



ST. TAMMANY PARISH, LA
CODE OF ORDINANCES
PART II: UNIFIED DEVELOPMENT CODE
Ch. 800 – Subdivision Regulations

DRAFT for Public Comment

March 31, 2023



•Environmental Consulting
•Zoning/Planning
•Land Use Law



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Chapter 800 Subdivision Regulations

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SEC. 800-1 INTRODUCTION.

SEC. 800-1.1 GENERAL PROVISIONS.

B. Authority and Purpose.

In accordance with the authority delegated by state enabling act, LA R.S. 33, Ch. I, part IV, subpart A and in accordance with the provisions of this UDC, the St. Tammany Parish Planning and Zoning Commission shall enforce the following subdivision requirements to support adequate planning and to facilitate the logical and sound development of the parish.

C. Effect.

Any owners or developers of land within the unincorporated portions of the parish must obtain the approval of the parish Planning and Zoning Commission in accordance with **Table 800-1 Subdivision Categories and Approval Authority** prior to any sale or recordation of any subdivision with the clerk of court's office.

D. Exemption.

The dedication of land for public ownership or use as a right-of-way, easement, or servitude shall be exempt from the provisions of this chapter. Public use includes use by a public or private utility.

E. Watercourse and Surface Water Flow Interference Prohibited.

Site grading and fill operations must not interfere with natural watercourses or natural surface water flow and shall be in accordance with land clearing standards in **Sec. 600-3.2 Land Clearing Standards** of the UDC.

F. Work without a Permit and Work Order Prohibited.

No individual, firm, or corporation shall deepen, widen, fill, or reroute or change the location of any existing ditch, stream, or drainage canal or reclaim, fill, dredge or otherwise change the natural condition of land without first obtaining a permit and work order from the parish, state, and federal agencies having jurisdiction.

G. Categories for Review.

Subdivision of land shall be divided into 2 categories: minor and major (**See Table 800-1 Subdivision Categories and Approval Authority**).

1. *Minor subdivisions.*

- a. *Applicability.* Minor subdivisions involve the approval of the final subdivision plat either administratively by the Director of the Department of Planning and Development and Director of the Department of Engineering or at a public hearing by the Planning and Zoning Commission. Because minor subdivisions create 5 or less lots and do not require the construction or installation of public infrastructure, there is no requirement for the proposed plat to go through the full subdivision process reserved for major subdivisions. The intent of minor subdivision process is to approve the final subdivision plat soon after submittal of a complete application subject to limited review to ensure the plat conforms to parish standards and to state laws governing public notice and public hearing.
- b. *Review.* Upon receipt of a complete final subdivision plat application, the Department of Planning and Development shall determine if it can be reviewed and approved as a minor

subdivision based on the criteria set forth in **Sec. 800-2.2 Minor Subdivision Review and Approval Procedures**.

- c. *Application procedure*. Refer to **Sec. 800-2.2 Minor Subdivision Review and Approval Procedures** for additional information on procedures and process for review and approval of a minor subdivision.

2. *Major subdivisions*.

- c. *Applicability*. Major subdivisions include applications proposing to create 6 or more lots or create a requirement to construct or install public infrastructure.
- d. *Review*. Major subdivisions shall be reviewed and approved by the Planning and Zoning Commission.
- e. *Application procedure*. Refer to **Sec. 800-3 Major Subdivision** for the procedures for review and approval of major subdivisions. The major subdivision review and approval process includes (**See Table 800-1 Subdivision Categories and Approval Authority**):
 - i. Concept subdivision plan.
 - ii. Final proposed subdivision plat and construction plan.
 - iii. Final subdivision plat and warranty obligation.
 - iv. Dedication of public infrastructure.

Table 800-1: Subdivision Categories and Approval Authority				
Subdivision Category	Description	Approval Authority	Public Hearing Required	Criteria
Minor	Subdivision (non-platted land)	Administrative - Director of Planning and Development and Director of Engineering	No	<ul style="list-style-type: none"> • 5 or less lots created • 2 acres or less • No public infrastructure required • No waiver required • Does <u>not</u> involve the resubdivision of lots in an approved platted subdivision
		Planning and Zoning Commission	Yes	<ul style="list-style-type: none"> • Frontage on a private drive per Sec. 900.3.2 (L) • Previously approved minor subdivision • Does not meet criteria for administrative approval
	Resubdivision	Planning and Zoning Commission Final Plat Only	Yes, can be on consent agenda	<ul style="list-style-type: none"> • 5 or less lots created • 2 or more acres • No public infrastructure required • No waiver required • Includes lots in a platted subdivision
		Planning and Zoning Commission Final Plat Only	Yes, can be on consent agenda	<ul style="list-style-type: none"> • 5 or less lots created • 2 or more acres • No public infrastructure required • Waiver required • Does not meet criteria for administrative approval
Major	Concept Plan	Planning and Zoning Commission	Yes	<ul style="list-style-type: none"> • 6 or more lots created • Public infrastructure required
	Final Proposed Subdivision Plat	Planning and Zoning Commission	Yes	
	Final Subdivision Plat and Performance Obligation	Director of Dept. of Engineering	No	
	Acceptance of Dedication of Public Infrastructure	Direct of the Dept. of Engineering	No	After the parish departments have inspected and approved the construction or installation of the public infrastructure improvements.

H. Enforcement.

Violations of these regulations shall be punishable by a penalty as set forth in this Code, as prescribed per statutory law, for each lot or parcel transferred or sold. The description of said lot or parcel by metes and bounds in an instrument of transfer or other document used in the process of selling or transferring property shall not exempt the transaction from such penalties or from the remedies herein provided.

I. Legal Proceedings.

The parish shall enjoin such transfer or sale or agreement by suit for injunction brought in by the 22nd Judicial District Court, State of Louisiana and may recover the penalty by civil action in said court.

SEC. 800-1.2 RIGHTS OF APPEAL.

A. Generally. Table 800-2 Appeal of a Subdivision Decision summarizes process for appealing a subdivision decision by either the Directors of the Departments of Engineering Or Planning and Development or by the Planning and Zoning Commission. The parish council is the final appeal authority within the parish and an appeal must be heard by the parish council before they can be filed with 22d Judicial District.

B. Minor Subdivision.

1. Any aggrieved person may appeal the decision of the Director of the Department of Planning and Development regarding a minor subdivision to the Planning and Zoning Commission. Notice of appeal shall be filed in writing with the Department of Planning and Development within 10 days of the decision of the Director.
2. Any aggrieved person may appeal the decision of the Planning and Zoning Commission regarding a minor subdivision to the parish council. Notice of appeal shall be filed in writing with the parish council within 10 days of the decision by the Planning and Zoning Commission.

B. Major Subdivision - Concept Subdivision Plan.

Any person claiming to be aggrieved by a decision of the Planning and Zoning Commission with regards to a concept subdivision plan may appeal the decision to the parish council. Notice of appeal shall be filed in writing with the parish council within 10 days of the decision of the Planning and Zoning Commission.

C. Major Subdivision - Final Proposed Subdivision Plat and Construction Plan.

Any person claiming to be aggrieved by a decision of the Planning and Zoning Commission with regards to a final proposed subdivision plat and construction plan may appeal to the parish council. Notice of appeal shall be filed in writing with the parish council within 10 days of the decision of the Planning and Zoning Commission.

D. Final Plat Approval.

Any person claiming to be aggrieved by a decision by the Director of the Engineering Department regarding a Major Subdivision Final Flat may appeal to the parish council. Notice of appeal shall be filed in writing with the parish council within 10 days of the decision.

Table 800-2: Appeal of a Subdivision Decision			
Category	Approval Authority	Appeal to	Notes
Minor Subdivision and Resubdivision	Director Planning and Development / Director Engineering Department	Planning and Zoning Commission	<ul style="list-style-type: none"> • Within 10 days of Directors decision • Appeal submitted to Dept. of Planning and Development
Minor Subdivision and Resubdivision (with waiver or in a platted subdivision)	Planning and Zoning Commission	Parish Council	<ul style="list-style-type: none"> • Within 10 days of Planning and Zoning Commission decision • Appeal submitted to Parish Council office
Major			
Concept Plan	Planning and Zoning Commission	Parish Council	<ul style="list-style-type: none"> • Within 10 days of Planning and Zoning Commission decision • Appeal submitted to Parish Council office
Final Proposed Plat & Construction Plans	Planning and Zoning Commission	Parish Council	<ul style="list-style-type: none"> • Within 10 days of Planning and Zoning Commission decision • Appeal submitted to Parish Council office
Final Plat	Director Engineering Department	Planning and Zoning Commission	<ul style="list-style-type: none"> • Within 10 days of Engineering Department decision • Appeal submitted to Dept. of Planning and Development

SEC. 800-2 MINOR SUBDIVISIONS.

SEC. 800-2.1 GENERALLY.

A. Purpose Statement.

The provision of adequate information concerning land use, utility requirements, traffic impact, drainage, streets, servitudes, water service, sanitary sewer, and dedications is vital to making subdivision decisions that ensure the continued health, safety, and welfare of the parish's residents. Recognizing that the data needed for a decision is reduced for minor projects that do not require the construction of public

improvements and that minor projects are more heavily impacted by the cost of producing this data, the requirement for a public hearing for a minor subdivision is reduced and, in accordance with law, the parish herein establishes a simplified procedure for minor subdivisions.

