

**CITY OF THIBODAUX
SUBDIVISION REGULATIONS
TABLE OF CONTENTS**

ARTICLE I.	GENERAL PROVISIONS.....	1
Section 18 – 1	How Cited	1
Section 18 – 2	General Policy.....	1
Section 18 – 3	General Purposes.....	2
Section 18 – 4	Exercise of Authority by City Planning Commission.....	3
Section 18 – 5	Jurisdiction	3
Section 18 – 6	Interpretation.....	3
Section 18 – 7	Conflict with Public and Private Provisions.....	4
	a. Public Provisions.....	4
	b. Private Provisions	4
Section 18 – 8	Severability.....	4
Section 18 – 9	Saving Provision	4
Section 18 – 10	Amendments.....	4
Section 18 – 11	Conditions	4
Section 18 – 12	Resubdivision of Land.....	5
	a. Procedure for Resubdivision.....	5
	b. Procedures for Subdivision Where Future Resubdivision is Indicated.....	5
Section 18 – 13	Vacation of Plats	5
Section 18 – 14	Variances	6
Section 18 – 15	General Enforcement Provisions.....	6

Section 18 – 16	Violations, Penalties.....	7
Section 18 – 17	Civil Enforcement.....	7
ARTICLE II.	DEFINITIONS	8
Section 18 – 31	General Usage of Words & Phrases, How Construed	8
Section 18 – 32	Words and Terms Defined.....	8
ARTICLE III.	SUBDIVISION CLASSIFICATION, APPLICATION, AND APPROVAL PROCESS	13
Section 18 – 51	Classification of Subdivisions	13
Section 18 – 52	Official Submission Dates.....	14
Section 18 – 53	Application & Approval Process for Subdivisions.....	14
	a. Sketch Plat Approval Application Procedures and Requirements.....	14
	b. Preliminary Plat Approval Application Procedures and Requirements	17
	c. Final Plat Approval Application Procedures and Requirements.....	22
Section 18 – 54	Application and Approval Process for Administrative Resubdivision of Land.....	25
	a. Administrative Plat Approval.....	25
Section 18 – 55	Application and Approval Process for Family Subdivisions	26
Section 18 – 56	Application and Approval Process for Divisions of Raw Land	29

ARTICLE IV.	DESIGN AND CONSTRUCTION REQUIREMENTS FOR RESERVATIONS AND IMPROVEMENTS FOR SUBDIVISIONS.....	29
Section 18 – 81	General Improvements	29
	a. Conformance to Applicable Rules and Regulations	29
	b. Plats Straddling Governmental Boundaries.....	30
	c. Monuments	30
	d. Character of Land	30
	e. Subdivision Name	30
	f. Subdivision Street Name & Addressing.....	30
Section 18 – 82	Geometric Standards	31
	a. Streets.....	31
	b. Blocks.....	32
	c. Lots.....	32
	d. Easements & Right-of-Ways.....	33
	e. Building Lines.....	33
	f. Fencing	33
	g. Waterbodies & Watercourses	33
	h. Reserve Strips	33
	i. Construction Access Route.....	33
Section 18 – 83	Design Standards	33
	1. Streets.....	34
	2. Sewerage Systems	37
	3. Water System	39
	4. Gas System	40
	5. Drainage	41
	6. Miscellaneous	44
ARTICLE V.	NON-RESIDENTIAL SUBDIVISIONS.....	46
Section 18 – 111	Generally.....	46
	a. General	46
	b. Standards.....	46

ARTICLE VI.	ASSURANCES FOR COMPLETION OF IMPROVEMENTS & PERFORMANCE BONDS.....	46
Section 18 – 131	Completion & Dedication of Improvements and Performance Bonds	46
	a. Completion of Improvements	46
	b. Performance Bonds	47
	c. Temporary Improvement.....	47
	d. Cost of Improvements.....	47
	e. Governmental Units	47
	f. Failure to Complete Units	47
	g. Acceptance of Dedication Offers	48
Section 18 – 132	Inspection of Improvements.....	48
	a. General Procedure & Fees	48
	b. Release or Reduction of Performance Bonds	48
Section 18 – 133	Maintenance of Improvements	48
Section 18 – 134	Issuance of Building Permits	49
ARTICLE VII.	MOBILE HOME PARK REGULATIONS.....	49
Section 18 – 151	General	49
Section 18 – 152	Policy.....	49
Section 18 – 153	Purpose.....	50
Section 18 – 154	Authority	50
Section 18 – 155	Jurisdiction	50
Section 18 – 156	Application of Regulations	51
Section 18 – 157	Dedication of Improvements	51
Section 18 – 158	Usage.....	51
Section 18 – 159	Words and Terms Defined.....	51

Section 18 – 160	Application Procedure.....	53
Section 18 – 161	Sketch Plat Approval.....	54
Section 18 – 162	Final Approval	55
Section 18 – 163	Issuance of Certificate of Occupancy	58
Section 18 – 164	General Design Standards	59
Section 18 – 165	Non-Conforming Mobile Home Parks	62
Section 18 – 166	Administration and Enforcement.....	62
Section 18 – 167	Violations and Penalties.....	63
Section 18 – 168	Variances	64
ARTICLE VIII.	TOWN HOUSE DEVELOPMENTS	64
Section 18 – 191	Generally.....	65
Section 18 – 192	Site Plan, lot size and area. Parking and open space provisions.....	65

Chapter 18 SUBDIVISIONS

*Editor's note--Ord. No. 1781, adopted Oct. 15, 1996, repealed ch. 18 in its entirety. Formerly, ch. 18 pertained to subdivision regulations and derived from § 1 of Ord. No. 529, adopted Sept. 24, 1957; Ord. No. 678, adopted Aug. 14, 1967; and Ord. No. 1556, adopted March 5, 1991. Ord. No. 1781 enacted new provisions for ch. 18 as herein set out. See the history note following each section for further derivation hereof.

Cross reference(s)--Flood damage prevention standards, § 9.5-32(3); zoning, app. A.

Article. I. General Provisions, §§ 18-1--18-30

Article II. Definitions, §§ 18-31--18-50

Article III. Subdivision Classification, Application, and Approval Process, §§ 18-51--18-80

Article IV. Design and Construction Requirements for Reservations and Improvements for Public Subdivisions, §§ 18-81--18-110

Article V. Nonresidential Subdivisions, §§ 18-111--18-130

Article VI. Assurances for Completion and Maintenance of Improvements, §§ 18-131--18-150

Article VII. Mobile Home Park Regulations, §§ 18-151--18-168

ARTICLE I. GENERAL PROVISIONS

Section 18-1. How cited. These regulations shall hereafter be known, cited and referred to as the subdivision regulations of the City of Thibodaux.
(Ordinance No. 1781, Exh. A (Ch. 1, A), 10-15-96)

Section 18-2. Policy. It is hereby declared to be the policy of the city to consider the subdivision of land and the subsequent development of the subdivided plat as subject to the control of the city planning and zoning commission for the orderly, planned, efficient, and economical development of the city.

- (1) Except as provided for herein, land to be subdivided shall be of such character that it can be used safely for building purposes without danger to health or peril from fire, flood, or other menace, and land shall not be subdivided until available public facilities and improvement exist and proper provision has been made for drainage, water, sewerage, utilities, and capital improvements such as schools, parks, recreation facilities, transportation facilities, and improvements.
- (2) The existing and proposed public improvements shall conform to and be properly related to the proposals shown in the master plan, city base map, and the capital improvements program of the city, and it is intended that these regulations shall

supplement and facilitate the enforcement of the provisions and standards contained in the flood damage prevention ordinance, zoning ordinance, master plan, city base map, and capital improvements program of the city.
(Ord. No. 1781, Exh. A(Ch. 1, B), 10-15-96)

Section 18-3. Purposes. These regulations are adopted for the following purposes:

- (1) To protect and provide for the public health, safety and general welfare of the city;
- (2) To guide the future growth and development of the city;
- (3) To provide for adequate light, air, and privacy, to secure safety from fire, flood, and other danger and to prevent overcrowding of the land and undue congestion of population;
- (4) To protect the character and the social and economic stability of all parts of the city and to encourage the orderly and beneficial development of all parts of the city;
- (5) To protect and conserve the value of land throughout the city and the value of buildings and improvements upon the land, and to minimize the conflicts among the uses of land and building;
- (6) To guide public and private policy and action in order to provide adequate and efficient transportation, water, sewerage, schools, parks, playgrounds, recreation, and other public requirements and facilities;
- (7) To provide the most beneficial relationship between the uses of land and buildings, and the circulation of traffic throughout the city, having particular regard to the avoidance of congestion in the streets and highways, and the pedestrian traffic movements appropriate to the various uses of land and buildings, and to provide for the proper location and width of streets and building lines;
- (8) To establish reasonable standards of design and the procedures for subdivisions, extensions of existing subdivisions, and resubdivisions, in order to further the orderly layout and use of land; and to insure proper legal descriptions and monumenting of subdivided land;
- (9) To insure that public facilities are available and will have a sufficient capacity to serve the proposed subdivision;
- (10) To prevent the pollution of air, bayous, canals and other bodies of water; to assure the adequacy of drainage facilities; and to encourage the wise use and management of natural resources throughout the city in order to preserve the integrity, stability, and beauty of the community and the value of the land;
- (11) To preserve the natural beauty and topography of the city, and to insure appropriate development with regard to these natural features; and
- (12) To provide for open spaces through the most efficient design and layout of the land by providing for minimum width and area of lots.

(Ord. No. 1781, Exh. A(Ch. 1, C), 10-15-96)

Section 18-4. Exercise of authority by city Planning and Zoning Commission. By authority of the provisions set forth herein, adopted pursuant to the powers and jurisdictions vested through La. R.S. 33:101-119 and other applicable laws, statutes, ordinances, and regulations of the State of Louisiana, the City of Thibodaux Planning and Zoning Commission (hereinafter referred to as "planning commission") does hereby exercise the power and authority to review, approve, and disapprove plats for subdivision land within the incorporated areas of the city which show lots, blocks, utilities and/or sites with or without new streets or highways. In those cases where a proposed subdivision will include the construction of new streets, roadways, and/or drainage facilities to be dedicated to the city for subsequent maintenance and operation, the planning commission shall make a recommendation to the city council for final disposition of the preliminary and final approval applications. Final approval and acceptance of offers for dedication of improvements shall be by ordinance of the city.

- (1) By the same authority, the planning commission does hereby exercise the power and authority to pass and approve the development of platted subdivisions of land already recorded in the office of the parish clerk of court, if such plats are entirely or partially undeveloped.
- (2) The plat shall be considered to be entirely or partially undeveloped if said plat has been recorded with the parish clerk of court's office without a prior approval by the planning commission.

(Ord. No. 1781, Exh. A(Ch. 1, D), 10-15-96)

Section 18-5. Jurisdiction. These subdivision regulations shall apply to all subdivisions of land, as defined herein, located within the incorporated areas of the city.

- (1) No land shall be subdivided within the incorporated areas of the city until:
 - a. The subdivider or his agent has submitted a sketch plat of the parcel to the planning commission;
 - b. Obtained approval of the sketch plat and preliminary and final approval of the plat itself by the planning commission;
 - c. The city has formerly accepted all offers of dedication for perpetual maintenance and operation; and
 - d. The approved plat is filed with the parish clerk of court.
- (2) No development permit shall be issued for any parcel or plat of land which was created by subdivision after the effective date of, and not in conformance with, the provisions of these subdivision regulations, and no excavation of land or construction of any public or private improvements shall take place or be commenced except in conformity with the regulations. (Ord. No. 1781, Exh. A(Ch. 1, E), 10-15-96)

Section 18-6. Interpretation. In their interpretation and application, the provisions of these regulations shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare.

(Ord. No. 1781, Exh. A(Ch. 1, F), 10-15-96)

Section 18-7. Conflict with public and private provisions.

(a) Public provisions. These regulations are not intended to interfere with, abrogate, or annul any other ordinance, rule or regulation, statute, or other provision of law. Where any provision of these regulations imposes restriction different from those imposed by any other provision of these regulations or any other ordinance, rule or regulation, or other provision of law, whichever provisions are more restrictive or impose higher standards shall control.

(b) Private provisions. These regulations are not intended to abrogate any easement, covenant or any other private agreement or restriction, provided that where the provisions of these regulations are more restrictive or impose higher standards or regulations than such easement, covenant, or other private agreement or restriction, the requirements of these regulations shall govern.

(Ord. No. 1781, Exh. A(Ch. 1, G), 10-15-96)

Section 18-8. Severability. If any part or provision of these regulations or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgments shall be confined in its operation to the part, provision, or application directly involved in all controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of these regulations or the application thereof to other persons or circumstances. The planning commission hereby declares that it would have enacted the remainder of these regulations even without any such part, provision, or application.

(Ord. No. 1781, Exh. A(Ch. 1, H), 10-15-96)

Section 18-9. Saving provision. These regulations shall not be construed as abating any action now pending under, or by virtue of, any prior existing subdivision regulations, or as discontinuing, abating modifying, or altering any penalty accruing or about to accrue, or as affecting the liability of any person, firm, or corporation, or as waiving any right of the city under any section or provision existing at the time of adoption of these regulations, or as vacating or annulling any rights obtained by any person, firm, or corporation, by lawful action of the city except as shall be expressly provided for in these regulations.

(Ord. No. 1781, Exh. A(Ch. 1, I), 10-15-96)

Section 18-10. Amendments. For the purpose of providing the public health, safety, and general welfare, the planning commission may from time to time propose amendments for adoption by the city council to alter the provisions imposed by these subdivision regulations. Public hearings on all proposed amendments shall be held by the planning commission in the manner prescribed by law.

(Ord. No. 1781, Exh. A(Ch. 1, J), 10-15-96)

Section 18-11. Conditions. Regulation of the subdivision of land and the attachment of reasonable conditions to land subdivision is an exercise of valid police power delegated by the state to the city. The developer has the duty of compliance with reasonable conditions laid down by the planning commission and/or the city council for design, dedication, improvement, and restrictive use of the land so as to conform to the physical and economical development of the city and to the safety and general welfare of the future plot owners in the subdivision and of the community at large.

(Ord. No. 1781, Exh. A(Ch. 1, K), 10-15-96)

Section 18-12. Resubdivision of land.

(a) Procedure for resubdivision: For any change in a map of an approved or recorded subdivision plat, if such change requires the construction of improvements as required in these regulations, or if such change affects any street layout shown on such map, or area reserved thereon for public use, or if it affects any map or plan legally recorded prior to the adoption of any regulations controlling subdivisions, such change shall be approved by the planning commission by the same procedure, rules, and regulations as for a newly created subdivision.

- (1) For any change in a map of a subdivision previously approved by the planning commission, and recorded in the Office of the Lafourche Parish Clerk of Court, when such change does not increase the number of lots of record, requires no construction of improvements, as prescribed by these regulations, and conforms in all aspects to these regulations, such resubdivision shall be approved by the administrative staff of the planning commission, in conformity with the procedures set forth herein.

[(2) Reserved.]

(b) Procedures for subdivisions where future resubdivision is indicated: Whenever a parcel of land is subdivided and the subdivision plat shows one (1) or more lots containing more than one (1) acre of land and there are indications that such lots will eventually be resubdivided into small building sites, the planning commission may require that such parcel of land allow for the future opening of streets and the ultimate extension of adjacent streets. Easements providing for the future opening and extension of such streets may be made a requirement of the plat.

(Ord. No. 1781, Exh. A(Ch. 1, L), 10-15-96)

Section 18-13. Vacation of plats. Any plat or any part of any plat may be vacated by the owner of the premises, at any time before the sale of any lot therein, by a written instrument, to which a copy of such plat shall be attached, declaring the same to be vacated.

- (1) Such an instrument shall be approved by the planning commission in like manner as plats of subdivisions. The city council may reject any such instrument which abridges or destroys any public rights in any of its public uses, improvements, streets, or alleys.
- (2) Upon approval by the planning commission and the city council, such an instrument shall be executed, acknowledged, or approved, and recorded or filed, in like manner as plats or subdivisions; and being duly recorded or filed shall operate to destroy the force and effect of the recording of the plat so vacated, and to divest all public rights in the streets, alleys, and public grounds, and all dedications laid out or described in such plat.
- (3) When lots have been sold, the plat may be vacated in the manner herein provided by all the owners of lots in such plat joining in the execution of such writing.

(Ord. No. 1781, Exh. A(Ch. 1, M), 10-15-96)

Section 18-14. Variances.

(a) General: Where the planning commission finds that extraordinary hardships or practical difficulties may result from strict compliance with these regulations and/or that the purposes of these regulations may be served to a greater extent by an alternative proposal, it may approve variances to these subdivision regulations so that substantial justice may be done and the public interest secured, provided that such variance shall not have the effect of nullifying the intent and purpose of these regulations; and further provided the planning commission shall not approve of any variance unless it shall make findings based upon the evidence presented to it in each specific case that:

- (1) The granting of the variance will not be detrimental to the public safety, health, or welfare or injurious to other property;
- (2) The conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are not applicable generally to other property;
- (3) Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations are carried out; and
- (4) The variances will not in any manner vary the provisions of the zoning ordinance, flood damage prevention ordinance, master plan, or city base map.

(b) Conditions: In the approval of variances, the planning commission may attach conditions as will, in its judgment, secure substantially the objectives of the standards or requirements of these regulations.

