Commission pursuant to Section 7-07 of the Home Rule Charter.
- (b) The Parish Council Planning and Zoning Commission shall be appointed by majority vote of the Council and shall consist of nine (9) members, one (1) from each Council district, to be nominated by each of the Parish Councilmembers of the Parish. Parish Council Planning and Zoning Commission members shall serve terms coinciding with the term of the sitting Council approving same.
- (c) The members of the Planning and Zoning Commission shall elect a chairperson and a vice-chairperson. The ranking officer shall preside over the proceedings. The Planning Director shall serve as the non-recording secretary of the commission. In the absence of the Planning Director, the Parish President may appoint an acting non-recording secretary.
- (d) Not less than a majority of the authorized membership of the Parish Council Planning and Zoning Commission shall constitute a quorum to transact business. Rulings shall be by simple majority vote.
- (e) Robert's Rules of Order shall govern proceedings of the Planning and Zoning Commission. Open meetings rules will apply.
- (f) In performing its duties, the Planning and Zoning Commission will be assisted by a recording secretary, a legal consultant and an engineering consultant, none of whom will have a vote on matters before the Planning and Zoning Commission.
- (g) The members of the Parish Planning and Zoning Commission shall be compensated a per diem of one hundred dollars (\$100.00) for each meeting that is attended, not to exceed two hundred dollars (\$200.00) a month, or a maximum of twenty-four (24) meetings per year.

**Section 125-5. - Sale, etc., prior to approval of plat.**

No sale of land either by lot description or metes and bounds shall be made prior to the approval of a plat thereof as established by this chapter. Whoever, being the owner, or registered agent of the owner, of any land located in a subdivision, transfers or sells land by reference to, or exhibition of, or by other use of a plat of a subdivision, before such plat has been approved in accordance with this chapter and recorded or filed in the office of the clerk of court of the Parish, shall forfeit and pay a penalty of one hundred dollars (\$100.00) for each lot or parcel so transferred or sold, and the description of such lot or parcel by metes and bounds in

the instrument of transfer of other document used in the process of selling or transferring shall not exempt the transaction from such penalties.

**Section 125-6. - Building permit office requirements.**

- (a) The building permit office shall not issue a building permit on any lot or parcel of land that has been subdivided or created since April 27, 1982, unless said lot or parcel of land was created in accordance with this chapter.
- (b) The building permit office shall not issue a certificate of occupancy on any habitable structure unless and until sanitary sewer disposal facilities servicing such structure has been constructed and approved by the state department of health and hospitals.
- (c) Certificate of occupancy may not be given unless an on-site inspection of the site has been made by representatives of the Parish and approved by the planning department on all commercial, multifamily, and mobile home parks.

**Section 125-7. - Building lines.**

- (a) The building lines shall be appropriate for the location of the subdivision and for the type of development and use contemplated. For all subdivision/re-subdivision developments not yet approved including minor subdivisions, subdivisions with improvements, subdivisions without improvements, commercial developments, and multifamily housing, the required minimum building line setbacks are:
  - (1) Front yard: twenty-five (25') feet;
  - (2) Rear yard: twenty (20') feet;
  - (3) Side yard: A lot width of sixty-five (65') feet or less shall have a six (6') foot setback.  
A lot width of more than sixty-five (65') feet shall have seven (7') foot setback.

Developments such as garden homes may not have zero (0') foot building lines (no zero (0) lot lines) for any detached single-family dwelling.

- (b) Corner lots shall have extra width to permit appropriate building setback from and orientation to both streets.
- (c) Minor variance of servitudes and lot line setback may be granted with the approval of the review engineer and Planning Director or by resolution of the Parish Council.

**Section 125-8. - Final plats.**

- (a) Within twelve (12) working days of submittal, the review engineer shall review the final plat accompanied by FONSI to ensure that it is made in accordance with the approved preliminary plat, construction plans, and other requirements of this article. Legal matters must be referred to the Parish attorney. Once the review engineer has completed his review and the plat meets the requirements of this article, then he shall provide a letter of recommendation to the Parish President. Upon receipt of the letter of recommendation and receipt of the original bond from the Parish attorney, the Parish President or the Planning Director shall sign the plat. The plat must be recorded by the O/D/S in the official records of the clerk of court. The following items must be completed prior to approval of the final plat:
  - (1) All requirements of completed Form 20-A (preliminary plat checklist) have been complied with (for subdivisions with improvements).
  - (2) All requirements of completed Form 20-B (final plat checklist) have been complied with.
  - (3) Payment in full of all permit and inspection fees.
- (b) Upon final approval of a subdivision, the project engineer, if capable, shall furnish to the Planning and Zoning Commission office said subdivision drawing on a disk in CAD (computer aided drawing) format. Drawing shall include lot lines, street names, lot numbers and servitudes.

**Section 125-9 – As-built drawings**

- (a) As-Built Drawings shall be prepared by a Professional Land Surveyor licensed by the State of Louisiana and shall contain an As-Built Certification that conforms to the following:

“I CERTIFY THAT THE LOCATIONS, ELEVATIONS, DEPTHS, AND AS-BUILT COMMENTS REFLECTING MATERIALS ACTUALLY USED DURING CONSTRUCTION ACCURATELY REFLECTS EXISTING FIELD CONDITIONS AS DETERMINED BY ME OR UNDER MY DIRECT SUPERVISION ON THIS DATE: \_\_\_\_.”

Professional Land Surveyor Stamp,  
Signature and Date Signed

- (b) All relevant improvement sizes, diameters, elevations, depths, and materials specified on the approved plans must be checked by a Louisiana-licensed

Professional Land Surveyor in the field during and/or after construction. Note: that critical pipe invert elevations and pipe lengths must be checked by the surveyor and approved by the Parish prior to paving any portion of the site, and prior to installation of catch basin lids or manhole cones or lids.

- (c) All grate and invert elevations and all pipe lengths shall be clearly marked “As-Built” in some way on the approved As-Built Drawings. The preferred format for As-Built Drawings is to draw a line through design elevations, lengths, etc., and to show the As-Built value within an “As-Built cloud.”

Where the As-Built information is the same as the design information, the design information shall be enclosed in an “As-Built cloud” to show that it was checked, but that it did not change.

- (d) All stormwater detention/retention storage volumes shall be clearly shown as “calculated As-Built volumes” on the As-Built Drawings. Note: that As-Built volumes must be provided to the Parish for review and approval prior to paving any portion of the site.
- (e) To facilitate the preparation of a detailed As-Built Drawing, the surveyor may add a note that states “Unless otherwise shown on these As-Built drawings, all improvements shown hereon are the same diameter, length, and/ or size, and/or constructed of the same materials as shown on the approved plans.
- (f) When the design plans have been prepared with a computer-aided drafting (CAD) program, the design professional is required to provide the Parish with a digital copy of the approved As-Built Drawing(s) in digital format. The digital information can be formatted in either a \*.DWG file (AutoCAD file) or a \*.DXF file (Drawing Exchange File), and the digital information must be based upon State Plane Coordinates. An assumed coordinate system for digital files is not permitted.
- (g) Regardless of whether plans are prepared by CAD or by hand, all plan sheets, including approved As-Built Drawings, must include at least four coordinate tics spaced across the extent of each plan view. Each coordinate tic must be labeled with State Plane Coordinate values, which will be used to facilitate registration
- (h) Changes that occur during the construction phase should be brought to the attention of the Planning Department for that project. Minor alterations to the approved plan may, at the discretion of the Planning Director, be captured in an As-Built drawing. As-Built drawings will be reviewed to



ensure that the project was constructed per the approved plans and that all known changes are adequately documented.

- (i) All cost incurred during any construction/repair/development shall be borne by the owner/developer.
- (j) Subject to the following conditions, a waiver may be requested from the Parish Council for submittal of As-Built Drawings for specific constructed items.
  - (i) A waiver may be requested for submittal of As-Built Drawings of the following subsurface constructed items.
    - 1. Pressure flow lines (e.g., gas, water, sewer force mains, etc.) that are designed to convey pipe contents solely by pumped pressure flow and that typically do not have specific pipe invert elevation design requirements.
    - 2. Gravity flow lines (e.g., storm water or sewer pipes) with documented as-built invert elevations that were surveyed by a Louisiana-registered Professional Land Surveyor at the time of installation.
    - 3. Subsurface constructed items that cannot be safely accessed after completion of construction.
  - (ii) Each waiver request must clearly identify the following specific items as they relate to the constructed item for which the As-Built Drawing submittal requirement waiver is requested.
    - 1. The specific constructed item type, material of construction, and known dimensions.
    - 2. Location of tie-in points to surveyed features (e.g., sewer wyes, surface outfalls, service drops, etc.).
    - 3. Reason why an As-Built survey of the constructed item cannot be completed.
    - 4. Basis for estimating the lateral and vertical location on submitted As-Built Drawings of all subsurface items for which the waiver is requested.

### **Section 125-10 – Clearing and Grubbing**

- a. The Drainage Impact Study shall be approved before any clearing of property. Removal of bushes, shrubs, and small trees under eight (8’’) inches shall be allowed.
- b. Approved erosion control measures must be installed prior to the commencement of the clearing and grubbing.

### **Sections. 125-11—125-20. – Reserved.**

## **ARTICLE II. – STUDIES**

### **Section 125-21. – Required studies and statistical data for development.**

- a. The following information shall be presented with all *Stage 3* preliminary plats and reviewed, with all comments addressed, by our Parish Review Engineer before the 18<sup>th</sup> day of the month prior to the Planning and Zoning commission meeting.
  - i. Fire Protection Review
  - ii. School Impact Study
  - iii. Traffic Impact Study
  - iv. Drainage Impact Study
- b. Exceptions
  - i. Minor Subdivisions

### **Section 125-22. – Fire Protection Review.**

- a. The owner of any new development shall provide a letter of adequate flow, capacity, and pressure for fire protection from the applicable fire district.
- b. Adequate flow and pressure shall be defined as seven hundred fifty (750) gallons per minute at twenty (20) pounds per square inch (PSI).
- c. If adequate flow, capacity, and pressure cannot be determined a letter shall be submitted stating there is a failing level of service and shall be accompanied by a plan for fire protection signed by the applicable fire district.
- d. A fire hydrant shall be deemed out of service if it produces less than five hundred (500) gallons per minute at twenty (20) pounds per square inch (PSI).

### **Section 125-23. - School Impact Study.**

### **Section 125-24. - Traffic impact study.**

This Section establishes requirements for transportation studies that provide information on traffic projected to be generated by proposed developments. The purpose and intent of these requirements is to protect the health, safety, and welfare of the citizens and visitors of the Parish by ensuring the provision of safe and adequate transportation facilities. It is the further intent of this Section to establish requirements for the identification of any potential traffic operational problems or concerns, as well as potential solutions to such problems or concerns.

- (1) The O/D/S shall submit a Traffic Impact Study Scope to the Planning Department for approval. Due to project specific conditions the parish may request additional information apart from the requirements below and a traffic scoping meeting will be held to develop the traffic impact study requirements.
- (2) The O/D/S must determine, and state in writing, the anticipated impact of the proposed development on the existing transportation network. All information and analysis submitted by the O/D/S must follow the requirements and methods outlined in this Section. There are three (3) levels (Thresholds 1, 2, and 3) of analysis. Any development that is required to submit a traffic impact statement or study to DOTD will be exempt from the requirements of this Section and shall submit the required traffic impact statement or study to the proper review agency at DOTD. When a traffic impact statement or study is submitted to the Parish for review, the following conditions will apply:
  - a. The study must be completed and submitted with the preliminary plat or Stage 3 submittal.
  - b. All analysis must be performed by a state-registered professional civil engineer with experience in performing similar-type studies.
  - c. Prior to beginning a comprehensive traffic impact study (Threshold 3), the engineer will meet with the review engineer and the Planning Director to develop the exact scope of the study and determine the actual area to be studied and methods used.
- (3) Traffic impact study threshold levels.
  - a. Threshold 1 (traffic impact statement required). If the proposed development results in less than forty (40) (<40) peak hour trips, either a.m. or p.m. (whichever is greater) the O/D/S would submit:
    1. The proposed trip generation and distribution;

2. Source of information (trip generation manual), or a comparison to an equivalent site in the Parish with known trip data;
  3. Any additional information requested during the traffic scoping meeting.
  4. Sight distance evaluation.
- b. Threshold 2 (limited traffic impact study). If the proposed development results in greater than forty (40) and less than four hundred (400) peak hour trips either a.m. or p.m. the O/D/S would submit:
1. Subsections (3)a.1 through 3 of this Section;
  2. Analysis of the access/egress of development in relation to level of service of the adjacent roadway system.
  3. Recommendations for any roadway and/or intersection improvements to maintain or improve the existing level of service;
  4. Provide vehicle accident data in proximity to site (if available);
  5. Analysis of the roadway capacity (existing and/or proposed) on all roadway links abutting the proposed development site and identify necessary roadway and/or intersection improvements to maintain the existing level-of-service;
  6. An analysis of the nearest major intersection (typically signalized) in each direction from the major site driveway.
- c. Threshold 3 (comprehensive traffic impact study). If the proposed development results in greater than four hundred (> 400) peak hour trips either a.m. or p.m. the O/D/S would submit:
1. Subsections (3)b.1 through 6 of this Section;
  2. The new traffic generated for the proposed development would be distributed onto the existing transportation network within an area defined by the engineer review agency. Analysis of each roadway link and intersection link within this area for both existing and proposed conditions;
  3. Identification of any deficiencies determined by this analysis and resolve such deficiencies.

- (4) The peak hour trips are not the only threshold factor in deciding which type of analysis will be required. At the discretion of the review engineer and the Parish Planning Director, other items which significantly influence the traffic movements or safety (such as a development that falls within a high-accident area) may require a higher level of study.
- (5) A proposed development may be disapproved if it is found to overburden the existing transportation network, cause a reduction in service of affected roadways, negatively impact the safety of the roadway, or causes part of the transportation network to be below an acceptable level of service (LOS D). In the case where the existing Level of Service (LOS) is below "D," the required mitigating improvements shall improve the LOS to "D" or better. The O/D/S, at the agreement of the review engineer and the Parish Planning Director, may modify the development proposal to minimize the identified traffic related impacts. Modifications to applications for projects may include, but shall not be limited to:
- a. A reduction in the projected vehicle trips per day;
  - b. Dedication of additional right-of-way for future roadway improvements;
  - c. Rerouting of traffic and proposed access points serving the proposed project; or
  - d. Participation in funding transportation facilities, including signals, roadway, and intersection improvements.

O/D/S will be responsible for the cost and implementation of identified improvement(s) to mitigate the traffic impact of their proposed development. If traffic mitigation is part of an approved Traffic Impact Study, all approved traffic improvements must be implemented prior to final plat approval.

**Section 125-25. - Drainage/drainage impact study.**

- (a) The O/D/S's engineer shall plan all drainage for the project in accordance with the master drainage plan. Until such time that a master drainage plan is adopted by the Parish Council, the O/D/S's engineer shall utilize sound engineering practice and the criteria specified in this chapter. Subdivisions shall be designed for either open ditches or enclosed conduit systems. Installation of subsurface drainage is prohibited in any subdivision designed for open ditches without approval from the agency or agencies responsible for the maintenance of the ditch. The agency approval should include a statement that there is no negative impact on the flow of water.

- (b) Whenever any stream or improved surface drainage course is located in an area that is being subdivided, the O/D/S shall dedicate an adequate right-of-way along each side of the stream sufficient for maintenance thereof.
- (c) A contour map based on U.S.G.S. datum shall be prepared for the area comprising the subdivision and such additional areas as may be required to include all watersheds which drain into the property to be developed. In the design of the drainage for the subdivision, provision must be made to adequately take care of adjacent watershed areas. The O/D/S shall be required to construct to the ultimate finished width but only to a depth sufficient for his subdivision unless the off-site improvements are in or near the construction stage. Sufficient right-of-way, however, must be dedicated for future enlargement.
- (d) Storm drainage shall be located within the street right-of-way except where it is located in servitudes to facilitate outfall needs or for subdivision interconnections.
- (e) In all areas to be developed, the O/D/S's engineer shall prepare and submit a drainage impact study of the area prior to approval of construction plans. The following exceptions from the requirement of preparing a drainage impact study can be allowed:
  - (1) 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.
  - (2) 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.
  - (3) The site is located within existing developed areas which are served by a network of public storm drainage facilities which were designed to accommodate runoff from the development site.

**Section 125-26. Drainage impact study/drainage design requirements.**

- (a) ***Site location and description.*** The drainage impact study shall comply with the following minimum requirements:
- (1) 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.
  - (2) 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.
- (b) ***Watershed map.***
- (1) 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.
  - (2) Contours may be taken from the latest U.S.G.S. seven-point five (7.5) minute quadrangle map or better.
  - (3) The watershed map must be at least one (1") inch equals five hundred (500') feet scale or less.
  - (4) The pre-development and post-development ten (10)-year, twenty-five (25) year and one hundred (100) year runoff rate and water surface must be shown at all entrance and exit points of the development.
- (c) ***Hydrologic design.***
- (1) The drainage impact analysis shall indicate existing condition peak ten (10) year, twenty-five-year (25) and one hundred (100) year flow rates at the development entry and exit points.
  - (2) The drainage impact analysis shall indicate future condition peak ten (10)-year, twenty-five year (25) and one-hundred (100) year flow rates at the development entry and exit points.
- (d) ***Hydraulic capacities.***
- (1) **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 in this Section.