B. Applicability.

A minor subdivision refers to the approval or certification process for certain plats involving the creation of 5 or less lots; involve only the realignment, removal or shifting of lot boundary or interior lines, or the designation of lot numbers; and do not require the construction or installation of public infrastructure.

C. Waivers.

The Director of the Department of Planning and Development is not authorized to waive any applicable subdivision regulations contained in this UDC. Minor subdivision applications requesting a waiver of the subdivision regulations shall be forwarded to the Planning and Zoning Commission for consideration and decision.

D. Review and Approval Processes in General

Minor subdivisions shall be reviewed by the parish departments for compliance with this UDC. Following the department review, the Director of the Department of Planning and Development and the Director of the Department of Engineering may approve the minor subdivision or choose to forward to the application to Planning and Zoning Commission for review and approval.

SEC. 800-2.2 MINOR SUBDIVISION REVIEW AND APPROVAL PROCEDURES.

A. General.

There are three different types of minor subdivisions (see **Table 800-1**). Upon receipt of a subdivision application, the Department of Planning and Development will decide whether the subdivision is either a major or minor subdivision. If the department determines it is a minor subdivision, the department will determine:

1. Complete application. The Department of Planning and Development shall determine if the application is complete, to include all required attachments. Incomplete applications will not be further processed until deficiencies are remedied.
2. Type of minor subdivision. The Director of the Department of Planning and Development shall determine the type of minor subdivision and what process shall be applied. The types or minor subdivision include:
 - a. Minor subdivision eligible for administrative approval by Director of Planning and Development and Director of Engineering. See **Sec. 800-2.2.B**.
 - b. Minor resubdivision of lots in a platted subdivision. See **Sec. 800-2.2.C**.
 - c. Minor subdivision or resubdivision with waiver required. See **Sec. 800-2.2.D**.

B. Minor Subdivision - Administrative approval by the Director of the Department of Planning and Development and Director of the Department of Engineering.

1. *Applicability.* The Director of the Department of Planning and Development is authorized to administratively approve or deny a minor subdivision when an application:

- a. Results in the creation of five 5 of less lots.
- b. Conforms to regulations of the zoning district in which it is located.
- c. Does not involve the creation of any new public improvement.
- d. Does not involve the combining of existing lots in a platted subdivision.
- e. Does not require a waiver from the Planning and Zoning Commission. See **Sec. 800-2.2.D** for waivers that must be approved by the Planning and Zoning Commission.
- f. Otherwise meets all the requirements of this UDC.

2. *Schedule.*

Within 14 days of receipt of receipt of a complete application, the Director of the Department of Planning and Development shall make a decision as to whether to process the application as a minor subdivision or to forward the application to the Planning and Zoning Commission for approval.

3. *Interdepartmental Review.*

The Department of Planning and Development shall coordinate with the Departments of Environmental Services, Public Works, Engineering, and 911 Communications District to review the proposed final subdivision plat for conformance with parish standards and to collect their input and provide it to the owner/developer for correction, if required.

4. *Public Hearing.*

A public hearing is not required for minor subdivisions that can be approved administratively by the Director of the Department of Planning and Development and the Director of Engineering.

5. *Decision to Approve or Deny.*

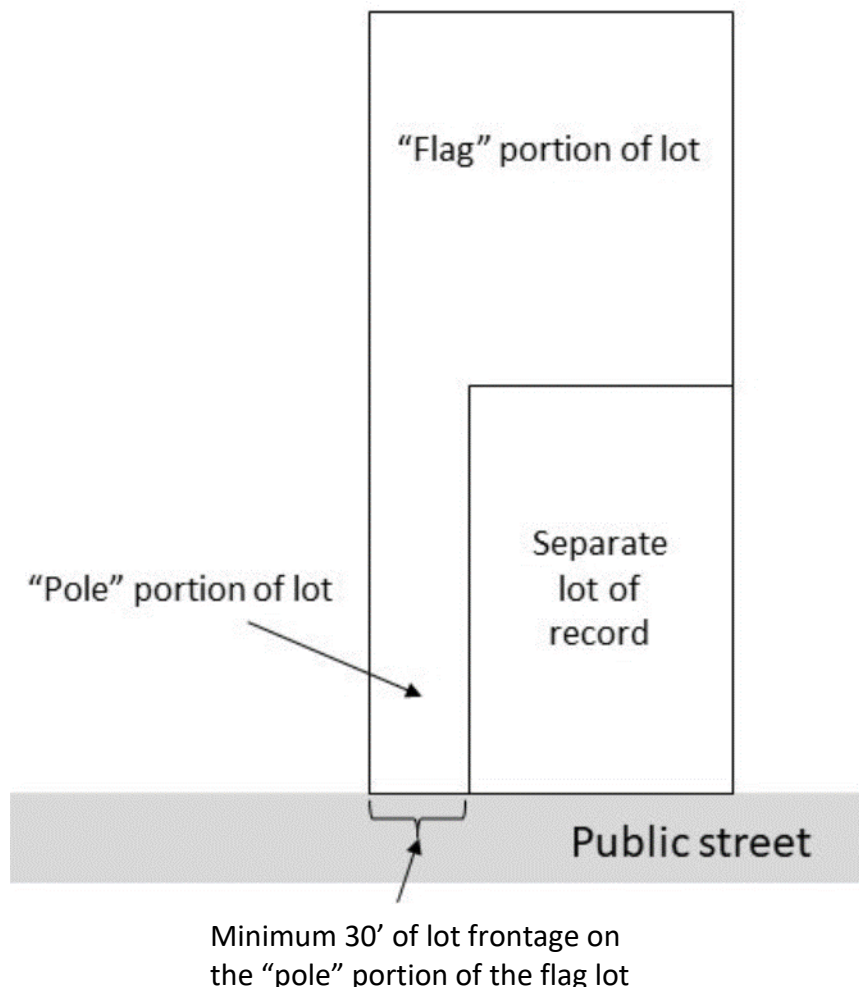
After reviewing the input from the other departments, the Director of the Department of Planning and Development and the Director of Engineering shall decide whether to approve the minor subdivision, deny the minor subdivision, or refer the application to the Planning and Zoning Commission to for review and decision.

6. *Postponement.* The Director of Planning and Development has 60 days from acceptance of a complete application by the Department of Planning and Development to approve the final subdivision plat otherwise the final subdivision plat shall be deemed to have been approved (LA RS 33:113).

C. Minor Subdivision - Resubdivision of Lots in a Platted Subdivision.

1. *Applicability.* When the resubdivision involves the combination or division of lots in a platted subdivision the final subdivision plat must be approved by the Planning and Zoning Commission. Additionally, the following requirements must be met:
 - a. Results in the creation of 5 or less lots, one of which may include a flag lot provided the flag lot meets the following minimum standards:
 - i. The lot frontage on the “pole” portion of a flag lot must be between 30 and 60 feet provided the access strip maintains said width for the entirety of its length.

- ii. The minimum lot size for the “flag” portion of the lot, excluding the area of the access strip, must meet the minimum lot size requirement for the zoning district in which the property is located.
- iii. The flag lot shall be required to meet all other minimum standards for the underlying district, including but not limited to minimum lot width, setbacks, and other zoning requirements.
- iv. For example:



- b. Conforms to regulations of the zoning district in which it is located.
- c. Does not involve the creation of any new public improvement.
- d. Does not require a waiver.
- e. Otherwise meets all the requirements of this UDC.

2. *Schedule.*

Upon determining the application is complete, the Department of Planning and Development shall coordinate with chairperson of the Planning and Zoning Commission to place review and

decision of the final subdivision plat on the agenda of the next scheduled meeting of Planning and Zoning Commission, subject to public notice requirements.

3. *Interdepartmental Review.*

The Department of Planning and Development shall coordinate with the Departments of Environmental Services, Public Works, Engineering, and 911 Communications District to review the proposed final subdivision plat for conformance with parish standards and to collect their input and provide it to the owner/developer for correction, if required.

4. *Public Hearing.*

The Planning and Zoning Commission shall consider and make a decision on the final subdivision plat at a public hearing. The plat may be considered as part of the consent agenda, unless the application is removed from the consent agenda, by a vote of a majority of commissioners present, and considered separately.

5. *Decision to Approve or Deny and appeal.*

The final subdivision plat may be approved as part of the consent agenda by a majority vote of commissioners present, or, if removed and considered separately, the final subdivision plat shall be approved or denied by majority vote of commissioners present. If the Planning and Zoning Commission denies a final subdivision plat the applicant can appeal to the parish council.

6. *Postponement.*

The Planning and Zoning Commission can postpone a decision to a subsequent regularly scheduled or call a special meeting. However, Planning and Zoning Commission has sixty (60) days from the acceptance of a complete application by the Department of Planning and Development to approve the final subdivision plat otherwise the final subdivision plat shall be deemed to have been approved (LA RS 33:113).

D. Minor Subdivision – Waiver required.

1. *Applicability.*

When approval of the final subdivision plat would require a waiver, the Director of Planning and Development shall forward the application to the Planning and Zoning Commission for review and decision. Final subdivision plats that are requesting a waiver can be reviewed as a minor subdivision and a decision made by Planning and Zoning Commission when the subdivision :

- a. Results in the creation of five 5 of less lots.
- b. Does not involve the creation of any new public improvement, except as otherwise provided in this section.
- c. A waiver is required. The Planning and Zoning Commission can approve a waiver when
 - i. The applicant proposes to create a lot that does not front a public road or street but instead would be accessed by a private road.
 - ii. The proposed subdivision would create one or more lots that do not front on a public road or street. However, at least one lot in the subdivision must front on the public road or

street and the remaining lots must have frontage on a private road that meets the requirements of Sec. 900-3.2.L Private Drive Minimum Standards.