(c) Procedures: A petition for any such variance shall be submitted in writing by the subdivider at the time when the preliminary plat is filed for the consideration by the planning commission. The petition shall state fully the grounds for the application and all of the facts relied upon by the petitioner.

- (1) The planning commission shall render a decision on the variance petition within thirty (30) days from the date of the regular meeting at which the petition is heard.
 - a. Action on the application for preliminary approval shall be removed from the planning commission agenda until a final decision on the variance petition is rendered.
 - [b. Reserved.]

(d) Fees: All petitions for variances shall be accompanied by a fee of fifty dollars (\$50.00). (Ord. No. 1781, Exh. A(Ch. 1, N), 10-15-96)

Section 18-15. General enforcement provisions. It shall be the duty of the planning commission to enforce these regulations and to bring to the attention of the city council any violations or lack of compliance herewith.

- (1) No owner, or agent of the owner, of any parcel of land located in a proposed

subdivision shall transfer or sell any such parcel before a plat of such subdivision has been approved by the planning commission, in accordance with the provisions of these regulations, accepted by the city council, and filed with the parish clerk of court.

- (2) The subdivision of any lot or any parcel of land, by the use of metes and bounds description for the purpose of sale, transfer, or lease with the intent of evading these regulations shall not be permitted. All such described subdivisions shall be subject to all of the requirements contained in these regulations.
 - (3) No building permit shall be issued for the construction of any building or structure located on a lot or plat subdivided or sold in violation of the provisions of these regulations.
- (Ord. No. 1781, Exh. A(Ch. 1, O), 10-15-96)

Section 18-16. Violations/penalties. Any person, firm, or corporation who fails to comply with, or violates, any of these regulations shall be subject to penalty pursuant to the provisions of Section 33:114 of the Revised Statutes of the State of Louisiana.
(Ord. No. 1781, Exh. A(Ch. 1, P), 10-15-96)

Section 18-17. Civil enforcement. Appropriate actions and proceedings may be taken by law or in equity to prevent any violations of these regulations, to prevent unlawful construction, to recover damages, to restrain, correct, or abate a violation, and these remedies shall be in addition to the penalties described above. These include the following:

- (1) Refusal of connection of any utilities, as directed by the city, to any subdivision development occurring without review by the planning commission and/or without meeting the standards pursuant to these regulations upon review by the commission. Written notice of the reasons for this action shall be forwarded to the developer at the time of this action by the department of public works, or its designee.
- (2) Refusal by the city to construct, maintain, or accept into the city system any roads, drainage, water, sewerage, utility, or other public service facilities in an unapproved subdivision. Such refusal must be through the city's designated agent, the planning commission.
- (3) The formal flagging of unapproved or substandard subdivision development (as pertaining to these regulations) at the clerk of court's office with a dated notice warning prospective buyers of lots in this subdivision of the unavailability of public service facilities or maintenance by the city or the public utility company or special district having jurisdiction. Such notice shall be filed after a developer has been notified in writing by the department of public works, or its designee that he has violated these regulations and either has refused to submit his development for review or fails to submit within ten (10) days after notification violation.
- (4) Subsequent forwarding of said notices to appropriate lending institutions after the implementation of paragraph (3) above.

(Ord. No. 1781, Exh. A(Ch. 1, Q), 10-15-96)

Sections 18-18--18-30. Reserved.

**ARTICLE II.
DEFINITIONS**

Section 18-31. General usage of words and phrases; how construed. For the purpose of these regulations, certain numbers, abbreviations, terms, and words used herein shall be used, interpreted, and defined as set forth in this article.

- (1) Unless the context clearly indicates to the contrary, words used in the present tense include the future tense; words used in the plural number include the singular; the word "herein" means "in these regulations"; the word "regulations" means "these regulations."
- (2) A "person" includes a corporation, a partnership, and an incorporated association of persons such as a club; "shall" is always mandatory; and "building" includes a "structure"; a "building" or "structure" includes any part thereof; "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged, or designed to be used or occupied."
(Ord. No. 1781, Exh. A(Ch. 2, A), 10-15-96)

Section 18-32. Words and terms defined.

Administrative resubdivision of land: The realignment or shifting of lot boundary lines, including removal, alignment, or shifting of interior lot boundary lines, or the redesignation of lot numbers, provided that the change in boundary configuration does not involve the creation of any new street or public improvement; does not increase the number of lots of record; does not involve more than five (5) lots of record; does not reduce a lot size below the minimum area or frontage requirements established by ordinance; and otherwise meets all requirements of the city subdivision regulations. The term shall also include parcels of land where a portion has been expropriated or has been dedicated, sold, or otherwise transferred to the city, thereby leaving a severed portion of the original property which requires a redesignation of lot number and establishment of new boundary lines.

Alley: A public or private right-of-way primarily designed to serve as secondary access to the side or rear of those properties whose principal frontage is on some other street.

Applicant: The owner of land proposed to be subdivided or his representative. Consent shall be required from the legal owner of the premises.

Arterial: Signalized streets that serve primarily through traffic and provide access to abutting properties as a secondary function, having signal spacing of two (2) miles or less, and turning movements at intersections that usually do not exceed twenty (20) percent of total traffic.

Block: A tract of land bounded by streets, or by a combination of streets and public parks, cemeteries, railroad rights-of-way, shorelines of waterways, or boundary lines of municipalities.

Bond: Any form of security including a cash deposit, surety bond, collateral, property, or instrument of credit in an amount and form satisfactory to the city council. All bonds shall be approved by the city council wherever a bond is required by these regulations. At a minimum, all bonds must be underwritten by a company licensed to do business in the State of Louisiana and must possess a rating of A or A+ according to Best's rating.

Boulevard: A street, which may be either two (2) or four (4) lanes, may serve as a local, collector, or arterial roadway, and has the opposing lanes of traffic separated by a median.

Building: Any structure built for the support, shelter, or enclosure of persons, animals, chattels, or movable property of any kind, and includes any structure.

Building inspector: The individual designated by the mayor of the city to furnish engineering assistance in the administration of these regulations.

Capital improvements program: A proposed schedule of all future projects listed in order of construction priority together with cost estimates and the anticipated means of financing each project. All major projects requiring the expenditure of public funds, over and above the city's annual operating expenses, for the purchase, construction, or replacement of the physical assets for the community are included.

Central sewerage system: A community sewer system including collection and treatment facilities established by the developer to serve a new subdivision.

City base map: The map established by the city council pursuant to law showing the streets, highways, and parks, and drainage systems theretofore laid out, adopted and established by law, and any amendments or additions thereto resulting from the approval of subdivision plats by the planning commission and to subsequent filing of such approved plats.

City council: The governing body of the city having the power to adopt and enforce ordinances.

City planning commission: The city planning and zoning commission established in accordance with law.

Collector roads: A road intended to move traffic from local roads to major arterials. A collector road serves a neighborhood or large subdivision.

Construction plan: The maps or drawings accompanying a subdivision plat and showing the specific location and design of improvements to be installed in the subdivision in accordance with the requirements of the planning commission as a condition of the approval of the plat.

Cul-de-sac: A local street with only one (1) outlet and having an appropriate terminal for the safe and convenient reversal of traffic movement.

Developer: The owner of land proposed to be subdivided or his representative. Consent shall be required from the legal owner of the premises.

Development: The preparation of land for residential, commercial, industrial, or public use,

use, involving either the extension of public facilities, or the creation of any public improvements.

Easement: Authorization by property owner for the use by another, and for a specified purpose, of any designated part of his property.

Family subdivision: A division of property into two (2) or more lots for subsequent ownership by members of the immediate family, as defined in Section 19:334, of the subdivider.

Final plat: The final drawing or drawings, described in these regulations, indicating the proposed manner or layout of the subdivision to be submitted to the planning commission for approval.

Flood damage prevention ordinance: Ordinance No. 1391, as amended, establishing limited building and land use requirements relating to flood damage reduction in the city.

Frontage street: Any street to be constructed by the developer or any existing street in which development shall take place on both sides.

Grade: The slope of a road, street, or other public way, or the elevation at a given point, specified in feet, and referenced to National Geodetic Vertical Datum (NGVD).

Joint ownership: Joint ownership among persons shall be construed as the same owner; "constructive ownership" for the purpose of imposing subdivision regulations.

Local road: A road intended to provide access to other roads from individual properties and to provide rights-of-way for sewer, water, and drainage pipes.

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

Lot, corner: A lot situated at the intersection of two (2) streets, the interior angle of such intersection not exceeding one hundred thirty-five (135) degrees.

Lot improvement: Any building, structure, place, work of art, or other object, or improvement of the land on which they are situated constituting a physical betterment of real property, or any part of such betterment. Certain lot improvements shall be properly bonded as provided in these regulations.

Master plan: A comprehensive plan for development of the city, prepared and adopted by the planning commission, pursuant to State law, and including any part of such plan separately adopted and any amendment to such plan, or parts thereof.

Nonresidential subdivision: A subdivision whose intended use is other than residential, such as commercial or industrial. Such subdivision shall comply with the applicable provisions of these regulations.

Off-site: Any premises not located within the area of the property to be subdivided, whether or not in the same ownership of the applicant for subdivision approval.

Ordinance: Any legislative action, however denominated, of the city which has the force of

law, including any amendment or repeal of any ordinance.

Owner. Any person, group of persons, firm or firms, corporation or corporations, or any other legal entity having legal title to or sufficient proprietary interest in the land sought to be subdivided under these regulations.

Parish attorney. The district attorney of the 17th Judicial District or the attorney(s) so designated by the district attorney to furnish legal assistance in the administration of these regulations.

Parish health unit. The agency designated by the state to administer health regulations in Lafourche Parish.

Perimeter street. Any existing street to which the parcel of land to be subdivided abuts on only one (1) side.

Primary arterial. A road intended to move through traffic to and from such major attractors as central business districts, regional shopping centers, colleges and/or universities, military installations, major industrial areas, and similar traffic generators within the city; and/or as a route for traffic between communities or large areas.

Public improvement. Any drainage ditch, roadway, parkway, sidewalk, pedestrian way, tree, lawn, off-street parking area, lot improvement, or other facility for which the city, or the public utility company or special district having jurisdiction, may ultimately assume the responsibility for maintenance and operation, or which may affect an improvement for which city responsibility is established.

Public subdivision. Any land, vacant or improved, which is divided or proposed to be divided into two (2) or more lots, parcels, sites, units, plots, or interests for the purpose of offer, sale, lease, for development either on the installment plan or upon any and all other plans, terms, and conditions, including resubdivision. Subdivision includes the division or development of land, whether by deed, metes and bounds description, devise, intestacy, lease, map, plat, or other recorded instrument.

Recordation plat. The map or plan of record of a subdivision and any accompanying material, as described in these regulations.

Registered architect. An architect licensed and registered in the State of Louisiana.

Registered engineer. A civil engineer properly licensed and registered in the State of Louisiana.

Registered land surveyor. A land surveyor properly licensed and registered in the State of Louisiana.

Resubdivision. A change in a map of an approved or recorded subdivision plat if such change affects any street layout on such map or area reserved thereon for public use, or any lot line; or if it affects any map or plan approved and recorded prior to the adoption of any regulations controlling subdivisions.

Right-of-way. A strip of land occupied or intended to be occupied by street, crosswalk,

railroad, road, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, shade trees, or for another special use. The usage of the term "right-of-way" for land platting purposes shall mean that every right-of-way hereafter established and shown on a final plat is to be separate and distinct from the lots or parcels adjoining such right-of-way and not included within the dimensions or areas of such lots or parcels. Rights-of-way intended for streets, crosswalks, water mains, sanitary sewers, storm drains, shade trees, or any other use involving maintenance by the public agency be dedicated to public use by the maker of the plat on which such right-of-way is established.

Roads, classification: For the purpose of providing for the development of the streets, highways, roads, and rights-of-way in the city, and for their future improvements, reconstruction, realignment, and necessary widening, including provision for curbs and sidewalks, the classification of each existing street, highway, road, and right-of-way, and those located on approved and filed plats, is based upon its location and its present and estimated future traffic volume and its relative importance and function as specified or designated in the master plan or base map of the city, or as determined by the planning commission.

Road, dead-end: A road or a portion of a street with only one (1) vehicular-traffic outlet.

Road right-of-way width: The distance between property lines measured at right angles to the center line of the street.

Sale or lease: Any immediate or future transfer of ownership, or any possessory interest in land, including contract of sale, lease, devise, intestate succession, or transfer of an interest in a subdivision or part thereof, whether by metes and bounds, deed, contract, plat, map, lease, devise, intestate succession, or other written instrument.

Same ownership: Ownership by the same person, corporation, firm, entity, partnership, or unincorporated association; or ownership by different corporations, firms, partnerships, entities, or unincorporated associations, in which a stockholder, partner, or associate, or a member of his family owns an interest in each corporation, firm, partnership, entity, or unincorporated association.

Secondary arterial: A road intended to collect and distribute traffic in a manner similar to primary arterials, except that these roads service minor traffic generating areas such as community-commercial areas, primary and secondary educational plants, hospitals, major recreational areas, churches, and offices, and/or designed to carry traffic from collector streets to the system of primary arterials.

Screening: Either (a) a strip of land at least ten (10) feet wide, densely planted (or having equivalent natural growth) with shrubs or trees at least four (4) feet high at the time of planting, of a type that will form a year round dense screen at least six (6) feet high; or (b) an opaque wall or barrier or uniformly painted fence at least six (6) feet high.

Servitude: See: Easement.

Setback: The distance between a building wall with a maximum overhang of two (2) feet and a lot line nearest thereto. (Ord. No. 2377, 2-6-08)

Sketch plat: A sketch preparatory to the preparation of the preliminary plat to enable the subdivider to save time and expense in reaching general agreement with the planning

commission as to the form of the plat and the objectives of these regulations.

Subdivider. Any person who (1), having an interest in land, causes it, directly or indirectly, to be divided into a subdivision or who (2), directly or indirectly, sells, leases, or develops, or offers to sell, lease, or develop, or advertises for sale, lease, or development, any interest, lot, parcel site, unit, or plat in a subdivision, or, who (3) engages directly or through an agent in the business of selling, leasing, developing, or offering for sale, lease or development a subdivision or any interest, lot, parcel site, unit, or plat in subdivision, and who (4) is directly or indirectly controlled by, or under direct common control with any of the foregoing.

Subdivision: Any land, vacant or improved, which is divided or proposed to be divided into two (2) or more lots, parcels, sites, units, plots, or interests for the purpose of offer, sale, lease, for development either on the installment plan or upon any and all other plans, terms, and conditions, including re-subdivision. Subdivision includes the division or development of land, whether by deed, metes and bounds description, devise, intestacy, lease, map, plat, or other recorded instrument.

Subdivision agent. Any person who represents or acts for or on behalf of, a subdivider or developer, in selling, leasing, or developing, or offering to sell, lease, or develop any interest, lot, parcel, unit, site, or plat in a subdivision, except an attorney-at-law whose representation of another person consists solely of rendering legal services.

Subdivision plat. The final map or drawing, described in these regulations, on which the subdivider's plan of subdivision is presented to the planning commission for approval and which, if approved, and accepted by the city council may be submitted to the parish clerk of court.

Temporary improvement. Improvements built and maintained by a subdivider during construction of the subdivision and prior to release of the performance bond.
(Ord. No. 1781, Exh. A(Ch. 2, B), 10-15-96)

Sections 18-33--18-50. Reserved.

**ARTICLE III.
SUBDIVISION CLASSIFICATION, APPLICATION,
AND APPROVAL PROCESS**

Section 18-51. Classification of subdivisions. Whenever any subdivision of land is proposed, before any contract is made for the sale of any part thereof, and before any permit for the erection of a structure in such proposed subdivision shall be granted, the subdividing owner, or his authorized agent, shall apply and the secure approval of such proposed subdivision in accordance with the following procedure:

- (1) Subdivision of land:
 - a. Sketch plat approval
 - b. Preliminary plat approval
 - c. Final plat approval
- (2) Administrative resubdivision of land:

- a. Administrative plat approval
- (3) Family subdivision:
 - a. Family subdivision plat approval
- (4) Division of raw land:
 - a. Raw land plat approval

(Ord. No. 1781, Exh. A(Ch. 3, A), 10-15-96)

Section 18-52. Official submission dates. For the purpose of these regulations, the date of the regular meeting of the planning commission at which the public hearing on final approval of the subdivision plat, including any adjourned date thereof, is closed, shall constitute the official submittal date of the plat at which the statutory period required for formal approval or disapproval of the plat shall commence to run.

(Ord. No. 1781, Exh. A(Ch. 3, B), 10-15-96)

Section 18-53. Application and approval process for public subdivisions.

(a) Sketch plat approval application procedures and requirements. Before preparing the sketch plat for a subdivision, the applicant should discuss with the department of public works the procedure for adoption of a subdivision plat and the requirements as to general layout of streets and for reservations of land, street improvements, drainage, sewerage, fire protection, and similar matters, as well as the availability of existing services. The department of public works shall also advise the applicant, where appropriate, to discuss the proposed subdivision with those officials who must eventually approve these aspects of the subdivision plat being developed within their jurisdiction.