- (2) **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.
- (e) ***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:
  - (1) Special flood hazard areas (FIRM Zones A and AE).
  - (2) Regulatory floodway (if applicable).
  - (3) Churches.
  - (4) Schools.
  - (5) Cemeteries.
  - (6) Landfills and hazardous waste sites.
  - (7) Parks.
- (f) ***Study conclusions and recommendations.*** Study should clearly identify the results and conclusions of the analysis and provide recommendations of any required action so that no adverse impact is experienced by surrounding properties.
- (g) ***Design and construction criteria.***
  - (1) The drainage impact analysis shall include hydrological calculations determining existing condition peak ten (10) year, twenty-five (25) year, and one hundred (100) year flow rates at the development entry and exit points. The drainage impact analysis shall include hydrological calculations determining future condition peak ten (10) year, twenty (25) year, and one hundred (100) year flow rates at the development exit points.
  - (2) The impact of the one hundred (100) year design storm should be evaluated to ensure there are no negative impacts up stream or downstream of the development.



- (3) Technical Release 55 (TR-55) "Urban Hydrology for Small Watersheds" (frequently called the SCS method) shall be used to produce pre- and post-development runoff hydrographs. The computations shall be based on twenty-five (25) year, and one hundred (100) year Type III rainfall distributions producing totals of nine point six (9.6) inches and twelve point six (12.6) inches of rainfall respectively in twenty-four (24) hours. The pre-development times of concentration must be determined by either the lag or TR-55 worksheet methods, but the post-development times of concentration must be determined by the TR-55 worksheet method. Other methods may be used to calculate pre- and post-development runoff hydrographs, if approved by the Engineer Review Agency prior to performing the drainage impact analysis.
- (4) Complete hydraulic calculations shall be prepared and sealed by a professional civil engineer and submitted along with the construction plans. The interior drainage calculations shall be based on a twenty five (25) year design.
- (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 (1½) to one (1) may be used if concrete lining is utilized.
- (6) Erosive soils-many subdivisions are developed in areas of the Parish where erosive soils exist. All ditch side slopes shall be stabilized by fertilizing, seeding and erosion hay blankets installed per manufacturer and as approved by review engineer and Planning Director.
- (7) The following servitude criteria shall be required for each ditch, canal, and storm sewer; however where applicable, local drainage districts reserve the right to review and request modifications as necessary to facilitate future maintenance of proposed ditches, canals and storm sewer systems, in addition, (with the approval from local drainage districts if applicable) the review engineer may allow variations based on sound engineering practices:
  - a. Storm sewers: 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 (1) side.

- c. Canals with top widths 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 fifteen (15') feet and a top width of less than forty (40') feet: Width of canal plus a minimum of fifteen (15') feet from the top of bank on one (1) side and twenty-five (25') feet on the other.
- e. Canals with a top width greater than forty (40') feet: twenty-five (25') feet from the top of bank on both sides. When a proposed ditch must discharge into a major unlined canal, the O/D/S shall be required to enclose the ditch, under the necessary strip of the major canal in an adequate size bituminous-coated metal pipe. The pipe shall be an appropriate length to provide a fifteen (15') foot-wide level surface to traverse ditch and extend four (4') feet into the canal beyond the side slope, and shall discharge into rip rap that extends a minimum of five (5') feet into the bottom of the canal. Rip rap shall be constructed immediately after conduit is installed.
- f. All drainage servitudes shall be labeled as drainage servitudes and shall be restricted to drainage uses only. No other structures shall be allowed within the drainage servitude (i.e., telephone junction boxes, cable junction boxes, power poles and/or junction boxes, owners minutes structures). The purpose of this is to ensure proper access for maintenance of the servitude by the drainage district.
- g. No utilities shall place their services within the drainage servitude (i.e., above ground or buried cables, pipes, valves etc.)
- h. Where a servitude lies between any two (2) lots or parcels of ground, a fifteen (15) minutes forty-five (45) degree chamfer will be placed on both sides of the servitude at its intersection with the back-of-lot servitude. This allows ease of access for drainage district equipment to turn the corner without going outside the servitude.

Where a proposed ditch must discharge into a major unlined canal, the O/D/S shall be required to enclose the ditch, under the necessary strip of the major canal in an adequate size polyamorous-coated metal pipe. The pipe shall be a minimum of twenty (20) feet long and shall extend one (1) foot into the canal beyond the side slope, and shall discharge into rip rap that extends a minimum of five (5) feet into

the bottom of the canal. Rip rap shall be constructed immediately after conduit is installed.

- (h) ***Subdivision drainage*** shall be designed in accordance with one (1) of the following three (3) options:
- (1) 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. 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."
  - (2) 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, then any future installation of subsurface drainage shall be in accordance to the drainage plans provided in the construction plans.
  - (3) Subsurface drainage subdivision. A subdivision that will be designed and built for subsurface drainage.
  - (4) Outlet ditches. Outlet ditches (minor and major) located between lots shall be piped their entire length.

All design criteria of drainage, whether open or closed system, shall meet sound engineering practices and principles. The review engineer will have the option to ask for any outfall ditch (the term "outfall ditch" means a ditch that connects to the roadside ditch and outfalls at another location) to be enclosed for the entire length of the outfall.

- (i) ***Detention/retention basin***. Whenever a detention/retention basin is utilized by the O/D/S's engineer to minimize downstream flooding, the design shall address, at a minimum, the following:
- (1) Detention/retention basin shall be designed to detain flows so as to-decrease downstream runoff by twenty percent (20%) for a

- ten (10) year, twenty-five (25) year, and one hundred (100) year pre-development storm.
- (2) Detention/retention basin shall be checked for the ten (10) year, twenty-five (25) year, and one hundred (100) year frequency to ensure that adequate capacity is provided in the basin and at the outlet to prevent flooding of upstream and downstream developments.
  - (3) Adequate land must be reserved for maintenance of *detention/retention pond*:
    - (a) Ponds shall have at least a twenty-foot (20') deeded access around the perimeter of the pond and the entire basin.
    - (b) Ponds shall have a twenty-foot (20') gated deeded access to the detention basin for access and maintenance of the pond.
    - (c) The twenty foot (20') gated access shall have a crushed concrete or gravel base.
  - (4) Detention/retention basins may be wet (lakes or ponds) or dry.
    - a. Wet detention/retention basins shorelines and control structures shall be privately owned and maintained. The basin must have minimum side slopes of three to one (3 to 1). 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 review engineer approves variations.
    - b. Dry detention/retention basins shall be privately owned and maintained as part of the development drainage system. The basin must have minimum side slopes of three to one (3 to 1). Storm drainage pipe inverts must be designed to be above the normal water surface elevation of the basin unless the review engineer approves variations. The basin bottom shall be designed and compacted to allow for proper maintenance with mowing machines and other equipment.
  - (5) The O/D/S may propose off-site improvements to downstream facilities to minimize the impact of the development, subject to approval of the review engineer.

- (6) No pond shall be constructed within thirty (30') feet from any property line.
- (j) **Expiration.** Drainage Impact studies are applicable for twenty-four (24) months from the date approved. Resubmitted drainage impact studies shall follow all updated design requirements.

**Sections. 125-27—125-35. – Reserved.**

**ARTICLE III. – MINOR SUBDIVISIONS**

**Section 125-36. – Application.**

- (a) Applications/submittals shall be signed by both the applicant and property owner, if different.
- (b) A letter of authorization shall be submitted when an authorized agent(s) sign in lieu of the property owner and applicant.
- (c) Deeds of all proposed property to be subdivided shall be included with applications/submittals.
- (d) The original of the final plat must be signed by the landowner or registered agent and submitted to the Planning Department for approval by the Parish President or Planning Director. After all fees are paid, the plat is approved and signed, the O/D/S shall record a copy of the plat in the official records of the clerk of court and provide one (1) certified copy to the planning department. The Planning Director shall check the site and refer any drainage concerns to the Parish Council who shall have the right of approval or rejection.

**Section 125-37. - Requirements for minor subdivisions.**

The division or re-subdivision of a lot, tract or parcel of land or a portion thereof into nine (9) lots or less shall be deemed and referred to as a minor subdivision. The landowner or registered agent and the Parish Planning Director shall review and sign the plat for the minor subdivision. The Planning Director may send the minor re-sub to the Planning and Zoning Commission and the Parish Council if needed. The Parish Planning Director shall notify the Councilmember in whose district the re-sub is located. Such minor subdivisions shall be submitted as per Section 125-36 and, upon approval, recorded as per this Article.

- (1) All division of property shall be cumulative and shall not be re-subdivided within a twenty-four (24) month period pursuant to this article; however, it may be re-subdivided as a subdivision with improvements within said

twenty-four (24) month period, provided that it complies with the requirements of said article. As an exception, property of five (5) acres or more, where conveyance has occurred, shall begin the cumulative period upon the date of conveyance.

- (2) Minimum area of sixteen thousand (16,000) square feet and a minimum footage of eighty (80') feet where an approved individual mechanical plant is to be utilized, Minimum area of twelve thousand (12,000) square feet and a minimum footage of sixty (60') feet where an approved individual mechanical plant is utilized and is followed by fifty (50') feet of modified absorption field.  
Minimum area of ten thousand (10,000) square feet and a minimum footage of fifty (50) feet where there is a Louisiana Department of Health and Hospitals approved community sewer system available.
- (3) Any division of property where any lot within the division is less than one (1) acre, shall not be divided into more than seven (7) total lots.
- (4) Any division of property where any lot within the division is less than one (1) acre, shall not have more than four (4) total lots on a private, non-public road or servitude. The servitude must be a minimum forty (40') feet in width.
- (5) Any division of property where all lots within the division is of one (1) acre or more, shall not be divided into more than nine (9) total lots.
- (6) Any division of property where all lots within the division is of one (1) acre or more shall not have more than five (5) total lots on a private, non-public road or servitude. The servitude must be a minimum sixty (60') feet in width.
- (7) Any division of property that utilizes the minimum sixty (60') foot servitude access with a mandatory buyer beware affidavit, must note on the plat that the Parish Council has no agreement or obligation to take in or maintain this access.
- (8) Once the planning department has received a plat for a minor subdivision, the Parish Council clerk and any appropriate drainage district are to be notified in writing. The planning department will have twenty (20) working days to approve or produce a written letter of objection to the developer or the developer's authorized representative, and the Councilmember of the area. The twenty (20) working days will begin after the erection of the sign and plat has been submitted.

- (9) The following signage will be required for minor subdivisions with four lots or more. The O/D/S shall erect two (2) signs that will be placed corner to corner in a V-shaped formation that shall each be measured four (4') foot by eight (8') foot. The sign shall be black and white sign with a minimum of four (4") inch-high letters located with no obstructions within five (5') feet of the nearest public right-of-way leading to the original filing, any new additional filing, and any other entrance or road tied to the development for connectivity purposes. The bottom of the sign shall be at least four (4') feet from the ground. Twenty-five (25%) percent of the sign may be dedicated for advertising purposes and graphics, provided such area is contiguous. The sign shall be erected at least ten (10) days prior to the submission of the application to the Planning Department. The sign must remain visible and upright until final approval. Failure to keep the sign visible and upright is cause for project work to be stopped by the Parish and review engineer until the sign is corrected. The developer is responsible for any and all associated costs including attorney fees. The sign shall be titled "A Subdivision Is Proposed For This Site" and shall contain the following information:
- a. Name, address and working telephone number of the O/D/S.
  - b. Name of subdivision or development.
  - c. Number of lots.
  - d. Number of acres in the development.
  - e. Email address.

#### **Section 125-38. - Requirements for exchange surveys**

- (a) Requirements set forth in section 125-37 (1) through (8). The Planning Director may send exchange surveys to the Planning and Zoning Commission and the Parish Council if needed. The Parish Planning Director shall notify the Councilmember in whose district the re-sub is located. Such minor subdivisions shall be submitted as per Section 125-36 and, upon approval, recorded as per this Article.
- (b) All fees shall be paid prior to release of approved documents and proof of payment shall be received before final approval of the Planning Department.

#### **Section 125-39. – Requirements for combination of lots**

- (a) Requirements set forth in section 125-37 (1) through (8). The Planning Director may send combination of lots to the Planning and Zoning Commission and the Parish Council if needed. The Parish Planning Director shall notify the Councilmember in whose district the re-sub is located. Such

minor subdivisions shall be submitted as per Section 125-36 and, upon approval, recorded as per this Article.

- (b) All fees shall be paid prior to release of approved documents and proof of payment shall be received before final approval of the Planning Department.

**Sections 125-40—125-50. – Reserved.**

## **ARTICLE VI. – SUBDIVISIONS WITHOUT IMPROVEMENTS**

### **Section 125-51. – Submittals**

- (a) Applications/submittals shall be signed by both the applicant and property owner, if different.
- (b) A letter of authorization shall be submitted when an authorized agent(s) sign in lieu of the property owner and applicant.
- (c) Deeds of all proposed property to be subdivided shall be included with applications/submittals.
- (d) All preliminary plats and submittals shall be submitted, reviewed, and all comments addressed before the 18<sup>th</sup> day of the month prior to the Planning and Zoning Commission meeting at which it is to be considered.
  - (1) ***Preliminary plat.***
    - a. ***Review engineer.*** One (1) copy, including supplementary material and completed Form 20 and 20-A.
    - b. ***Planning department.*** Twelve (12) copies and one (1) eleven (11") inch by seventeen (17") inch or smaller copy complete and corrected, including supplementary material including transmittals showing that submittals to all parties and completed Form 20 and 20A.
    - c. ***Parish health unit.*** One (1) copy.
    - d. ***Fire district (if applicable).*** One (1) copy.
    - e. ***School Board.*** One (1) copy.
    - f. ***Drainage District.*** One(1) copy.
  - (2) ***Fire Protection Review.***
    - a. ***Review engineer.*** One (1) copy.
    - b. ***Planning department.*** One (1) copy.



- (3) *School Impact Study.*
  - a. **Review engineer.** One (1) copy.
  - b. **Planning department.** One (1) copy.
- (4) *Traffic Impact Study.*
  - a. **Review engineer.** One (1) copy.
  - b. **Planning department.** One (1) copy.
- (5) *Drainage Impact study (or Comprehensive Drainage Plan for Large Lot Subdivisions).*
  - a. **Review engineer.** One (1) copy.
  - b. **Planning department.** One (1) copy.
  - c. **Drainage district (if applicable).** One (1) copy.
- (6) *Final plat.*
  - a. **Review engineer.** One (1) copy, including supplementary material and completed Form 20 and 20-B. Include drainage inverts and pipe diameters per subsection 125-26.
  - b. **Planning department.** Four (4) copies and one (1) copy of supplementary materials and completed Form 20-B.
  - c. **Parish health unit.** One (1) copy.
  - d. **Sewer district (if applicable).** One (1) copy.
  - e. **Fire district.** One (1) copy.
  - f. **School Board.** One (1) copy.
  - g. **Drainage district (if applicable).** One (1) copy.
- (7) *As-built drawings.*
  - a. **Review engineer.** One (1) set of plans and or electric files.
  - b. **Parish planning department.** One (1) set of plans and or electric files.
  - c. **Applicable sewer district.** One (1) set of plans and or electric files.
  - d. **Applicable drainage district.** One (1) set of plans and or electric files.

- e. ***Applicable water district.*** One (1) set of plans and or electric files.
- (8) ***FONSI.*** The shall accompany the final plat.
- (e) ***The original of the final plat must be submitted to the review engineer and Parish President and/or Planning Director for approval and signature.*** After all fees are paid, the plat is approved and signed, and the O/D/S shall record a copy of the plat in the official records of the clerk of court and provide four (4) certified copies to the Planning Commission office. Once the final plat has been signed and/or filed, no lots can be re-subdivided.

**Section 125-52. - Procedures for subdivisions without improvements.**

- (a) ***Stage 1—Preliminary meeting (informal discussion).*** Prior to the filing of an application for approval of the preliminary plat, a representative is required to have an informal discussion with the Planning and Zoning Commission's review engineer and other Parish staff and officials deemed appropriate in an effort to resolve technical matters regarding the proposed subdivision.
- (b) ***Stage 2—Preliminary plat (tentative) and public hearing***
  - (1) Upon the satisfactory conclusion of the informal discussion with the Planning and Zoning Commission's review engineer and other designated officials, the preliminary plat and the preliminary plat checklist Form 20-A shall be submitted. The preliminary plat must be submitted in accordance with subsection 125-51 and placed on the Planning and Zoning Commission agenda for a public hearing.
  - (2) The following signage will be required for subdivisions without improvements. The O/D/S shall erect two (2) signs that will be placed corner to corner in a V-shaped formation that shall each be measured four (4') foot by eight (8') foot. The sign shall be black and white sign with a minimum of four (4") inch-high letters located with no obstructions within five (5') feet of the nearest public right-of-way leading to the original filing, any new additional filing, and any other entrance or road tied to the development for connectivity purposes. The bottom of the sign shall be at least four (4') feet from the ground. Twenty-five (25%) percent of the sign may be dedicated for advertising purposes and graphics, provided such area is contiguous. The sign shall be erected at least ten (10) days prior to the Planning and Zoning Commission meeting at which the public hearing is set for the subdivision. The sign must remain visible and upright until final approval. Failure to keep the sign visible and upright is cause for

project work to be stopped by the Parish and review engineer until the sign is corrected. The developer is responsible for any and all associated costs including attorney fees. The sign shall be titled "A Subdivision Is Proposed For This Site" and shall contain the following information:

- a. Name, address and working telephone number of the O/D/S.
  - b. Name of subdivision or development.
  - c. Number of lots.
  - d. Number of acres in the development.
  - e. Email address.
- (c) **Stage 3-Preliminary plat submittal and other supplementary materials.** Once the preliminary plat goes before the Planning and Zoning commission for the public hearing the O/D/S must submit for approval to the review engineer and the Planning Director, the following, along with a copy of the preliminary plat:
- (a) **Drainage impact study** (or Comprehensive Drainage Plan for Large Lot Subdivisions) (required and approved by review engineer). Upon receipt of the preliminary plat, the review engineer must complete review of the drainage impact study in accordance with Section 125-25 and 125-26 of this chapter. The O/D/S shall have a drainage impact study prepared and sealed by a civil engineer currently licensed to practice in the state. The drainage impact study must be submitted to the review engineer and drainage district (if applicable) for review and approval. The drainage impact study must be submitted in accordance with subsection 125-51.
  - (b) **Traffic impact study.** Upon receipt of the preliminary plat, the review engineer must complete review of the traffic impact study in accordance with Section 125-24 of this chapter. The O/D/S shall have a traffic impact study prepared and sealed by a civil engineer currently licensed to practice in the State of Louisiana. All information and analysis submitted by the O/D/S must follow the requirements and methods outlined in Section 125-24.
  - (c) **Fire Protection Review.** Upon receipt of the preliminary plat, the review engineer shall receive a Fire Protection Review in accordance with Section 125-22 of this chapter. The O/D/S shall have a Fire Protection Review prepared by the applicable fire district.
  - (d) **School Impact Study.** Upon receipt of the preliminary plat, the review engineer shall receive School Impact Study in accordance with

Section 125-23 of this chapter. The O/D/S shall have a School Impact study prepared by the Livingston Parish School Board.