- iii. The applicant proposes to create a subdivision wherein there are lots that do not meet the minimum area required, length, or width for the zoning district in which the lots will be located. The authority to waive lot area is limited to a 10 percent reduction in total area. The Planning and Zoning Commission may waive provisions regarding frontage on a public street or infrastructure standards in accordance with **Ch. 900 Infrastructure**.
- iv. When the parcel or lot being created was previously created using the minor subdivision process.

2. *Schedule.*

Upon determining the application is complete, the Department of Planning and Development shall coordinate with chairperson of the Planning and Zoning Commission to place review and decision of the final subdivision plat on the agenda of the next scheduled meeting of Planning and Zoning Commission, subject to public notice requirements.

3. *Interdepartmental Review.*

The Department of Planning and Development shall coordinate with the Departments of Environmental Services, Public Works, Engineering, and 911 Communications District to review the proposed final subdivision plat for conformance with parish standards and to collect their input and provide it to the owner/developer for correction, if required.

4. *Public Hearing.*

The Planning and Zoning Commission shall consider and make a decision on final subdivision plat at a public hearing. The plat may be considered as part of the consent agenda, unless the application is removed from the consent agenda, by a vote of a majority of commissioners present, and considered separately.

5. *Decision to Approve or Deny.*

The final subdivision plat shall be approved as part of the consent agenda by a majority vote of commissioners present, or, if removed and considered separately, the final subdivision plat shall be approved or denied by majority vote of commissioners present. If the Planning and Zoning Commission denies a final subdivision plat the applicant can appeal to the parish council.

6. *Postponement.*

The Planning and Zoning Commission can postpone a decision to a subsequent regularly scheduled or call a special meeting. However, Planning and Zoning Commission has sixty (60) days from the acceptance of a complete application by the Department of Planning and Development to approve the final subdivision plat otherwise the final subdivision plat shall be deemed to have been approved (LA RS 33:113).

E. Access And Drainage Improvements Required.

Upon approval of the final subdivision plat, the applicant must submit plans for review and approval by the Department of Engineering for any drainage improvements and the construction of any private drive, if planned or required. The purpose of this review and approval is to ensure all lots have access to a public or private road and site grading and fill operations do not interfere with natural watercourses or natural surface water flow.

F. Minor Subdivision Recordation Required.

Within 14 days of the approval of a minor subdivision, the Department of Planning and Development shall record the final subdivision plat with the clerk of court. The final subdivision plat shall meet the requirements set forth in **Sec. 800-2.3 Minor Subdivision Final Plat Submission Requirements**. Copies of the recorded plats shall be forwarded to the applicant's Louisiana licensed land surveyor, unless instructed by the petitioner/owner in writing that the copies be sent elsewhere.

SEC. 800-2.3 MINOR SUBDIVISION FINAL PLAT SUBMISSION REQUIREMENTS.

A. Application.

The application for a minor subdivision must be submitted to the Department of Planning and Development with the following information and materials for the application to be considered complete.

1. *Forms*. A complete and accurate minor subdivision application form obtained from the Department of Planning and Development.
2. *Survey*. A survey of the proposed subdivision completed by a Louisiana licensed surveyor, inclusive of their live stamp or seal and signature. The survey must include all of the following:
 - a. *Survey submittal*. Applicants must submit a digital bona fide survey.
 - b. *Survey extent*.
 - i. *Generally*. The survey must depict the entire property or parcel impacted by the subdivision request, including the original and any residual parcels being subdivided or created.
 - ii. Where an applicant's request involves more than 25 acres, the survey may be limited to those proposed parcels involved in the applicant's request, provided the original parcel being subdivided is sufficiently identified on the survey for purposes of ensuring compliance with the provision of this section.
 - c. *Survey content*. The survey of the proposed subdivision must include of all of the following elements:
 - i. Name of the subdivision, phase, and lot, parcel or tract designators.
 - ii. Section, township, and range identification.
 - iii. Total square footage of all of the property involved, including original and proposed lots, parcels, or tracts.
 - iv. Individual square footage of each new lot, parcel, or tract created.
 - v. Location of all buildings and/or structures on the lots, parcels, or tracts.
 - vi. Location of existing fire hydrants, underground drainage system components, ditches, canals, water lines, and sewer lines.
 - vii. All natural watercourses and stormwater management buffers, ponds, ditches, canals, and waterways.
 - viii. Surveyor live stamp or seal and signature.
 - ix. Signature block, including space for the date and map file number, for the Secretary of the Planning and Zoning Commission, Director of the Department of

Planning and Development, Director of the Department of Engineering, Clerk of Court and Chairperson of the Planning and Zoning Commission.

- x. Any other data pertinent and germane to the minor subdivision request as determined by the Department of Planning and Development or Department of Engineering.
- d. *Covenants, Restrictions, and Agreements.* A reference to any recorded subdivision restrictions or covenants, if any, and a copy of a maintenance agreement for any private road that is to be constructed.

B. Application Fees for Minor Subdivisions.

Fees shall be provided in accordance with Part I of this Code of Ordinances. In addition to such stated fees, the following are applicable to minor subdivisions:

1. *Recordation Fee.* An additional and separate fee shall be required for the recordation of the survey plat as per the fee schedule promulgated by the clerk of court.
2. *Impact Fees.* The parish's mandatory impact fees pursuant to Ordinance No. 04-0900, if applicable, shall be paid for each lot created. Impact fees are due and payable when building permits are applied for by the owner/s of said lot/s.

SEC. 800-3 MAJOR SUBDIVISIONS.

SEC. 800-3.1 GENERALLY.

A. Definition.

A major subdivision refers to the approval or certification process for any subdivision not classified as a minor subdivision.

B. Public Hearing Required.

Major subdivisions involve land development processes that can have an impact on surrounding areas and public infrastructure and therefore require public hearing(s) prior to making a decision on whether to approve, approve with modifications, or deny the subdivision request. Refer to published and posted notice processes for subdivision applications required by **Sec. 200-4 Common Procedures, subsection G. Public Notice Requirements (3) and (4).**

C. Review and Decision-Making Process.

1. *Receipt and Processing.* The Department of Planning and Development shall facilitate application receipt, check the application for completeness, coordinate an interdepartmental review of the application, and support the major subdivision decision-making processes by the Planning and Zoning Commission in accordance with **Sec. 800-3.2 Summary of Major Subdivision Review Process.**
2. The Planning and Zoning Commission, after considering the application and input from the parish departments, shall decide whether to approve, approve with modifications, or deny the subdivision request. In making its decision, the Planning and Zoning Commission may waive provisions to the required lot width, depth, and area. The authority to waive lot area is limited to a 10 percent reduction in total area. The Planning and Zoning Commission may waive provisions

regarding frontage on a public street or infrastructure standards in accordance with **Ch. 900 Infrastructure**.

SEC. 800-3.2 SUMMARY OF MAJOR SUBDIVISION REVIEW PROCESS.

A. Generally.

The major subdivision process includes zoning compliance, concept subdivision plan review and approval, final proposed subdivision plat and construction plan review and approval, final subdivision plat review and approval and warranty obligation acceptance, and dedication of public infrastructure.

B. Zoning Compliance.

Prior to submitting an application for a major subdivision, applicants must confirm with the Department of Planning and Development that the proposed subdivision complies with the zoning requirements of this UDC.

C. Concept Subdivision Plan Review.

Upon confirming a planned subdivision complies with the requirements of this UDC, applicants may proceed with submittal of a concept subdivision plan for review. The purpose of the concept subdivision plan is to ensure that the proposed land uses, intensities, and street layouts are consistent with the parish comprehensive plan and comply with this UDC. The concept subdivision plan shall also establish a schedule for completion of multi-phased developments.

D. Final Proposed Subdivision Plat and Construction Plan Review.

1. *Purpose.* The purpose of the final proposed subdivision plat and construction plan are to approve the layout of the subdivision and the detailed construction plans for the proposed sanitary sewer, water system, streets, and drainage system.
2. *Beginning construction.* After final proposed subdivision plat and construction plan approval the Director of the Department of Engineering shall issue work orders permitting the construction of proposed public infrastructure improvements. The Director can issue one work order authorizing construction or installation of all the required infrastructure improvements, or the Director can issue individual work orders for each specific infrastructure improvement. No construction or installation of infrastructure improvements may commence until the Director issues the work order.
3. *Simultaneous submittal.* An applicant may apply for concept subdivision plan, final proposed subdivision plat, and construction plan review and decision simultaneously, provided the requirements and conditions set forth in this chapter and **Ch. 900 - Infrastructure Standards** are met.

E. Final Plat Approval and Warranty Obligation.

1. *Final Plat Approval.* Upon completion of the construction or installation of the required infrastructure improvements, the owner/developer can apply for final subdivision plat approval. The purpose of the final subdivision plat approval is to confirm the required infrastructure improvements were constructed or installed per the approved plans; authorize recordation of the final subdivision plat with the clerk of court; and authorize the sale and development of the lots, parcels, or tracts. The Director of the Department of Engineering may approve the final subdivision plat or forwarded it to the Planning and Zoning Commission for a decision.
2. *Warranty Obligation.* At the time of the approval of the final subdivision plat, the Director of the Department of Engineering shall establish the developer/owner's warranty obligation amount and

period of obligation in accordance with **Sec. 800-3.5 Final Subdivision Plat Approval and Warranty Obligation**. The purpose of the warranty obligation is to guarantee the required infrastructure improvements are free from defect or failure and perform as designed for a set period of time prior to the parish's acceptance of the dedication of the public infrastructure improvements and/or the release of the established Warranty Obligation.