(1) Application procedure and requirements: Prior to subdividing land, an owner of the land, or his representative, shall file an application for approval of a sketch plat. The application shall:

- a. Be made on forms available at the department of public works.
- b. Include all contiguous holdings of the owner including land in the "same ownership," as defined herein, with an indication of the portion which is proposed to be subdivided. The application shall advise as to the legal owner of the property, the date contract of sale was executed, and, if any corporations are involved, a complete list of all directors, officers, and stockholders of each corporation owning more than five (5) percent of any class of stock.
- c. Be accompanied by a minimum of seven (7) copies of the sketch plat, as described in these regulations.
- d. Be presented to the department of public works.
- e. Be accompanied by a fee of one hundred dollars (\$100.00).
- f. The application shall include an address and telephone number of an agent who shall be authorized to receive all notices required by these regulations.

g. Names and addresses of property owners located within a one hundred (100) foot radius of and perimeter boundary of the property to be subdivided.

(2) **Formal approval:** The department of public works shall place the matter on the next available regular meeting agenda of the planning commission for formal approval of sketch layout.

(3) **Sketch plat document specifications:** Sketch plats submitted to the department of public works, prepared in pen or pencil, shall be drawn to a convenient scale of not more than one hundred (100) feet to an inch on a sheet or sheets not larger than twenty-four (24) inches by thirty-six (36) inches each, and shall show the following information:

a. Name.

1. Name of subdivision, if property is within an existing subdivision.
2. Proposed name if not within a previously platted subdivision. The proposed name shall not duplicate the name of any plat previously recorded.
3. Name property, if no subdivision name has been chosen. (This is commonly the name by which the property is locally known.)

b. Ownership.

1. Name and address, including telephone number of legal owner or agent of property, and citation of last instrument conveying title to each parcel of property involved in the proposed subdivision, giving grantor, grantee, date and land records reference.
2. Citation of any existing legal rights-of-way or easements affecting the property.
3. Name and address, including telephone number, of the professional person(s) responsible for subdivision design, for the design of public improvements, and for surveys.

c. Description. Location of property by section, township, range, graphic scale, north arrow and date

d. Features.

1. Location of property lines, existing easements, burial grounds, railroad rights-of-way, and watercourses; location, width and names of all existing or platted streets or other public ways within or immediately adjacent to the tract; names of adjoining property owners from the latest assessments rolls within one hundred (100) feet radius of any perimeter boundary of the subdivision.
2. Approximate topography.
3. The approximate location and widths of proposed streets.

4. The approximate location, dimensions and areas of all proposed or existing lots.
5. The approximate location, dimensions and area of all parcels of land proposed to be set aside for other public use, or for the use of property owners in the proposed subdivision.
6. Whenever the sketch plat covers only a part of an applicant's contiguous holdings, the applicant shall submit, at the scale of no more than two hundred (200) feet to the inch, a sketch in pen or pencil of the proposed subdivision area, together with its proposed street system, and an indication of the probable future street and drainage system of the remaining portion of the tract.
7. A vicinity map showing streets and other general development of the surrounding area.
8. Proposed land use.
9. Signature block stating the following:

I hereby certify that this sketch plat meets all of the requirements of the Thibodaux Planning Commission. Approval of this sketch plat was granted by the Thibodaux Planning Commission on _____.

Date: _____ Signed: _____

Authorized Agent of the Thibodaux Planning
Commission

(4) Study of sketch plan: The sketch plat shall be submitted to the department of public works, who shall facilitate the transmittal of the plat with an attached evaluation check sheet for the purpose of review to the floodplain administrator. The applicant shall request the review of all adjoining parishes, school and special districts, and other official bodies as deemed necessary by the building inspector, or as mandated by law, including any review required by regional or state bodies under applicable state or federal law; and that these agencies provide their written comments to the department of public works.

The applicant shall request that all officials and agencies, to whom request has been made, submit their report within seven (7) days after receipt of the request. Each city official who reviews the plat shall date the check sheet and indicate in writing approval/disapproval and/or recommendations concerning the plat. The department of public works shall consider all the reports submitted by the officials and agencies concerning the sketch plat, and shall submit a report for proposed action to the planning commission for the next available regular meeting. The report by the department of public works shall in no event be made later than thirty (30) days following the date of application for sketch plat approval.

(5) Public notice: The department of public works shall send a meeting notice to the adjacent property owners, as provided by the applicant, and contained in the application for sketch plat approval.

(6) Planning commission review of sketch plat reports: The planning commission shall study the sketch plat and the reports of the department of public works and any other reports, taking into consideration the requirements of the subdivision regulations and the best use of the land being subdivided. Particular attention will be given to the arrangement, location, and width of streets, their relation to the topography of the land, sewerage disposal, drainage, lot sizes and arrangement, the further development of adjoining lands and yet unsubdivided, and the requirements of the city base map and master plan as adopted by the planning commission.

(7) Approval of sketch plat: After reviewing and discussing the sketch plat and report from the department of public works, and any other reports, as submitted by invited agencies and officials, the planning commission will advise the applicant in writing of the specific changes or additions, if any, it will require in the layout, and the character and extent required improvements and reservations it will require as a prerequisite to the approval of the subdivision plat. The planning commission may require additional changes as a result of further study of the subdivision in final form. Said approval shall constitute authorization to prepare and submit a final plat and construction plans. Such approval or disapproval shall be made by the planning commission within thirty (30) days after receiving the reports of the department of public works.

(b) Preliminary plat approval application procedure and requirements: Based upon the approval of the planning commission of the sketch plat, the applicant shall file in duplicate an application for approval of a final plat. The application shall:

(1) Be made on forms available at the department of public works together with a fee of one hundred fifty dollars (\$150.00).

(2) Include all land which the applicant proposes to subdivide and all land immediately adjacent extending one hundred (100) feet therefrom, or of that directly opposite thereto, extending one hundred (100) feet from the street frontage of such opposite land, with the names of the owners as shown in the assessor's files. This information may be shown on a separate current tax map reproduction from the assessor's office showing the subdivision superimposed thereon.

(3) Be accompanied by a minimum of seven (7) copies of the final plat as described in these regulations.

(4) Be accompanied by a minimum of two (2) copies of construction plans as described in these regulations.

(5) Comply in all respects with the sketch plat as approved.

(6) Be presented to the department of public works and the appropriate fire protection agency having jurisdiction of the subdivision area, at least twenty (20) days prior to a regular meeting of the commission.

(7) The department of public works shall refer a copy of the proposed final plat to the floodplain administrator, and other city departments, including the fire department for its review, recommendations, and report. The report of the floodplain administrator and other city departments shall be submitted to the department of public works who shall

submit a report, in writing, to the planning commission at the time of the next regular meeting of the commission.

(8) Preliminary plat document specifications/general: The final plat shall be prepared by a registered land surveyor or registered engineer at a convenient scale of not more than one (1) inch equals one hundred (100) feet, may be prepared in pen or pencil, and the sheets shall be numbered in sequence if more than one (1) sheet is used and shall be of such size as is acceptable for filing in the office of the parish clerk of court, but shall not be larger than twenty-four (24) inches by thirty-six (36) inches. It should be noted that the map prepared for the final plat may also be used for the recordation subdivision plat and, therefore, should be drawn on tracing cloth or reproducible mylar; preparation in pencil will make required changes and additions easier.

(9) Letters from all utility providers documenting availability of service and plans for construction, if applicable.

(10) Features: The final plat shall show the following:

a. The location of property with respect to surrounding property and streets, the names of all adjoining property owners of record, or the names of adjoining developments; the names of adjoining streets.

b. The location and dimensions of all boundary lines of the property to be expressed in feet and decimals of a foot.

c. The location of existing streets, easements, utilities (gas, water, drainage, and sewerage) water bodies, bayous and canals, and other pertinent features such as swamps, railroads, buildings, parks, cemeteries, drainage ditches and bridges, as determined by the department of public works.

d. The location and width of all existing and proposed streets and easements and other public ways and easements and proposed street rights-of-way and building setback lines.

e. The location, dimension, area and the elevation of the final grade of center of each lot relative to National Geodetic Vertical Datum (NGVD), or latest published governmental mark if located in a flood hazard zone.

f. The location and dimensions of all property proposed to be set aside for park or playground use, or other public or private reservation, with designation of the purpose thereof, and dedication or reservation.

g. The name and address of the owner or owners of land to be subdivided, the name and address of the subdivider if other than the owner, and the name of the registered land surveyor or engineer.

h. The date of the map, approximate true north point, scale, and title of the subdivision.

i. Sufficient data acceptable to the building inspector to determine readily the location, bearing, the length of all lines, and to reproduce such lines upon the ground; the

rights-of-way, manholes and catch basins; the location of street trees, street lighting standards and street signs; the location size and invert elevations of existing and proposed sanitary sewers, storm water drains and fire hydrants, showing connection to any existing or proposed utility systems; and exact location and size of all water, gas, or other underground utilities or structures.

c. Location, size, elevation and other appropriate description of any existing facilities or utilities, including, but not limited to existing streets, sewers, drains, water mains, bayous or canals, easements, water bodies and other pertinent features such as swamps, railroads, buildings, features noted on the city base map or master plan, at the point of connection to proposed facilities and utilities within the subdivision and each tree with a diameter of twenty-four (24) inches or more. The water elevations of adjoining lakes, bayous or canals at the date of the survey and the approximate high and low-water elevations of lakes, bayous or canals. All elevations shall be referred to the NGVD datum plane.

d. Topography at the same scale as the sketch plat with a contour interval of one (1) foot, referred to NGVD. All datum provided shall be latest applicable National Geodetic Vertical Datum and should be so noted on the plat.

e. Description and elevation of referenced benchmarks;

f. All specifications and references required in the construction standards and specifications, as set forth in these regulations, including a site grading plan for the entire subdivision.

g. Notation of approval as follows:

OWNER	DATE
PLANNING COMMISSION CHAIRMAN	DATE

h. Title, name, address and signature of professional engineer and surveyor and date, including revision dates.

(12) **Study of preliminary plat and construction plans:** The preliminary plat and construction plans shall be submitted to the city planning department who shall facilitate the transmittal of the plan and plans with an attached evaluation check sheet for the purpose of review to the floodplain administrator and the department of public works. The applicant shall request the review of all adjoining parishes or municipalities, school and special district, and other official bodies as required by the planning department or as mandated by law, including any review required by regional or state bodies under applicable state or federal law and that these agencies provide their written comments to the city planning department.

The applicant shall request that all officials and agencies, to whom the request has been made, submit their report within twenty (20) days after receipt of the request. Each city official who reviews the plat shall date the check sheet and indicate in writing approval/disapproval and/or recommendations concerning the plat. The city planning department shall consider all the reports submitted by the officials and agencies concerning the preliminary plat and shall submit a report for proposed action to the planning commission for the next available regular meeting. The report by the city planning department shall in no

department shall in no event be made later than sixty (60) days following the date of application for preliminary plat approval.

(13) **Notice of public hearing:** Upon receipt of formal application and all accompanying material, the city planning commission shall hold a public hearing for the next scheduled meeting of the planning commission. The planning commission through the department of public works, will submit a notice for publication in the official journal to be published at least ten (10) days prior to the public hearing and mail notices to all property owners, as specified herein, and will maintain file copies of the plat and construction plans for public review prior to the hearing.

(14) **Preliminary approval determination.** In those cases where the proposed subdivision does not include the construction of any new streets, highways, and/or drainage facilities, the planning commission shall review the final plat, the reports of the department of public works, and testimony and exhibits submitted by the public, and advise the applicant of any required changes and/or additions. The commission shall approve, conditionally approve, or disapprove the final plat within thirty (30) days after the date of the regular meeting of the commission, at which the public hearing on final approval including adjourned date thereof, is closed. The date of approval, conditional approval, or disapproval and the reasons therefore accompanying the plat shall be noted on two (2) copies of the proposed preliminary plat. One (1) copy of the plat shall be returned to the developer, and the other retained by the planning commission. Before the commission approves a preliminary plat showing the reservation of land for public use, the commission shall obtain approval of the land reservation from the public body having jurisdiction.

a. In those cases where a proposed subdivision will include the construction of any new streets, highways, and/or drainage facilities to be dedicated to the city for subsequent maintenance and operation, the planning commission shall make a recommendation to the Thibodaux City Council as to the final disposition of the application for final approval. Upon receipt of the recommendation from the planning commission, the city council shall hold a public hearing to gain public input; and, shall render its decision within thirty (30) days from the date the hearing is closed.

1. Denial of the final approval application shall necessitate re-application for final approval to the planning commission.

2. The granting of final approval authorizes the applicant to proceed with the construction of the subdivision in accordance with all terms and conditions stipulated by the city council in the granting of final approval.

(15) **Effective period of preliminary plat approval:** The approval of a preliminary plat shall be effective for a period of one (1) year at the end of which time recordation approval on the subdivision must have been obtained. Any plat not receiving final approval within the period of time set forth herein shall be deemed null and void, and the developer shall be required to resubmit a new plat for final approval subject to all new subdivision regulations. There will be no waiver given for this regulation.

(c) **Final plat approval application procedure and requirements:** Following the approval of the preliminary plat, and after all construction has been completed in conformity with the specifications of the final approval granted by the commission, the applicant shall file with the planning commission an application for recordation approval. The application shall:

- (1) Be made on forms available at the department of public works together with a fee of fifteen dollars (\$15.00) per lot.
- (2) Include the entire subdivision, or section thereof, which derives access from an existing state highway, parish road, or city street.
- (3) Be accompanied by a minimum of ten (10) copies of the recordation plat.
- (4) Comply in all respects with the final plat.
- (5) Be presented to the department of public works at least twenty (20) days prior to a regular meeting of the commission.
- (6) Be accompanied by all formal irrevocable offers of dedication to the public of all streets and easements. The recordation plat shall be marked with a notation indicating the formal offers of dedication signed by the owner, and in a form approved by the city attorney.
- (7) Be accompanied by the performance bond, if required, and a maintenance bond in an amount established by the planning commission upon recommendation of the department of public works and shall include a provision that the principal of the bond shall comply with all the terms of the resolution of recordation subdivision plat approval as determined by the planning commission and shall include, but not be limited to, the performance of all required subdivision and off-site improvements, and that all improvements and land included in the irrevocable offer of dedication shall be dedicated to city, or the public utility company or special district having jurisdiction, free and clear of all liens and encumbrances of the premises.
- (8) Be accompanied by written assurance from the public utility companies or special districts that necessary utilities have been installed and proof that the applicant has submitted petitions in writing for the creation or extension of any special districts as required by the planning commission upon final plat approval.
- (9) Be accompanied by written assurance by the applicant that all street signs shown in the construction plans have been purchased and installed.
- (10) **Final plat document specifications.** The final plat shall be presented in ink on tracing cloth or reproducible mylar at the same scale and contain the same information, except for any changes or additions required by resolution of the planning commission, and city council, if applicable as shown on the final plat. The final plat may be used as the recordation plat if it meets these requirements and is revised in accordance with the planning commission's resolution. All revision dates must be shown as well as the following:
 - a. Notation of any self-imposed restrictions, and locations of any building lines proposed to be established in this manner, if required by the planning commission or city council in accordance with these regulations.
 - b. Official certification by a registered engineer on "as built" plans that all required public facilities have been installed in accordance with approved plans and specifications.

- c. Lots numbered as approved by the Lafourche Parish assessor's office.
- d. All monuments erected, corners and other points established in the field in their proper places. The material of which the monuments, corners, or other points are made shall be noted at the representation thereof or by legend except that lot corners need not be shown.
- e. Formal irrevocable offers of dedication to the public of all streets, parish uses, applicable utilities and easements, in a form approved by the city attorney.
- f. Preparation: The final subdivision plat shall be prepared by a registered land surveyor licensed by the State of Louisiana.

(11) **Be accompanied by as-built survey and drawings.** The owner shall prepare, certify, and submit a clear set of as-built drawings of the completed project prior to the signing of the final plat. The as-built drawings shall be in the same format as the construction documents. The owner shall hire a licensed land surveyor to survey the as-built features of the completed development. This final survey shall verify compliance with and/or note deviations from the construction drawings. The results of this survey shall be described on the as-built drawings. This survey shall be referenced to the same control points and benchmark elevations which are shown on the construction documents. Locations of utilities may be referenced to corners of lots and blocks and to edges of street paving. The as-built drawings shall include the following information:

- a. Final elevations at every control point shown on the construction documents referenced to the project bench mark.
- b. Final elevation at the center of each lot.
- c. Final location of gravity sewer line relative to right-of-way boundaries and final location of all service connections. Location, invert elevations, and top elevations of all manholes.
- d. Final location of water lines relative to right-of-way boundaries and final location of all hydrants, valves, and fittings. Lengths of all lines between fittings.
- e. Final width of roadway at midpoints between intersections and at intersection tangent points. Final location of roadway centerline relative to right-of-way boundaries.
- f. Final location of street lights.
- g. Final catch basin locations and invert elevations.

(12) **Submission and review:** Subsequent to the resolution of the planning commission, two (2) copies and the original tracing cloth or reproductive mylar of the recordation plat shall be submitted to the Office of the Zoning Administrator for submission to the City Council.
(Ord. No. 1918, Sec. 18-53 (a)(c)(12) 11-2-99)

(13) **Vested rights:** No vested rights shall accrue to any plat by reason of sketch, final or recordation approval until the actual signing of the plat by the chairman of the planning commission. All requirements, conditions, or regulations adopted by the planning commission applicable to the subdivision or on all subdivisions generally shall be deemed a condition for any subdivision prior to the time of the signing of the recordation plat by the chairman of the planning commission.

(14) **Signing and recording of the final plat.**

a. Signing of plat:

1. When a performance bond is required, the chairman of the planning commission and the mayor shall endorse approval on the plat after the bond has been approved by the city council, and all the conditions of the resolution pertaining to the plat have been satisfied.