Within twenty (20) working days of submittal of all required materials the review engineer must provide the O/D/S's project engineer with comments from his review. The O/D/S shall address all comments before proceeding to the planning and Zoning commission for approval.

(d) ***Stage 4—Preliminary plat and other supplementary materials approval.***

- (1) Following the submission of the preliminary plat and other material submitted in conformity to this chapter, the Planning and Zoning Commission shall, within sixty (60) days, approve, disapprove, or defer thereon as submitted or modified, and if approved, the Planning and Zoning Commission shall express its approval on the preliminary plat or give its reasons for disapproval. The applicant may waive this requirement and consent to an extension of such period. Any cancellation or deferral request by the O/D/S shall be deemed as consent to an extension of the time period contained herein. All such requests for deferrals or agenda cancellation shall be in written form.
- (2) ***Appeals.*** If approval is denied by the Planning and Zoning Commission, the appeal shall be added to the agenda of the next regularly scheduled council meeting.
- (3) ***Waivers.*** If a waiver is requested by the O/D/S, the Planning and Zoning Commission shall make a recommendation to the Parish Council.
- (4) ***Action noted on plat.*** The action of the Planning and Zoning Commission shall be noted on five (5) copies of the preliminary plat. One (1) copy shall be returned to the O/D/S, one (1) copy provided to review engineer's office, one (1) copy to the Parish health office, one (1) copy to the Parish planning department and the remainder retained by the Parish Council.
- (5) ***Changes or alterations.*** Any alterations made by the O/D/S after approval of the preliminary plat shall be submitted to the Planning Director and reviewed by the Planning and Zoning commission.
- (6) ***Expiration.*** Approval of the preliminary plat shall be effective for twenty-four (24) months.

(g) ***Stage 5—Final plat.***

Upon the recommendation of the review engineer, the Planning Director shall approve the final plat accompanied by FONSI.

**Section 125-53. - Benchmarks.**

The O/D/S must furnish benchmarks in all subdivisions, with improvements, filed with the Parish Council Planning and Zoning Commission, at locations established by the O/D/S engineer and approved by the review engineer. Benchmarks are to be identified as to location and elevation and shall be noted on the construction plans and final plat.

**Sections 125-54—125-65. – Reserved.**

**ARTICLE V.- SUBDIVISIONS WITH IMPROVEMENTS**

**Section 125-67. – Submittals**

- (a) Applications/submittals shall be signed by both the applicant and property owner, if different.
- (b) A letter of authorization shall be submitted when an authorized agent(s) sign in lieu of the property owner and applicant.
- (c) Deeds of all proposed property to be subdivided shall be included with applications/submittals.
- (d) All preliminary plats and submittals shall be submitted, reviewed, and all comments addressed before the 18<sup>th</sup> day of the month prior to the Planning and Zoning Commission meeting at which it is to be considered.
  - (1) ***Preliminary plat.***
    - a. ***Review engineer.*** One (1) copy, including supplementary material and completed Form 20 and 20-A.
    - b. ***Planning department.*** Twelve (12) copies and one (1) eleven (11") inch by seventeen (17") inch or smaller copy complete and corrected, including supplementary material including transmittals showing that submittals to all parties and completed Form 20 and 20A.
    - c. ***Parish health unit.*** One (1) copy.
    - d. ***Fire district (if applicable).*** One (1) copy. (Copy of signed letter should be attached to Form 20 when submitting to Planning Commission secretary and review engineer.)
    - e. ***School Board.*** One (1) copy.

- f. *Sewer District (if applicable)*. One (1) copy.
- g. *All other affected utility companies*. Two (2) copies.

(Copies of transmittal letters to utility companies and signed letters from the sewer district, drainage district, fire district, and school board should be attached to Form 20 when submitting to Planning Commission secretary and review engineer.)

- (2) ***Drainage Impact study (or Comprehensive Drainage Plan for Large Lot Subdivisions)***.
  - a. *Review engineer*. One (1) copy.
  - b. *Planning department office*. One (1) copy.
  - c. *Drainage district (if applicable)*. One (1) copy.
- (3) ***Traffic Impact Study***.
  - a. *Review engineer*. One (1) copy.
  - b. *Planning department*. One (1) copy.
- (4) ***Construction plans***.
  - a. *Review engineer*. One (1) set of plans, specifications and required drainage calculations.
  - b. *Parish planning department*. One (1) set of plans, specifications and required drainage calculations. After approved, two (2) sets of approved plans, specifications and required drainage calculations. Once complete, two (2) copies of as-builts.
  - c. *Applicable sewer district*. One (1) set of approved plans, specifications and required sewer demands.
  - d. *Applicable drainage district*. Two (2) sets of plans, specifications and required drainage calculations.
  - e. *Applicable water district*. Two (2) sets of plans, specifications and required drainage calculations.
  - f. *Applicable fire district*. One (1) set of plans and specifications.
  - g. *Parish permit office*. One (1) copy of an approved drainage map.
- (5) ***As-built drawings***.
  - a. *Review engineer*. One (1) set of plans and or electric files.

- b. *Parish planning department.* One (1) set of plans and or electric files.
  - c. *Applicable sewer district.* One (1) set of plans and or electric files.
  - d. *Applicable drainage district.* One (1) set of plans and or electric files.
  - e. *Applicable water district.* One (1) set of plans and or electric files.
- (6) *Final plat.*
- a. *Review engineer.* One (1) copy, including supplementary material and completed Form 20-B.
  - b. *Planning department.* Four (4) copies and one (1) copy of supplementary materials and completed Form 20-B.
  - c. *Health unit office.* One (1) copy.
  - d. *Applicable sewer district.* One (1) copy.
  - e. *Applicable drainage district.* One (1) copy.
  - f. *Once the final plat has been signed and/or filed, no lots can be re-subdivided.*
- (7) *FONSI.* The shall accompany the final plat.
- (8) *Surety instruments (performance and maintenance bonds); Parish attorney.* The original bond must be submitted to the Parish attorney for review and approval.
- (e) *O/D/S.* At the time of all submittals, the O/D/S's name, address, telephone number and email address shall be submitted to review engineer and Planning Director. Review engineer shall forward copies of all reviews to the O/D/S.

**Section 125-68. - Procedures for subdivisions with improvements.**

- (a) *Stage 1—Preliminary meeting (informal discussion).* Prior to the filing of an application for approval of the preliminary plat, a representative is required to have an informal discussion with the Planning and Zoning Commission's review engineer and other Parish staff and officials deemed appropriate in an effort to resolve technical matters regarding the proposed subdivision.

(b) ***Stage 2—Preliminary plat (tentative) and public hearing***

- (1) Upon the satisfactory conclusion of the informal discussion with the Planning and Zoning Commission's review engineer and other designated officials, the preliminary plat and the preliminary plat checklist Form 20-A shall be submitted. The preliminary plat is a conceptual plan of a proposed development and does not represent a fully engineered, dimensioned or designed project and must include current and future filings and/or development. A vicinity map must be included on the preliminary plat. The preliminary plat must be completed by an independent land surveyor licensed to practice in the state. The preliminary plat must be submitted in accordance with subsection 125-67 and placed on the Planning and Zoning Commission agenda for a public hearing.
  
- (2) The following signage will be required for subdivisions with improvements. The O/D/S shall erect two (2) signs that will be placed corner to corner in a V-shaped formation that shall each be measured four (4') foot by eight (8') foot. The sign shall be black and white sign with a minimum of four (4") inch-high letters located with no obstructions within five (5') feet of the nearest public right-of-way leading to the original filing, any new additional filing, and any other entrance or road tied to the development for connectivity purposes. The bottom of the sign shall be at least four (4') feet from the ground. Twenty-five (25%) percent of the sign may be dedicated for advertising purposes and graphics, provided such area is contiguous. The sign shall be erected at least ten (10) days prior to the Planning and Zoning Commission meeting at which the public hearing is set for the subdivision. The sign must remain visible and until final approval. Failure to keep the sign visible and upright is cause for project work to be stopped by the Parish and review engineer until the sign is corrected. The developer is responsible for any and all associated costs including attorney fees. The sign shall be titled "A Subdivision Is Proposed For This Site" and shall contain the following information:
  - a. Name, address and working telephone number of the O/D/S.
  - b. Name of subdivision or development.
  - c. Number of lots.
  - d. Number of acres in the development.
  - e. Email address.



- (c) ***Stage 3-Preliminary plat submittal and other supplementary materials.*** Once the preliminary plat goes before the Planning and Zoning commission for the public hearing the O/D/S must submit for approval to the review engineer and the Planning Director, the following, along with a copy of the preliminary plat:
- (1) ***Drainage impact study*** (or Comprehensive Drainage Plan for Large Lot Subdivisions) (required and approved by review engineer). Upon receipt of the preliminary plat, the review engineer must complete review of the drainage impact study in accordance with Section 125-25 and 125-26 of this chapter. The O/D/S shall have a drainage impact study prepared and sealed by a civil engineer currently licensed to practice in the state. The drainage impact study must be submitted to the review engineer and drainage district (if applicable) for review and approval. The drainage impact study must be submitted in accordance with subsection 125-67.
  - (2) ***Traffic impact study.*** Upon receipt of the preliminary plat, the review engineer must complete review of the traffic impact study in accordance with Section 125-24 and 125-25 of this chapter. The O/D/S shall have a traffic impact study prepared and sealed by a civil engineer currently licensed to practice in the State of Louisiana. All information and analysis submitted by the O/D/S must follow the requirements and methods outlined in Section 125-24.
  - (3) ***Fire Protection Review.*** Upon receipt of the preliminary plat, the review engineer must complete a Fire Protection Review in accordance with Section 125-22 of this chapter.
  - (4) ***School Impact Study.***

Within twenty (20) working days of submittal of all required materials the review engineer must provide the O/D/S's project engineer with comments from his review. The O/D/S shall address all comments before proceeding to the planning and Zoning commission for approval.

(d) ***Stage 4—Preliminary plat and other supplementary materials approval.***

- (1) Following the submission of the preliminary plat and other material submitted in conformity to this chapter, the Planning and Zoning Commission shall, within sixty (60) days, approve, disapprove, or defer thereon as submitted or modified, and if approved, the Planning and Zoning Commission shall express its approval on the preliminary

plat or give its reasons for disapproval. The applicant may waive this requirement and consent to an extension of such period. Any cancellation or deferral request by the O/D/S shall be deemed as consent to an extension of the time period contained herein. All such requests for deferrals or agenda cancellation shall be in written form.

- (2) **Appeals.** If approval is denied by the Planning and Zoning Commission, the appeal shall be added to the agenda of the next regularly scheduled council meeting.
  - (3) **Waivers.** If a waiver is requested by the O/D/S, the Planning and Zoning Commission shall make a recommendation to the Parish Council.
  - (4) **Action noted on plat.** The action of the Planning and Zoning Commission shall be noted on five (5) copies of the preliminary plat. One (1) copy shall be returned to the O/D/S, one (1) copy provided to review engineer's office, one (1) copy to the Parish health office, one (1) copy to the Parish planning department and the remainder retained by the Parish Council.
  - (5) **Changes or alterations.** Any alterations made by the O/D/S after approval of the preliminary plat shall be submitted to the Planning Director and reviewed by the Planning and Zoning commission.
  - (6) **Expiration.** Approval of the preliminary plat shall be effective for twenty-four (24) months.
- (e) **Stage 5—Construction Plans.**
- (1) Within twelve (12) working days of submittal of the construction plans, review engineer must provide the O/D/S's project engineer with any additional comments from his review. After all the comments have been addressed by the project engineer, the review engineer must provide to the Parish President a letter of recommendation of conformity to this chapter. Following the review by the review engineer, two (2) sets of construction plans must be submitted to the Parish President's office for approval. Within twelve (12) days of receipt of the letter of recommendation from the review engineer, the Parish President or the Planning Director must issue a letter of approval to the O/D/S's project engineer.
  - (2) Flood zones, as reflected on the FIRM maps, shall be indicated on the construction plans.

- (3) Any changes or re-design of construction plans shall be indicated on the construction plans.
  - (4) Construction procedure requirements are to be followed as set forth in Section 125-118 of this chapter.
- (f) **Stage 6—As-built drawings.** Upon completion of construction plans prior to final plat submittal, the O/D/S must submit a copy of the as-built drawings to the review engineer, Planning Director, and other applicable utilities.

Upon the approval from the Planning Director the surveyor shall provide the parish with the following:

1. After the Planning Director preliminary approval of As-Built Drawings (see notes above for elements that require preliminary approval), the surveyor shall provide the Parish with the following:
    - a. All design and As-Built elevations based upon the North American Vertical Datum of 1988 (NAVD88).
    - b. All coordinates shall be based upon the State Plane Coordinate System.
    - c. The As-Built Drawing shall be either the original, approved plan, or clearly marked as an As-Built Drawing. Unless otherwise approved by the Planning Director, all accepted As-Built Drawings shall be twenty-two (22”) inches by thirty-four (34”) inches or twenty-four (24”) inches by thirty-six (36”) inches.
- (g) **Stage 7—Final plat and bonding.**
- (1) Upon the recommendation of the review engineer, the Planning Director shall approve the final plat accompanied by FONSI. The O/D/S may request approval of the final plat by constructing all improvements shown on the construction plans and posting a maintenance bond to start the eighteen (18) month maintenance period. The procedures are defined in Section 125-14 of this chapter and only apply after completion and inspection. The O/D/S may choose to substantially complete construction and post a performance bond for punch list items shown on the final inspection report to receive approval of the final plat.
  - (2) The FONSI shall accompany the final plat.

- (h) ***Acceptable surety instruments.*** All bonds, when submitted, shall provide the name of the developer of the subdivision acting as the principal obligator; be for the correct amount; and be in the correct form. (See Submittals for submission of all bonds to Parish attorney.)

(1) ***Performance and payment bonds.***

- a. Commercial bonds for one hundred (100%) percent of the value of the punch list items; or
- b. Letter of credit from a bank in the amount of one hundred (100%) percent of the value of the punch list items.
- c. All punch list items shown on the final inspection report shall be completed within sixty (60) days of the date of final inspection report.
- d. The term of the performance and payment bond shall be for a period of six (6) months from the date of the final inspection report.
- e. All construction approved under the previous ordinance and bonded by a performance bond shall be completed August 1, 2004, and the O/D/S shall post a maintenance bond by August 1, 2004, or the Parish Council shall execute on the performance bond.

(2) ***Maintenance bond.***

- a. Maintenance bond amounts shall be equal to fifteen (15%) percent of the final cost of improvements (streets, drainage, and other publicly-maintained utilities), with said costs to be certified correct by the O/D/S's project engineer. The maintenance bond shall be for a period of twenty-four (24) months, although the maintenance period shall only be for eighteen (18) months.
- b. A maintenance bond shall be either a commercial surety bond or a bank letter of credit.
- c. Sixty (60) days prior to the expiration of the eighteen (18) month maintenance period, the O/D/S shall notify the Parish, in writing, to request an inspection to determine if the improvements (streets, drainage and other publicly-maintained utilities) are in accordance with the approved construction

plans. All items not in accordance with the approved construction plans shall be corrected and re-inspected at least ten (10) days prior to the Parish Council meeting at which the improvements are requested to be accepted into the Parish maintenance system.

- d. If an O/D/S uses access to his development through an existing parish maintained subdivision, then the O/D/S shall post a separate and additional maintenance bond in an amount equal to fifty (50%) percent of the value of the roads in the existing subdivision.
- e. No maintenance bond shall be posted until after final inspection and completion of punch list items.

(3) ***Surety instruments.***

- a. All commercial surety bonds shall be written by a surety or insurance company currently listed on the United States Department of Treasury financial management service list of approved bonding companies or a bonding company approved by the state commissioner of insurance.
- b. All surety instruments shall be subject to review and approval by the Parish attorney prior to final approval.
- c. All surety bonds shall have attached the certificate of the O/D/S's engineer attesting to the costs of the improvements (streets, drainage, and other publicly-maintained utilities).
- d. All surety instruments shall be subject to cancellation only upon resolution of the Parish Council.

**Sections 125-69—125-75. – Reserved.**

## **ARTICLE VI.- STREETS**

### **Section 125-76. - Streets.**

- (a) The O/D/S's project engineer shall design all roads/streets utilizing sound engineering practices, principles and the criteria specified in this chapter.
- (b) The arrangement, character, extent, width, grade and location of all streets shall conform to the major street plan and 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 Parish Council of any roads/streets in a subdivision, the O/D/S shall furnish proof and certification that the roads/streets join an existing publicly-maintained road/street. The subdivider 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 Parish Council or any other public body."