F. Dedication of Public Infrastructure.

At the conclusion of the warranty period and based on inspection reports from parish departments compiled by the Department of Engineering, the Director of the Department of Engineering shall decide whether to accept dedication of the required public infrastructure improvements into the parish system.

SEC. 800-3.3 CONCEPT SUBDIVISION PLAN SUBMISSION REQUIREMENTS.

A. Context.

The concept subdivision plan is the first step in the major subdivision review and approval process.

B. Application.

Applicants shall complete and submit, along with their proposed plans, a concept subdivision plan application and checklist provided by the Department of Planning and Development.

1. *Submittal requirements.* For a concept subdivision plan application to be determined complete, applicants shall submit materials, plans, and information consistent with the provisions of this section.
 - a. *Concept subdivision application and checklist.* The owner/applicant shall submit a completed subdivision application and checklist to the Department of Planning and Development.
 - b. *Concept subdivision plan.* Applicants shall submit to the Department of Planning and Development 12 copies of the concept subdivision plan for review after red-line comments have been addressed, sized to 24"x36" and folded in a rectangle with signature block on the front. If the subdivision is proposed to be developed in phases, 2 copies of the master subdivision plan shall be submitted along with the first phase plan. The master subdivision plan shall include a timeline and a map of the proposed areas for all phase of the planned subdivision development.
 - c. *Professional preparation.* Plans must be prepared by a Louisiana licensed professional engineer or licensed land surveyor.
 - d. *Content.* To be determined a complete, the concept subdivision plan must include the following information:
 - i. Subdivision title and location.
 - ii. Legal description including section, township and range.
 - iii. Vicinity map displaying the names of major streets to include freeways arterial, and collectors in the area of the development.
 - iv. North direction arrow.
 - v. Scale of drawings.
 - vi. Proposed and future phases within the development.

- vii. Parish enforced subdivision restrictions/covenants.
 - viii. Typical cross- section details for all streets, cul-de-sacs, and entrances.
 - ix. Information block identifying zoning, total acreage, total number of lots, total number of blocks, total length of streets, sewer and water facilities, average lot size and maximum block length.
 - x. All existing and proposed lot, parcel, and tract dimensions.
 - xi. Proposed front yard and corner side yard setbacks delineated with dashed lines.
 - xii. Location of existing and natural watercourse and proposed stormwater management buffers, ponds, and waterways.
 - xiii. Existing structures.
 - xiv. Existing and proposed fire hydrants, underground drainage system components, water lines, and sewer lines in accordance with **Chapter 900 Infrastructure Standards** of this UDC, including indication of the public water and sewer lines that all infrastructure on site will tie into.
 - xv. Proposed park, playground, or greenspace areas.
 - xvi. Location of any landfill or dump sites on the property.
 - xvii. Location of all proposed or existing easements, rights-of-way, and/or servitudes including drainage, access, and utilities.
 - xviii. Existing streets connected to the proposed development.
 - xix. Proposed street or road names.
 - xx. Adjoining land uses.
 - xxi. Coordination of land use and collector streets for development.
 - xxii. Need for limited access streets and lots delineated with dashed lines.
 - xxiii. Wetland demarcation lines as determined by the U.S. Army Corps of Engineers.
 - xxiv. Special Flood Hazard Area (SFHA) demarcation lines, including FIRM map and panel number.
 - xxv. Existing LIDAR contours (minimum two-foot contours) extended to a minimum of 100 feet beyond the proposed subdivision boundary.
 - xxvi. Direction of flow of surface water in roadside ditches, canals, and drainage features. Applicants must include a minimum of 1 directional flow arrow per street, block, high/low point, and/or change in flow.
 - xxvii. Typical lot drainage detail showing design surface flow direction(s). Applicants must include a note with the detail identifying the lot(s) the drainage detail is applicable for. A typical lot drainage detail shall be provided for each lot drainage situation (i.e., rear to front drainage, split lot drainage, etc.).
2. *Forms and materials.* To be determined complete, all the following forms and materials must be submitted along with the concept subdivision plan.
- a. Developmental agreement application form, signed by the developer and/or owner, if required.
 - b. Environmental assessment data form, including authorized signature and date.

- c. Documents indicating the ultimate disposal of surface drainage illustrated on the most recent and applicable USGS quadrangle map.
 - d. Traffic Impact Analysis, if applicable, in accordance with Ch. 900.
3. *Additional information as required.* The Departments of Planning and Development, Environmental Services, Public Works, and Engineering may require additional information or details not specifically listed in this section to ensure that proposed land uses, development intensities, and street layouts are acceptable prior to approval of the concept subdivision plan.

C. Application Review Process.

1. *Application completeness.* The Department of Planning and Development shall review the concept subdivision plan application and determine whether it is complete within 14 days of receipt.
2. *Schedule.* Once an application is determined to be complete, the Department of Planning and Development shall coordinate with the applicant and other parish government departments to create and disseminate a schedule for interdepartmental review and any public hearings associated with the request. Included in the schedule will be an interdepartmental meeting with the applicant to facilitate review and discussion.
3. *Interdepartmental review and comment resolution.* The Department of Planning and Development shall coordinate with the Departments of Environmental Services, Public Works, 911 Addressing, Fire Department, and Engineering to review the concept subdivision plan and collect and compile any comments and corrections, if any, that they have.
 - a. *No comments received.* If no comments are received from other departments within a time period set by the Department of Planning and Development, the Director of the Department of Planning and Development may determine that there is “no objection” to the concept subdivision plan and shall so note in the package sent to the Planning and Zoning Commission.
 - b. *Comments received and resolution.* If other departments submit comments, the Department of Planning and Development shall collect, compile, and distribute the comments to the applicant and provide a list of corrections and/or amendments that are required to meet the provisions of this UDC. The Department of Planning and Development may direct the applicant to contact a parish department directly to discuss and resolve any open comments.

D. Required Public Hearing.

Once the concept subdivision plan is determined to meet the requirements of this UDC, the Department of Planning and Development shall place the application on the agenda for the Planning and Zoning Commission and begin the published and posted notice processes required by **Sec. 200-4 Common Procedures, subsection G. Public Notice Requirements (3) and (4).**

- E. Action by the Planning and Zoning Commission.** The standards and procedures for the conduct of Planning and Zoning Commission public hearings are set forth in **Sec. 100-2.2.G** of the UDC. Applicants shall familiarize themselves with the commission’s meeting procedures prior participation at a Planning and Zoning Commission meeting. At the public hearing, the Planning and Zoning Commission shall decide whether to approve, approve with modifications, defer, or deny the

concept subdivision plan. See **Sec 800-1.2 Rights of Appeal** for appeals of a decision by the Planning and Zoning Commission.

F. Concept Subdivision Plan Expiration.

1. Approval of the concept subdivision plan by the Planning and Zoning Commission shall remain in effect for not more than 2 years from the date of approval.
2. If no portion or phase of an approved concept subdivision plan is granted final proposed subdivision plat approval or issued a work order within this 2-year period, the applicant shall be required to resubmit for concept subdivision plan review and approval by the Planning and Zoning Commission. A resubmittal due to expiration shall be required pay of all applicable subdivision application fees.

SEC. 800-3.4 FINAL PROPOSED SUBDIVISION PLAT AND CONSTRUCTION PLAN REQUIREMENTS.

A. Context.

Review and approval of a final proposed subdivision plat and construction plan is the second step in the major subdivision review and approval process.

1. *Purpose of Final Proposed Subdivision Plat.* The purpose of the final proposed subdivision plat process is to enable the Planning and Zoning Commission to approve the final layout of the subdivision.
2. *Purpose of Construction Plan.* The purpose of the construction plan is to review and approve the detail plans and specifications for the construction or installation of the required public infrastructure improvements.

B. Application.

The owner/developer is responsible for completing and submitting applications for review and approval of the final proposed subdivision plat and construction plan to the Department of Planning and Development. The application and a checklist shall be made available by the Department of Planning and Development.

C. Final Proposed Subdivision Plat.

1. *Minimum standards for proposed infrastructure.* The final proposed subdivision plat and construction plan must comply with the minimum standards set forth in **Ch. 900 Infrastructure Standards** of this UDC.
2. *Submittal requirements.* The final proposed subdivision plat and construction plan shall not be considered complete until the applicant has submitted all materials, plans, and information consistent with the provisions of this section and in compliance with **Ch. 900 Infrastructure Standards**.
 - a. *Number of copies.* Applicants shall submit to the Department of Planning and Development 12 copies of the final proposed subdivision plat and construction plan after red-line comments have been addressed.
 - b. *Professional preparation.* The final proposed subdivision plat and construction plan must be prepared by a Louisiana licensed professional surveyor and must include a professional land survey of the property to ensure that the plat and plan are feasible and practical. The final

proposed subdivision plat must be in sufficient detail to enable the contractors and inspectors to determine the location of proposed infrastructure improvements.