2. The chairman of the planning commission and the mayor shall endorse approval on the plat after all conditions of the resolution have been satisfied and all improvements satisfactorily completed. There shall be written evidence that the required public facilities have been installed in a manner satisfactory to the city as shown by a certificate signed by a registered engineer. The mayor of the city shall officially certify on the plat that the necessary acceptance of all offers for dedication of lands and improvements has been accomplished.

b. Recording of plat:

1. The chairman of the planning commission and the mayor will sign the tracing cloth or reproducible mylar original of the subdivision plat and two (2) sepia prints of the subdivision plat. The sepia prints will be returned to the applicant's engineer.

2. It shall be the responsibility of the applicant to file the plat with the parish clerk of court and the parish assessor within thirty (30) days of the date of signature. Simultaneously with the filing of the plat, the applicant shall also record the agreement of dedication together with such legal documents as shall be required to be recorded by the city.

c. Sectionalizing subdivision plats:

1. Prior to granting recordation approval of a subdivision plat, the city council may permit the plat to be divided into two (2) or more sections and shall impose such conditions upon the filing of the sections as it shall deem necessary to assure the orderly development of the plat. The city council shall require that the performance bond be in such amount as is commensurate with the section or sections of the plat to be filed and shall defer the remaining required performance bond principal amount until the remaining sections of the plat are offered for filing. The developer shall also file an irrevocable offer(s) to dedicate streets and public improvements in the sections offered to be filed and defer filing offers of dedications for the remaining sections until such sections, subject to any conditions imposed by the city council, shall be granted concurrently with recordation approval of the plat. In the event of approval of sectionalizing, the entire approved subdivision plat including all sections shall be filed ninety (90)

be filed ninety (90) days after date of recordation approval with the city council and such sections as have been authorized by the planning commission shall be filed with the parish clerk of court. Such sections must contain at least ten (10) percent of the total number of lots contained in the approved plat. The approval of all remaining sections not filed with the parish clerk of court shall automatically expire unless such sections have been approved for filing by the planning commission, all fees paid, all instruments, and offers of dedication submitted and performance bonds approved and actually filed with the parish clerk of court within three (3) years of the date of final subdivision approval of the subdivision plat.
(Ord. No. 1781, Exh. A(Ch. 3, C), 10-15-96)

Section 18-54. Application and approval process for a administrative resubdivision of land.

(a) Administrative plat approval. Notwithstanding other provisions of this chapter or other law to the contrary, the administrative procedures for approving certain plats involving minor modifications of existing parcels of land are hereby established. The categories of such modifications qualifying for such administrative approval are:

(1) The realignment or shifting of lot boundary lines, including removal, alignment, or shifting of interior lot boundary lines, or the re-designation of lot numbers provided the application meets the following requirements:

- a. Does not involve the creation of any new lot, street, or other public improvement.
- b. Does not involve more than five (5) lots of record.
- c. Does not reduce a lot size below the minimum area or frontage requirements established by ordinance.
- d. Otherwise meets all the requirements of the subdivision regulations.

(2) Parcels of land where a portion has been expropriated or has been dedicated, sold, or otherwise transferred to the city, thereby leaving a severed portion of the original property which requires a re-designation of lot number and establishment of new lot boundary lines.

(b) All plats approved or certified by an administrative procedure provided for herein, shall designate such fact on the plat and the plats shall be recorded in the conveyance records of the parish. Any plat so approved shall have the same force and effect and legal status of a subdivision application approved by the established legislative process.

(1) All plats submitted to the department of public works for administrative approval shall be accompanied by a processing fee of fifty dollars (\$50.00) and contain the appropriate information as required by the department of public works which shall include, but not be limited to the same features as a final subdivision plat.

(Ord. No. 1935, (Ch. 3, D), 3-21-00)

Section 18-55. Application and approval process for family subdivisions.

(a) Family subdivision application procedure and requirements. It is the policy of the city to encourage all land owners and developers within the city to provide reasonable improvements of streets and lots to protect and provide for the public health, safety, and general welfare of the city. It is also the policy of the city to provide an opportunity for family members of land owners a place to reside without having to bear the cost of major street and lot improvements as required in public subdivisions.

(b) Public sale. There shall be no public sale of land in a family subdivision, with the exception that it shall be legally permissible for land in a family subdivision to be sold or transferred to the public if one (1) of the following conditions are met:

(1) Said subdivision shall be upgraded to the standards of a public subdivision at the owner(s)' expense and the same is accepted by the planning commission and the city council as a public subdivision in accordance with these subdivision regulations; or

(2) The lot or land in question shall first be sold or transferred to a member of the landowner's immediate family, as hereinafter defined.

(c) Family defined. The initial sale of land in a family subdivision shall be limited to immediate family members including: father, mother, son, daughter, son-in-law, daughter-in-law, aunt, uncle, niece, nephew, step-son, step-daughter, step-father, step-mother, grandmother, grandfather, grandson, granddaughter, and first cousins.

(d) Application procedure and approval process. For the purpose of reviewing and approving a family subdivision and so as to ensure that the family subdivision provides for adequate and convenient open space for traffic, vehicular access, utilities, access of fire fighting and other emergency apparatus, light and air and to avoid congestion of the population, the applicant for the development of the family subdivision shall adhere to the provisions set forth herein.

(1) Prior to the same or transfer of any lot within a family subdivision of property, the owner of the land or his representative shall file an application for family subdivision plat approval with the Thibodaux Planning Commission. It shall be the authority of the planning commission to approve or disapprove an application for family subdivision approval.

a. Family subdivision plat document specifications: The family subdivision plat shall be prepared by a registered land surveyor at a convenient scale of not more than one (1) inch equals one hundred (100) feet, shall be prepared in pen, and the sheets shall be numbered in sequence if more than one (1) sheet is used and shall be of such size as is acceptable for filing in the office of the parish clerk of court, but shall not be larger than twenty-four (24) inches by thirty-six (36) inches.

b. Features: The family subdivision plat shall show the following:

1. The location of property with respect to surrounding property and streets, the names of all adjoining property owners of record, and/or the names of adjoining developments; the names of adjoining streets.

2. The location and dimensions of all boundary lines of the property, to be

expressed in feet and decimals of a foot.

3. The location of existing streets, easements, waterbodies, bayous and canals, and other pertinent features such as swamps, railroads, buildings, parks, cemeteries, drainage ditches and bridges.

4. The location and width of all existing and proposed streets and servitudes of access, easements and other public ways and easements.

5. The location, dimension, area and the elevation of the final grade of center of each lot relative to NGVD, if located within a flood hazard zone, as depicted on the Lafourche Parish Flood Insurance Rate Map.

6. The name and address of the owner or owners of land to be subdivided, the name and address of the subdivider if other than the owner, and the name of the registered land surveyor or engineer.

7. The date of the map, approximate true north point, scale, and title of the family subdivision.

8. Names of private accessway.

9. Flood zone boundaries and the flood hazard rating of each flood zone as established by the Federal Insurance Administration and as determined by the city and the minimum base flood elevation (BFE).

10. All lots consecutively numbered.

11. The following notation shall also be shown:

Explanation of drainage easements;

Explanation of reservations;

Endorsement of owner, as follows:

Owner

Date

12. Form for endorsements by commission chairman as follows:

Approved for family subdivision of the Thibodaux Planning Commission

Planning Commission Chairman

Date

13. The following provision shall be conspicuously contained on the plat.

The person(s), acquiring the property more fully depicted hereon acknowledges that said property is not part of a subdivision that has been approved by the Thibodaux Planning Commission and the Thibodaux City

Council as a public subdivision, and accordingly, said property may not be adequately serviced by water lines, gas lines, sewerage lines and/or other public utilities and/or facilities and/or streets, and the city governing authorities shall have no obligation or responsibility to construct, repair and/or maintain said utilities and/or streets unless and until the subdivision in which said property is located is upgraded to the standards of the public subdivision at the owner(s)' expense and the same shall be accepted by the city council as a public subdivision in accordance with the city subdivision regulations.

c. All applications for a family subdivision must be accompanied by a letter from the Lafourche Parish Sanitarian Services documenting that the proposed lots conform to the Louisiana Sanitary Code as related to on-site sewage disposal.

(e) Landowners are allowed to construct aggregate surface streets which shall not be accepted into the city maintenance system. Undedicated streets and rights-of-way are not considered public streets and must be maintained by the landowners.

(f) It must be emphasized that landowners should consider adhering to the minimum street right-of-way width required in the subdivision regulations as much as possible to allow the street to be accepted into the city maintenance system in the event it is upgraded in the future to the minimum standards in the subdivision regulations in force at that time and at the individual landowners expense.

(g) The cost of water lines, hydrants, and gas lines shall be paid by the landowners, with the dedication of the lines to the appropriate jurisdictional entities.

(h) All applications for family subdivision approval shall be accompanied by a fee of fifty dollars (\$50.00).

(Ord. No. 1781, Exh. A(Ch. 3, E), 10-15-96)

Section 18-56. Application and approval process for divisions of raw land.

(a) A division of raw land is a division of property where there is **NO IMMEDIATE CHANGE IN LAND USE**. Any future development of said tracts must receive the appropriate approval from the planning commission. The development of parcels created by a division of raw land is prohibited, except that the construction of a structure(s) for agricultural purposes is allowed.

(b) Access to parcels created through a division of raw land may be provided through servitudes of passage.

(c) The authorization to create a division of raw land shall be subject to the administrative review and approval of the planning commission.

(d) The applicant for a division of raw land shall submit a plat to the planning commission for review.

(1) The plat shall depict the parcels to be divided; the flood zone designation; the

average natural ground elevation of the parcels created; all existing and proposed easements; vicinity map; property measurements/dimensions; signature block; and verbiage stating that: "That division of raw land as depicted hereon does not constitute an approved public subdivision of land for development purposes. The development of these parcel(s) is limited to agricultural purposes only."

(e) The plat, and processing fee of fifty dollars (\$50.00) shall be submitted to the planning department for administrative review and decision.

(f) The planning department shall render a decision within thirty (30) days of the receipt of the request for a division of raw land.

(Ord. No. 1781, Exh. A(Ch. 3, F), 10-15-96)

Sections 18-57--18-80. Reserved.

ARTICLE IV.

DESIGN AND CONSTRUCTION REQUIREMENTS FOR RESERVATIONS AND IMPROVEMENTS FOR PUBLIC SUBDIVISIONS

Section 18-81. General improvements.

(A) Conformance to applicable rules and regulations: In additions to the requirements established herein, all subdivision plats shall comply with the following laws, rules and regulations:

- (1) All applicable statutory provisions.
- (2) The flood damage prevention ordinance (establishing limited building and land use requirements), the zoning ordinance, and all other applicable laws of the city.
- (3) The master plan, city base map, and capital improvements program of the city.
- (4) The special requirements of these regulations and any rules of the Lafourche Parish Health Unit and/or appropriate state agencies.
- (5) The rules of the Louisiana Department of Transportation and Development if the subdivision or any lot contained therein abuts a state highway or connecting street.
- (6) The standards and regulations adopted by the department of public works and all boards, commissions, agencies and officials of the city.
- (7) Plat approval may be withheld if a subdivision is not in conformity with the above guides or policy and purposes of these regulations, as established in these regulations.

(B) Plats straddling governmental boundaries: Whenever access to the subdivision is required across land in another local government, the planning commission may request assurance from the city attorney that access is legally established, and from the building inspector that access road is adequately improved, or that a performance bond has been duly executed and is sufficient in amount to assure the construction of the access road. In

general, lot lines should be laid out so as not to cross governmental boundary lines.

(C) Monuments: The applicant shall place permanent reference monuments in the subdivision as required by the minimum standards prescribed by the Louisiana Board of Registration for professional engineers and land surveyors.

(D) Character of the land: Land which the planning commission finds to be unsuitable for subdivision or development due to flooding, improper drainage, adverse earth formations, utility easements, or other features which will reasonably be harmful to the safety, health, and general welfare of the present or future inhabitants of the subdivision and/or its surrounding areas, shall not be subdivided or developed unless adequate methods are formulated by the developer and approved by the planning commission, upon recommendation of the building inspector, to solve the problems created by the unsuitable land conditions. Such land shall be set aside for uses as shall not involve such a danger.

(E) Subdivision name: The proposed name of the subdivision shall not duplicate, or too closely approximate phonetically, the name of any other subdivision in the area covered by these regulations. The planning commission shall have final authority to designate the name of the subdivision which shall be determined at sketch plat approval.

(F) Subdivision street naming and addressing. The proposed names of all streets shall not duplicate, or too closely approximate phonetically, the name of any other street in the city or the parish. The thoroughfare designations and numbering of addresses shall comply with the Lafourche Parish Addressing System established to facilitate the E-911 system. The department of public works shall have final authority to designate street names and assignment of addresses, which shall be determined at recordation plat approval in the case of subdivisions, and at the time of administrative plat approval in the case of resubdivisions of land.

(1) So as to facilitate the addressing process, the applicant for any subdivision of land shall submit to the department of public works the following information:

- a. Proposed street name(s);
 - b. Front footage measurements for each lot being created;
 - c. Total linear distance of all new streets being created; and
 - d. Address of adjacent property owners, if applicable.
- (Ord. No. 1781, Exh. A(Ch. 4, A), 10-15-96)

Section 18-82. Geometric standards.

(A) Streets: Streets shall be arranged to conform to the provisions set forth herein and shall provide for continuation of existing and recorded streets in the area.

(1) **Classification.** Streets shall be classified as one (1) of the following:

- a. Arterial.** Streets, including freeways and expressways, which are primarily for through traffic.
- b. Collector.** Streets which provide a route between an arterial street and a local street and should be arranged to discourage through traffic.

c. Local. Streets which provide direct access to lots. Local streets shall be arranged to discourage through traffic.

(2) Right-of-way. Street right-of-way widths shall conform to the following minimum requirement:

a. Arterial. Sixty (60) feet for two (2) lane roadways and one hundred (100) feet for four (4) lane roadways.

b. Collector and local. Fifty (50) feet.

c. Existing streets. Subdivisions developed along one (1) side of existing streets shall dedicate one-half (1/2) of the minimum right-of-way for the street classification. Subdivisions developed along both sides of an existing street shall dedicate the minimum right-of-way for the street classification.

d. Dead-end streets. Permanent dead-end streets shall have a turning circle at the street end with a right-of-way radius of seventy (70) feet.

e. Boulevards. One hundred (100) feet.

(3) Street names:

a. Extension of existing street. A new street shall bear the same name of any street which it is an extension of or which it is in alignment with.

b. Duplication. Proposed street names shall not duplicate existing street names nor approximate such names except as provided in (3)a. above.

c. Signs. Street name signs shall be placed by the subdivider at all street intersections, allocations designated by the department of public works. One (1) street name sign shall be placed at intersections of two-lane streets. Two (2) street name signs shall be placed at intersections of a two-lane and a four-lane street or at intersections of four-lane streets. Signs shall conform to the Louisiana Manual on Uniform Traffic Control Devices.

(4) Utilities. Space within the street right-of-way shall be designated for the construction of subsurface drainage, sanitary sewers and public facilities and shall be in accordance with the typical sections.

a. Water lines located in the street right-of-way shall be placed on the opposite side of the street from sanitary sewer lines unless a variation is approved by the department of public works.

b. Street light standards may be located on either side of the street or in the center of the median on boulevards.

(5) Intersections. Street centerlines shall intersect as nearly as possible at a ninety-degree angle, but in no case shall the angle of intersection be less than seventy-five (75) degrees or greater than one hundred five (105) degrees.

(B) Blocks:

(1) Length. No block shall be longer than one thousand five hundred (1,500) feet nor less than five hundred (500) feet between street centers.

(2) Width. The width of blocks should normally be sufficient to provide for two (2) tiers of lots except for lots abutting arterial streets, railroad rights-of-way, etc.

(3) Arrangement. When subdivision of a parcel of land does not permit a normal street arrangement due to size or location of the land, there may be established a street with a cul-de-sac or other arrangement. The special arrangement shall be allowed provided proper access is given to all lots. A turning circle as described in article IV, section 18-82(a)(2)d. shall be required at the end of dead-end streets which provide access to lots, when the length of the dead-end street exceeds the width of two (2) lots.

(C) Lots:

(1) Size. The width and area shall conform to the requirements prescribed in the district regulations of the Thibodaux Zoning Ordinance (Ord. #2202 6-1-04)

- a. Corner lot. Corner lots shall have extra width to permit setback lines on the side of the lots adjacent to a side street. The extra width shall be sufficient to allow the lot to meet the minimum zoning requirements of the City of Thibodaux Zoning Ordinance including the side street setback distance.
- b. Lot lines. All lot side lines shall be at right angles to straight street lines or radial to curved street lines.
- c. Lot drainage. Lots shall be laid out so as to provide positive drainage away from all buildings, and individual lot drainage shall be coordinated with the general storm drainage pattern for the area.

(D) Easements and rights-of-way:

(1) Utility servitudes. Public utility servitudes shall be provided where necessary for poles, wires, conduits, and other private utilities. If provided, the minimum width of rear lot line servitudes shall be fifteen (15) feet. Front lot line utility servitudes shall be a minimum of twelve (12) feet in width.

(2) Drainage servitudes. Whenever a drainage channel, stream, or water course exists or is provided for in a subdivision, a servitude or right-of-way shall be dedicated on each side of such facilities to provide for maintenance and construction. The minimum width shall be measured from the top bank and shall be ten (10) feet on one (1) side for drainage ditches and thirty (30) feet on the opposite side for major canals.