- (c) Where such is not shown in the major street plan, the arrangement of streets in a subdivision shall conform to a plan for the neighborhood approved or adopted by the Parish Council to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impracticable.
- (d) 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 Parish building permit office. Streets that are obviously in alignment with other already existing streets shall bear the names of the existing streets.
- (e) Street jogs with centerline offsets of less than one hundred twenty-five (125') feet shall be prohibited.
- (f) 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.
- (g) All dead-end streets, roads, etc., must have a cul-de-sac or a T-turnaround as per Section 125-77.
- (h) Subdivision Covenants shall not be written to discourage or disallow the connection to adjacent properties thru any existing lots or tracts when such connections can be made using good engineering practices.
- (i) The arrangement of new public streets in new subdivisions or developments shall make provisions for the continuation of existing streets in adjoining areas on each side of the development, as deemed necessary by the Parish to promote the development of a good street network. The street arrangement must also be such as to not intentionally cause any hardship to owners of

adjoining property when they plat their own land and seek to provide convenient access. In general, provisions should be made for through streets at twenty-five hundred (2,500') feet intervals unless otherwise directed or approved by the Parish of Livingston. The existence of two (2) or more street entrances does not eliminate the need to provide connectivity to the properties adjacent to the proposed subdivision.

- (j) Any opportunities to connect to existing streets shall be identified and presented to the Livingston Parish Planning and Zoning Commission during the preliminary meeting for the proposed land development.
- (k) Elevation of all roads must be equal to or above the ten (10) year storm based on drainage calculations and projected hydraulic grade lines.

**Section 125-77. - Street standards.**

- (a) All new roads/streets (private or public) shall be paved and constructed in accordance with these regulations and to Louisiana DOTD Standard Specifications for Roads and Bridges, 2016 Edition (or latest). These LA DOTD Standards Specifications will specifically apply for any roadway base work, asphalt work, concrete work (including curbs) and subsurface drainage (with exception of side drain inlets; Parish inlets shall still be required but constructed using DOTD specifications). The O/D/S 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 Parish. A copy of the signed affidavit must be sent to the Parish Council office. 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 LIVINGSTON PARISH COUNCIL OR ANY OTHER PUBLIC BODY.

(b) 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 (One and one-half (1 1/2") inch and one and one-half (1 1/2") inch layers) on ten (10") inch soil cement base at least twenty-one (21') feet wide;
  - b. With three (3") inch hot asphaltic concrete wearing surface (One and one-half (1 1/2") inch and one and one-half (1 1/2")

- inch layers) on compacted eight (8") inch crushed limestone base at least twenty-one (21') feet wide;
- c. With eight (8") inches of four thousand (4,000) psi concrete on eight (8") inch compacted base; or
  - d. Same standards as c of this Section, but with five (5") inches of four thousand (4,000) psi concrete base and one and one-half (1 1/2") inches of hot asphaltic concrete wearing surface.
  - e. Compacted eight (8) inch crushed limestone can be utilized as the riding surface for Large Lot Subdivisions ONLY.
  - f. Crown of roadbed shall be a minimum of thirty (30') feet wide.
  - g. 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.
  - h. Roadside ditches shall be constructed with a roadside slope of three (3) to one (1) and a back slope of three (3) to one (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 and erosion hay blankets installed per manufacturer and as approved by review engineer and Planning Director.
  - (3) All streets with curb, gutter and/or enclosed drainage systems shall be at least twenty-seven (27') feet wide from back of curb to back of curb or twenty (20') feet with subsurface drainage and no curbs.
    - a. With three (3") inch hot asphaltic concrete wearing surface (one and one-half (1 1/2") inch and one and one-half (1 1/2") inch layers) on ten (10") inch soil cement base at least 21 feet wide;
    - b. With three-inch hot asphaltic concrete wearing surface (one and one-half (1 1/2") inch and one and one-half (1 1/2") inch layers) on compacted eight (8") inch crushed limestone base at least twenty-one (21') feet wide;
    - c. With eight (8") inches of four thousand (4,000) psi concrete on eight (8") inch compacted base; or
    - d. With six (6") inches of four thousand (4,000) psi concrete and three (3") 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 and erosion hay blankets installed per manufacturer and as approved by review engineer and Planning Director.



- (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. The amount of lime and/or cement shall be indicated in pounds per square yards 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 O/D/S. The O/D/S may select any approved materials testing laboratory acceptable to the Department of Public Works.
- (7) Where boulevards are constructed, this is, two (2) 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. The O/D/S shall provide street right-of-way sufficient to accommodate the cul-de-sac described in this subsection. 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 roads/streets shall have a minimum of the following signs: street name, speed limit twenty-five (25) miles per hour, 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) A minimum of the following independent testing laboratory reports: within five (5) days of the test results, a copy of said results is to be submitted directly to the following: Parish Council office, office of the review engineer, the O/D/S's project engineer's office and contractor's office.
  - a. Soil test to determine percent of lime required in road base.
  - b. Soil test to determine percent of cement required for soil cement base.
  - c. Tested limestone base material.
  - d. Asphaltic concrete batch mixture and certify thickness.
  - e. Inspection of soil-cement installation.
  - f. Ample number of field density tests to confirm limestone or soil cement base is properly compacted.
  - g. Inspection of hot asphaltic concrete wearing surface or concrete roadway during installation.
  - h. Test sub-base and base prior to concrete street being poured.
  - i. Pull and test standard concrete cylinders for concrete strength four thousand (4,000) psi or as required by review engineer).
  - j. Certify concrete street depth—thickness measurement required every one hundred (100') feet.
  - k. Certify that construction and expansion joints on concrete streets are adequate.
  - l. Any and all road failures shall be repaired and proof rolled afterwards with twelve (12) yard dump truck fully loaded. All work to be performed in presence of testing lab employee and lab to certify repairs to the Parish Council.
  - m. Reports to provide, at a minimum, the following:
    1. Full name of subdivision.
    2. Name and address of the O/D/S.

3. Location of subdivision—section, township and range, Parish or state road.
  - (13) Minimum longitudinal slope for street design shall be 0.40 percent.
  - (14) Minimum of fifty (50') feet length vertical curve shall be required for all longitudinal slope breaks of one (1%) percent or greater.
  - (15) Temporary T-turnarounds, as approved by the review engineer and Planning Director, shall be twenty (20') feet by eighty (80') feet and constructed of aggregate or crushed limestone six (6") inches thick.
  - (16) Streets with sub-surface drainage and curb shall have maximum of eight (8') feet of lane flooding on twenty-five (25) year storm.
  - (17) Gutter inlets shall be used on all curb and gutter sections (detail attached to ordinance from which this article is derived). Curb inlets shall not be allowed unless approved by the review engineer and Planning Director.
  - (18) Where a subdivision borders on or contains an existing or proposed roadway, it shall be required for access to such street of said subdivision that lots be platted such that the driveway of said lots connects to the proposed street and not the existing Parish street, with exception to minor subdivisions.
- (c) Criteria for accepting existing roads into the Parish maintenance system.
- (1) Must have five (5) residential structures in place fronting said road.
  - (2) Gravel or asphalt roads with open ditches are to have a sixty (60') foot right-of-way, gravel roads with closed drainage are to have a fifty (50') foot right-of-way, and asphalt roads with curb and gutter and subsurface drainage are to have a fifty (50') foot right-of-way.
  - (3) Gravel roads must have a twenty (20') foot surface with three (3") inches washed gravel or crushed limestone. Asphalt roads must meet Parish standards as described in subsection (b) of this Section.
  - (4) Dead-end streets shall have a cul-de-sac or T-turnaround that meets the Parish standards as described in subsection (b)(8) of this Section.
  - (5) Pictures of the road and residential structures must be presented to the full Parish Council.
  - (6) Complete ownership of land and mineral rights within the right-of-way shall be deeded to the Parish. If the mineral rights have been transferred or alienated such as to prevent ownership from vesting in

the Parish, the Council may, in its discretion, refuse to accept such streets into the Parish system.

- (7) Acceptance into the Parish system must be approved by the Parish Council.
- (8) Minimum of one thousand fifty-six (1,056') feet of road length required.
- (9) Property owners must provide to Parish a complete survey of road right-of-way to be dedicated to Parish.

**Section 125-78. - Road base testing required; culvert requirement.**

- (a) The developer shall retain and pay for the services of an independent testing laboratory acceptable to the Parish Council and such testing lab will provide a minimum of the following services along with certified testing and inspection reports to the Parish Council, review engineer, the O/D/S and the O/D/S's project engineer:
  - (1) If the review engineer or testing lab deems it necessary, test the soil to determine the percent of lime.
  - (2) If the review 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 LA 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.
- (b) Developers shall be required to install bituminous coated or reinforced concrete (Class III) culverts in all cross drains under streets and roads.

**Section 125-79. - Final acceptance of streets and improvements.**

The O/D/S must maintain all streets and improvements for a period of eighteen (18) months from acceptance for maintenance period. Before the end of the eighteen (18) month period, a final inspection must be made by the Department of Public Works and the review engineer who recommend to the Parish Council whether or not to accept the streets and improvements into the Parish maintenance system. All repairs including crack sealing must be completed.

**Section 125-80. - Servitudes; rights-of-way.**

- (a) The Parish Council may require the dedication of additional right-of-way when the existing major or secondary street has a width less than the minimum established herein.
- (b) Where a subdivision or development is traversed by a watercourse, drainageway, channel, or stream, there shall be provided a stormwater servitude or drainage right-of-way conforming substantially with the lines of such watercourse, plus be adequate in size (as per Section 125-4) for future drainage purposes.
- (c) The minimum servitude width shall be fifteen (15') feet.
- (d) All street and road rights-of-way shall conform to the widths designated on the major street plan as adopted by the Parish Council and on all subsequent amendments and additions thereto. **The servitude must be a minimum sixty (60') feet in width.** For minor subdivisions, see Section 125-37.
- (e) No subdivider 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 Parish Council of the ownership of the oil, gas or minerals beneath such road or street. In the event any subdivider should do so, the Parish Council is not obligated to accept such road or street for inclusion in the Parish 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.
- (g) Permanent structures, such as fences, portable buildings, sheds, etc., cannot be constructed or placed within servitudes or rights-of-way.
- (h) All subdivision/re-subdivision garden home and multifamily developments consisting of a combined total of thirty (30) lots/units or more, not yet submitted, must include non-wetland, usable and cleared recreational space of a minimum one-fourth (1/4) acre for every thirty (30) lots/units.
- (i) All subdivision/re-subdivision developments consisting of combined total of fifteen (15) lots or more, not yet approved, must include:
  - (1) Curb and gutter with subsurface drainage culverts of the size and specification required shall be designed by the O/D/S project engineer-shall be as required and approved by the review engineer and the Planning Director unless the development meets the following requirements, or it can be shown to the review engineer that such an improvement will not be feasible.

- a. Minimum lot size of thirty-two thousand six hundred seventy (32,670) feet
- b. Minimum lot width of one hundred (100) feet
- c. Sixty foot (60') of right-of-way
- d. Open ditches shall have side slopes of four (4) to one (1)
- e. Density shall not exceed one (1) lot per acre
- (2) Streetlights shall be according to specifications by the utility company.

**Section 125-81. - Provision for subdivision street entrances.**

**(1) *Parish and State roads and highways.***

- a. All subdivisions or subdivision developments, whether with improvements or without improvements, shall meet the following requirements set forth in this section.
- b. When the access to a new subdivision is provided thru an existing subdivision, the number of lots within the existing subdivision shall be added to the number of lots in the proposed subdivision to determine the number of entrances required.
- c. If the cumulative/combined number of lots is between one and one hundred and ninety-nine (199) then one (1) entrance shall be provided.
- d. When the cumulative/combined number of lots is between two hundred (200) and three hundred and ninety-nine (399), two (2) street entrances shall be required.
- e. When the cumulative/combined number of lots is between four hundred (400) and five hundred and ninety-nine (599), three (3) street entrances shall be required.
- f. When the cumulative/combined number of lots exceeds six hundred (600), four (4) street entrances shall be required.
- g. If a four lane (4) boulevard is constructed one (1) required entrance can be eliminated from the requirement as long as the boulevard extends past 200 lots.
- h. All entrances must connect to an approved main road and be at least seventy-five (75) yards apart from each other.
- i. Subdivision covenants shall not be written to discourage or disallow the connection to adjacent properties thru any existing lots or tracts when such connections can be made using good engineering practices.
- j. The arrangement of new public streets in new subdivisions or developments shall make provisions for the continuation of existing streets in adjoining areas on each side of the development, as deemed

necessary by the Parish to promote the development of a good street network. The street arrangement must also be such as to not intentionally cause any hardship to owners of adjoining property when they plat their own land and seek to provide convenient access. In general, provisions should be made for through streets at twenty-five hundred feet (2500') intervals unless otherwise directed or approved by the Parish of Livingston.

- k. Any opportunities to connect to existing streets shall be identified and presented to the Livingston Parish Planning and Zoning Commission during the preliminary meeting for the proposed land development.
- (2) ***Failure to comply.*** Failure to comply will result in denial or forfeiture of approval of Preliminary Subdivision Plans and Final Subdivision Plans by the Planning and Zoning Commission and Planning Department. Any cost incurred as a result of the denial or forfeiture is the sole responsibility of the Developer. Permit(s) will not be issued.
- (3) ***Width requirements.***
- a. Developments with ninety-nine (99) or less lots shall be developed on roads eighteen foot (18') in width or greater.
  - b. Developments with one hundred (100) and over lots shall be developed on roads with a width of twenty foot (20') or greater.
  - c. Developments that do not meet the required road width shall make improvements from the entrance/exit of the development to the nearest state or parish road that meets the eighteen-foot (18') or twenty-foot (20') requirement. All roadway improvements should meet the parish standards outlines in section 125-17 and be approved by the Review Engineer and Planning Director.

**Sections 125-82—125-90. – Reserved.**

## **ARTICLE VII. – DRAINAGE**

### **Section 125-91. - Driveway culverts and/or subsurface drainage.**

- (a) All culverts in subdivisions legally platted and accepted by the Planning and Zoning Commission 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 Parish building permit office. In the division or re-subdivision with improvements, a licensed 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 installed in other areas of the Parish shall be installed pursuant to the procedure mandated by the Parish Department of Public Works.
  - (2) In the division or re-subdivision without improvements on an existing roadway, culverts shall be allowed by either requesting the Parish Department of Public Works to designate the size of the needed culvert and shoot elevations or have a state-licensed civil/registered land surveyor perform the work and submit the information to the Parish permit office for the issuance of a culvert permit.
- (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 without approval from the agency or agencies responsible for the maintenance of the ditch. The agency approval should include a statement that there is no negative impact on the flow of water. 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.
- (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) Parish building permit office.
- (1) Anyone installing culverts in any Parish road/street ditch shall obtain a permit to install culverts from the Parish building permit office. Improper, inadequate or un-permitted installations shall be corrected by the Parish Council and all expenses incurred shall be borne by the property owner.
  - (2) In subdivisions legally platted and approved by the Parish Council, the building contractor or homeowner shall hire a licensed engineer or licensed surveyor to stake in the field the required grade and driveway culvert size. Culvert size is to be determined by licensed engineer as per the recorded plans. After culvert is installed but prior to concrete or asphalt being installed over culvert, building contractor or homeowner shall have a licensed engineer or licensed surveyor return to site to certify size and grade and report same in writing to the permit office, on Form 20-C provided. The permit office will not



authorize the utility company to provide permanent power to the building until driveway culvert grade and size is certified correct.

- (3) The Parish building/permit office is authorized to issue permits to all persons installing subsurface drainage wherein aggregate coated steel, concrete, galvanized or plastic pipe were installed between September 13, 2001, and March 1, 2002, without the need to correct improper and/or inadequate installation as determined by subsection (d)(2) of this Section. This waiver is only limited to the installation of aggregate coated steel, concrete, galvanized or plastic pipe.
- (e) 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.
- (f) Culverts.
  - (1) Driveway culverts and culverts not located under pavement shall be one (1) of the following:
    - a. Reinforced concrete pipe (ASTM C-76, Class III).
    - b. Bituminous coated corrugated steel pipe (Minimum 16 gage).
    - c. Plastic pipe (as approved by LA DOTD QPL List).
  - (2) Pipes located under pavement shall be one (1) of the following:
    - a. Reinforced concrete pipe (ASTM C-76, Class III).
    - b. Bituminous coated corrugated steel pipe (Minimum 14 gage).
  - (3) Pipes not located under pavement for subsurface drainage shall be one (1) of the following:
    - a. Reinforced concrete pipe (ASTM C-76, Class III).
    - b. Bituminous coated corrugated steel pipe (Minimum 14 gage).
    - c. Plastic pipe (as approved by LA DOTD QPL List).
  - (4) 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 a nine (9") 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 O/D/S.

- (g) Gravity Drainage Districts One (1) and Two (2) exceptions within their jurisdiction.
  - (1) Any new installation of subsurface culverts shall be preauthorized by Livingston Parish Gravity Drainage District One (1) or Two (2) and a culvert permit shall be obtained.
  - (2) Permits shall be granted assuming the subsurface culvert improves the overall drainage of the surrounding areas.
  - (3) Any new installation shall be sized by a licensed professional engineer and approved by an engineer representing Livingston Parish Gravity Drainage District One (1) or Two (2).
  - (4) Any new installation shall consist of the following materials only:
    - Polyvinyl Chloride (PVC)
    - Reinforced Concrete (RCP)
    - Polymer Coated Corrugated Metal
      - Uncoated, galvanized steel, and asphalt coated are not approved coatings
  - (5) All installations shall consist of proper bedding material that ensures pipe stability and adheres to standard construction pipe installation practices.
  - (6) All installations shall be inspected prior to trench backfill by an authorized representative of Livingston Parish Gravity Drainage District One (1) or Two (2).
  - (7) Livingston Parish Gravity Drainage District One (1) or Two (2) shall not perform or assist in installing any new subsurface culvert installations for private individuals, commercial entities, etc.
  - (8) Should any of these policies not be met, Livingston Parish Gravity Drainage District One (1) or Two (2) shall issue a cease-and-desist order and/or remove the subsurface culvert and return the jurisdictional waterway to pre-project conditions with or without authorization of the landowner.