- c. *Site flagging.* As part of the preparation of the required survey, the applicant or developer shall ensure that site flags are installed to delineate streets and blocks. The site flags must remain in place throughout construction to facilitate parish inspections and future site work.
- d. *Final Proposed Subdivision Plat.* For the final proposed subdivision plat application to be considered complete, the applicant shall submit to the Department of Planning and Development a plat containing the following information:
 - i. Subdivision title and location.
 - ii. Legal description including section, township, and range identifiers.
 - iii. Section corners and quarter corner ties
 - iv. Subdivision boundary and legal description.
 - v. Vicinity map displaying the names of major streets -- freeways, arterials, and collectors -- in the area of the development.
 - vi. North direction arrow.
 - vii. Scale of drawings.
 - viii. Location of permanent markers to be installed by surveyor or engineer.
 - ix. Total acres to be developed.
 - x. All existing and proposed lot dimensions.
 - xi. Proposed street names.
 - xii. Total length of streets to be constructed.
 - xiii. Existing and proposed easements.
 - xiv. Right-of-way dedications.
 - xv. Any restrictive covenants applicable to the site.
 - xvi. Existing and proposed fire hydrants, underground drainage system components, ditches, canals, water lines, and sewer lines in accordance with **Ch. 900 Infrastructure Standards** of this UDC, including indication of the public water and sewer lines that site infrastructure will tie into.
 - xvii. Total acres of any easements to be dedicated to the parish.
 - xviii. Zoning district designations.
 - xix. Total number of lots.
 - xx. Building setback lines.
 - xxi. Location of existing natural watercourse and any proposed stormwater management buffers, ponds, and waterways, in accordance with **Sec. 600-3 Land Clearing, Tree Preservation, and Landscaping** of this UDC.
 - xxii. House or municipal address for each lot.
 - xxiii. Location of any closed landfills or dump sites on the development site.

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- xxiv. Reference to Interstate land sales compliance letter from State of Louisiana.
 - xxv. Reference to recorded subdivision restrictions or covenants with clerk of court.
 - xxvi. Reference to board of health approval letter.
 - xxvii. Signature lines for the chairperson of the planning and zoning commission, secretary of the Planning and Zoning Commission, Director of the Department of Engineering, and clerk of court.
 - xxviii. Map file number and date.
 - xxix. Name of president, treasurer, and secretary of corporation, if applicable.
 - xxx. Professional Louisiana Land Surveyor certification
- e. *Construction Plan.* In addition to the final proposed subdivision plat, the applicant shall submit to the Department of Engineering 12 copies of the construction plan, after red-line comments have been addressed, containing the following information:
- i. Subdivision title and location.
 - ii. Topographic survey with the contour lines at 1-foot vertical intervals.
 - iii. Vicinity map displaying the names of major streets and collector roads in the area of the development.
 - iv. Existing street conditions.
 - v. LA DOTD access approval, if applicable.
 - vi. Louisiana Department of Health and Hospital approvals, if applicable.
 - vii. When located within lighting district no. 4, proposed street lighting plan in accordance with this UDC.
 - viii. Proposed street name, sign, and traffic control plan in accordance with this UDC.
 - ix. Engineering specifications for proposed rights-of-way, street cross sections, cross section and construction of the road base, and wearing surfacing materials, including at a minimum the detail of the ingress and egress roads, approach road(s) to the subdivision, and all streets or thoroughfares within the subdivision.
 - x. Designated special flood hazard areas (SFHA) shown on plat illustrated with demarcation lines or shading.
 - xi. Reference to coastal zone approval, if applicable.
 - xii. Required waterway, wetlands, and stormwater management buffers, as applicable, in accordance with **Sec. 600-3 Land Clearing, Tree Preservation, and Landscaping** of this UDC.
 - xiii. Proposed lowest finished floor elevation (FFE).
 - xiv. Profile drawings illustrating all center line street grades and ditch or canal bottom grades both in and outside of the public right-of-way.
 - xv. A digital set (either via electronic drive or cloud transfer) of detailed plans and specifications for central sewerage and/or water systems, including a total number of linear feet of sewer and water piping and other apparatus.
 - xvi. Ultimate surface water disposal shown on a USGS quadrangle map.

- xvii. Datum used for elevation control.
 - xviii. Reference to any soil analysis report, if required.
 - xix. Proposed rerouting of existing canals or natural watercourses.
 - xx. Proposed public drainage easements and/or rights-of-way.
 - xxi. Sections and profiles of proposed canals or canal improvements.
 - xxii. Direction of surface water flow in street ditches and canals.
 - xxiii. Location, size, and type of drainage structures proposed, including catch basins, drop inlets, and other features that are part of the drainage system improvements proposed.
 - xxiv. Culvert size for each lot.
 - xxv. Drainage Impact Study, as required in accordance with **Chapter 900 Infrastructure**.
 - xxvi. Certificates completed and signed by a registered professional engineer.
5. *Additional information may be required.* The Department of Planning and Development may require additional information or details not specifically listed in this section to ensure that proposed land uses, development intensities, and proposed infrastructure improvements meet the minimum requirements of this UDC prior to taking action on a final proposed subdivision plat and construction plan.

D. Application Review Process.

1. *Application completeness.*
 - a. The Department of Planning and Development shall review the final proposed subdivision plat and construction plan application and determine whether it is complete within 15 days of receipt.
 - b. Once an application is determined to be complete, the Department of Planning and Development shall coordinate with the applicant and other parish government departments to create and disseminate a schedule for interdepartmental review and public hearings associated with the request. Included in the schedule will be an interdepartmental meeting with the applicant to facilitate more direct review and discussion.
 - c. Per LA RS 33:113, if the Planning and Zoning Commission has not decided within 60 days of submittal of a complete application the final subdivision plat shall be deemed to have been approved, unless the owner/developer withdraws the application or requests the Planning and Zoning Commission postpone a decision.
2. *Interdepartmental review.*
 - a. *Feedback from departments.* Once an application is determined to be complete, the Department of Planning and Development shall coordinate with the Departments of Environmental Services, Public Works, 911 Addressing, Fire, and Engineering to review the final proposed subdivision plat and construction plan and collect their comments.
 - b. *Comment resolution.* The Department of Planning and Development shall collect and distribute comments from the parish departments to the applicant and inform the applicant whether or not the final proposed subdivision plat and construction plan meet the minimum requirements of this UDC. If the final proposed subdivision plat or construction plan do not meet the UDC requirements, the Department of Planning and Development shall provide the

applicant a list of required corrections, plat amendments, and unmet requirements that must be reconciled before the application shall be considered complete. The Department of Planning and Development may also direct the applicant to contact a parish department directly to discuss and resolve an open comment.

- c. *Resubmittal.* When additional information or amendments to the final proposed subdivision plat or construction plan are required, the applicant shall submit 12 revised drawings to complete the application and facilitate additional review.
- d. *Engineering and public works review and approval required.* The Department of Planning and Development shall not forward the final proposed subdivision plat and construction plan to the Planning and Zoning Commission's for consideration and decision until the subdivision layout and infrastructure design details and specifications have been approved by the Departments of Environmental Services, Public Works, and Engineering.

E. Required Public Hearing.

Once the final proposed subdivision plat application is determined to be complete, the Department of Planning and Development shall place the application on the agenda for the Planning and Zoning Commission and begin the published and posted notice processes required by **Sec. 200-4 Common Procedures, subsection G. Public Notice Requirements (3) and (4).**

F. Action by the Planning and Zoning Commission.

1. Planning and Zoning Commission meetings shall be conducted in accordance with **Sec. 100-2.2 Planning and Zoning Commission** of this UDC. At the public hearing, after considering the owner/developers application, reviewing the staff report, and hearing from members of the public desiring to comment, the Planning and Zoning Commission shall either approve, approve with modifications, postpone, or deny the final proposed subdivision plat and construction plan.
2. If the Planning and Zoning Commission postpones a decision, they shall set the date for rehearing and inform the owner/developer and or staff what information is needed to make a decision. If the owner applicant is aggrieved by the decision of the Planning and Zoning Commission they may submit and appeal in accordance with **Sec. 800-1.2 Rights of Appeal** of this UDC.
3. *Decision deadline.* The Planning and Zoning Commission has 60 days from the date of submittal of a complete application, as determined by the Department of Planning and Development, to approve or deny the final subdivision plat. Per LA RS 33:113, if the Planning and Zoning Commission has not decided within 60 days of submittal, the final subdivision plat shall be deemed to have been approved, unless the owner/developer withdraws the application or requests the Planning and Zoning Commission postpone a decision.

G. Land Clearing Permit.

The applicant must file and receive approval of a land clearing permit from the Department of Planning and Development prior to obtaining a work order authorizing the start of construction activities as per **Sec. 600-3.2 Land Clearing Standards.**

H. Maintenance Obligation.

The owner/developer must provide the parish with maintenance obligation after approval of the final proposed subdivision plat and construction plan have been approved and before the work order is issued. The purpose of the maintenance obligation is to ensure the owner/developer has sufficient resources to pay for the repair damage to public infrastructure resulting from their construction activity in connection with an approved subdivision.