(E) Building lines. Building setback lines shall meet the minimum requirements of the city zoning ordinance for the type of development.

(F) Fencing. Each subdivider and/or developer shall be required to furnish and install fences wherever the planning commission and/or city council determines that a hazardous condition may exist. The fences shall be noted as to height and material on the final plat. No

No subdivision will receive final acceptance until said fence improvements have been duly installed.

(G) Waterbodies and watercourses. If a tract being subdivided contains a water body, or portion thereof, lot lines shall be so drawn as to distribute the entire ownership of the water body among the fees of adjacent lots. The city council may approve an alternative plan whereby the ownership of and responsibility for safe maintenance of the water body is so placed that it will not become a city responsibility. No more than twenty-five (25) percent of the minimum area of a lot may be satisfied by land which is under water. Where a watercourse separates the buildable area of a lot from the street by which it has access, provisions shall be made for installation of a culvert or other structure at the owner's expense, of design approved by the building inspector.

(H) Reserve strips. The creation of reserve strips shall not be permitted adjacent to a proposed street in such a manner as to deny access from adjacent properties to such street.

(I) Construction access route. Whenever subdivision of land and/or building construction relative to the subdivision of land will require construction equipment to use any public property maintained by the city, the subdivider shall submit to the city his proposed "route of access" in map format to the department of public works and the mayor for review and approval. Following approval, the subdivider shall be required to maintain the access route during the subdivision construction period and shall be required to post a maintenance bond for repair of any damages to public property. The amount of the bond shall be set by the building inspector. (Ord. No. 1781, Exh. A(Ch. 4, B), 10-15-96)

Section 18-83. Design standards.

Improvements which are required to be installed by the subdivider shall be designed by a civil engineer registered in the State of Louisiana and shall conform to the minimum design standards contained in these regulations and other regulations of the parish and state. All subdivision proposals shall be consistent with the need to minimize flood damage.

1. Streets. [Streets shall be classified as shown in article IV, section 18-82(a)(1), (i.e., arterial,] collector, and local) and for the type of development--Residential or commercial.

a. The minimum right-of-way for streets having shoulders and roadside ditches shall be as follows:

Local: Fifty (50) feet.
Collector : Sixty (60) feet.
Arterial:
Two (2) lanes: Sixty (60) feet.
Four (4) lanes: One hundred (100) feet.

b. The minimum right-of-way for streets with curb and gutter and subsurface drainage shall be as follows:

Local: Fifty (50) feet.
Collector: Sixty (60) feet.
Arterial:
Two (2) lanes: Sixty (60) feet.
Four (4) lanes: One hundred (100) feet.

- c. Minimum pavement width: Twenty (20) feet with open ditch drainage; and, twenty-seven (27) feet with subsurface drainage.

(1) Roadway section. The roadway section shall consist of a base and a paved surface. The roadway section shall be constructed in accordance with the design prepared and certified by an engineer registered and practicing in the State of Louisiana. The following minimum design standards are established for local residential streets.

- (i) Design life of pavement--Fifteen (15) years.
- (ii) Design heavy single axle load--Thirty-two thousand (32,000) pounds.
- (iii) Modules of rupture for 28-day concrete pavement--Six hundred (600) psi.
- (iv) Marshall stability asphalt pavement--One thousand two hundred (1,200) pounds.
- (v) Minimum centerline elevation--Plus 5.00 N.G.V.D.

(2) Shoulders. For roadways of thirty-foot graded area, five (5) feet of aggregate shoulder four (4) inches thick after compaction shall be provided for each side of the roadway. For roadways allowing parking on shoulders, eight (8) feet of aggregate should be four (4) inches thick after compaction and shall be provided on each side of the roadway. Shoulders shall be compacted to ninety (90) percent maximum proctor density. Certified reports of aggregate depth and compaction shall be submitted to the planning commission as part of the "as built" plans submitted for final acceptance.

(3) Traffic conditions. Consideration shall be given to traffic conditions and repetitive loads in roadway and pavement design. An estimate of the number and weight of heavy axle loads anticipated during the design life of the pavement prepared by a traffic engineer shall be furnished to the planning commission. In the absence of a detailed traffic analysis prepared by the traffic engineer the following table shall be used in the design of the pavement section.

<u>Type of Street or Road</u>	<u>Range of Heavy Axle Loads Anticipated During Pavement Design Period</u>
Light traffic residential streets	7,000
Residential streets	7,000 -- 15,000
Minor collector streets	70,000 -- 150,000
Minor arterial and light industrial streets	700,000 -- 1,500,000

[(i) Reserved.]

[(ii) Reserved.]

(iii) Portland cement concrete pavement:

(a) Concrete thickness. The minimum concrete thickness shall be six (6)

inches for local streets and eight (8) inches for collector streets, except in commercial subdivisions where the minimum for all streets shall be eight (8) inches. The minimum concrete thickness of arterial streets shall be ten (10) inches.

(b) Concrete mix design. Concrete shall be proportioned to produce a minimum compressive strength of four thousand (4,000) p.s.i. at twenty-eight (28) days. Slump of the concrete shall range from two (2) inches to four (4) inches when using a vibrating screen and from one (1) inch to two and one-half (2 1/2) inches when using a slip form paver.

(c) Subgrade. All subgrade material which will not satisfactorily compact shall be removed and replaced with material that will compact satisfactorily. The subgrade shall be brought to line and grade and the top six (6) inches compacted to ninety-five (95) percent standard proctor density. Where the subgrade is of non-uniform compacted nature, it shall be scarified to a depth of six (6) inches for its full width and the material spread and brought to line and grade and compacted as specified above.

(d) Load transfer devices. Load transfer devices shall be required for all streets. The type of devices used shall be either dowel bars or cantilever devices as required by the Louisiana Department of Transportation and Development Standard Specifications. Transverse expansion joints shall be spaced not more than one hundred twenty (120) feet apart.

(e) Joints. Joints shall be designed in accordance with the Portland Cement Association recommendations.

(f) Testing. One (1) set of three (3) cylinders shall be made for each fifty (50) cubic yards of concrete placed. Concrete cylinder shall be moist cured in the laboratory after sufficient curing time has elapsed to transport the cylinders. One (1) cylinder shall be broken at seven (7) days and the other two (2) shall be broken at twenty-eight (28) days.

One (1) density test shall be taken for each two thousand (2,000) square yards of subbase or subgrade. The density tests shall be taken at random locations and a minimum of one (1) test shall be taken on all streets.

An accredited testing laboratory shall perform concrete and asphalt mix designs, natural grounds, subbase, and base compaction tests, and furnish timely copies of all test reports signed by a registered engineer or officer of the testing laboratory evidencing that the materials and construction of streets comply with these regulations.

(iv) Asphaltic concrete pavement:

(a) Surface course thickness. Local streets shall have a minimum of one and one-half (1 1/2) inches compacted thickness of binder course and one and one-half (1 1/2) inches compacted thickness of wearing course.

Collector streets shall have a minimum of two and one-half (2 1/2) inches compacted thickness of binder course and two (2) inches compacted thickness

of wearing course.

Arterial streets shall have a minimum of four (4) inches compacted thickness of binder course and two (2) inches compacted thickness of wearing course.

(b) Base course. For local streets, the base course shall be a minimum of a eight and one-half (8 1/2) inch thickness of a Louisiana Department of Transportation and Development Class I base course material.

For collector streets, the base course shall be a minimum of an eight and one-half (8 1/2) inch thickness of a Louisiana Department of Transportation and Development class I base course material.

The base course for an arterial street shall be eight (8) inches of type 5A asphaltic concrete base course.

(c) Subgrade. Shall conform to article IV, section 18-83(1)c.3.(iii)(c).

(d) Mix design. Asphaltic concrete mixtures shall conform to the latest Louisiana Department of Transportation and Development Standard Specifications for type 3 or 7 binder and wearing course or 5A base course. Wearing course may be substituted for binder course, but base course mixture shall not be substituted for either binder or wearing course.

The job mix formula shall be prepared by the testing laboratory and approved by the department of public works prior to placing any asphaltic mixtures.

(e) Testing. A minimum of one (1) roadway density test shall be taken from each lift of compacted asphaltic concrete for every two thousand (2,000) square yards of material placed, but never less than one (1) density test for each day's operation. The minimum roadway densities shall be as specified by the Louisiana Department of Transportation and Development Standard Specifications for the type of mixture furnished.

One (1) density test shall be taken for each two thousand (2,000) square yards of base, subbase and subgrade as specified in section 18-83(1)c.3.(iii)(f).

(v) Grades.

The maximum longitudinal grade shall be five (5) percent and the minimum longitudinal grade shall be thirty-five hundredths of one percent (0.35).

The minimum transverse grade shall be 0.025 feet per foot.

(vi) Curves:

(a) Horizontal. Where changes in street centerline alignment occur, the following minimum radii shall be used:

- Arterial--Four hundred (400) feet
- Collector--Two hundred fifty (250) feet
- Local--One hundred (100) feet

For reverse curves, a minimum tangent of three hundred (300) feet for arterial streets, two hundred (200) feet for collector, and one hundred (100) feet for local streets shall be provided.

(b) Vertical. The minimum vertical curve length required shall be fifty (50) feet for local streets, one hundred (100) feet for collector streets and two hundred (200) feet for arterial streets.

(vii) Testing laboratory.

The testing laboratory shall be secured by the developer and approved by the department of public works. All costs shall be borne by the subdivider.

2. Sewerage systems. The subdivider shall provide sanitary sewerage collection facilities constructed in the city which shall be approved in writing by the Louisiana State Board of Health [sic]. All sewer systems shall be installed in accordance with the Sanitary Code of the State of Louisiana. New and replacement sanitary sewerage systems shall be designed to minimize or eliminate infiltration of flood waters within the system.

a. Design criteria. Construction of a sewer collection system shall conform to the requirements of the Louisiana Department of Health and Human Resources in accordance with the Sanitary Code of the State of Louisiana and must be approved in writing by the City. The system shall be designed to provide adequate quantity for domestic and industrial use. The location of these connections shall be approved by the Public Works Department. Additionally, all sewer lines must extend in a utility servitude dedicated to the City along all existing or proposed public streets which are a part of or adjacent to the development of land for residential, commercial, industrial or public use if they do not already exist. This extension of sewer lines must traverse the entire property under development and is subject to approval by the Department of Public Works. No sewer lines to be dedicated to the City shall be installed in the rear of any lot. These requirements shall be implemented unless a variance is sought by the developer and approved in writing by the Planning Commission.

(1) The design population shall be based upon four (4) persons per residential lot or apartment unit. For commercial establishments, the recommended flow rate calculations shall be approved in writing by the department of public works.

(2) Sewer collection lines shall be designed to carry a peak flow of three (3) times the average flow of one hundred (100) gallons per capita, per day, with minimum collector size to be eight (8) inches.

(3) Sewer collection lines shall be designed when flowing full of not less than two (2) feet per second velocity but must also meet the minimum slopes as follows (**Ord. #2199 5-18-04**):

<u>Sewer Line Size</u>	<u>Minimum Slope in feet per 100 ft. (m/100m)</u>
8 inch (20 cm)	0.40
9 inch (23 cm)	0.33
10 inch (25 cm)	0.28
12 inch (30 cm)	0.22

14 inch (36 cm)	0.17
15 inch (38 cm)	0.15
16 inch (41 cm)	0.14
18 inch (46 cm)	0.12
21 inch (53 cm)	0.10
24 inch (61 cm)	0.08
27 inch (69 cm)	0.067
30 inch (76 cm)	0.058
36 inch (91 cm)	0.046

(4) Lift stations shall be designed with a minimum of two (2) pumps and each pump shall be capable of pumping three (3) times the average flow of one hundred (100) gallons per capita per day.

(5) House connections shall be a minimum of six (6) inches diameter and shall be installed by the developer from a wye at the collection line to the property line of each lot. Individual service lines shall be provided for each lot.

(6) Manholes shall be installed at all changes in grade, size, or alignment, at intersections, and at distances no greater than four hundred (400) feet apart for sewers fifteen (15) inches in diameter or less; and no more than five hundred (500) feet apart for collection lines exceeding fifteen (15) inches in diameter.

(7) Developers shall be required to install tracer wires to traverse the length of the sewer line installed on property to be developed and bring it up to the six inch (6") cleanout cover. (Ord. #2074 2-2-02)

b. Materials:

(1) Gravity sewer lines shall be solid wall PVC, SDR 35, and shall conform to ASTM D-3034, or profiled wall PVC, A-2000, smooth interior and corrugated exterior, as per ASTM F 949-85. Installation shall be in accordance with ASTM D-2321.

(2) Force mains shall be ductile iron or PVC. PVC pipe shall be Class 150, meeting the requirements of A.W.W.A. C-900 polyvinyl chloride (PVC) pressure pipe and SDR 18. The use of ductile iron shall conform to the written specifications of the department of public works.

(3) Lift stations shall be of the type specified by the city. Lift stations shall be approved by the department of public works in writing prior to installation.

(4) Miscellaneous sewer materials shall be standard sewer materials and shall be approved by the department of public works, prior to installation.

c. Acceptance test:

1. All sanitary sewers shall be subject to infiltration, air, or exfiltration tests, or a combination thereof in accordance with the requirements of the city. Expense of all tests shall be borne by the subdivider.

2. When the engineer elects the use of the infiltration test, the infiltration rate shall not exceed 0.20 gallons per inch of nominal internal diameter per day, per one hundred (100) feet of pipe.

3. Water system. The subdivider shall provide a complete water distribution system which will furnish an adequate supply of potable water to each lot within the subdivision.

a. Design. The design and construction of a water distribution system shall conform to the requirements of the Louisiana Department of Health and Human Resources and be approved in writing by the City. The system shall be designed to provide adequate quantity and pressure for domestic use and fire protection. The system shall be "looped" and connected to the City water source in a minimum of two locations. Connections to the City source shall be no less than 500 feet apart to separate city sources on separate streets. The location of these connections shall be approved by the Public Works Department. Valves shall be located at block corners such that only one block will be out of service in case of repairs. Additionally, all water lines must extend in a utility servitude dedicated to the City along all existing or proposed public streets which are a part of or adjacent to any development of land for residential, commercial, industrial or public use if they do not already exist. This extension of water lines must traverse the entire property under development and is subject to approval by the Department of Public Works. No water lines to be dedicated to the City shall be installed in the rear of any lot. These requirements shall be implemented unless a variance is sought by the developer and approved in writing by the Planning Commission.

b. Materials. All materials used shall meet the specifications and requirements of the city. Pipe for water mains shall be a minimum of eight-inch (8") diameter. Commercial properties shall be a minimum of ten-inch (10") diameter and industrial properties shall be a minimum of twelve-inch (12") diameter. Pipe shall be either polyvinyl chloride (PVC) pressure pipe and be Class 150, meeting the requirements of SDR 18, and meeting the requirements of A.W.W.A. C-900; or shall be ductile iron pipe designed in accordance with ANSI A21.50-1976 (AWWA C-150-76) specifications and shall be of domestic manufacture. Ductile iron shall be standard cement lined and seal coated with approved bituminous seal coat in accordance with ANSI Specification A21.4 (AWWA C-104), latest revision. Joints shall be push-on or mechanical joint, conforming to ANSI Specification A21.11 (AWWA C-111), latest revision. Bolts and nuts for mechanical joints shall be Corten, or equal. Fittings shall be manufactured in accordance with ANSI A21.10 (AWWA C-110), latest revision and joints shall be mechanical joint or "push-on" as specified on the proposal for conforming to ANSI A21.11 (AWWA C-111), latest revision. (Ord. No. 2460, 6-16-09)

c. Fire hydrants. Fire hydrants shall be spaced not more than five hundred (500) feet apart on the property line extended and no structure shall be more than two hundred fifty (250') feet from a fire hydrant. Fire hydrants shall be flow tested in accordance with NFPA Standards and then color coded in accordance with the following color scheme:

Red	-- Less than 500 gpm
Yellow	-- 500 gpm to 999 gpm
Green	-- 1000 gpm to 1499 gpm
Blue	-- 1500 gpm or greater

Hydrants shall conform to requirements of AWWA C-502-54, Fire Hydrants for Ordinary

Water Works Service. Hose connection shall be National Standard Threads. Hydrants shall have 5 1/4-inch minimum valve openings. All fire hydrants shall be Mueller Improved Fire Hydrants as manufactured by Mueller Company, Chattanooga, Tenn., Catalog No., A-24015 (2-2 1/2-inch hose nozzles and 1-4 1/2-inch pumper nozzle), or an approved equal. All fire hydrants shall be installed with gate valves.

d. Service connections. Service connections shall be installed on every lot within the subdivision, by the city.

e. Installation and testing. Water systems must pass pressure, leakage, and bacteriological tests prior to approval. Disinfection of newly laid pipeline to be used for potable water supply shall be accomplished in accordance with the requirements of AWWA C 601. The pipeline shall be hydrostatically tested to a minimum test pressure of one hundred fifty (150) pounds per square inch measured at the highest point of the section of pipeline under test. This test pressure shall be maintained for four (4) hours.

f. Developers shall be required to install tracer wires to traverse the length of the water line installed on property to be developed. (Ord. #2074 2-2-02)

4. Gas system. The subdivider shall provide a gas distribution system constructed in conformity with the provisions set forth herein and as approved in writing by the city. All gas systems shall be installed in accordance with the Department of Transportation Title 49 CRF Part 192.283, "Transportation of Natural and Other Gas by Pipe Lines - Minimum Safety Regulations."