**Section 125-92. - Drainage districts.**

- (a) In all areas of development which lie all or in part within a funded drainage district, complete drainage impact studies, when required, shall be submitted to the applicable drainage district in accordance with Section 125-36, 125-51, and 125-67 of this chapter. Any comments must be directed to the O/D/S's project engineer and the review engineer for consideration.

- (b) All costs incurred by the drainage district in the course of their review of any construction/development shall be borne by the O/D/S.
- (c) All fees shall be paid prior to release of approved documents and proof of payment shall be received before final approval of the Planning Department.

**Section 125-93 Drainage Easement Requirements.**

- (a) Purpose and Intent:  
The purpose of this Ordinance is to codify the requirements of drainage easements located within Livingston Parish. The requirements of this ordinance are directed to ensure the proper width easements are in place to allow for maintenance of drainage pipes.
- (b) Applicability  
This ordinance shall apply to any proposed new construction located within Livingston Parish.
- (c) The width of drainage easements shall vary depending on the drainage pipe diameter and the depth of the drainage pipe. The table below specifies the drainage easement widths for drainage pipes.

Pipe Size (diameter or span)	Typical Width of Stormwater Drainage Easement		
	(based on maximum depth from top of ground to pipe invert)		
	<i>Less than 6 feet deep</i>	<i>From 6' to 12' deep</i>	<i>More than 12 feet deep</i>
Less Than 42"	17 feet	22 feet	25 feet
Greater Than 42"	Span + 17 feet	Span + 22 feet	Span + 25 feet

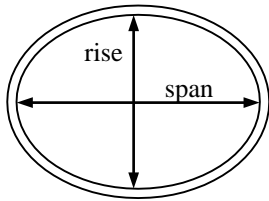
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The centerline of the servitude shall be within 18” of the centerline of the drainage pipe as laid.

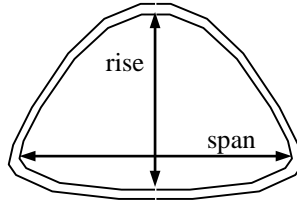
All building line setbacks should be at least five (5) feet from the drainage

easement.

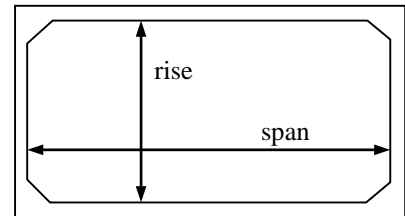
For pipe types which are not circular, the span shall be used to determine minimum easement widths rather than the diameter. The span, defined to be the maximum inside width of a pipe or culvert, shall be used to define drainage easement widths for noncircular shapes.



Elliptical pipe  
culvert



Arch pipe



Precast concrete box

**Sections 125-94—125-105. – Reserved.**

## **ARTICLE VIII. – UTILITIES**

### **Section 125-106. - Utilities.**

- (a) ***Sewerage and water supply.*** Proposed sewerage and water systems must be shown on the construction plans and submitted in accordance with this chapter. The O/D/S must obtain approval from the state department of health and hospitals and/or any other required approval.
- (1) ***Sanitary sewer accessible.*** The subdivider shall connect with the public sanitary sewer and provide adequate sewer lines to the property line of each lot, and for site or tract developments provide additional treatment where existing trunk lines are inadequate.
  - (2) ***Sanitary sewer not accessible.*** Sewage treatment and disposal shall be as follows according to the number and sizes of lots in the subdivision or resubdivisions (the number of lots to be determined by all filings and/or connecting filings of the subdivision):
    - a. Subdivisions having twenty (20) or less lots, each containing sixteen thousand (16,000) square feet or more and with a width of at least eighty (80') feet at building line, may have effluent

from an approved individual mechanical system and absorption bed draining to open effluent ditches.

- b. Subdivisions having twenty-one (21) through thirty (30) lots, each containing thirty thousand (30,000) square feet or more and with a width of at least eighty (80') feet at building line may have effluent from an approved individual mechanical system and absorption bed draining to open effluent ditches.
  - c. Subdivisions having thirty-one (31) or more lots shall have an approved community sewage treatment system.
  - d. Large Lot Subdivisions having ninety (90) lots or less may have effluent from an approved individual mechanical system and absorption bed drainage to open effluent ditches. Should the total number of lots total more than ninety (90) lots the subdivision shall have an approved community sewage treatment system.
- (3) In no event shall the O/D/S fail to meet minimum standards prescribed by the state.
  - (4) Sanitary sewer wet wells shall be coated with a minimum of coal tar epoxy (two (2) coats at ten (10) to twelve (12) mils per coat).
  - (5) O/D/S shall not place sewer treatment facility for development next to existing residential property. Approval shall be at the discretion of the Parish Council.

(b) ***New water lines/fire hydrants.***

- (1) All newly constructed water distribution lines for either new water systems or extensions to existing systems will be designed and constructed in accordance and in conjunction with the utility company providing water service to subdivisions 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 six (6") 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.
- (3) The placement of any form of landscape material, plantings or any type of trash, garbage, junk, vehicles, or any other items is prohibited within a ten (10') foot radius of any fire hydrant or in any such manner that it is not clearly visible or freely accessible by fire or other

emergency personnel. Landscaping materials are exempt if fire hydrant is set in place in existing plantings and/or materials.

- (4) No new fire hydrant shall be placed within a ten (10') foot radius of any existing landscape materials, plantings, or anything else that may cause it to be not readily visible or freely accessible by fire or other emergency personnel. Fire or other emergency personnel or public employees having to remove such items blocking clear visibility or free accessibility in an emergency shall not be liable for any damages caused in their removal.
- (c) **Utilities.** Utilities shall not be situated or located under any Parish road/street ditch or road/street bed except if the utility is located perpendicular to the road/street bed.
- (d) **Plan submission and transmittal letter.** The O/D/S must submit a plan for the water supply and distribution system and sewerage treatment and collection system to the review engineer along with a copy of transmittal letter to utility companies and state/Parish board of health.
- (e) **Public systems.** All inhabited premises and buildings located within three hundred (300') feet of an approved public water supply or wastewater system shall be connected to such supply, provided that the property owner is legally entitled to make such a connection. The Parish President and/or Parish Council may grant permission to use water and wastewater from some other source. This shall apply to new or existing water supplies and wastewater systems and shall include all new or existing inhabited premises, residences and buildings. (The term "public system" means a system owned and/or operated by the Parish or an entity of the Parish such as a water district or sewer district).
- (f) **Penalty for violations.** Each and every day of violations of this Section shall be considered a separate violation bearing a penalty of two hundred fifty dollars (\$250.00) per day of violation.

**Sections 125-107—125-115. – Reserved.**

## **ARTICLE VIII. – CONSTRUCTION**

### **Section 125-116. - Construction.**

- (a) The O/D/S may construct the required improvements after filing two (2) sets of the approved construction plans with the Parish President's office. Prior to construction, written notification is to be given to the Parish President of the O/D/S's intention to proceed with construction; and that an independent

testing laboratory, acceptable to the Parish Department of Public Works, has been employed by the O/D/S for this project.

- (b) The Parish Council has established detailed inspection and testing requirements for each project, the cost of which will be borne by the O/D/S. The Parish inspector shall attach to all approved construction plans a list of required inspections. It is the responsibility of the contractor to notify the Parish inspector to schedule these inspections forty-eight (48) hours prior to proceeding with the work.
- (c) Upon completion, the O/D/S shall notify the Parish President's office, in writing, of the completion of construction and request an inspection to begin the eighteen (18) month maintenance period. Upon a satisfactory inspection, the Parish President shall in turn submit to the O/D/S, in writing, that the construction meets the specifications of the construction plan. Also, to begin the eighteen (18) month maintenance period, an as-built set of plans must be provided to the Parish and the review engineer to include, but not be limited to, the following: roadway and ditch elevations, sewer, water and other utilities.
- (d) For a minimum period of eighteen (18) months after acceptance of the work by the Department of Public Works, the O/D/S shall keep all filled trenches, outfall ditches, pipes, manholes, structures, road ditches, paving, etc., constructed by him in a good condition, making repairs to such defects in materials or workmanship as may develop or be discovered by the Parish inspector. In no event shall the bond be released until all repairs to defects in materials or workmanship are made.
- (e) The O/D/S shall file with the Parish Council an approved surety instrument maintenance bond, securing to the government the satisfactory performance of this work

**Section 125-117. - Construction plans.**

Construction plans for all subdivisions, with improvements, shall be prepared by a civil engineer currently licensed to practice in the state. Said construction plans must be submitted and approved in accordance with this chapter. Construction plans must be made in accordance with the approved preliminary plat, drainage impact study, any other required supplementary materials from requested studies, and in accordance with the design and construction criteria set forth in this chapter. Approval of the construction plans shall be effective for twenty-four (24) months.

**Section 125-118. - Construction procedure.**

- (a) Construction plans, specifications, drainage calculations, etc., must be reviewed by review engineer and approved by the Parish President or Planning Director.
- (b) After the Review Engineer Agency recommends approval, and before the Planning Department approves and gives a permit for construction (Construction Permit is at no cost to owner/developer), there shall be a pre-construction meeting held at the Parish Planning office. The owner, owner's engineer, owner's testing lab and all other parties required by the Parish shall attend said pre-construction meeting.
- (c) It shall be the responsibility of the O/D/S to notify the Parish and the Parish Review Engineer, at a minimum, forty-eight (48) hours prior to beginning any phase of construction so that the review engineer may have a construction observer present for all utility, sub-base, drainage, and roadway work. It will be the owner/developer/contractor's responsibility to pay for such observation services. Should the observer not be notified prior to a work item, that work item will be subject to rejection by the Parish.
- (d) O/D/S to retain and pay for the services of an independent testing laboratory licensed and in good standing in the state of Louisiana.
- (e) Acceptance of construction and improvements by the Parish President or Planning Director.
- (f) The O/D/S shall file with the Livingston Parish Council a surety Instrument (maintenance bond) securing to the Parish government the maintenance of this work for an eighteen (18) month period; however, the bond shall not expire prior to twenty-four (24) months.
- (g) The O/D/S must record in the official records of the clerk of court, the approved final plat and maintenance bond and immediately provide four (4) certified copies of the final plat and one (1) certified copy of the maintenance bond to the Parish Council office.
- (h) Lots may be sold upon completion of steps in subsections (a) through (h) of this Section.
- (i) Building permits for individual lots will not be issued until a certified copy of the final plat accompanied by the FONSI is provided to the building permit office.
- (j) Prior to the building permit office issuing an individual lot building permit, the builder shall retain the services of a licensed land surveyor/engineer to



set the finished floor elevation in flood zone areas and to set driveway culvert elevations.

- (k) Prior to permitted structure being approved for permanent power, the builder shall provide following to building permit office:
  - (1) Flood certificate that certifies finished floor is one (1) foot above the latest one hundred (100) year flood elevation.

**Sections 125-119—125-125. – Reserved.**

**ARTICLE IX. – WETLANDS**

**Section 125-126. – Wetland regulations; prohibited and permitted uses.**

- (a) Total acreage of proposed development shall not include wetlands classified as marsh, swamp, or fens according to the EPA.
- (b) Wetlands classified as marsh, swamp, or fens defined by the EPA shall not be developed or mitigated.
- (c) Exclusions: Minor subdivisions as outlined in Section 125-37 with four (4) lots or less.
- (d) The O/D/S shall supply a Corps of Engineers jurisdictional wetland determination. If any jurisdictional wetlands and/or other waters of the United States exist, within the Parish rights-of-way, utility servitudes, drainage servitudes or any other public servitude located in this subdivision, Corps of Engineer documentation shall be submitted proving said jurisdictional wetlands and/or other waters of the United States have been mitigated or permitted for.

**Sections 125-126—125-130. – Reserved.**

**ARTICLE X. – QUITCLAIMS; REVOCATIONS**

**Section 125-131. Streets, quitclaims, servitude and rights-of-way revocation procedure.**

- (a) ***Application requirements.*** An application must be filed with the Livingston Parish Planning Department to initiate the quitclaim and revocation of any street, servitude or right-of-way dedication that is no longer needed for public purposes.

Said application shall contain the following:

- (1) A cover letter indicating the applicant's full name, mailing address, phone number and the reason and/or purpose for the quitclaim/revocation submission.
  - (2) Letters of no objection shall be obtained by the applicant from all current neighboring property owners and shall contain the names and addresses of those property owners.
  - (3) Letters of no objection shall be obtained from the utility companies located in the area of the quitclaim/revocation submission.
  - (4) Quitclaim/revocation survey map containing the measurements, degrees and bearing calls (legal description), inclusive of the plotting of all utility locations and hatch marks and/or shading of the area to be revoked. Said survey map must be certified by a state registered engineer or land surveyor and stamped with an official seal. Signature lines shall be placed on the survey map for signatures by the Livingston Parish President and/or the Livingston Parish Planning Director.
  - (5) The survey map indicating the area to be revoked (submitted in PDF format), a proposed ordinance and a quitclaim document shall be submitted in digital format (Word format and/or other preferred method of the Livingston Parish Council), in addition to a hard copy.
  - (6) Submission of five hundred dollar (\$500.00) filing fee.
- (b) ***Procedure.*** Upon the acceptable submission of application to the Livingston Parish Planning Department, the request shall be placed on the next available agenda of the Livingston Parish Planning and Zoning Commission

to investigate the propriety and feasibility of the quitclaim/ revocation. A recommendation shall be provided to the Livingston Parish Council by the Livingston Parish Planning and Zoning Commission. The recommendation shall include all application documents received, including required digital copies as stated above. Such recommendation shall be placed on the next available agenda of the Livingston Parish Council.

- (c) Actions by the Livingston Parish Council. Upon being set on the next available agenda, the Livingston Parish Council shall review the recommendations received from the Livingston Parish Planning and Zoning Commission, and may, if it so desires, introduce an ordinance revoking the street, right-of-way or servitude. The date and time of a Public Hearing shall be set and announced on the matter. Said Public Hearing and Notice of Introduction of Ordinance shall be published in the Parish Official Journal and follow the publication requirements of the Livingston Parish Home Rule Charter. Upon the outcome and closure of the Public Hearing, the Livingston Parish Council may adopt or reject the ordinance as it sees fit by majority vote.

The Council clerk shall certify the passage of the adopted ordinance, quitclaim document and survey map and shall present said documentation to the office of the Parish President. The office of the Parish President shall contact the applicant and arrange for the notarization of the quitclaim. Upon receipt of the completion and execution of the adopted ordinance, quitclaim document and survey map, the Council Clerk shall publish the ordinance in the Parish Official Journal. The quitclaim and survey map are to be filed at the Livingston Parish Clerk of Court's office. The costs associated with these actions shall be assumed by the applicant and are to be considered collected within the submission of the Planning Department's five hundred dollar (\$500.00) filing fee. The Livingston Parish Council office will submit the invoices for these actions to Administration to be paid and coded from the hundred dollar (\$500.00) filing fee that has been previously collected by the Planning Department.

**Sections 125-132—125-135. – Reserved.**

## **ARTICLE XI. – VARIANCES**

### **Section 125-136. - Variances.**

Adherence to the provisions of this article is required except for special cases which arise because of the configuration of a particular parcel or to be consistent

with adjoining property or adjoining developments. In no case shall the granting of a variance impair the health, safety, comfort or general welfare of the public.

**Section 125-137. - Prohibitions and restrictions of use.**

- (a) It shall be unlawful for a person to reside in or use as a residence or to rent out to another person a mobile/manufactured home in an established, dedicated and named subdivision or newly developed named subdivision that has been accepted by the Parish previously for the intent of on-site custom built, single-family dwelling homes.
- (b) Exceptions.
  - (1) If the property has been deemed and labeled to be a known "subdivision" and the Subdivision Restrictions allow mobile homes to be placed within the described property, prohibitions and restrictions to place the mobile home are waived.
  - (2) If the property has been deemed and labeled to be a known "subdivision," and does not meet the above criteria, the applicant may appeal to the Livingston Parish Council for a waiver.
  - (3) If approved by a majority vote of the Livingston Parish Council, the applicant, subdivision's name, and property address will be compiled and added to a list to be forwarded to the Livingston Parish Building and Permit Department. If any applicants seek permitting and their property is located within a named subdivision that has been previously added to this list, the applicant will not apply in duplicate for a waiver as previous determination has been made.
  - (4) If an applicant is removing a mobile home currently in existence, to be replaced with another mobile home that is located at the same property location that has been deemed as a "subdivision," prohibitions and restrictions will not apply.

**Section 125-138. - Requirements and procedures for Recreational Vehicles (RV)**

- (a) It shall be unlawful for a person to reside in or use as a residence or to rent out to another person a Recreational Vehicle (RV) outside of a trailer park, mobile home park, or camp site without demonstrated cause for more than one hundred eighty (180) days.

**Section 125-139. - Prohibitions and restrictions of use for Recreational Vehicles (RV)**

- (a) It shall be unlawful for a person to reside in or use as a residence or to rent out to another person recreational vehicle (RV) in an established, dedicated

and named subdivision or newly developed named subdivision that has been accepted by the Parish previously for the intent of on-site custom built, single-family dwelling homes.