1. *Cost calculation.* The amount of the obligation shall be determined by the Department of Engineering, prescribed in the work order, and based upon the existing conditions within 500 feet of the affected road as measured along the frontage of the site. The amount will also consider the type of construction (e.g., gravel, concrete, asphalt), the length of the road exposed to construction traffic, and other such factors as may be deemed appropriate by the Department of Engineering. The method for calculating the amount of a maintenance obligation is:
 - a. \$20.00 per linear foot for gravel roads or streets.
 - b. \$40.00 per linear foot for asphalt roads or streets.
 - c. \$60.00 per linear foot for concrete roads or streets.
2. *Expiration of Maintenance Obligation.* Maintenance obligations must remain in place until the approval of the final plat and the parish's acceptance of the warranty obligation. However, in no case will it be for less than a one-year period.
3. *Securities.* Maintenance obligations must be a security acceptable to the parish and be placed on file with the Department of Finance. Acceptable securities include:
 - a. *Cash.* Cash held in escrow account by the Department of Finance.
 - b. *Letter of credit.* A letter of credit from a financial institution with a Scheshunoff Bank Quarterly rating of C+ or above.
 - i. If the financial institution's rating falls below a C+ rating during the term of the obligation the parish council may allow 1 additional quarter for the rating to rise to an acceptable level. If the rating does not rise to an acceptable level in the time period set by the parish council, the developer shall have 15 days to provide an alternative acceptable security. If an alternative acceptable security is not provided then the developer will be considered in default of their obligation and the letter of credit will be called.
 - ii. If the financial institution's rating falls to a NR (not rated) level, the developer will have 15 days to provide alternative acceptable security or the developer will be considered to be in default of their obligation and the letter of credit will be called.
 - c. *Certificate of deposit.* Certificate of deposit from a financial institution with a Scheshunoff Bank Quarterly rating of C+ or above. The certificate of deposit must be pledged to the St. Tammany parish council and held in a safekeeping account with a safekeeping agreement. If the financial institution rating falls below a C+ during the term of the obligation the same conditions applied to a Letter of credit in subsection b above shall apply.
 - d. *U. S. Treasury bills or notes.* U.S. Treasury bills or U.S. Treasury notes pledged to the St. Tammany Parish Council and held in a safekeeping account with a safekeeping agreement.
 - e. *Bond.* A bond issued by a surety company listed on the federal register and licensed in the State of Louisiana.
4. *Monitoring responsibility.* The Department of Finance is responsible for ensuring securities do not lapse or expire. The Department of Finance shall notify the developer at least 90 days prior to expiration of the maintenance obligation so as to allow time for the developer to make

arrangements to extend or provide new security, if the developer does not think the project will be completed by the expiration date.

5. *Authority to extend, renew, release, or call-in obligations.*

- a. An obligation can only be released once the Director of the Department of Engineering or their designee determines that all applicable requirements of this UDC have been met.
- b. The Director of the Department of Engineering is authorized to approve a request for extension or renewal of the maintenance obligation by owner/developer.
- c. If an owner/developer does not meet their obligation, the Director of the Department of Engineering shall have the authority to call any outstanding security on the property in question and shall instruct the Department of Finance to seize securities necessary to complete any maintenance obligation.
- d. After acceptance of the dedication of the public infrastructure improvements and upon receipt of a written request from the owner/developer, the Director of the Department of Engineering may release the maintenance obligation by notifying the Director of the Department of Finance.

I. Work Orders.

Construction or installation of required infrastructure improvements may only begin upon issuance of a work order from the Director of the Department of Engineering or their designee. After the below conditions have been met, the Director or their designee may either issue one work order permitting construction of all approved infrastructure improvements or issue separate work orders for each individual public improvement:

1. The Planning and Zoning Commission has approved the final proposed subdivision plat and construction plan; and
2. The developer has received an approved land clearing permit; and
3. The Department of Finance has received and approved the security for the maintenance obligation.
4. All other permits and requirements have been satisfied regarding the requested Work Order.

J. Construction of Model/Speculation Homes.

After the Department of Engineering issues the work order, the owner/developer applicant may construct up to 5 model homes (more commonly known as "spec" homes) or up to 10 percent of the total number of lots within each phase of the development, whichever is the lesser amount, for sale and development. The model homes must meet all requirements of this UDC including, but not limited to, land use, zoning, and building code to be issued a building permit.

K. Final Proposed Subdivision Plat expiration.

1. Approval of the final proposed subdivision plat expires 1 year from the date of approval by the Planning and Zoning Commission, unless a Work Order has been issued and continuous substantial work is in progress.
2. The Planning and Zoning Commission can approve a single, 1-year extension of the final proposed subdivision plat.

3. If the final proposed subdivision plat expires, the owner/developer must reapply for final proposed subdivision plat and construction plan review and approval, and the owner/developer is subject to all applicable application and review fees.
4. If construction of the public infrastructure improvements ceases for more than 1 year after the issuance of a work order, the owner/developer must reapply for final proposed subdivision plat and construction plan review and approval and is subject to all applicable application and review fees.

SEC. 800-3.5 FINAL SUBDIVISION PLAT APPROVAL AND WARRANTY OBLIGATION.

A. Context.

The purpose of final subdivision plat review and approval and the warranty obligation acceptance is to authorize the recording of the plat with the clerk of court, allow the sale of lots, allow the issuance of building permits for individual lots, and provide a secured warranty obligation for the dedicated infrastructure. Final subdivision plat approval and warranty obligation involve:

1. Parish inspection of constructed infrastructure improvements.
2. Director of the Department of Engineering determining the infrastructure improvements were constructed or installed per the approved construction plan and in accordance with parish standards as set forth in **Ch 900 Infrastructure Standards**.
3. Approval of the final subdivision plat by the Director of the Department of Engineering.
4. Submittal of final subdivision plat for recordation with the clerk of court.
5. Owner/developer providing a secured warranty obligation for the public improvements to the Department of Finance.

B. Inspection of Infrastructure to Support Final Subdivision Plat Consideration.

1. *Scheduling*. Upon notice of intent to apply for final subdivision plat approval and provision of a warranty obligation, the Department of Engineering shall coordinate inspections of the required infrastructure improvements by applicable parish departments.
2. *Assessment*. Parish departments shall assess whether the infrastructure improvements have been constructed and/or installed in accordance with approved plans and are in accordance with parish's standards as provided for in **Ch. 900 Infrastructure Standards** in this UDC.
3. *Staff report*.
 - a. *Responsibility*. The Department of Engineering shall be responsible for the collection of inspection findings and documentation of these findings in a staff report.
 - b. *Required content*. The staff report shall include a punch list of any public infrastructure improvements that have not yet been completed or which do not meet the requirements of this UDC.
 - c. *Distribution and use*. A copy of the report shall be provided to the owner/developer or their designated representative for their action and records. The staff report must be included in the owner/developer's final subdivision plat application for the application to be complete.

C. Submittal for Final Subdivision Plat Approval.

1. *Application.* The owner/developer shall complete and submit an application for final subdivision plat approval to the Department of Planning and Development.
2. *Submittal requirements.* The final subdivision plat application shall not be considered complete until the applicant has submitted all materials, plans, and information consistent with the provisions of this section and in compliance with **Ch. 900 Infrastructure Standards**.
3. *Number of copies.* The owner/developer shall submit **7** copies of the final subdivision plat application.
4. *Computer Disk Requirement.* The applicant shall submit 2 copies of the final subdivision plat and as-built construction plans for the required infrastructure improvements in either an AutoCAD DXF file or any other version of AutoCAD DWG format. Drawings must include the following:
 - a. Drawings must contain two points that tie the subdivision into the state plane coordinates;
 - b. The centerline of all roadways must be clearly marked;
 - c. The subdivision phase boundary and individual lots and roads must be separated into polygons; and
 - d. Road names, road dimensions, lot numbers, lot size, lot dimensions, elevations, building setbacks, subdivision buffers, drainage servitudes, green space, gravity drainage features including detention/retention ponds and outfall structures, subsurface drainage features, utilities, vicinity map, title block features and any other text data must be separated into their own layers.
5. *Professional preparation.* The final subdivision plat must be prepared by a Louisiana licensed professional surveyor and must include a professional land survey of the property.
6. *Final Subdivision Plat content.* The final subdivision plat must contain the following information:
 - i. Subdivision title and location.
 - ii. Section, township and range identifiers.
 - iii. Section corner tie in.
 - iv. Vicinity map displaying the names of major streets, freeways, arterials, and collectors in the area of the development.
 - v. North direction arrow.
 - vi. Scale of drawings.
 - vii. Signature blocks for the Planning and Zoning Commission chairperson, Planning and Zoning Commission secretary, Director of the Department of Engineering, and clerk of court,
 - viii. Map File # and Date.
 - ix. Name and address of the developer.
 - x. Name and address of surveyor and/or engineer who prepared the plat.
 - xi. Surveyor's certification and seal on plat.