a. Design. The design and construction of a gas distribution system shall conform to the requirements of the Louisiana Department of Transportation Title 49 CRF Part 192.283, "Transportation of Natural and Other Gas by Pipe Lines - Minimum Safety Regulations" and be approved in writing by the City. The system shall be designed to provide adequate quantity and pressure for domestic and industrial use. The system shall be "looped" and connected to the City gas source in a minimum of two locations. Connections to the City source shall be no less than 500 feet apart to separate City sources on separate streets. The location of these connections shall be approved by the Public Works Department. Valves shall be located at block corners such that only one block will be out of service in case of repairs. Additionally, all gas lines must extend in a utility servitude dedicated to the City along all existing or proposed public streets which are a part of or adjacent to any development of land for residential, commercial, industrial or public use if they do not already exist. This extension of gas lines must traverse the entire property under development and is subject to approval by the Department of Public Works. No gas lines to be dedicated to the City shall be installed in the rear of any lot. These requirements shall be implemented unless a variance is sought by the developer and approved in writing by the Planning Commission.

b. Materials. Pipe for gas mains shall be a minimum of two-inch diameter, shall be constructed of polyethylene (HMWMD PE) pipe, and shall conform to the latest revision of ASTM D 2513 "Standard Specification for Thermoplastic Gas Pressure Pipe, Tubing and Fittings"; ASTM D 2683 "Socket - Type Polyethylene Fittings for Outside Diameter Controlled Polyethylene Pipe"; ASTM D 3261 "Butt Heat Fusion Polyethylene (PE) Plastic Fittings." The polyethylene plastic compound to be used shall conform to the requirements in ASTM D 1248 latest revision - Type II, Class B, Category 5, Grade P 24. The plastic compound shall be of virgin quality and be listed by the Plastic Pipe Institute

as a PE 2406 designated compound.

c. *Installation and testing.* All installations shall be conducted in accordance with specifications and requirements of the city. Gas systems must pass pressure tests prior to approval. The subdivider shall prove the entire system of gas lines included in the system to be gas tight by air test. The test pressure shall be one hundred twenty (120) pounds per square inch for a duration of twenty four (24) hours with the initial and final pressure reading being identical, no decrease in pressure will be allowed.

d. *Service connections.* Service connections shall be installed on every lot within the subdivision, by the city. The owner shall only be required to provide the gas distribution line.

e. *Developers shall be required to install tracer wires to traverse the length of the gas line installed on property to be developed. (Ord. #2074 2-2-02).*

5. *Drainage.* The design criteria for storm drainage shall be based on the rational formula. The data contained in the State of Louisiana, Office of Highways Hydraulics Manual shall be used. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage.

a. *Design.* Roadside and off-road drainage shall be designed using the rational formula and a 10-year storm frequency curve equaling nine and one-half (9.5) inches of rainfall in a 24-hour period.

The design shall consider the subdivision as fully developed and the "C" factor for the rational formula shall be 0.45.

One (1) set of drainage design calculations with plans and specifications, for the entire subdivision shall be submitted to the department of public works.

b. Roadside drainage. Roadside drainage may be open ditch or subsurface. The roadway drainage system shall be designed such that during a 10-year storm event, water shall not rise over the centerline of the street.

(1) Subsurface drainage. The roadside drainage system shall be designed to carry roadway, adjacent land and building storm water drainage. In no case shall the spacing between inlets be greater than two hundred (200) linear feet, or between a high point in grade and an inlet.

(2) Open roadside ditches. Open roadside ditches shall be constructed with sloped sides, having a maximum angle of slope not exceeding forty-five (45) degrees off horizontal.

(i) Culverts. The design and installation of culverts in public road ditches and/or certified by a registered engineer, and a certified copy of "as built" plans specifying the size, length and type of pipe and the grade for same, must be submitted with the final plat. Only pipe manufactured from material approved by the city shall be installed. Culverts to be used for driveways shall be the same as though all of lot front is being filled.

(3) Dedication of drainage easements:

Minimum culvert diameter: Fifteen (15) inches.

Catch basins shall be located a maximum of seventy-five (75) feet apart; at each property line; and, at all intersections.

c. Off-road drainage. The design of the off-road drainage system shall include the watershed affecting the subdivision and shall extend to a stream or ditch adequate to receive the storm drainage.

Natural drainage canals or existing canals or ditches shall not be blocked or altered or any utility lines constructed through except by written permission of the city.

d. Drainage impact analyses. Drainage studies shall be required pursuant to the following requirements:

A comprehensive drainage impact analysis of all proposed subdivision(s) and surrounding affected areas must be submitted to the planning commission by a licensed professional engineer registered with the State of Louisiana. Neither the subdivision final plat nor subdivision construction plans will be approved until a favorable written certification of the drainage impact analysis has been made by the department of public works.

If the commission gives final approval to the plat contingent on later submission of the drainage analysis and if this drainage impact analysis is found to indicate improper drainage will result because of the subdivision, then the plat shall be returned to the commission for reconsideration at its next scheduled meeting. Until the developer has developed a drainage plan that is acceptable to the city, the final plat shall not be approved.

Developers may request that the city approve a waiver of the drainage impact analysis. If such a request is granted, the department of public works will provide written approval, the waiver authorization shall be forwarded to the planning commission for their concurrence and no drainage impact analysis shall be required for the subdivision.

Specifications for drainage impact analyses and subdivision drainage design. Required drainage impact analyses shall comply with the following specifications:

1. An area drainage map shall be submitted that designates:
 - (i) The various drainage areas involved.
 - (ii) The acreage in each drainage area.
 - (iii) The slope of each drainage area to the entry and/or exit point of the subdivision.
 - (iv) Peak run-off in cubic feet per second (cfs) for each drainage area including total run-off and total cfs.
2. The drainage impact analysis shall indicate the cfs of water at each subdivision entry point that will result from a designated storm. This determination to be based on future land use of the upstream drainage areas.
3. The drainage analysis shall indicate that cfs of storm water at each subdivision exit point that will result from a designated storm. The determination to be based on future land use of upstream drainage areas. This calculation shall take into account expected construction within the subdivision that will change the grades, direction of flow, run-off factors or other existing conditions.
4. The drainage impact analysis shall indicate the maximum capacity, expressed in cfs, of all existing and proposed drainage structures within the subdivision.
5. The drainage impact analysis shall indicate the capacity of all ditches, culverts, subsurface and surface drainage structures that will be utilized downstream of the subdivision in allowing passage of storm water to the first public outfall, coulee, canal or river.
6. The drainage impact analysis shall consist of three (3) distinct and designated parts as follows:
 - (i) Conclusions: The affect of the proposed construction on upstream and downstream areas.
 - (ii) Design criteria: Description of methodology, data and assumptions used.
 - (iii) Calculations: Clear, concise, step-by-step calculations made.
7. The subdivision drainage and impact analysis and the subdivision drainage design shall be based on the 10-year storm event.
8. Subsurface drainage of drainage outfalls serving more than the subdivision will be

based on the 10-(year) storm event.

9. Open channel drainage of channels serving more than the subdivision shall be based on a 10-year storm event with one-foot of freeboard existing in the channel above the 10-year water surface elevation.

10. The drainage impact analysis and subdivision drainage design is based on rainfall intensity data contained in the most recent edition of the Louisiana Department of Transportation and Development's "Drainage Design Standards Manual" shall be used.

11. Ponding, retention or detention of storm water shall not be used in the drainage impact analysis unless authorized in writing by the city.

12. The hydraulic head above the crown of subsurface drainage conduits shall not be used in the drainage impact analysis unless authorized by the city.

13. The subdivision drainage plans shall give the location, description, and elevation of all permanent and temporary benchmarks used for the drainage study and to be used for the subdivision construction. Benchmarks shall be tied to NGVD or the latest published governmental mark.

14. Hydraulic calculations, plan profile sheets and area drainage maps shall be approved by the city before any subdivision improvement work begins.

15. Subdivision subsurface storm sewers shall be designed for the 10-year storm. Outfall structures and outfall channels shall be designed for the 10-year storm. Collector street crossings shall be designed for the 25-year storm.

16. The developer will provide what effect the 100-year storm, 24-hour rainfall will have on the proposed subdivision (i.e. how much water will be on the proposed lots to be developed with respect to the 100-year storm, 24-hour rainfall).

e. Construction of drainage facilities. All drainage facilities shall be constructed in accordance with DOTD standard specifications for construction.

In all cases, the use of untreated, plain corrugated metal pipe is prohibited.

f. The requirement for a drainage impact analysis shall be waived for those residential developments involving less than five (5) acres of raw land, and any commercial development involving less than two and one-half (2.5) acres of raw land.

6. Miscellaneous:

a. Traffic control signs and signals. The subdivider shall provide necessary traffic control signs, signals, and devices for all new streets within the subdivision. All signs and devices shall conform to the Louisiana Manual on Uniform Traffic Control Devices and shall be in place before acceptance of construction improvements. Streets within the proposed subdivision which cross railroad rights-of-way will have railroad crossing warning devices installed by the developer according to specifications outlined by the city.

b Street lights. The developer shall install complete and functional street lighting facilities. The equipment and installation thereof shall comply with the requirements of the power company serving the subdivision. Lighting standards shall be installed at each street intersection. The spacing of the standards shall not exceed two hundred fifty (250) feet. If aboveground utilities are utilized for street lighting, the developer shall ensure that the spacing of utility poles are such that installation of the lighting fixtures onto utility poles can be accomplished in compliance with the maximum spacing requirement of two hundred fifty (250) feet. Copper wire on subsurface wiring must be used.

[(1) Reserved.]

(2) Prior to commencement of construction on street light facilities by private developers within the city, plans and specifications shall be submitted to appropriate electrical company for approval of said plans and specifications for construction.

(3) The city will not be responsible for maintenance of street light facilities until at least one (1) building or house is occupied on property adjoining the street light circuit serving that property.

(4) Before final acceptance of a subdivision's street light facilities, the following conditions must be met:

- (i) The developer must deposit the cash sum of three hundred dollars (\$300.00) per street light with the city.
- (ii) The cash deposit held in escrow will be utilized to pay for any damages to street light facilities by construction, vandalism, or any other cause occurring prior to the time of occupancy as required in b.3. above.
- (iii) When all of the street light circuits within a project have met the occupancy requirement as provided in b.3. above, the cash deposit, less cost of repairs, if any, shall be refunded to the developer.

c. Construction inspection. The department of public works shall arrange for the inspection of construction improvements. The inspection shall be conducted by the department of public works or its designee. The department of public works shall be notified of subdivision construction activities a minimum of five (5) calendar days prior to the onset of any such construction.

The fee for construction inspection shall be the actual billed cost for any contracted inspection of a subdivision. The cost shall be borne by the subdivider and paid to the city prior to city council approval of the dedication.

(Ord. No. 1781, Exh. A(Ch. 4, C), 10-15-96); (Ord. 1895, 6-1-99); (Ord. No. 1946, 5-2-00); (Ord. No. 2074, 1-2-02); (Ord. No. 2199, 5-18-04)

Sections 18-84--18-110. Reserved.

ARTICLE V.

NONRESIDENTIAL SUBDIVISIONS

Section 18-111. Generally.

(A) General: If a proposed subdivision includes land to be used for commercial or industrial purposes, the layout of the subdivision with respect to such land shall make such provision as the planning commission may require. A nonresidential subdivision shall be subject to all the requirements of these regulations, as well as such additional standards required by the planning commission, and shall conform to the proposed land use and standards established in the master plan, zoning map, and city base map.

(B) Standards: In addition to the principles and standards in these regulations, which are appropriate to the planning of all subdivisions, the applicant shall demonstrate to the satisfaction of the planning commission that the street, parcel, and block pattern proposed is specifically adapted to the uses anticipated and takes into account other uses in the vicinity. The following principles and standards shall be observed:

- (1) Proposed industrial parcels shall be suitable in area and dimensions to the types of industrial development anticipated.
- (2) Street rights-of-way and pavement shall be adequate to accommodate the type and volume of traffic anticipated to be generated thereupon.
- (3) Special requirements may be imposed by the city council with respect to street, curb, and gutter design and construction.
- (4) Special requirements may be imposed by the city council with respect to the installation of public utilities, including water, sewer and storm water drainage.
- (5) Every effort shall be made to protect adjacent residential areas from potential nuisance from a proposed commercial or industrial subdivision, including the provision of extra depth in parcels backing up on existing or potential residential development and provisions for a permanently landscaped buffer strip when necessary.
- (6) Streets carrying nonresidential traffic, especially truck traffic, shall not normally be extended to the boundaries of adjacent existing or potential residential areas.
(Ord. No. 1781, Exh. A(Ch. 5, A), 10-15-96)

Sections 18-112--18-130. Reserved.

ARTICLE VI.

ASSURANCES FOR COMPLETION AND MAINTENANCE OF IMPROVEMENTS

Section 18-131. Completion and dedication of improvements and performance bonds.

(A) Completion of improvements: Before the recordation plat is approved by the planning commission and signed by the chairman of the planning commission, all applicants shall be required to complete, in accordance with the planning commission's decision and to the satisfaction of the city, all the street, sanitary, and other improvements including lot improvements on the individual lots of the subdivision as required in these regulations, specified in the recordation subdivision plat, and as approved by the planning commission, and to dedicate same to the city, or special district having jurisdiction, free and clear of all

and clear of all liens and encumbrances on the property and public improvements thus dedicated.

(B) Performance bonds:

(1) The city council in its discretion may waive the requirement that the applicant complete and dedicate all public improvements prior to the signing of the subdivision plat, and that, as an alternative, the applicant post a performance bond at the time of application for final subdivision approval in an amount estimated by the planning commission and the department of public works as sufficient to secure to the city the satisfactory construction, installation, and dedication of the incomplete portion of required improvements. The performance bond shall also secure all lot improvements on the individual lots of the subdivision as required in these regulations.

(2) Such performance bond shall comply with all statutory requirements as to form and manner of execution as set forth in these regulations. The period within which required improvements must be completed shall be specified by the city council in the resolution approving the final subdivision plat and shall be incorporated in the bond and shall not, in any event, exceed one (1) year from date of final approval. Such bond shall be approved by the city council as to amount and surety and conditions satisfactory to the city. The planning commission shall not recommend to the city council an extension of the completion date set forth in such bond. The city council may at any time during the period of such bond accept a substitution of principal or sureties on the bond upon recommendation of the planning commission.

(C) Temporary improvement: The applicant shall build and pay for all costs of temporary improvements required by the city council and shall maintain same for the period specified by the city council. Prior to construction of any temporary facility or improvement, the developer shall file with the city a separate suitable bond for temporary facilities, which bond shall insure that the temporary facilities will be properly constructed, maintained and removed.

(D) Cost of improvements: All required improvements shall be made by the applicant, at his expense, without reimbursement by the city or any improvement district therein, including improvements to all existing city roads and drainage fronting or abutting the developers property.

(E) Governmental units: Governmental units to which these bonds and contract provisions apply may file in lieu of said contract or bond a certified resolution or ordinance from officers or agencies authorized to act in their behalf, agreeing to comply with the provisions of this section.

(F) Failure to complete improvement: For subdivisions for which no performance bond has been posted, if the improvements are not completed within the period specified by the city council in the resolution approving the plat, the approval shall be deemed to have expired. In those cases where a performance bond has been posted and required improvements have not been installed within the terms of such performance bond, the city council may thereupon declare the bond to be in default and require that all the improvements be installed regardless of the extent of the building development at the time the bond is declared to be in default.

(G) Acceptance of dedication offers: Acceptance of formal offers of dedication of streets,

streets, public areas, and easements shall be by ordinance of the Thibodaux City Council, or the public utility company or special district having jurisdiction. The approval by the planning commission of a subdivision plat shall not be deemed to constitute or imply the acceptance by the city council of any street, or easement, shown on the plat. The planning commission may require said plat to be endorsed with appropriate notes to this effect.
(Ord. No. 1781, Exh. A(Ch. 6, A), 10-15-96)

Section 18-132. Inspection of improvements.

(A) General procedure and fees: The department of public works or its designee shall complete an inspection of required improvements to ensure their satisfactory completion. If the department of public works or its designee finds upon inspection that any of the required improvements have not been constructed in accordance with the city's construction standards and specifications, the applicant shall be responsible for completing the improvements. Wherever the cost of improvements is covered by a performance bond, the applicant and the bonding company shall be severally and jointly liable for completing the improvements according to specifications.

(B) Release or reduction of performance bond:

(1) Certificate of satisfactory completion: The city council will not accept the dedication of required improvements, nor release nor reduce a performance bond, until:

- a. The department of public works has submitted a certificate stating that all required improvements have been satisfactorily completed;
- b. The applicant's engineer or surveyor has certified to the department of public works, through submission of detailed "as-built" survey plans of the subdivision, indicating location, dimensions, materials, and other information required by the city, and the layout of the line and grade of all public improvements is in accordance with the construction plans for the subdivision; and
- c. The planning commission has granted recordation approval of the subdivision. Upon such approval and recommendation, the city council and/or the public utility company or special district having jurisdiction, shall thereafter accept the improvements for dedication in accordance with the established procedure.
(Ord. No. 1781, Exh. A(Ch. 6, B), 10-15-96)

Section 18-133. Maintenance of improvements.

(A) The applicant shall be required to maintain all improvements on the individual subdivided lots until acceptance of said improvements by the city council or the public utility company or special district having jurisdiction.