**Section 125-140 – Notification Sign Requirement**

- (a) When a development is located on a dead-end road the O/D/S shall place a notification sign following all guidelines set forth in this chapter with the exception of the V-shape formation. The sign may be one-sided.

**Sections 125-141—125-150. – Reserved.**

**ARTICLE XI. – FEES**

**Section 125-151. - Subdivision processing fees schedule.**

- (a) The fees for this Section are or shall be in amounts as established by the Parish Council from time to time and do not include fees for review engineering or any other professional service fee which may be incurred on the part of the Parish in review and/or certification of plans, plats or specifications, inspection and/or analysis of materials, sites or any other services rendered. These services shall be performed to ensure adherence to the subdivision and/or development ordinances of the Parish, and proper planning on behalf of the Parish and its residents.
- (b) These charges shall be invoiced by the review engineer directly to the O/D/S. Invoices shall be due and payable upon receipt, and failure to remit such payment invoiced shall be cause for denial of any and all submission for development, future developments and for the revocation of any and all permits issued for the construction of any such development and/or subdivision.
- (c) The Parish hereby reserves the right to select and direct the individuals and/or firms needed for professional services described herein.
- (d) The fees for this Section are or shall be in amounts as established by the Parish Council from time to time and this Section do not include charges for media advertising as mandated by federal, state or local law or ordinance. Such charges will be invoiced by the Parish directly to the O/D/S. Invoices shall be due and payable upon receipt, and failure to remit such payment invoiced shall be cause for denial of any and all submission for development and for the revocation of any and all permits issued for the construction of any such development and/or subdivision.

**Sections. 125-152—125-175. - Reserved.**

## ARTICLE II. - MOBILE HOME PARKS

### Section 125-176. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning:

**Mobile home park** means more than one (1) mobile home located on the same tract of land occupying such space as required by this article. However, if a landowner makes application with the planning department and meets the requirements of the affidavit attached to the ordinance from which this article is derived and executed, then placement of one (1) mobile home on the same tract of land, excluding the homestead, will be permitted by the planning department. The additional mobile home shall be occupied by a lineal descendant of the landowner. The landowner must subdivide to add any more mobile homes.

**Recreational vehicle (RV):** motorhomes, campervans, coaches, caravans, fifth-wheel trailers, popup campers, truck campers, vacation trailers, travel trailers, pick-up campers, tent trailers, and bus campers. Recreational Vehicles located in a trailer park, mobile home park, or camp site and are intended for occupancy will be permitted through the Livingston Parish Permit Office through regulatory permitting processes.

**Trailer or mobile home**, for the purpose of this chapter, means a vehicle equipped for use as a dwelling that may be hauled or transported along a highway. As such, the mobile home will be duly titled by the appropriate regulatory agency. A mobile home which has been rendered unsuitable for transportation, and which has had its title rescinded, shall not be considered a mobile home. Recreational Vehicles are included in this definition if they are intended for occupancy.

### Section 125-177. - Public notice.

The following signage will be required for subdivisions with improvements. The O/D/S shall erect two (2) signs that will be placed corner to corner in a V-shaped formation that shall each be measured four (4') foot by eight (8') foot. The sign shall be black and white sign with a minimum of four (4") inch-high letters located with no obstructions within five (5') feet of the nearest public right-of-way leading to the original filing, any new additional filing, and any other entrance or road tied to the development for connectivity purposes. The bottom of the sign shall be at least four (4') feet from the ground. Twenty-five (25%) percent of the sign may be

dedicated for advertising purposes and graphics, provided such area is contiguous. The sign shall be erected at least ten (10) days prior to the Planning and Zoning Commission meeting at which the subdivision is to be considered. The sign must remain visible and upright until final approval. Failure to keep the sign visible and upright is cause for project work to be stopped by the Parish and review engineer until the sign is corrected. The developer is responsible for any and all associated costs including attorney fees. The sign shall be titled "A Subdivision Is Proposed For This Site" and shall contain the following information:

- a. Name, address, and working telephone number of the O/D/S.
- b. Name of subdivision or development.
- c. Number of lots.
- d. Number of acres in the development.
- e. Email address.

**Section 125-178. - Procedures for development.**

- (a) All O/D/S of mobile home or trailer parks shall submit a preliminary site plan to the Planning and Zoning Commission for approval. The drainage impact study and construction plans will be submitted to the review engineer for review and approval. Upon receipt of the preliminary site plan, the development will be placed on the Planning and Zoning Commission agenda for a public hearing. After the Planning and Zoning Commission has held a public hearing, it will make a recommendation for approval. Upon approval of the preliminary site plan, the drainage impact study and construction plans may be submitted to the planning department and review engineer for review and approval. When the drainage impact study, construction plans and final site plan are approved, the site construction may begin. Certificate of occupancy may not be given unless an on-site inspection of the site has been made by representatives of the Parish and approval by the planning department. Approval to construct the project shall expire after twelve (12) months unless extended by the Parish Council.
- (b) Prior to the filing of an application for approval of the preliminary plat, a representative is required to have an informal discussion with the Planning and Zoning Commission's review engineer and other Parish staff and officials deemed appropriate in an effort to resolve technical matters regarding the proposed subdivision prior to consideration by the Planning and Zoning Commission.
- (c) No mobile home parks shall be developed until owners or developers secure approval from the Parish health unit or the state department of health and hospitals of the method of sewage treatment and disposal and of the public

water supply. Each shall be constructed in accordance with the following minimum standards:

- (1) Individual mobile home or trailer sites may be leased or rented, but not subdivided or sold. No mobile home shall be moved into a mobile home park until all construction and related road, drainage and utility work are complete, and the final site plan is approved by the Planning and Zoning Commission and Parish Council.
- (2) A minimum of three (3) acres is required for each trailer or mobile home park, with a minimum frontage of two hundred (200') feet, located on a publicly-maintained street or road.
- (3) Maximum density would be seven point five (7.5) mobile home sites per acre.
- (4) Access to each mobile home site shall be provided by twenty-four (24') foot wide private drives located within private servitudes of access having a minimum width of fifty (50') feet. Minimum improvement requirements for private drives within the mobile home park shall be thirty (30') feet roadway with an eight and one-half (8 1/2) inch base as specified by the Parish Council and a twenty-four (24') foot wide, two (2") inch thick hot asphaltic concrete, crushed concrete, or limestone surface. A protective apron shall be required at the entrance to any site equal to the radius of the driveway or equal to the depth of the servitude, whichever is greater.
- (5) Where only one (1) drive is to be provided, each mobile home park shall include Cul-de-sacs (turnarounds) shall have a minimum outside *turning* radius of fifty-five (55') feet, with a minimum inside *turning* radius of thirty-five (35') feet. Width in the turnarounds shall have a minimum width of twenty (20') feet. Permanent *T*-turnarounds may be used. The *T*-turnaround shall have a minimum width of twenty (20') feet and a minimum length of eighty (80') feet.
- (6) Each trailer or mobile home shall be set on solid concrete, crushed concrete, or limestone footings of a minimum of four (4") inches thick and have a four (4") inch thick, eighteen (18') foot by twenty-four (24') foot solid concrete, crushed concrete, or limestone parking area, to be measured from the back of the curb or edge of surface at the front of the site.



- (7) Garbage hoppers with a minimum capacity of point five (0.5) cubic yards per family per week must be provided and must be enclosed with a six (6') foot solid fence.
- (8) Each mobile home site shall be provided with a sanitary sewer connection, and each mobile home park shall be provided with a collection and treatment system and public water supply in compliance with the standards of the state health department.
- (9) Any mobile home park developed under these standards shall provide a solid wood or metal fence at least eight (8') feet high along all side and rear property lines of said mobile home park.
- (10) All mobile homes shall be required to have on all sides at the base of the unit, a skirting or a rigid-type material specific to trailers.
- (11) Utilities. Refer to Section 125-06.
- (12) A minimum of one (1) streetlight for every three (3) lots shall be provided along the private drives within the mobile home park, as dictated by the illumination design.
- (13) Before the site plan is submitted to the Planning and Zoning Commission for review and approval, the developer and his consulting engineer must meet with the Parish engineer, a representative of the Department of Public Works and the Planning Director and staff for a pre-application meeting. Prior to the issuance of a permit for a mobile home park, the site plan shall be subject to a public hearing held by the Planning and Zoning Commission with the Planning and Zoning Commission staff mailing notices by certified mail to the adjacent property owners. The site plan shall be reviewed by the Department of Public Works, the chief of the fire department responsible for providing fire protection services and the Parish engineer prior to the Planning and Zoning Commission public hearing. After approval of the site plan by the Planning and Zoning Commission, the construction plans shall be reviewed and approved by the Department of Public Works and the Parish engineer. With the submittal of the construction plans, the wetlands determination, delineation and permit shall also be submitted. Construction of the improvements shall be reviewed and inspected by the Parish engineer and the Department of Public Works.

- (14) Prior to issuance of a permit for a mobile home park, the plan of the proposed development shall be placed on the Planning and Zoning Commission's agenda. After consideration by the Planning and Zoning Commission, the Planning and Zoning Commission's recommendation will be submitted to the Parish Council for approval. Plans shall be reviewed by the review engineer prior to said hearing.
- (15) Sewer treatment plant has been completed, and written approval from the Department of Health and Human Resources of the state has been obtained.
- (16) FEMA elevation requirements for a trailer on each rental site shall be of a permanent material and attached to a service pole or concrete monument.
- (17) Form 20-D. This form shall only be used as a checklist. For further details on the items addressed in the checklist, refer to the requirements of the subdivision regulations. This form must accompany the preliminary site plan submittal.

**Section 125-179. – Road width requirements.**

- a. Developments with ninety-nine (99) or less lots shall be developed on roads eighteen foot (18') in width or greater.
- b. Developments with one hundred (100) and over lots shall be developed on roads with a width of twenty foot (20') or greater.
- c. Developments that do not meet the required road width shall make improvements from the entrance/exit of the development to the nearest state or parish road that meets the eighteen-foot (18') or twenty-foot (20') requirement. All roadway improvements should meet the parish standards outlines in section 125-77 and be approved by the Review Engineer and Planning Director.

**Section 125-180. - Mobile home park submittals.**

- (a) Preliminary site plan. The preliminary site plan shall be submitted in accordance with Section 125-51, and 125-67 (preliminary plat) of this chapter. Any alterations made by the O/D/S after approval of the preliminary plat shall be submitted to the Planning Director and reviewed by the Planning and Zoning Commission.
- (b) Drainage impact study. The drainage impact study shall be submitted in accordance with Section 125-51, and 125-67 (drainage impact study).

- (c) Construction plans. One (1) set of the construction plans must be submitted to the Planning and Zoning Commission, review engineer, applicable sewer district, and applicable drainage district at least on the eighth (8<sup>th</sup>) day of the month prior to the Planning and Zoning Commission meeting.
- (d) Twelve (12) copies and one (1) eleven (11") inch by seventeen (17") inch copy of the final site plan must be submitted to the Planning and Zoning Commission and one (1) copy must be sent to the review engineer.
- (e) School Impact Study.

**Sections. 125-181—125-200. – Reserved.**

**Chapter 126 Commercial Development.**

**Section 126-1. – Definitions.**

*Commercial development* means any proposed development that has a proposed use as institutional, religious, commercial, and industrial (schools, hospitals, manufacturing plants, shopping centers, churches, R.V. parks, motels, hotels, and rental property, etc.).

*O/D/S* means owner/developer/subdivider.

*Recreational vehicle (RV)*: motorhomes, campervans, coaches, caravans, fifth-wheel trailers, popup campers, truck campers, vacation trailers, travel trailers, pick-up campers, tent trailers, and bus campers. Recreational Vehicles located in a trailer park, mobile home park, or camp site and are intended for occupancy will be permitted through the Livingston Parish Permit Office through regulatory permitting processes.

*Review engineer* means a licensed civil engineering firm appointed to review technical documents and advise the Planning and Zoning Commission.

*Submittal* means the date the Planning and Zoning commission votes to approve or disapprove the project.

**Section 126-2. - Generally.**

Prior to the filing of an application for consideration by the Parish, a representative for the developer is required to have an informal discussion with the Planning Director, Parish Review Engineer and Parish staff and officials deemed appropriate, in an effort to resolve technical matters regarding the proposed development prior to setting the public hearing for the proposed development at the Planning and Zoning Commission.

All developers of institutional, hotel, motel, R.V., rental property, religious, commercial and industrial developments (schools, hospitals, manufacturing plants, shopping centers, etc.), are required to prepare a preliminary site plan (pavement section, grading, proposed drainage, method of sewerage disposal, etc.) of proposed improvements to submit to the planning department for public hearing. At the discretion of the Planning Director, Parish Council, or Parish President a pre-construction meeting may be required for commercial developments.

Upon receipt of the preliminary site plan the development will be placed on the Planning Commission agenda for a public hearing. After the Planning and Zoning Commission has held a public hearing and all applicable studies are submitted and all comments from the Parish Review Engineer are addressed the Planning and Zoning Commission will approve or disapprove. Once approved, the construction plans may be submitted to the review engineer and the planning department for review and approval. When the construction plans and/or a final site plan are approved, the site construction may begin. Certificate of occupancy may not be given unless an on-site inspection of the site has been made by representatives of the Parish and approved by the planning department. Approval to construct the project shall expire after twelve (12) months unless extended by the Parish Council. The drainage impact study shall expire twenty-four (24) months after the date it is approved.

### **Section 126-3. - Commercial development notifications.**

The following signage will be required for commercial development. The O/D/S shall erect two (2) signs that will be placed corner to corner in a V-shaped formation that shall each be measured four (4') foot by eight (8') foot black and white sign with a minimum of four (4") inch-high letters located with no obstructions within five (5') feet of the nearest public right-of-way leading to the original filing, any new additional filing, and any other entrance or road tied to the development for connectivity purposes. The bottom of the sign shall be at least four (4') feet from the ground. Twenty-five (25%) percent of the sign may be dedicated for advertising purposes and graphics, provided such area is contiguous. The sign shall be erected at least ten (10) days prior to the Planning Commission meeting at which the public hearing is set for the development. The sign must remain visible and upright throughout the construction phase. Failure to keep the sign visible and upright is cause for project work to be stopped by the Parish until the sign is corrected. The developer is responsible for any and all associated costs including attorney fees. The sign shall be titled "A Commercial Development Is Proposed For This Site" and shall contain the following information:

- a. Name, address and working telephone number of the O/D/S.
- b. Name of Commercial Development or development.
- c. Number of lots.
- d. Number of acres in the development.
- e. Email Address.

### **Section 126-4. - Commercial development submittals.**

- (a) The following plans and impact studies must be submitted to the Parish Planning department and the review engineer's office with all comments addressed by the eighteenth (18th) day of the month prior to the Planning Commission meeting, in order for the development to be placed on the Planning Commission agenda for consideration:
  - (1) Construction plans and/or site plan. Any alterations made by the O/D/S after approval of the site plan shall be submitted to the Planning Director and reviewed by the Planning commission.
  - (2) Drainage impact study. In accordance with Section 125-26.
  - (3) Traffic impact study. In accordance with Section 125-20.

- (b) Proposed construction located in a Parish fire district must submit a copy of the construction plans showing detailed drawings for the proposed commercial development at the same time as other required submittals.

Construction plans should be submitted to all applicable districts (fire, water, sewer, drainage, etc.) for review and approval.

**Section 126-5. – Driveways and parking.**

Driveways and parking areas must follow:

- a. The Americans with Disabilities Act (ADA) guidelines and regulations for businesses
- b. The State of Louisiana Fire Marshal guidelines for emergency vehicles
- c. The apron and/or buffer standards that the Louisiana Department of Transportation and Development (DOTD) requires for roads that connect to a state highway.
- d. The above requirements from the Louisiana Department of Transportation and Development (DOTD) are also mandated for a parking lot leading onto a Parish road.

**Section 126-6. – Change in Use.**

Any change in usage of Commercial property shall be submitted to show proposed usage to the Review Engineer and Planning Director for approval. Parish Council, Parish, President, Planning Director may enforce eight (8') feet high solid fence.

**Section 126-7. – RV Parks.**

R.V. Parks shall have a minimum of 20'X40' lot sizes. Permanent residence shall not be allowed in R. V. Parks. PRIOR to the filing of an application for consideration by the parish, a representative(s) for the developer is REQUIRED to have an informal discussion with the Planning Director, Parish Review Engineer and Parish Staff and Officials deemed appropriate in an effort to resolve technical matters regarding the proposed development prior to consideration by the Planning Commission.

Additions or modifications to existing commercial developments may qualify for an exemption from the requirement for preparing a drainage impact study under Section 125-24 administratively upon recommendation of the Parish Review engineer.

Additions or modifications to existing commercial developments may qualify for an exemption from the required traffic impact study under Section 125-20 administratively upon recommendation of the Parish Review engineer.

**Section 126-8. - Commercial development buffer zones.**

- (a) A minimum of twenty-five (25') foot buffer zone shall be established and maintained between conflicting uses caused by the location of any new institutional, commercial, industrial developments or public project adjacent to the property being used for residential purposes unless approved by the Parish Council. No building or permanent structure shall be located within this buffer zone. The buffer zone may be used for parking, underground utilities, drainage, green area (landscaping and planting) and access.
- (b) The buffer zone shall be established and maintained by the owner of the property on which the new institutional, commercial, industrial developments or public project is established.

- (c) The buffer zone shall consist of an eight (8') foot-high solid wood, brick or masonry fence between the residential and commercial, industrial, multifamily, religious, educational, institutional or public property lines.