- xii. Boundary survey.
- xiii. Location of permanent markers at each lot corner in accordance with LA RS 33:5051.
- xiv. Parish require subdivision restrictions as provided in **Sec. 800- 3.5.D. Subdivision Restrictions** below.
- xv. Act of dedication of streets and drainage servitudes and/or rights-of-way.
- xvi. Required waterway, wetlands, and stormwater management buffers, as applicable, in accordance with **Section 600-3 Land Clearing, Tree Preservation, and Landscaping**.
- xvii. Board of health letter of approval.
- xviii. Total acres in subdivision.
- xix. Total number of lots.
- xx. Lot, block, section, or phase designations, as applicable.
- xxi. All existing and proposed lot dimensions.
- xxii. Building setback lines – Front, side and rear.
- xxiii. Municipal mailing address for each lot.
- xxiv. Special Flood Hazard Areas (SFHA) demarcated by line or shading.
- xxv. Base flood elevation (BFE) and design flood elevation (DFE), if applicable, for areas located in SFHA.
- xxvi. Wetland demarcation lines or shading
- xxvii. Minimum culvert size to be used for driveways included on the As-Built Paving & Drainage Plan.
- xxviii. LA DOTD access approval, as applicable.
- xxix. DHH approvals, as applicable.
- xxx. Existing street conditions.
- xxxi. Total length of streets.
- xxxii. Names of all streets on plat.
- xxxiii. All intersections at 90 degrees.
- xxxiv. Street elevations included on the As-Built Paving & Drainage Plan.
- xxxv. Bench marks (NGVD).
- xxxvi. Existing and proposed easements and servitudes.
- xxxvii. Surrounding land uses (on plat).
- xxxviii. Sewerage and water system layout included on the As-Built Water & Sewer Plan.
- xxxix. As-built drawings for central sewage, water facilities, and street and drainage infrastructure, including the direction of flow of surface water for individual lots or parcels.
- xl. Legal instrument for recordation stating responsibility for maintenance and upkeep of any community and greenspace areas.
- xli. Traffic control devices and street sign plan included on the As-Built Signage Plan.

- xlii. The applicant shall produce clear mortgage and conveyance certificates from the office of the Clerk of Court run in the names of all parties having ownership and/or controlling interest in access to the property, and on the "caption" of what the applicant proposes to dedicate to the Parish Council.
- xliii. Reference to any subdivision restrictions recorded by the developer or home owner's association.
- xliv. Demonstrated compliance with Interstate Land Sales Act.

D. Subdivision Restrictions.

The following subdivision restrictions shall be recited in each title or deed in addition to the required listing on the final plat for recordation.

1. A note that the minimum finished floor elevation (FFE) shall comply with the parish's adopted base flood elevation (BFE) or design flood elevation (DFE), whichever is applicable.
2. A statement that "No certificate of occupancy shall be issued before the sewerage and water systems are installed and certified operable or otherwise connected to a community (central) sewerage and/or water systems approved by the Director of the Department of Environmental Services".
3. Whenever a subdivision is served by a community (central) water system (supply), a statement that "No private water supply may be drilled or otherwise constructed on any lot for the purpose of supplying potable water to any building or structure, except for the purpose of irrigation, and in no event shall there be a physical connection between any such source and any element of the community (central) water system (supply)".
4. A statement that "Construction of any nature is prohibited in any parish drainage or street easement and/or right-of-way".
5. A statement that "On corner lots, driveways must be located at least 60' away from the corner of the property closest to the street intersection".
6. A statement that "Lots within an approved subdivision shall not have rear access via a driveway to or from any street or road that is not dedicated within the boundaries of the approved subdivision plat".

E. Compliance with Interstate Land Sales Act.

The owner/developer must include on the final subdivision plat an affirmative statement that subdivision is in compliance with the Interstate Land Sales Act and as proof must provide along with the application either:

1. An affidavit confirming that the developer is exempt by statute from the provisions of the Interstate Land Sale Act; or
2. A certified copy of a letter to the office of interstate land sales registration indicating that the developer has applied to the office of interstate land sales registration for an exemption; or
3. A certified copy of a letter to the office of interstate land sales registration indicating that the developer is applying for registration with the office of interstate land sales registration.

F. Final Subdivision Plat Approval and Performance and Warranty Obligation.

1. *Application completeness.* The Department of Planning and Development shall review the final subdivision plat application, including the parish department inspection staff report, and determine whether it is complete within 15 days of receipt.

2. *Interdepartmental review.*

- a. *Inspection and staff report.* Once an application is determined to be complete, the Department of Planning and Development shall coordinate with the Departments of Environmental Services, Public Works, Engineering, and 911 Communications District to collect comments and required corrections on the final subdivision plat and the as-built plans for required infrastructure improvements.
- b. *Comment resolution.* Upon receipt of comments from other departments, the Department of Planning and Development shall collect, compile, and provide the comments to the owner/developer. If the final subdivision plat or as-built plans do not meet the parish's standards, the Department of Planning and Development shall provide to the owner/developer a list of corrections, plat amendments, and unmet requirements necessary to meet the provisions of this UDC. The Department of Planning and Development may also direct the applicant to contact a parish department directly to discuss and resolve an open comment. When additional information or amendments to the final subdivision plat or as-built plans are needed, the owner/developer shall submit 7 revised plats and/or as-built to the Department of Planning and Development for review and processing.

3. *Final Plat and Warranty Obligation Decision-making.*

- a. The Department of Planning and Development department shall not consider the interdepartmental review complete until the final subdivision plat and as-built plans have been approved by the Departments of Engineering, Environmental Services, and Public Works.
- a. Once the Director of the Department of Engineering determines the final subdivision plat and as-built plans meet the requirements of this UDC, the Department of Engineering shall approve the final plat and warranty obligation.
- b. Upon approval of both the final plat and warranty obligation by the Director of the Department of Engineering:
 - i. The developer shall:
 - A. Provide a warranty obligation to the parish to guarantee the required infrastructure improvements are constructed or installed in accordance with approved plans and specifications and will continue to function as intended during the duration of the warranty period.
 - B. Provide any required performance obligation for any infrastructure whose construction and installment has not been completed.
 - C. Provide 7 copies of the final subdivision plat to the Department of Planning and Development.
 - ii. The Department of Planning and Development shall:
 - 1) Acquire the signatures of the Planning and Zoning Commission chairperson, Planning and Zoning Commission secretary, and the Director of the Department of Engineering.

- 2) Submit the final subdivision plat to the clerk of court for their signature and recording.
- iii. *Denial.* If the Director of the Department of Engineering denies the final subdivision plat:
 - (A) The Department of Engineering shall inform the owner/developer as to the reason for the denial and what actions are necessary to bring the subdivision into conformance with the parish's regulations and standards.
 - (B) The developer shall immediately cease all work on the subdivision and shall not sell or convey any lots.
 - (C) The developer may resubmit for approval after 6 months.
- i. *Appeal of Department of Engineering decision.* The owner/developer may appeal the Engineering Department's decision to the planning and zoning commission.
5. *Warranty and Performance Obligations.* There are two types of obligations that can be placed on the owner/developer by the Department of Engineering as a condition of final subdivision plat approval – warranty and performance.
 - a. *Warranty obligation.* Warranty obligations are provided by the owner/developer upon the Director of the Department of Engineering's determination that construction of the required infrastructure improvements is complete. The warranty obligation assures the parish that all required public infrastructure construction work completed by the owner/developer is in accordance with the parish approved plans and specifications, that the work is free from any structural defects, and the improvements will continue to perform without defect once placed into service.
 - b. *Performance obligation.* A performance obligation shall be required when final subdivision plat approval is requested before construction or installation of the required infrastructure improvements are complete. The performance obligation is to provide funds to complete the required infrastructure improvements in case the owner/developer is unable or unwilling to complete construction or installation. In deciding whether to accept a performance obligation, the Director of the Department of Engineering determines, based on input from the Departments of Environmental Services and Public Works, which may include inspections by these departments, if the construction or installation of the required infrastructure is sufficiently advanced and in suitable condition that approval can be granted.
 - c. *Release of obligations.* Performance and warranty obligations may be released by the Director of the Department of Engineering once the agreed duration period is complete and the required infrastructure is performing in accordance with the parish's infrastructure standards.
 1. *Warranty obligation, amount, duration, and termination.* The Department of Engineering shall establish the duration and amount of the warranty obligation as a condition of final subdivision plat approval.
 - a. *Duration.* The duration of the warranty obligation is a minimum of 24 months.
 - b. *Amount.* The amount of a warranty obligation shall be based upon the following estimated repair costs for a street and supporting improvements.

- 1) Concrete streets: \$50.00 per linear foot
 - 2) Asphalt streets: \$44.00 per linear foot.
 - 3) Gravel streets: \$40.00 per linear foot.
- c. *Termination of warranty obligation.*
- 1) *120 Day Inspection.* No later than 120 days before the expiration of the warranty obligation the Director of the Department of Engineering shall coordinate an inspection by parish departments of the required infrastructure improvements. The Department of Engineering shall compile the reports from the parish inspectors into a staff report and shall provide the report to the owner/developer. The report shall identify any noted deficiencies or damage to the required infrastructure improvements that the parish administration requires be corrected.
 - 2) *Release of obligation and acceptance of required infrastructure.* Once the Director of the Department of Engineering determines that the developer has met the performance requirements the Director shall release the warranty obligation.
2. *Performance Obligation amount, duration, and termination.* The Department of Engineering shall establish the duration and amount of the performance obligation as a condition of final subdivision plat approval.
- a. *Amount.* The amount of the performance obligation shall be based on an estimate prepared by the Director of the Department of Engineering and will consider the type of infrastructure improvement that must be constructed or installed, how much work is needed to complete the required infrastructure improvements, the cost of materials based on current market rates, and the cost of labor. The amount of a Performance Obligation shall be based upon the following current estimated costs of construction of a street and supporting improvements:
 - 1) Concrete streets: \$120.00 per linear foot.
 - 2) Asphalt streets: \$80.00 per linear foot.
 - 3) Gravel streets: \$40.00 per linear foot.
 - b. *Duration.* Performance obligations shall be set in 1-year increments until the work requiring the establishment of the obligation has been completed and accepted by the Director of the Department of Engineering. The Director of Department of Engineering can approve a less than 1-year increment if in their determination a lesser period is sufficient to complete the required work.
 - c. *Termination.* The Director of the Department of Engineering shall determine whether the developer has complied with all applicable requirements of development before any obligation can be released. Prior to releasing the performance obligation, the parish councilmember/s in whose district the project is located shall be notified in writing of the intent to release the obligation and afforded 10 days to provide the Director of the Department of Engineering any concerns they have with the state of construction or installation. The Director of the Department of Engineering shall have the sole authority to approve a request from the owner/developer to extend or renew the performance obligation.
- d. *Security requirements of performance and warranty obligations.*