(B) The applicant shall be required to file a maintenance bond with the city council, prior to dedication, in the amount equal to two thousand five hundred dollars (\$2,500.00) or ten (10) percent of the construction costs, whichever is higher, in order to assure the satisfactory condition of the required improvements on the individual subdivided lots, for a period of one (1) year after the date of their acceptance by the city council and dedication of same to the City of Thibodaux.
(Ord. No. 1781, Exh. A(Ch. 6, C), 10-15-96)

Section 18-134. Issuance of building permits.

(A) No building permit shall be issued until completion of all improvements and dedication of same to the City of Thibodaux occurs.

(Ord. No. 1781, Exh. A(Ch. 6, D), 10-15-96)

[(B) Reserved.]

Sections 18-135--18-150. Reserved.

**ARTICLE VII.
MOBILE HOME PARK REGULATIONS**

Section 18-151. Generally.

(A) These regulations shall hereafter be known, cited and referred to as the ``Mobile Home Park Regulations of the City of Thibodaux."

[(B) Reserved.]

(Ord. No. 1781, Exh. A(Ch. 7, A), 10-15-96)

Section 18-152. Policy.

(A) It is hereby declared to be the policy of the city to consider the development for installation and usage of mobile homes in mobile home parks as subject to the control of the Thibodaux Planning Commission and the City of Thibodaux for the orderly, planned, efficient, and economical development of the city.

(B) Land to be developed for a mobile home park shall be of such character so that it can be used safely for development purposes without danger to health or peril from fire, flood, or other menace, and land shall not be developed until available public facilities and improvements exist and proper provisions have been made for drainage, water, sewerage and capital improvements such as schools, parks, recreational facilities and other related improvements.

(C) The development of a mobile home park shall conform to and be properly related to the proposal shown in the master plan, city base map, and the capital improvements program of the city.

(Ord. No. 1781, Exh. A(Ch. 7, B), 10-15-96)

Section 18-153. Purpose.

These regulations are adopted for the following purposes:

(1) To protect and provide for the public health, safety and general welfare of the city.

(2) To guide the future growth and development of the city.

(3) To provide for adequate light, air, and privacy; to secure safety from fire, flood, and other

other dangers and to prevent overcrowding of land and undue congestion of population.

(4) To protect and conserve the value of land throughout the city and the value of buildings and improvements upon the land and to minimize the conflicts among the uses of land and buildings.

(5) To establish reasonable standards of design and procedures for the development and/or extension of mobile home parks, so as to further the orderly layout and development of land throughout the city.

(6) To ensure that public facilities are available and will be of sufficient capacity to serve the proposed mobile home park.

(7) To prevent the pollution of air, bayous, canals, and other bodies of water; to assure the adequacy of drainage facilities; and to encourage the wise use and management of natural resources throughout the city so as to preserve the integrity, stability and beauty of the city.

(8) To provide for open spaces through the most efficient design and layout of a mobile home park, including the use of average density, and providing for minimum widths and area of lots.

(Ord. No. 1781, Exh. A(Ch. 7, C), 10-15-96)

Section 18-154. Authority.

(A) Pursuant to the powers and jurisdictions vested through L.R.S. 33:101-119 and other applicable laws, statutes, ordinances and regulations of the State of Louisiana, the Thibodaux Planning Commission, hereinafter referred to as "planning commission," does hereby exercise the power and authority to review, approve and/or disapprove the development of mobile home parks in the city.

(B) All appeals from rulings of denial by the planning commission shall be to the Thibodaux City Council.

(C) Provided, however, if denial of an application is based upon provisions or requirements of Ordinance No. 1498 (Floodplain Regulations), as amended, then such appeals shall be as provided therein.

(Ord. No. 1781, Exh. A(Ch. 7, D), 10-15-96)

Section 18-155. Jurisdiction.

(A) These mobile home park regulations shall apply to all land located within the City of Thibodaux.

[(B) Reserved.]

(Ord. No. 1781, Exh. A(Ch. 7, E), 10-15-96)

Section 18-156. Application of regulations.

(A) No land shall be developed for a mobile home, nor shall any existing mobile home park be enlarged and/or extended unless in conformity with the regulations as prescribed herein.

(B) No excavation of land or construction of any public or private improvements for the development of a mobile home park shall take place or be commenced except in conformity with these regulations.

(C) No permit for the placement of a mobile home shall be issued on any property not in conformance with the provisions of these regulations. No mobile home shall be installed on property until such time as all approvals, as required herein, are obtained for the establishment of a mobile home park.

(Ord. No. 1781, Exh. A(Ch. 7, F), 10-15-96)

Section 18-157. Dedication of improvements.

(A) Any new mobile home park or the extension/enlargement to an existing mobile home park, whereby the developer/owner wishes to dedicate the street and/or any other improvements, the design and construction specifications shall conform to that of the city subdivision regulations, as regulated by the planning commission.

[(B) Reserved.]

(Ord. No. 1781, Exh. A(Ch. 7, G), 10-15-96)

Section 18-158. Usage.

(A) For the purpose of these regulations, certain numbers, abbreviations, terms, and words used herein shall be used, interpreted, and defined as set forth in this section.

(B) A "person" includes a corporation, partnership, and an incorporated association of persons such as a club; "shall" is always mandatory; a "building" includes a "structure"; a "building or structure" includes any part hereof; "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged, or designed to be used or occupied."

(Ord. No. 1781, Exh. A(Ch. 7, H), 10-15-96)

Section 18-159. Words and terms defined.

Accessory building: A detached subordinate structure, the use of which is clearly incidental and related to that of the principal structure (mobile home), and which is located on the same lot.

City Council: The governing body of the City of Thibodaux having the power to adopt and enforce ordinances.

City department of public works: The department designated by the city to furnish engineering assistance in the administration of these regulations.

Community sewerage system: A central sewer system including collection and treatment facilities established by the owner/developer to serve a mobile home park.

Developer: The owner or his designated representative of land proposed to be developed into a mobile home park.

Easement: A reservation and/or authorization by the property owner for the specified use by another.

Federal Emergency Management Agency (FEMA): The principal administrative mechanism established by the United States Congress for reducing losses in both property and human life caused by periodic flooding.

Health authority: The Louisiana State Office of Environmental Quality and the Lafourche Parish Health Unit.

Individual sewerage disposal system: A sewerage disposal system designed to serve an individual mobile home.

Mobile home: A structure, transportable in one (1) or more sections, which is eight (8) feet or more in width and is thirty-two (32) feet or more in length, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent stand when connected to required utilities.

Mobile home park: Any contiguous parcel of land used or intended to be used for the accommodations of three (3) or more mobile homes for rental purposes to either persons owning their own mobile home or for rent by the owner of the mobile home park who rents a mobile home and lot as a unit. For purposes of these regulations a mobile home park shall be considered to exist regardless of the lack of a rental charge for such accommodation.

Mobile home space or lot: A designated parcel of land within a mobile home park designed for the accommodation of one (1) mobile home and its accessory equipment or buildings for the exclusive use of the occupants. Mobile home park spaces or lots shall not be sold to the occupant.

Nonconforming mobile home park: A mobile home park or part thereof lawfully existing on the effective date of these regulations and which does not conform to the regulations as prescribed herein.

Owner: Any person, group of persons, firm or firms, corporation or corporations, or any other legal entity having legal title to or sufficient proprietary interest in the land sought to be developed into a mobile home park as prescribed by these regulations.

Parish health unit: The agency designated by the State of Louisiana to administer the Louisiana State Sanitary Code within Lafourche Parish and as related to these regulations.

Registered architect: An architect properly licensed and registered in the State of Louisiana.

Registered engineer: A civil engineer properly licensed and registered in the State of Louisiana.

Registered land surveyor: A land surveyor properly licensed and registered in the State of Louisiana.

Right-of-way: A strip of land occupied or intended to be occupied by a street, crosswalk, railroad, road, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, shade trees, or for another special use. The usage of the term “right-of-way” for land platting purposes shall mean that every right-of-way, hereinafter established and shown on a final plan, is to be separate and distinct from the lots or parcels adjoining such right-of-way and not included within the dimensions or areas of such lots or parcels. Rights-of-way intended for streets, crosswalks, water mains, sanitary sewers, storm drains, shade trees, or any other use involving maintenance of a public agency or private utility shall be dedicated to the public for use by the owner of the property on which such right-of-way is established.

Service building: A detached, subordinate structure, the use of which is clearly related to the comfort and convenience of the inhabitants of the mobile home park.

Servitude: See: Easement.

Setback: The distance between a building and a lot line nearest thereto.

Tie-down: A strap, cable, or security device used to connect the mobile home to ground anchors.

Ord. No. 1781, Exh. A(Ch. 7, I), 10-15-96)

Section 18-160. Application procedure.

(A) Whenever a new mobile home park or the extension/enlargement of an existing park is proposed, before any contract is made for the construction of same, and before any permit for the erection and/or placement of any structures in such proposed park shall be granted, the owner/developer of the proposed mobile home park, or his authorized agent, shall apply for and secure approval of such proposed mobile home park in accordance with the following procedure, which includes basically three (3) steps:

- (1) Sketch plat approval
- (2) Final plat approval
- (3) Issuance of certificate of occupancy

(B) The granting of sketch plat approval by the planning commission in a proposed mobile home park is granted in perpetuity. The granting of final plat approval on a proposed mobile home park is limited to a period of two (2) years from the date approval is granted by the planning commission. Failure to begin and complete construction within the two-year period will necessitate reapplication for final plat approval by the planning commission.

(Ord. No. 1781, Exh. A(Ch. 7, J), 10-15-96)

Section 18-161. Sketch plan approval/application and plat requirements.

(A) **Purpose:** The purpose of the sketch approval phase is to consider the development from point of view of layout and configuration of lots, streets, easements, and emergency vehicle access and the geometric relationships with existing streets and easements which may join or cross the proposed mobile home park.

(B) **Application:** The application shall be made on forms provided by the staff of the planning commission and contain, but not be limited to the following information:

(1) Name, address and telephone number of the owner of the area to be developed for mobile home park purposes;

(2) Name, address, and telephone number of the developer, if applicable;

(3) Name of the proposed mobile home park;

(4) Total number of spaces to be provided;

(5) Proposed facilities to be dedicated;

(6) Total acreage involved;

(7) Statement of concurrence with the application by the owner when applicable.

(C) Application supplements: Accompanying the application must be the following information:

(1) Letters of utility availability which state that the utility provider has both the capacity and the facilities to serve the mobile home park and that it intends to provide services;

(2) Names and addresses of adjacent property owners;

(3) Application fee of two hundred fifty dollars (\$250.00).

(D) Sketch plat: The sketch plat submitted to the planning commission becomes the property of the planning commission and shall be returned to the developer only insofar as revisions or changes are requested. Tracings, reproducible, or original supporting documents shall not be submitted.

(1) Seven (7) copies of the sketch plat are to be submitted at the time of application for sketch plat approval;

(2) The sketch plat shall contain the following information:

a. Name of the proposed mobile home park, or in the case of an expansion the original name of the park and the respective addendum;

b. Name of the developer;

c. Name of the planner, engineer, or surveyor who prepared the plat;

d. Vicinity map;

e. Location of property by section, township, and range;

f. Date, bar scale, and north arrow;

g. Proposed street names, lot numbers, and block numbers, if applicable;

- h. Alignment of existing streets, rights-of-way, easements, and servitudes which join and are located within the proposed mobile home park;
- i. Section, township, range, municipal boundaries, and/or city boundaries and/or city boundaries which abut or cross the proposed park;
- j. Geometric layout of lots, blocks, streets, rights-of-way, easements, and servitudes which join or cross the proposed park;
- k. Flood zone designation as depicted on the Lafourche Parish Flood Insurance Rate Maps and the minimum base flood elevation requirements;
- l. Names of adjacent property owners denoted on the respective property.

(E) Study of sketch plat. The sketch plat shall be submitted to the Thibodaux Planning Department who shall facilitate the transmittal of the plat with an attached evaluation check sheet for the purpose of review by the floodplain administrator and the department of public works; and any adjoining parishes or municipalities, schools and special districts and other official bodies as it deems necessary or as mandated by law, including any review required by regional or state bodies under applicable state or federal law.

(1) The planning department shall request that all officials and agencies to whom requests for review have been made submit their report within twenty (20) days after receipt of the request.

(2) Each of the officials and agencies who review the plat shall date the check sheet and indicate, in writing, approval or disapproval and the recommendations concerning the plat when applicable.

(3) The planning department shall consider all the reports submitted by the officials and agencies concerning the sketch plat and shall submit a report for proposed action to the planning commission for the next available regular meeting of the commission.

(4) The report by the planning commission shall in no event be made later than sixty (60) days following the date of application for sketch plat approval.
(Ord. No. 1781, Exh. A(Ch. 7, K), 10-15-96)

Section 18-162. Final approval/application and plat requirements.

(A) Purpose. The purpose of the final approval phase is to consider the construction plans of the proposed mobile home park, or expansion to an existing mobile home park, prior to the start of construction. The granting of final approval authorizes the start of construction of the proposed park.

(B) Public hearing requirements. A public hearing shall be called on the final approval application for the proposed mobile home park. Notification of the public hearing shall be sent by the owner/developer to the adjacent property owners at least three (3) days prior to the hearing.

(1) The notice shall advise as to the purpose, date, time and place of hearing. The decision to call additional public hearing(s) on an application will be at the discretion of

the planning commission.

[(2) Reserved.]

(C) Application. The application shall be made on forms provided by the staff of the planning commission and contain, but not be limited to the following information:

(1) Name, address and telephone number of the owner of the area to be developed for mobile home park purposes;

(2) Name, address, and telephone number of the developer;

(3) Name of the proposed mobile home park;

(4) Total number of spaces to be provided;

(5) Proposed facilities to be dedicated;

(6) Total acreage involved;

(7) Statement of concurrence with the application by the owner, when applicable;

(8) Name, address and telephone number of the engineer who prepared the plans.

(D) Application supplements. Accompanying the application must be the following:

(1) Letters of approval from the utility providers that the easements and servitudes as proposed will adequately accommodate the installation and maintenance of the utility to be provided;

(2) Application fee, based on number of lots within the mobile home park, shall be as follows:

3 --- 6 lots:	\$100.00
6 --- 20 lots	\$175.00
Over 20 lots	\$250.00

(3) Letter of approval from the Louisiana State Department of Health and Human Resources, Office of Preventive and Public Health Services for Lafourche Parish on the method of sewage disposal.

(E) Final plat. The final plat, when submitted to the planning commission, becomes the property of the planning commission and shall be returned to the developer only insofar as revisions or changes are requested. Tracings, reproducible, or original supporting documents shall not be submitted.

(1) Ten (10) copies of the final plat are to be submitted at the time of application for final approval; three (3) of the ten (10) copies of the final plat shall be reserved for original certification signatures and shall be distributed so as to provide one (1) to the Lafourche Parish Clerk of Court; one (1) to the office of the planning commission; and one (1) to the developer.

(2) The final plat shall contain the following information:

- a. Name of proposed mobile home park;
- b. Name of developer;
- c. Signature and stamp of civil engineer;
- d. Vicinity map;
- e. Location by section, township and range;
- f. Date, bar scale and north arrow;
- g. Proposed street names, lot numbers and block number, when applicable;
- h. Alignments with existing streets, rights-of-way, easements and servitudes;
- i. Section, township, range, municipal boundaries, and/or parish boundaries which abut or cross the proposed mobile home park;
- j. Description of proposed improvements, specifically, materials to be used, typical street cross sections, etc.;
- k. Final alignment of streets and sewerage;
- l. Final drainage plan showing existing contours at one-foot intervals or less, if requested by the city engineer;
- m. Plans depicting location of utilities, light standards and fire hydrants;
- n. Method of sewage disposal, tie-in with existing collection systems, lagoons, lift stations, forced mains, etc.;
- o. Profiles of all streets and ditches and where open ditches are to be provided for drainage, a minimum size and grade of pipe to be used must be denoted;
- p. Location and description of all temporary benchmark(s) as required in these regulations. The elevation of said benchmark(s) shall be set to National Geodetic Vertical Datum (NGVD) and depicted on the final plat;
- q. The proposed finished grade of each lot; said elevation is to be denoted in mean sea level datum and to be feet and tenths of a foot.

(F) Study of final plat. The planning department shall refer a copy of the final plat to the floodplain administrator, and the city department of public works, for its review, recommendation and report.

(1) The report of the floodplain administrator and the department of public works shall be submitted to the planning department who shall submit a report, in writing, to the planning

planning commission at the time of the next regular meeting of the commission.

[(2) Reserved.]

(Ord. No. 1781, Exh. A(Ch. 7, L), 10-15-96)

Section 18-163. Issuance of certificate of occupancy.

(A) During the construction of the approved mobile home park, the staff of the planning commission shall make on-site inspections to verify compliance with the final plans as approved by the planning commission.

(1) Written documentation of the findings of all inspections shall be filed in the office of the planning commission.

[(2) Reserved.]

(B) Upon completion of the construction, the engineer, representing the developer, shall forward a written request for final inspection for occupancy approval.

(1) The written request for final inspection must also contain a clause certifying that the construction was completed in conformity with the plans, as approved by the planning commission, under his seal and signature as a registered civil engineer in the State of Louisiana.

[(2) Reserved.]

(C) The staff of the planning commission along with the director of public works for the City of Thibodaux, and the chief sanitarian, with the Louisiana Department of Health and Human Resources, for Lafourche Parish shall perform the final inspection within ten (10) days of receipt of the written request for same.