**Section 126-9. – Building lines.**

- (a) The required minimum building line setbacks are:

- (1) Front yard: twenty-five (25') feet;
- (2) Rear yard: twenty (20') feet;
- (3) Side yard: A lot width of sixty-five (65') feet or less shall have a six (6') foot setback.

A lot width of more than sixty-five (65') feet shall have seven (7') foot setback.

- (b) Corner lots shall have extra width to permit appropriate building setback from and orientation to both streets.

**Section 126-10. - Commercial development duties and responsibilities.**

- a. All commercial development landowners are responsible for the construction, repairs, and maintenance of their drainage and fences.
- b. Should any commercial development landowners not maintain their drainage and/or fence, Livingston Parish Council and/or the Gravity Drainage District shall have access with or without the landowner's authorization to perform maintenance on any issue that their drainage and/or fence is causing.

**Section 126-11 Waivers**

- 1) If a waiver is requested by the O/D/S, the Planning and Zoning Commission shall make a recommendation to the Parish Council.

**Section 126-12 Clearing and grubbing**

- a) The Drainage Impact Study shall be approved before any clearing of property. Removal of bushes, shrubs and small trees under eight (8") inches shall be allowed.
- b) Approved erosion control measures must be installed prior to the commencement of the clearing and grubbing.

**Sections. 126-13– 126-15 Reserved.**

**Chapter 127- MULTIFAMILY DEVELOPMENT**

**Section 127-1 Definitions.**

*Condominium* means a building or group of buildings in which units are owned individually and the structure, common areas, and facilities are owned by all owners on a proportional,

undivided basis. It is a legal form of ownership of real estate and not a specific building type or style. A condominium is a form of multifamily development as set forth in this Section.

**Multifamily development** means any proposed development that has a proposed use of two (2) or more living units and shall include duplexes, apartment houses, townhouses and condominiums with a density of eight (8) units per acre.

**O/D/S** means owner/developer/subdivider.

**Review engineer** means a licensed civil engineering firm appointed to review technical documents and advise the Planning and Zoning Commission.

**Submittal** means the date the Planning and Zoning commission votes to approve or disapprove the project.

**Townhouse** means an attached, privately-owned single-family dwelling unit which is a part of, and, adjacent to other similarly owned single-family dwelling units that are connected to but separated from one another by a common party fire wall having no doors, windows, or other provisions for human passage or visibility. The rear yard of a townhome is enclosed by a privacy fence. A townhouse is a form of multifamily development as set forth in this Section.

### **Section 127-2. Generally.**

- (a) Prior to the filing of an application for consideration by the Parish, a representative for the developer is required to have an informal discussion with the Planning Director, Parish review engineer and Parish staff and officials deemed appropriate, in an effort to resolve technical matters regarding the proposed development prior to setting the public hearing for the proposed development at the Planning and Zoning Commission. At the discretion of the Planning Director, Parish Council, or Parish President a pre-construction meeting may be required for multi-family developments.
- (b) All developers of multifamily developments are required to prepare a preliminary site plan (pavement section, grading, proposed drainage, method of sewerage disposal, etc.) of proposed improvements to the Planning and Zoning Commission for public hearing.
- (c) Upon receipt of the construction plans or site plan, drainage impact study and traffic impact study, with all review comments addressed, the development will be placed on the Planning and Zoning Commission agenda for approval. When the construction plans and/or a final site plan are approved, the site construction may begin. Certificate of occupancy may not be given unless an on-site inspection of the site has been made by representatives of the Parish and approved by the planning department. Approval to construct the project shall expire after twelve (12) months unless extended by the Parish Council. The drainage impact study shall expire twenty-four (24) months after the date it is approved.

### **Section 127-3. - Multifamily development submittals.**

- (a) The following plans and impact studies must be received by the Parish planning department and the review engineer's office and all comments addressed by the eighteenth (18th) day of the month for plans prior to the Planning and Zoning Commission meeting in order for the development to be placed on the Planning and Zoning Commission agenda for consideration.

- (1) Preliminary site plan. Any alterations made by the O/D/S after approval of the preliminary site plan shall be submitted to the Planning Director and reviewed by the Planning and Zoning Commission.
  - (2) Drainage Impact Study.
  - (3) Traffic Impact Study.
  - (4) School Impact Study.
  - (5) Fire Protection Review.
- (b) Proposed construction located in a Parish fire district must submit a copy of the preliminary site plan and construction plans showing detailed drawings for the proposed commercial development at the same time as other required submittals.

**Section 127-4. - Multifamily development buffer zones.**

- (a) A minimum of twenty-five (25') foot buffer zone shall be established and maintained between conflicting uses caused by the location of a new multifamily development adjacent to the property being used for residential purposes or as approved by the Parish Council. No building or permanent structure shall be located within this buffer zone. The buffer zone may be used for parking, underground utilities, drainage, green area (landscaping and planting) and access.
- (b) For multi-story units, the buffer zone shall be a minimum of fifty (50') feet for all sides.
- (c) The buffer zone shall be established and maintained by the owner of the property on which the new multifamily development is established.
- (d) The buffer zone shall also have an eight (8') foot-high solid wood, brick or masonry fence between the residential and multifamily development.
- (e) The eight (8') foot fence requirements may be waived if all adjacent landowners to the required buffer zone submit a notarized letter of no objection on a single-floor, multifamily development only. All multi-story family units shall adhere to the fifty (50') foot buffer zone and eight (8') foot fence requirements.

**Section 127-5. - Multifamily development notifications.**

The following signage will be required for multifamily development. The O/D/S shall erect two (2) signs that will be placed corner to corner in a V-shaped formation that shall each be measured four (4') foot by eight (8') foot black and white sign with a minimum of four (4") inch-high letters located with no obstructions within five (5') feet of the nearest public right-of-way leading to the original filing, any new additional filing, and any other entrance or road tied to the development for connectivity purposes. The bottom of the sign shall be at least four (4') feet from the ground. Twenty-five (25%) percent of the sign may be dedicated for advertising purposes and graphics, provided such area is contiguous. The sign shall be erected at least ten (10) days prior to the Planning and Zoning Commission meeting at which the development goes for public hearing. The sign must remain visible and upright throughout the construction phase. Failure to keep the sign visible and upright is cause for project work to be stopped by the Parish until the sign is corrected. The developer is responsible for any and all associated costs including attorney fees. The sign shall be titled "A Subdivision Is Proposed For This Site" and shall contain the following information:



- a. Name, address and working telephone number of the O/D/S.
- b. Name of subdivision or development.
- c. Number of lots.
- d. Number of acres in the development.
- e. Email Address.

**Section 127-6. - Multifamily development parking and drives.**

The developer shall provide a minimum of two (2) parking spaces per living unit. For developments consisting of a combined total of twenty (20) units or more not yet approved, must include one (1) guest parking space for every three (3) multifamily units. All parking and drives shall be concrete.

**Section 127-7 – Waivers**

- 1) If a waiver is requested by the O/D/S, the Planning and Zoning Commission shall make a recommendation to the Parish Council.

**Section 127-8 Width Requirements**

- a. Developments with ninety-nine (99) or less units shall be developed on roads eighteen foot (18’) in width or greater.
- b. Developments with one hundred (100) and over units shall be developed on roads with a width of twenty foot (20’) or greater.
- c. Developments that do not meet the required road width shall make improvements from the entrance/exit of the development to the nearest state or parish road that meets the eighteen-foot (18’) or twenty-foot (20’) requirement. All roadway improvements should meet the parish standards outlined in section **125-77** and be approved by the Review Engineer and Planning Director.

**Section 127-9 Clearing and grubbing**

- a. **The Drainage Impact Study shall be approved before any clearing of property. Removal of bushes, shrubs and small trees under eight (8”) inches shall be allowed.**
- b. **Approved erosion control measures must be installed prior to the commencement of the clearing and grubbing.**

**Section 127-10 – 127-15. Reserved**

## Chapter 130 - TELECOMMUNICATIONS

### Sec. 130-1. - Regulation of telecommunication towers.

All telecommunication towers shall adhere to the following regulations:

- (1) Prior to the issuance of any building or electrical permit, a site development plan, including a horizontal and birds-eye view of proposed construction which should depict the items shown below, shall be presented to the permit office for approval:
  - a. Type of structure (guyed tower, self-support, or monopole).
  - b. Height of the structure.
  - c. Setback from the perimeter of the tower or monopole to any residence or commercial development, as defined in Article III, "Commercial Developments", Section 125-78,"Generally", within a distance equal to one hundred (100%) percent of the height of the tower plus thirty (30') feet.
  - d. Setbacks from the perimeter of the tower or monopole to any adjacent property lines within a distance equal to one hundred (100%) percent of the height of the tower plus thirty (30') feet.
  - e. Vicinity map showing five hundred (500') foot radius.
  - f. Location and configuration of all accessory buildings and/or external equipment cabinets.
  - g. Paving and curb cuts.
  - h. Fencing and proposed landscaping.
  - i. Submission of drainage impact study to Planning Commission engineer for review. No permit shall be issued until all fees for review of said drainage impact study, due and payable by the company requesting a permit, are received.
  - j. Single use monopole towers constructed to a height of one hundred (100') feet or less are to a constructed minimum of one hundred feet (100') feet from a residence of structure.
- (2) All sites shall have a lease and or title with legal description tied by metes and bounds to a government section corner.
- (3) All elevations shall be based on the flood insurance rate maps.
- (4) Construction plans shall be stamped by an independent registered civil engineer, not an employee of the tower or communication company.
- (5) A statement from the same civil engineer shall be submitted with the plans, which through rational engineering analysis certifies that the tower is designed to withstand winds in accordance with ANS/EIA/TIA 222, latest revision, standards; and describes the tower's capacity, including an example of the number and type of antennas it can accommodate. No tower shall be permitted to exceed its loading capacity. For all towers attached to existing structures, the statement shall include certification that the structure can support the load superimposed from the tower. All towers shall have the capacity to permit multiple users; at a minimum, monopole towers shall be able to accommodate two (2) users, and at a minimum, self-support/lattice or guyed towers shall be able to accommodate three (3) users.

- (6) Before a permit for permanent power shall be issued, a letter from the engineer who stamped the construction plans must be submitted to the permit office, stating that the structure was built according to the plans.
- (7) The height of a telecommunications tower shall not exceed four hundred fifty (450') feet. Tower height shall be measured from the base of the tower.
- (8) Monopole, lattice or guyed telecommunication towers shall not be located within seven hundred fifty (750') feet of any existing monopole, lattice or guyed telecommunication tower.
- (9) Equipment storage and/or any structures on the site shall have a building permit from the Parish permit office and conform to all building codes and FEMA requirements.
- (10) Mobile or immobile equipment not used in direct support of a tower, or in the housing of equipment needed to operate the tower, shall not be stored or parked on the site, unless new construction or repairs are being made.
- (11) Removal of abandoned or unused facilities. All abandoned or unused telecommunication tower facilities shall be removed by tower owner/operator within ninety (90) days of the cessation of use, unless ownership and use thereof has been discontinued for one hundred eighty (180) consecutive days. Telecommunications towers being utilized for other purposes, including, but not limited to, light standards and power poles, may be exempt from this provision.
- (12) The use of any portion of a tower for signs or advertising purposes, including company name, banners, streamers, etc., shall be strictly prohibited, except as required by any federal agency.
- (13) Towers or monopoles shall be constructed of galvanized or unpainted metal or shall be painted in neutral colors, designed to blend into the surrounding environment, except as required by any federal agency.
- (14) Each application, to allow construction of a telecommunication tower, shall include a statement that the construction and placement of the tower:
  - a. Is in compliance with Federal Aviation Administration (FAA) regulations.
  - b. Is in compliance with the rules and regulations of other federal or state agencies that may regulate telecommunication tower siting, design and construction.
  - c. Is in compliance with current radio frequency emissions standards of the Federal Communications Commission.
  - d. Will not unnecessarily interfere with public safety communications and the usual customary transmission or reception of radio and television service enjoyed by adjacent residential and nonresidential properties.
- (15) Notwithstanding the above provisions of this Section, antennas shall be permitted to be placed on existing towers or structures with sufficient loading capacity. A permit shall be obtained from the permit office prior to commencing construction. The permit application shall include a site plan which depicts all proposed ancillary buildings and equipment cabinets. The permit fee for placing antennas on existing towers or other structures shall be in an amount as established by the Parish Council from time to time.

- (16) Notwithstanding the above provisions of this Section, towers in existence as of December 1, 1997, may be replaced with a tower of equal or less visual impact after approval and permit is issued by the permit office.
- (17) Approved telecommunication towers may be transferred to successor and assigns of the approved party, subject to all of the conditions which apply to initial approval.
- (18) Fees for communication tower construction shall be in an amount as established by the Parish Council from time to time and shall be collected by the permit office.
- (19) No tower shall be constructed within a horizontal distance equal to the tower height, plus thirty (30') feet, from an existing residential structure, or commercial developments as defined in Article III, "Commercial Developments", Section 125-78, "Generally".
- (20) Any application requiring a deviation from the above referenced provisions may be considered and granted by the Parish Council if good reason therefor is demonstrated by the applicant.
- (21) No tower shall be constructed within a horizontal distance equal to one hundred (100%) percent of the tower height, plus thirty (30') feet, from adjacent property lines.
- (22) Testing/inspection procedures:
  - a. All telecommunication towers constructed within the unincorporated areas of the Parish shall require visual inspection and observation by Parish inspectors of the materials and procedures used by the contractor with certification from an independent testing lab. All fees and expenses associated with testing lab shall be borne by the permit applicant. Records of independent testing lab are to be submitted promptly to the Parish.
  - b. Depending upon the nature and location of the tower, the Parish may, at its discretion, require additional inspections and certification from independent testing lab.
  - c. All testing labs and engineers participating in the tower construction shall be approved by the Parish.
  - d. Contractor is to notify the Parish at least forty-eight (48) hours in advance of the pouring of concrete structures.
- (23) Fees. Fees for visual inspection and observation of tower construction by the Parish shall be charged per tower site and in amounts as established by the Parish Council from time to time.
- (24) Public notification. Upon submission of application to the Parish for construction of a telecommunication tower, the following signage shall be required. There shall be two (2) signs posted that will be placed corner to corner, in a V-shaped formation that shall each be measured four (4') foot by eight (8') foot. Such signage shall be posted in black and white, with no obstructions, within five (5') feet of the nearest public right-of-way leading to the proposed site. The bottom of the signage shall be at least four (4') feet from the ground. The heading of the signage shall read "PUBLIC NOTICE" written in six (6) inch letters. The remainder of the signage shall be written in four (4") inch letters and include the words "Construction of a Telecommunication Tower is Proposed for this Site"
- (25) Permit denial/appeal. The Parish President or designated staff have the right to require additional information or documentation as deemed necessary and may deny the issuance of a permit in the interest of the health, safety and general welfare of the population of the Parish.

Any persons so denied a permit may appeal the denial to the Parish Council at a regularly scheduled meeting.

**CONFLICTING PROVISIONS REPEALED**

**SEC. 13-70.** All ordinances or regulations or parts of ordinances or regulations in conflict with any of the provisions of these regulations are hereby repealed.

**SEVERABILITY**

**SEC. 13-71.** 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.

**EFFECTIVE DATE**

**SEC. 13-72.** This ordinance shall take effect immediately upon its adoption.

\* \* \* \* \*

# **AMENDMENTS:**

## **LICENSES AND BUSINESS REGULAIONS**

### **ARTICLE III. PUBLIC AMUSEMENTS**

#### **DIVISION 1.**

#### **REGULATIONS OF OUTDOOR SHOOTING RANGE FACILITIES**

##### **SECTION 9-32 PURPOSE**

This Shooting Range Ordinance (this “Ordinance”) is intended to regulate the establishment and operation of Outdoor Shooting Range Facilities. Due to their potential noise impacts and safety concerns, Shooting Range Facilities merit careful review to minimize adverse effects on adjoining properties. This ordinance does not otherwise apply to the general discharge of Firearms or the use of bows and arrows in accordance with all other applicable laws or regulations. This ordinance shall not include incidental Target practice areas on private property.

##### **SECTION 9-33 INTENT**

It is the intent of this Ordinance to accomplish the following:

##### **A) PERMITTING, REGISTRATION, AND COMPLIANCE**

Outdoor Shooting Range Facilities shall only be established and operated in accordance with a valid permit issued by the Parish of Livingston.

##### **B) SHOT CONTAINMENT**

Each Outdoor Shooting Range Facility shall be designed to contain the bullets, shot, and ricochets of same discharged at or within the Shooting Range Facility.

##### **C) NOISE MITIGATION**

Each Outdoor Shooting Range Facility shall be designed to minimize off-site noise impacts generated by the activities conducted on the Shooting Range Facility.

##### **SECTION 9-34 DEFINITIONS**

As used in this Ordinance, the following terms shall have the respective meanings ascribed to them:

**dB<sub>A</sub>:** The sound pressure level, in decibels, as measured on a precision sound level meter on the A-weighted scale.

**EPA Lead Management Guidelines:** Shall mean, at any given time, the latest edition of the United States Environmental Protection Agency's Best Management Practices for Lead at Outdoor Shooting Ranges.

**Firearm(s):** A weapon, including but not limited to pistols, rifles, and shotguns, capable of firing a projectile using an explosive charge as a propellant.

**NRA Range Source Book:** Shall mean, at any given time, the latest edition of The Range Source Book, as published by the National Rifle Association.

**Occupied Dwelling(s):** Shall mean any public, residential or commercial structure which is legally occupied by one or more persons.

**Person(s):** Any individual, corporation, association, club, firm, or partnership.

**Outdoor Shooting Range(s):** An area designed and improved to encompass shooting stations or firing lines, Target areas, berms and baffles, and other related components.