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- i. All performance and/or warranty obligations must have acceptable securities submitted to and on file with the Department of Finance. Acceptable security is required to be posted by the owner/developer of a newly constructed subdivision in order to ensure that monies are available, if needed, to complete all infrastructure improvements and to assure the serviceability and maintenance of all roadways within said development in the event a developer defaults on his obligation. No lots can be sold until the parish receives and accepts the security for the warranty obligation and performance obligation, if one is required. Acceptable security includes:
 - d. *Cash.* Cash to be held in escrow by the Department of Finance.
 - e. *Letter of credit.* A letter of credit from a financial institution with a Scheshunoff Bank Quarterly rating of C+ or above.
 - 1) If the financial institution's rating falls below a C+ rating during the term of the obligation the parish council may allow 1 additional quarter for the rating to rise to an acceptable level. If the rating does not rise to an acceptable level in the time period set by the parish council, the developer shall have 15 days to provide an alternative acceptable security. If an alternative acceptable security is not provided then the developer will be considered in default of their obligation and the letter of credit will be called.
 - 2) If the financial institution's rating falls to a NR (not rated) level, the developer will have 15 days to provide alternative acceptable security or the developer will be in default of their obligation and the letter of credit will be called (C) Certificate of deposit from a financial institution with a Scheshunoff Bank Quarterly rating of C+ or above. The certificate of deposit must be pledged to the parish council and held with a safekeeping agreement in a safekeeping account. If the financial institution rating falls to a C during the term of the obligation, the parish council will allow one additional quarter for the rating to rise to an acceptable level. If the rating does not rise to an acceptable level, the developer will have 15 days to provide acceptable alternative security, or the developer will be considered in default on their obligation, and the certificate of deposit will be called. If the financial institution's rating falls to a NR (not rated) level, the developer will have 15 days to provide acceptable alternative security, or the developer will be considered in default on their obligation, and the certificate of deposit will be called.
 - (D) *U.S. Treasury bills or notes.* U.S. Treasury bills or U.S. Treasury notes pledged to the St. Tammany Parish Council and held in a safekeeping account with a safekeeping agreement.
 - (E) *Bond.* A bond issued by a surety company listed on the federal register and licensed in the State of Louisiana.
 - 3. *Director Finance Responsibility.* The Director of the Department of Finance is charged with the responsibility of ensuring that securities do not lapse or expire. In addition, the Director of the Department of Finance shall be responsible for notifying the owner/developer and financial institution holding the pledged securities at least 90 days prior to the expiration of the obligation and of informing said parties of the date on which a public hearing will be held regarding the disposition of the obligation.
 - e. *Developer Defaults on warranty or performance obligations.*
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If a developer defaults and cannot or will not meet their obligation at or on the prescribed date that the obligation is due to expire, the Director of the Department of Engineering shall have the authority to call any outstanding security and to instruct the Director of the Department of Finance to seize those securities necessary to complete any performance or warranty obligations germane to the development.

SEC. 800-3.6 DEDICATION OF INFRASTRUCTURE IMPROVEMENTS TO THE PARISH.

A. Generally.

After the developer has completed construction or installation of the required infrastructure improvements and the applicable warranty period has ended, the developer shall request the parish accept dedication of the public infrastructure improvement.

B. Procedure and Decision-Making.

1. The Director of the Department of Engineering will coordinate an inspection of the required public infrastructure improvements by the applicable departments no later than 120-days prior to the end of the warranty period. The Department of Engineering will compile the results of the inspection into a report for the owner/developer listing and deficiencies that must be corrected before the parish will consider accepting a dedication of infrastructure improvements.
2. At the conclusion of the warranty period, the Director of the Department of Engineering shall determine whether the required public infrastructure improvements meet parish standards and submit a report of findings to the parish council.
3. Upon determination that improvements meet parish standards, the Director of the Department of Engineering shall request the dedication of the improvements be placed on the parish council agenda for acceptance via ordinance. If the ordinance is approved, improvements shall transfer to the parish.
4. If the Director of the Department of Engineering determines the improvements do not meet the parish standards, he or she shall notify the owner/developer of deficiencies identified and what corrections are required before the owner/developer can re-apply for their dedication. The parish council, at their discretion, may determine to accept parts of the required infrastructure that meet parish standards while also rejecting parts that do not meet parish standards.
5. If corrections are required and the dedication is not accepted, the owner/developer shall either extend the existing warranty obligation or provide a new warranty obligation to guarantee the corrections will be made. The process for determining if the new warranty duration and amount is that same as is set forth in **Sec. 800-3.5.F.5**.

SEC. 800-4 PLANNED UNIT DEVELOPMENTS.

A. Generally.

A planned unit development (PUD) when involving a major subdivision and shall comply with all the procedures set forth in this chapter for review and approval of a major subdivision.

B. PUD Subdivision Review in Conjunction with Zoning Approval.

1. The parish intends for each PUD to be reflective of an integrated development plan and to ensure all required approvals are obtained before land clearing and construction of infrastructure improvements begins.
2. PUD site plan review and effective rezoning of a property shall take place concurrently with review and approval of a Major Subdivision application, whereupon the PUD rezoning shall be effective upon approval of the proposed final subdivision plat and construction plan.
3. In no case will the final proposed subdivision plat or construction plan be approved until the property is zoned as a PUD.
4. Refer to **Chapter 200, Sec. 200-3.12 - Planned Unit Development Application** for additional detail on submittal requirements and review procedures.

SEC. 800-5 DORMANT SUBDIVISIONS.

SEC. 800-5.1 DORMANT SUBDIVISIONS.

A. Applicability.

A dormant subdivision is a legally created subdivision of land properly recorded with the clerk of court where actual on-site improvements (i.e., drainage, roads, building construction, etc.) have not yet been constructed or whose dedication was not accepted into the parish system and the infrastructure has either deteriorated to a degree that they are no longer useable or was built to older no longer accepted standards that no longer eligible for acceptance into the parish system.

B. Construction or Reconstruction of Streets.

Construction or reconstruction of any streets in dedicated parish rights-of-way must first receive Planning and Zoning Commission approval before any construction can commence.

C. Dormant Subdivisions North of Urban Growth Boundary (UGB).

Owner/developers of infrastructure or lots in a dormant subdivision owned by one individual, a group of individuals, any entity or entities, or a combination thereof and located above (north of) the urban growth boundary line are required to reapply for final proposed subdivision plat and construction plan approval prior to the sale of any lots or the construction or installation of any infrastructure, public or private. Approval of the final proposed subdivision plat, construction plan, and final subdivision plat and the requirements for warranty and performance obligations will conform to the applicable requirements in **Sec. 800.3.4 Final Proposed Subdivision Plant and Construction Plan** and **Sec. 800-3.5 Final Plat Approval and Warranty Obligation**. The plan for the subdivision must conform to the underlying zoning classification and comply with current infrastructure requirements as set forth in **Ch. 900 Infrastructure Standards**.

SEC. 800-5.2 LEGAL NONCONFORMING SUBDIVISIONS.

A. General.

There exists in the parish lots created legally prior to July 28, 1967 or located in the Bayou Gardens Subdivision in Lacombe or located in the Dove Park Subdivision that do not conform to current zoning district regulations and/or infrastructure standards. These lots are considered legal nonconforming in

accordance with **Ch. 500 Nonconformities** of this UDC. Because these lots do not conform to current standards, sale, construction of structures, or any other type development requires extra review and approval.

B. Contiguous Substandard Lots Under Common Ownership.

If 2 or more contiguous legal nonconforming lots of records or portions thereof are owned by the same person, then the owner must combine the lots or portions of the lots into one lot that meets current lot requirements by using the parish's resubdivision process as set forth in this chapter. If the owner refuses to combine the lots or portions thereof they shall be precluded from:

1. Selling the lots or portions thereof.
3. Constructing a structure, principle or accessory.
4. Placing of fill.
5. Subdividing the lot to a lesser size.

C. Construction.

A building permit for a legal nonconforming lot may only be issued when:

1. The owner of the lot attests to the fact that they do not currently own, nor have they or their predecessor in title sold or otherwise conveyed, any contiguous lot/s or portions thereof which could have been combined with the lot in question to create a conforming lot.
2. The Planning and Zoning Commission, after a public hearing per **Sec. 800-2.2.D**, may grant a waiver for a lot less than 75' in width or 150' in depth provided the lot area is not less than 10 percent then what is required by the zoning district in which the lot is located.

A violation of any provision of this section or knowingly providing false information in connection with an application filed pursuant to this section, shall constitute a misdemeanor that is punishable by a fine not to exceed \$500.00 per day for each day that the violation continues, imprisonment in the parish jail for not more than 30 days, or both. The parish is also authorized to take any or all legal action it deems necessary to address and remedy any violation of these provisions