(D) Upon a satisfactory final inspection, the staff of the planning commission shall issue a certificate of occupancy to the owner which authorizes the rental of the spaces for the placement of mobile homes.

(E) The staff of the planning commission shall advise the planning commission at their regularly scheduled meeting of the issuance of the certificate of occupancy.

(Ord. No. 1781, Exh. A(Ch. 7, M), 10-15-96)

Section 18-164. General design standards.

(A) General. In addition to the requirements as set forth herein, all mobile home parks shall comply with the following laws, rules and regulations:

(1) All applicable Louisiana Statutes;

(2) The master plan, parish base map, and capital improvements program for the City of Thibodaux;

(3) The special requirements of the Lafourche Parish Health Unit and/or other appropriate state agencies or departments;

(4) The city floodplain regulations, and all other applicable policies, ordinances, and/or regulations, as adopted by the city council and the planning commission.

(B) Self-imposed restrictions. If the owner proposes to place restrictions on any of the land area contained in the mobile home park, which are greater than those required by these regulations, such restrictions, or references thereto may be required to be indicated on the final plat of the mobile home park. Additionally, the planning commission shall require that the restrictions be recorded with the clerk of court for Lafourche Parish.

(C) Plats straddling municipal boundaries. Whenever access to the mobile home park is required to cross land in another local governmental jurisdiction, the planning commission shall request assurance from the applicable local governmental agency that access is legally established, and that the access road is adequately improved, or that a performance bond has been duly executed and is sufficient in the amount to assure the construction of the access road. In general, lot lines shall not be laid out so as to cross governmental jurisdictional boundaries.

(D) Temporary bench marks. Temporary benchmarks (TBM) shall be monumented in the field and shown on the plat when required. A TBM may be any material set on existing structures that are accessible and located in a place that is fairly safe from being accidentally destroyed during approval phases and construction. The elevation shall be based on National Geodetic Vertical Datum (NGVD) and be established from the latest published National Geodetic Survey (NGS) benchmarks. NGS benchmarks used to establish TBM's shall be noted on plat.

Temporary benchmarks shall be required when the mobile home park is in a designated flood zone as shown on the flood insurance rate maps prepared by the federal emergency management agency. Temporary benchmarks shall also be required if the developer proposes to construct dedicated streets and/or drainage facilities.

(E) Mobile home park name. The name of the proposed mobile home park shall not duplicate or too closely approximate phonetically the name of any other mobile home park in the area covered by these regulations. The planning commission shall reserve final authority to designate the name of the mobile home park which shall be determined at the sketch plat approval phase.

(F) Roads. The dedication of any roadway in the mobile home park shall meet the specifications as provided for in the subdivision regulations.

(1) Those roadways within the mobile home park that are not dedicated shall be of such character as to provide access for safe and convenient mobility of pedestrian and vehicular traffic.

(2) Streets and roadways within the mobile home park that are not to be dedicated shall be designed with a minimum roadway of twenty (20) feet.

(3) Streets shall consist of either a minimum thickness of eight (8) inches or ninety-five (95) percent compacted shell or limestone base, or a minimum thickness of eight (8) inches of aggregate material.

(4) Cul-de-sacs or turnarounds shall be provided at the end of all mobile home park streets and shall be so designed as to comply with the standards as required by the department of public works.

(5) Streets and/or roadways not dedicated shall be maintained by the owner of the mobile home park in perpetuity and in accordance with the approved final plans for the development of the park.

(G) Minimum lot area. Mobile home lots shall be no less than two thousand seven hundred (2,700) square feet in area with a minimum frontage width of thirty-five (35) feet.

(1) Mobile homes shall be so spaced or arranged so as to maintain a minimum distance of twenty (20) feet between mobile home structures.

(2) A minimum distance of fifteen (15) feet must be maintained between the mobile home and the front and rear lot lines.

(H) Parking. Off-street parking must be provided for each mobile home lot and shall be of such size as to provide a minimum of two (2) off-street parking spaces per mobile home lot. Each parking space shall measure a minimum of one hundred eighty (180) square feet in area.

(I) Fire protection. The layout and/or configuration of every proposed mobile home park shall meet with the approval of the chief of the volunteer fire department.

(1) Fire hydrants shall be required for all mobile home parks. Said fire hydrants shall be located a maximum of 500 linear feet from any mobile home and spaced a maximum distance of one thousand (1,000) linear feet apart.

[(2) Reserved.]

(J) Lighting. Lighting shall be provided and maintained by the mobile home park owner. A minimum of one (1) light, in conformity with the Thibodaux Road Lighting Standards, shall be installed a minimum of two hundred (200) linear feet; and may be situated on the rear lot line of the mobile home park lots.

(K) Floodplain provisions. Any mobile home park or portion thereof which is located within a special flood hazard zone, as depicted on the flood insurance rate maps, shall be required to comply with the provisions of the city flood prevention ordinance.

(L) Utilities.

(1) Water facilities. All mobile home parks shall provide each lot adequate water supply and shall be served by a water system designed, constructed, and protected in accordance with all state and local requirements. Water lines shall be large enough to provide adequate water pressure with a minimum six (6) inch water line capacity for servicing the fire protection equipment.

(2) Sewerage facilities. Adequate and safe sewerage collection systems shall be provided in all mobile home parks for the conveyance and disposal of all sewage. The design of the sewer system shall conform with the standards as set forth by the parish

parish health unit.

(3) Electrical systems. All electrical installations in mobile home parks shall be designed and constructed in accordance with all state and local requirements. In no case shall a mobile home lot be equipped with less than a two hundred (200) amp electrical service.

(4) Gas system. Gas equipment and installations within the mobile home shall be designed and constructed in accordance with the applicable regulations as adopted by the utility authority having jurisdiction.

a. All plans for the providing of gas to a mobile home park shall be approved by the city.

[b. Reserved.]

(5) Drainage. No part of a mobile home park which is to be created along a drainage channel shall encroach upon the drainage servitude.

a. The proposed mobile home park shall comply with all drainage requirements as set forth in the subdivision regulations and the department of public works for the city.

b. The owner/developer shall provide drainage servitudes along existing drainage arteries regardless of previous maintenance practices by the city government. Said servitudes shall conform to the specifications of the department of public works.

b. Servitudes. When necessary, servitudes shall be provided for utilities within the proposed mobile home park. These servitudes shall meet the specifications of the respective utility provider for which the servitude is to accommodate.

(M) Landscaping and screening. Every effort shall be made to reduce incompatibility of adjacent land usages and insure privacy for the mobile home park dwellers.

(N) Refuse disposal. The storage, collection and disposal of refuse in the mobile home park shall be conducted so as to create no health hazard and to prevent pollution to the park and adjacent properties. The ultimate responsibility of refuse disposal shall be with the owner/operator of the mobile home park.

(1) Refuse/garbage receptacles shall be screened in conformity with the definitions of screening as contained herein.

[(2) Reserved.]

(Ord. No. 1781, Exh. A(Ch. 7, N), 10-15-96)

Section 18-165. Nonconforming mobile home parks.

(A) Continuance of nonconforming mobile home parks. Except as hereinafter provided, the lawful operation of a nonconforming mobile home park, as such as the development

development existed on the effective date of these regulations, or on the effective date of any amendment hereto by which the park became a nonconforming development, may be continued.

(B) Termination of nonconforming mobile home parks. Except as hereinafter provided, a nonconforming mobile home park that has been abandoned or discontinued for a period of five (5) years shall not thereafter be reestablished except in conformity with these regulations.

(C) Extension/enlargement of a nonconforming mobile home park. A nonconforming mobile home park may be extended or enlarged provided, however, that such extension and/or enlargement conforms to the provisions of these regulations.
(Ord. No. 1781, Exh. A(Ch. 7, O), 10-15-96)

Section 18-166. Administration and enforcement.

(A) Applicability to all land. No land shall be used, occupied or developed, for mobile home purposes except in conformity with the regulations, as herein established.

(B) Permits. No development permit shall be issued for any parcel or plat of land for the development of a mobile home park, after the effective date of, and not in conformance with the provisions of this article; and no excavation of land or construction of any public or private improvements shall occur or be commenced except in conformity with the provisions of these regulations.

(1) No development permit shall be issued for the installation of a mobile home within a mobile home park after the effective date of, and not in conformance with the provisions of these regulations.

[(2) Reserved.]

(C) Amendments. For the purpose of providing for the public health, safety, and general welfare, the planning commission may from time to time propose amendments for adoption by the city council to alter the provisions imposed by these mobile home park regulations. Public hearings on all proposed amendments shall be held by the planning commission in the manner as prescribed by state law.

(D) Conditions. Regulations for the development of a mobile home park and the attachment of reasonable conditions to the development of a mobile home park is an exercise of valid police power delegated by the state to the city planning commission. The developer has the duty of compliance with reasonable conditions laid down by the planning commission for the design, dedication, improvements and restrictive use of the land so as to conform to the physical and economical development of the city and to the safety and general welfare of the owners of the mobile homes within the development and of the community at large.
(Ord. No. 1781, Exh. A(Ch. 7, P), 10-15-96)

Section 18-167. Enforcement, violations and penalties.

(A) Compliance. It shall be the duty of the planning commission to monitor compliance of these regulations and to bring to the attention of the city council any violations or lack of compliance herewith.

(1) It shall be unlawful for any person to construct, maintain or operate any mobile park unless the owner/operator has complied with all provisions as set forth in these regulations.

(2) Before a permit can be issued for the construction, alteration, or extension of a mobile home park, compliance with these regulations shall be required.

(B) Violations and penalties. Any person, firm or corporation that fails to comply with or violates any of these regulations shall be subject to penalty pursuant to the provisions of the L.R.S. 33:114.

(C) Civil enforcement. Appropriate actions and proceedings may be taken by law for inequity for any violation of these regulations, to prevent unlawful construction, to recover damages, to restrain, correct, or abate a violation, and these remedies shall be in addition to the penalties described above, these include the following:

(1) Refusal of connection of water or electrical services by the appropriate utility, as directed by the city council, to any mobile home park or mobile home located within an unapproved park occurring without review by the planning commission and/or without meeting the standards pursuant to these regulations, written notice by the staff of the planning commission of the reasons for this action shall be forwarded to the owner/developer at the time of this action.

(2) Refusal of the city council to construct, maintain, or accept into the city system any roads, drainage, water, sewerage or other public service facilities within their unapproved mobile home park.
(Ord. No. 1781, Exh. A(Ch. 7, Q), 10-15-96)

Section 18-168. Variances.

(A) General. When the planning commission finds that extraordinary hardships or practical difficulties may result from the strict compliance with these regulations or that the purpose of these regulations may be served to a greater extent by an alternative proposal, it may approve variances to these mobile home park regulations so that the substantial justice may be done and the public interest secured, provided that such variance shall not have the effect of nullifying the intent of these regulations; and further provided that, the planning commission shall not approve variances unless it shall make findings based upon the evidence presented to it in each of the specific cases that:

(1) The granting of the variances will not be detrimental to the public safety, health, or welfare or injurious to other property; and

(2) The conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are not applicable generally to other property; and

(3) Because of the particular physical surroundings, shape, or topographical conditions

of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, should these regulations be strictly enforced; and

(4) The granting of a variance will not allow a change or omission in the application procedures as prescribed herein, to be followed in obtaining approval of a mobile home park; and

(5) The granting of a variance will not abrogate the screening provisions as described in section 19:503M; and

(6) The variance will not in any manner vary the provisions of the development ordinance, master plan, or city base map.

(B) Procedure for final action or grants. Any and all applications for a variance shall be forwarded to the city council's appropriate committees before the planning commission takes final action or grants any variance.

(C) Conditions. In the approval of any variance, the planning commission may require any such conditions as will, in its judgment, which will secure substantially the objectives of the standards or requirements of these regulations.
(Ord. No. 1781, Exh. A(Ch. 7, R), 10-15-96)

ARTICLE VIII.

TOWN HOUSE DEVELOPMENTS*

*Editor's note: Ord. No. 2029, adopted June 19, 2001, did not specify manner of codification, hence; inclusion of these provisions as §§ 18-191, 18-192 was at the discretion of the editor.

Sec. 18-191. Generally.

Town housing means two (2) or more attached living units with common or party side walls between units designated so that each unit may be sold independently as a lot with its own yards and parking spaces. Town houses shall be permitted only in the R-2, R-3, R-4, C-1, C-2 and C-3 zoning districts.

A town house district permits the development of attached town homes compatible with the surrounding residential development. The maximum density is twelve (12) units per acre. Churches, schools, public buildings, recreational facilities and other accessory uses normally compatible with surrounding residential development may be permitted.

Location: In town house zoning districts, town house projects shall front at least fifty (50) feet on a public street and be generally compatible with existing developments in the neighborhood.

Procedure: Before the Planning and Zoning Commission considers an application for a town house zoning district, the applicant shall submit a preliminary subdivision layout to the zoning administrator as the first step in the procedure requirement and also meet the following design criteria. After initial review by the Zoning Administrator the preliminary layout will then be

brought before the planning and zoning commission for public hearing as set forth in Article 14 of Ordinance No. 1084 of the Thibodaux Municipal Zoning Ordinance. (Ord. No. 2029, 6-19-2001)

Sec. 18-192. Site plan, lot size and area. Parking and open space provisions.

- (A) Site plan and design criteria, general. It is the intent of this section that town house projects in areas where they are or may be permitted shall constitute groupings making efficient, economical, comfortable and convenient use of land and open space and serving the public purposes of zoning by means alternative to conventional arrangements of yards and buildable areas.
- (B) Site plan and design criteria, details. In line with the general considerations above:
- (1) Not more than six (6) contiguous town houses shall be built in a row with the same or approximately the same front building line and not more than twelve (12) town houses shall be contiguous.
 - (2) Minimum width for the portion of the lot on which the town house is to be constructed shall be twenty (20) feet.
 - (3) Minimum individual lot area shall be fifteen hundred (1500) square feet.
 - (4) Separation requirements.
 - a. No portion of a town house or accessory structure in or related to one (1) group of contiguous town houses shall be closer than twenty (20) feet to any portion of a town house or accessory structure related to another group, or to any building outside the town house area, nor shall any structure be less than twenty (20) feet from a public street right-of-way and ten (10) feet off any side street right-of-way if said building is located on a [corner] lot. Garage entrances or parking shall be prohibited on side streets.
 - b. No portion of a duplex shall be closer than ten (10) feet to any portion of a duplex or accessory structure or to any building outside the duplex area, with no more than six (6) being contiguous; however, if more than six (6) duplexes are contiguous then there shall be a minimum separation requirement of twenty (20) feet.
 - (5) Yards. There shall be a twenty-five (25) foot yard along sides and rear of each town house site wherever it adjoins a lot containing single family dwellings in R-1, R-2, R-3 and R-4 or vacant lots in R-2, R-3 and R-4 districts and a five (5) foot side and ten (10) foot rear yard in any other circumstances not addressed herein. Each town house shall have its own lot yard space of at least two hundred (200) square foot, reasonably secluded from view from streets or from neighboring property. Such yard shall not be used for off-street parking or for an accessory building.
 - (6) Grouped parking facilities. Insofar as practicable, off-street parking facilities shall be grouped in bays, either adjacent to streets or in the interior of blocks. Practicable methods of drainage shall be assured by developers in connection with common parking facilities, and all such facilities shall be improved to city

standards for off-street parking areas, with at least two (2) spaces per unit on the lot plus one (1) visitor parking space per each two (2) units, which may be provided in separate areas when an adequate area for three (3) parking spaces, including garage or carport areas, is not provided on an individual lot.

- (C) Drives, parking and utilities. Design and construction of drives, drainage and landscaping and location of utilities shall be subject to review and approval by the Department of Public Works before approval of the preliminary plan by the Planning and Zoning Commission.
- (1) Lots may front on driveways with access to a public street by means of a private servitude of access, provided that driveways extending more than three hundred (300) feet from a public street provide adequate turning and maneuvering area in accordance with subdivision regulations. All other requirements for public streets and servitudes as set forth in the City of Thibodaux Subdivision Regulations.
 - (2) Parking areas shall be at least sixty-five (65) feet wide where parking or carports are on both sides of a common driver at least forty-two (42) feet wide where there is parking on one (1) side only except where diagonal parking is to be provided, parking areas shall be at least fifty-seven (57) feet wide for parking on both sides or thirty-six (36) feet for parking on one (1) side.
 - (3) Before approval of the final subdivision plans by the Planning and Zoning Commission, restrictions shall be submitted, including designation of all servitudes, lot lines, parking areas and other open space, with provision for perpetual maintenance where applicable on all improvements including pavements, utilities and services. Restrictions shall clearly indicate that the city will not accept any maintenance responsibility for private drives and parking spaces.
 - (4) Servitudes in favor of the lots shall be provided at the front or rear of lots in the required front or rear yards for off-street parking and utilities, but entrances to front yard parking areas shall be not less than fifty (50) feet apart, unless an individual space is provided for each lot. Parking spaces and drives shall be constructed of concrete or asphalt.
 - (5) There shall be a six (6) foot high wall or solid fence along the sides and rear of the project wherever it adjoins residential lots.
 - (6) Only town houses may be built in such a subdivision and the subdivision must be undertaken within six (6) months of final subdivision approval. If construction of subdivision is not undertaken within six (6) months, the Planning and Zoning Commission shall revoke approval of the subdivision unless some compelling reason can be shown for its continuance.

(Ord. No. 2029, 6-19-2001)