**Outdoor Shooting Range Facility(ies):** A public or private facility, including individual Shooting Ranges, safety fans or Shotfall Zones, Structures, parking areas, and other associated improvements, designed for the purpose of providing a place for the discharge of various types of Firearms; provided, however, that a Shooting Range Facility shall not include incidental Target practice areas on private property.

**Shotfall Zone(s):** An area within which the shot or pellets contained in a shotgun shell typically fall.

**Structure(s):** A walled and roofed building that is principally above ground or any other permanent, manmade facilities.

**Surface Danger Zone:** Any area that may reasonably expect projectile impact resulting from direct fire, including misdirected and accidental discharges, and ricochets from any Firearm, which takes into consideration all mitigation efforts as submitted by the applicant and determined by a Professional Engineer registered in the State of Louisiana.

**Target(s):** Any object or area which is used as the intended recipient of the projectiles fired from a Firearm.

**Parish:** Parish of Livingston

## **SECTION 9-35      APPLICABILITY**

This Ordinance is applicable to all existing and future Outdoor Shooting Range Facilities in the Parish.

## **SECTION 9-36      PERFORMANCE STANDARDS**

The following performance standards shall apply to all Outdoor Shooting Range Facilities in the Parish:

### **A) SHOT CONTAINMENT**

Outdoor Shooting Range Facilities shall be designed to contain all of the bullets, shot or other projectiles or any other debris within the Shooting Range Facility.

### **B) NOISE MITIGATION**

The Parish may implement noise level standards at the property lines and nearest occupied dwellings.

## **SECTION 9-37 DEVELOPMENT REQUIREMENTS**

### **A) MINIMUM DESIGN REQUIREMENTS**

Where not otherwise specified within this Ordinance, Outdoor Shooting Range Facilities shall meet or exceed the design standards for general and utility type of range specified by the NRA Range Source Book and as required by other regulatory agencies as they may apply.

### **B) SETBACKS**

All shooting stations and Targets on an Outdoor Shooting Range Facility shall be located a minimum of three hundred (300) feet from any property line. The Surface Danger Zone shall be contained within the property boundary line.

### **C) WARNING SIGNS**

Warning signs meeting or exceeding the standards set forth in the NRA Range Source Book shall be posted at one hundred-foot intervals along the entire perimeter of the Outdoor Shooting Range and along the entire perimeter of the property lines in the same intervals.

### **D) DISTANCE FROM OCCUPIED DWELLING**

All shooting stations, Targets, and firing lines shall be located at least one-half (1/2) mile (two thousand six hundred forty (2,640) feet) from any existing Occupied Dwelling.

### **E) ACCESS TO SHOOTING RANGE FACILITY**

Access to the Shooting Range Facility and Shooting Range shall be secured and controlled during those operating hours established in Section 9-38(c).

## **SECTION 9-38 OPERATIONAL REQUIREMENTS**

### **A) MAINTENANCE**

Where not otherwise specified within this Ordinance, Outdoor Shooting Range Facilities shall be operated and maintained in a manner that shall meet or exceed the standards specified in the NRA Range Source Book.

### **B) BEST MANAGEMENT PRACTICES**

Outdoor Shooting Range Facilities shall provide a plan outlining its best management practices relating to lead management. Said plan shall meet or exceed the standards set forth in the EPA Lead Management Guidelines.

### **C) HOURS OF OPERATION**

Outdoor Shooting Range Facilities shall be allowed to operate between 8:00 a.m. to one-half hour before sunset Monday through Sunday.



**SECTION 9-39 PROCEDURE FOR SECURING APPROVAL FOR OUTDOOR SHOOTING RANGES**

The legal property owner(s) or lessee (or their agent) shall maintain a valid permit from the Livingston Parish Permit Office to establish and operate an Outdoor Shooting Range Facility with Livingston Parish.

**A) PERMIT APPLICATION**

An application for a permit to establish and operate an Outdoor Shooting Range Facility shall be submitted by the legal property owner(s) or lessees (or their agent) to the Parish Permit office. The application shall contain detailed contact information regarding the applicant. Such permit shall be secured prior to issuance of any other grading, building or improvement permit by the Parish.

**B) FEES**

Standard Permitting fees shall apply.

**C) REQUIRED INFORMATION**

The applicant shall provide sufficient information to demonstrate compliance with these provisions, which shall include a detailed description of the types and uses of firearms and ammunition either used or proposed to be used at the site.

**D) SITE PLAN**

A site plan for the entire Outdoor Shooting Range Facility which shows the following applicable information drawn by a licensed professional to a scale.

1. Property lines for any parcel upon which the Outdoor Shooting Range Facility is to be located, north arrow, plan scale, date, and ownership information for the site;
2. Complete layout of each Outdoor Shooting Range Facility, including, shooting stations or firing lines, Target areas, shot-fall zones or backstops, berms, and baffles, if any;
3. Projected noise contours sufficient to demonstrate compliance with existing noise ordinance;
4. Existing and proposed Structures; Occupied Dwellings within one-half (1/2) mile (two thousand six hundred forty (2,640) feet)); roads, streets, or other access areas; buffer areas; and parking areas for the Outdoor Shooting Range Facility; and
5. Any other appropriate information related to the specific type of Outdoor Shooting Range Facility, whether existing or proposed.

Note: The Parish may allow different site plan scales where it deems appropriate.

**E) ACTION**

The Parish shall take the following actions:

Permit applications and all submitted information and documents shall be reviewed by the Planning Commission and the Parish Review Engineer. The Planning Commission shall make a recommendation to the Parish Council whether the project should be approved or rejected.

The Parish Council shall approve or reject the project with a majority vote of the Council.

With a majority vote of the Council, the permit to construct and operate the Outdoor Shooting Range facility shall be issued by the Permit office to construct and operate the Outdoor Shooting Range per the submitted and reviewed plans.

**SECTION 9-40 COMPLIANCE OF EXISTING OUTDOOR SHOOTING RANGE FACILITIES**

**A) COMPLIANCE**

All existing Outdoor Shooting Range Facilities shall comply with said ordinance within one hundred eighty (180) days after the effective date of this ordinance.

**B) INSPECTION, ENFORCEMENT AND AUTHORITY**

Inspection of premises authority and enforcement authority are authorized for

- 1) The Parish Building Official, and/or;
- 2) The Parish Office of Emergency Preparedness Director, and/or;
- 3) The Livingston Parish Sheriff's Office, and/or;
- 4) Any state or federal agency in accordance with state and federal regulations

In cases of violations of this ordinance, or any local, state or federal law, the Parish of Livingston may serve written notice by certified mail and revoke the permit to operate said Outdoor Shooting Range Facility.

**C) PENALTY**

Any person constructing or operating an Outdoor Shooting Range Facility within Livingston, Louisiana, without a valid permit to construct or operate an Outdoor Shooting Range Facility with Livingston Parish, Louisiana from the Livingston Parish Permit Office, shall be fined five hundred dollars (\$500.00) a day unto the fullest extent of the law.

**D) ABANDONMENT AND DISCONTINUANCE**

When an existing Outdoor Shooting Range Facility is discontinued without the intent to reinstate the Shooting Range use, the property owner shall notify the Parish of such intent. In any event, the discontinuance of the Shooting Range Facility or non-use of the Outdoor Shooting Range Facility for a period in excess of one (1) year, shall create the presumption said Shooting Range Facility is abandoned, and any current, valid permits issued shall terminate. If there has been no shooting activity for a period of three (3) years, resumption of shooting shall require a permit as a new Outdoor Shooting Range Facility for purposes of this ordinance.

**SECTION 9-41 TRANSFERABILITY**

Permits issued and maintained by the legal property owner(s) or lessee (or their agent) to construct and operate an Outdoor Shooting Range Facility with Livingston Parish are non-transferable.

**SECTION 9-42 CHANGES OR EXPANSIONS**

If any Outdoor Shooting Range Facility is intended to be substantially changed or expanded to include types of Outdoor Shooting Ranges, operations, or activities not covered by an existing permit, a new permit for the entire facility shall be secured in accordance with all of the provisions of this ordinance.

**SECTION 9-43 EXEMPTIONS**

See Section 42-74 (LPO 21-40)

All government agencies are exempt from said ordinance.

Facilities which are utilized for the purpose of instructing and qualifying individuals in order to obtain a conceal carry permit shall be exempt from this ordinance provided the facility, range, or location instructs no more than two classes per month, is located no closer than five hundred (500') feet from a residence and follows all other applicable state laws.

## Chapter 9 – LICENSES AND BUILDING REGULATIONS

### MINING OF SAND and/or GRAVEL FOR COMMERCIAL PURPOSES

#### **Section 9-111.1 Definitions**

Pit – actual hole or physical depression in the soil being dug.

Mining – extraction of valuable minerals or other geological materials from the earth.

Sand – the more or less fine debris of rocks, consisting of small, loose grains, often of quartz

Gravel – a loose aggregation of small water-worn or pounded stones often of quartz.

Commercial – act of buying, selling, and/or trading of goods and services.

Operator – a person or company that engages in the mining of sand and/or gravel

#### **Section 9-111.2 Permit Application**

Any operator seeking a permit to mine sand and/or gravel for commercial purpose shall prepare and submit a permit application. The permit application shall include:

- A. A site plan – The site plan shall be of the entire parcel or piece of property of proposed gravel and/or sand pit. It shall detail all proposed excavation boundary areas. It shall detail the proposed berm locations and any existing residential and/or commercial buildings located within five hundred (500') feet of any proposed excavation area. Existing geographic features of the site, wooded areas, natural waterways and public or private roads to be used for access. The site plan shall be to scale. A google map to scale shall be adequate.
- B. A Reclamation Plan consistent with the Best Practices of Land Use of Coastal Louisiana or in accordance with land owner(s) wishes.
- C. A Business or Operation Plan – The Business or Operation plan shall include the approximate dates for the initiation and termination of such operation, approximate number of employed personnel, planned hours of operations, approximate amount of gravel and/or sand to be excavated or transported, dust control measures, proposed plant locations, proposed truck loading locations, area to be excavated, equipment used to perform operation, and all proposed entrances and exits.

#### **Section 9-111.3 Parish Permitting/Application**

The Parish Permit Department shall grant a permit if the Sand and/or Gravel Pit application meets the conditions of Section 9-111.4 through 9-111.9 and has been approved by the Parish Council.

It shall be unlawful to mine, sand and/or gravel for commercial purposes within the parish without having first obtained a “Sand and/or Gravel Permit,” from the Parish Permit Department. The application shall be reviewed by the Parish Planning Department. The application fee shall be five hundred dollars (\$500.00), plus operator is responsible for parish engineer review fees.

- a. Public Notice must be given by the placement of a sign according to Section 13-67.2, Commercial Development Notifications.
- b. If the associated gravity drainage district engineer decides that there should be a gravity drainage impact study, then a study must be submitted at the operator’s expense.
- c. All federal and state laws and regulations shall be followed.
- d. The Operator of the Sand and/or gravel pit shall be responsible for any damage to a parish road beyond normal wear and tear.

### **Section 9-111.4 Requirements**

1. Operators must create and maintain a minimum fifty (50’) foot setback or buffer zone on any adjacent property line.
2. In addition to the fifty (50’) foot setback, if the adjacent property line abuts an existing named subdivision, then the setback shall be no less than two hundred (200’) lineal feet from any residential house within the named subdivision.
3. Operators must create and maintain a minimum one hundred (100’) foot setback or buffer zone from any public road.
4. Excavations may not be conducted within the setback/buffer area; however, fences and other buffering structures may be constructed within the setback/buffer area.
5. Operators shall construct a minimum eight (8’) foot elevated from ground service vegetative earthen berm within the setback when both of the below conditions exist
  - a. The adjacent property line abuts a named subdivision
  - b. When an existing residential house is within two hundred fifty (250) lineal feet from the adjacent property line.
6. If a berm is required, the base of the berm shall be a minimum distance of twenty (20) feet from the adjacent property line, and no heavy equipment such as dump trucks or excavation equipment shall be allowed between the berm and the adjacent property line unless construction of, demolition of, or servicing of the berm is taking place.
7. If water runoff from the berm causes flooding the operator must redirect the water from the berm onto his site.
8. The operator must display and maintain a business sign at the nearest roadway entrance to the pit throughout operation. It must display at a minimum: the name of the Operator, contact information, and who to contact in case of an emergency.

Hours of Operation:

- a. Hours of operation for loading and/or transporting gravel or sand shall be Monday through Friday from 2:30 a.m. to 4:30 p.m. when the adjacent property line of the gravel and/or sand pit abuts a names subdivision.
- b. Plant production hours shall be Monday through Friday from 5:00 a.m. to 4:30 p.m. when the adjacent property line of the gravel and/or sand pit abuts a named subdivision.
- c. There shall be no loading, transporting, or plant production of gravel and/or sand on any major holiday; such as New Year’s Day, Good Friday, Memorial Day, July 4<sup>th</sup>, Labor Day, Thanksgiving Day, Christmas Eve, or Christmas Day when the adjacent property line of the gravel and/or sand pit abuts a names subdivision.
- d. Hours of operation for loading and/or transporting gravel or sand shall be from 2:30 a.m. to 5:00 p.m. when the adjacent property line of the gravel and/or sand pit does not abut a named subdivision.
- e. Plant production hours shall be from 5:00 a.m. to 5:00 p.m. when the adjacent property line of the gravel and/or sand pit does not abut a named subdivision.

**Section 9-111.5 Inspection and Enforcement Authority**

1. Inspection of premises authority is authorized for the Parish Building Official or designee.
2. The enforcement authority is authorized for the Office of Emergency Preparedness Director and/or the Livingston Parish Sheriff’s Office.
3. In cases of violations of these ordinances, the Parish of Livingston may, following inspection, serve written notice by certified mail with a return receipt requested, or by had of areas of deficiency and allow the Operator to prepare and submit a plan to cure said deficiency prior to further action, such as, issuance of a “Stop Work Order.” If at the end of thirty (30) days, a plan has not been submitted to the Parish of Livingston, a “Stop Work Order” may be issued. If the corrective action plan is submitted within thirty (30) days, then the Parish Permit Department shall review and approve it or offer alternative proposals. If the plan is rejected, the matter will be referred to the Parish Council for further action or consideration.

**Section 9-111.6 Reserved**

This section is reserved.

**Section 9-111.7 Exclusions of Existing Operators**

1. Existing pits in operation and producing aggregate are exempt from this Ordinance except for 9-111.7 #2 stated below.
2. Existing operators must provide pit location(s), operator information and site map to the Planning Department within thirty (30) days of passage of these ordinances.

**Section 9-111.8 Reserved**

**Section 9-111.9      Enforceability**

If any one portion of this Section or its subsequent sections is ruled unenforceable, the remainder will still remain enforceable.

## **Chapter 4.5 – Building and Building Regulations (LPO 18-16)**

### **Section 4.5-7 Pond Excavation Criteria and Regulations**

#### Definition(s)

Pond – an artificially created confined body of water.

#### Construction or Expansion of Ponds Require a Permit

1. All ponds sought to be constructed or expanded within Livingston Parish, Louisiana shall be required to apply to the Livingston Parish Permit Office and pay the fee set for this permit by the Livingston Parish Council-President Government. No new excavation shall begin until a permit is issued.
2. The permit application shall require the following information, to-wit:
  - a. The landowner or landowners' full names, physical and mailing addresses and telephone numbers
  - b. Give a brief description of the pond's purpose. Ex. Recreational, Fishing, Aesthetics, Etc.
  - c. What will be done with the excavated material that is removed during the construction of the pond?
  - d. The anticipated size of the pond including length, width, depth, side slope
  - e. The anticipated starting date for operations and the anticipated completion date for operations at the site.
  - f. If the contractor/excavator is other than the property owner please provide the name of the individual or individuals or company, physical and mailing address and telephone number.

#### Damages to Public Roads.

1. The pond's landowners and the contractor/excavator shall be jointly responsible for obtaining the constructing access onto a public roadway. Any damages to the public roadway at this entrance shall be paid for by the landowner and/or the contractor/excavator.
2. The contractor/excavator shall be responsible to make sure operations at the pond construction do not impact road safety and to remove any dirt or clay that is spilled or tracked onto the public roadway.

#### Permit Holder to Provide Access to Parish Inspectors.

As a condition of the granting of a permit to undertake pond operations, the applicant and the landowner shall grant to the parish government's inspectors and/or compliance officers access to the site for inspections related to compliance enforcement and issuing "STOP WORK" orders at reasonable times.

#### Special Regulations.

1. An application shall be submitted, and fees paid to obtain a permit.



2. The edge of the pond shall be sloped at a minimum ratio of 3:1
3. During construction or expansion, if legitimate complaints arise, the parish government may require watering to control dust.
4. All ponds shall be constructed to prevent any obstruction of, or change of, any natural drainage that adversely affects neighboring properties.
5. No pond shall be constructed within fifty (50) feet of existing or proposed soil absorption, on-site, sanitary waste disposal system. No pond shall be constructed within twenty-five (25) feet of an existing or proposed holding tank, sanitary waste disposal system.
6. No pond shall be constructed within thirty (30) feet from any property line.
7. No pond shall be constructed within thirty (30) feet from the edge of a state or parish right of way.
8. Ponds that fail to meet the established criteria must go through Planning for the Parish Engineer to review.

#### Permit Fees.

Permit fees are set by the parish government as follows:

1. No fee will be collected if the excavated material remains on the property.
2. A one (1) time fee of two hundred fifty (\$250) dollars will be collected if the excavated material is to be removed from the property.
3. Anyone who fails to comply with any of the above ordinances shall be subject to a five hundred-dollar (\$500.00) fine.

All penalty fees are to be collected by the Livingston Parish Permit Department and deposited in the general fund.