

Chapter 4

PERMITS AND FINAL PLAT APPROVAL

Section 4.1 General

Each subdivider of land, developer of apartment, commercial or industrial complexes or his representative should confer with the Planning Commission staff before preparing the tentative geometric layout, in order to become thoroughly familiar with subdivision requirements and with the proposals of the official Master Plan affecting the territory in which the proposed subdivision lies. The Secretary of the Planning Commission shall cause sufficient copies of these regulations to be prepared for distribution to interested parties.

Section 4.101 Site Plan Review

The following uses shall be subject to site plan review prior to development:

- A. Whenever development is for a high density use such as multi-family projects of more than seventy-five (75) units, commercial recreation facilities with land area containing more than one-half acre, offices, shops, stores, or other commercial uses with a building or buildings containing more than thirty thousand (30,000) square feet, or an addition to an existing structure(s) in which the increase in aggregate floor area greater than thirty thousand (30,000) square feet is greater than twenty (20) percent must submit plans to the Planning Commission staff for review and shall be subject to the Site Plan Review Checklist and may be subject to Planning Commission approval. Changes of substantial nature will be determined by changes in drainage impact, sewage treatment, and traffic impact. Whether or not such uses are to be retained by the developer, sold, leased, or rented, the development shall be subject to the following procedure:
 1. Prior to applying for building permits the proponent of a shopping center, apartment development, or other high density development, as defined above, shall submit a detailed site plan including all information required on the checklist provided by the Planning Commission staff and a written description of the development, with a vicinity map of the location showing roads, canals, schools, etc. in the area for Planning Commission staff approval. Before the Planning Commission staff approves such a request for development, there should be accurate and complete information, including a Drainage Impact Study, submitted by the applicant to the Planning Commission staff in order to insure that the following conditions are met:
 - (a) The proposed development meets all of the requirements of the Unified Development Code.
 - (b) The proposed development complies with the general public interest and does not create:
 - (1) Undue congestion of streets and traffic access; or
 - (2) Overcrowding of land or overburden on public facilities such as transportation, sewage, drainage, schools, parks, and other public facilities.

- (c) At least fifteen (15) days prior to approval by the Planning Commission staff, all abutting property owners shall be notified by regular mail of the proposed development and given an opportunity to submit written comments.
 - (d) In the event the proponent disagrees with the decision of the Planning Commission staff, he may appeal the decision to the full Planning Commission for a hearing in accordance with the requirements set forth in Sub-section B of this part.
 - 2. An existing structure(s), which received a building permit prior to April 15, 1998 with an addition that increases the aggregate floor area to greater than thirty thousand (30,000) square feet and is twenty (20%) percent or more of the aggregate floor area, shall be subject to site plan review by Planning Commission Staff.
- B. Whenever development is for a high density use such as multi-family projects of more than one hundred (100) units or greater, commercial recreation facility with land area containing more than one-half acre, offices, shops stores, or other commercial uses with a building or buildings containing more than fifty thousand (50,000) square feet, or an addition to an existing structure(s) in which the increase in aggregate floor area greater than fifty thousand (50,000) square feet is greater than twenty (20) percent must submit plans to the Planning Commission staff for review and shall be subject to the Site Plan Review Checklist and Planning Commission approval. Whether or not such uses are to be retained by the developer, sold, leased or rented, the development shall be subject to the following procedure:
 - 1. Prior to applying for building permits the proponent of a shopping center, apartment development, or other high density development as defined above shall submit a detailed site plan including all information required on the checklist provided by the Planning and Zoning staff and a written description of the development, with a vicinity map of the location showing roads, canals, schools, etc. in the area for Planning Commission approval. Before the Planning Commission approves such a request for development, there should be accurate and complete information, including a Drainage Impact Study, submitted by the applicant to the Department of Public Works in order to insure that the following conditions are met:
 - (a) The proposed development meets all of the requirements of the Unified Development Code.
 - (b) The proposed development complies with the general public interest and does not create:
 - (1) Undue congestion of streets and traffic access; or
 - (2) Overcrowding of land or overburden on public facilities such as transportation, sewage, drainage, schools, parks, and other public facilities.

- (c) At least fifteen (15) days prior to approval by the Planning Commission, all abutting property owners shall be notified of the proposed development by regular mail and given the opportunity to submit written comments. Notice of the submission to the Commission for approval and opportunity for submission of written comments shall also be published in the official Journal of the City of Baton Rouge and Parish of East Baton Rouge via public notice at least fifteen (15) days prior to approval.
2. An existing structure(s), which received a building permit prior to December 11, 2001 with an addition that increases the aggregate floor area to greater than fifty thousand (50,000) square feet and is twenty (20%) percent or more of the aggregate floor area, shall be subject to site plan review by Planning Commission Staff.
- C. Whenever a building permit application is submitted for a building designated on an approved Site Plan more than three (3) years after such approval, the applicant shall submit plans to the Planning Commission Staff for review and shall be subject to all current requirements of the Unified Development Code including the Site Plan Review Checklist.
 - D. Notwithstanding any other provision of this ordinance, at the Metropolitan Council meeting following the decision of the Planning Commission, any member of the Metropolitan Council may introduce an appeal of the decision of the Planning Commission, failure to appeal will make the Planning Commission decision final. If the Metropolitan Council introduces the appeal of the Site Plan, the item shall be heard at the next regularly scheduled Metropolitan Council Zoning Meeting. Failure to introduce the Site Plan will make the Planning Commission decision final.

Section 4.102 Mobile Home Parks

Mobile home parks shall be built to development standards as set forth below and maintained in accordance with all applicable ordinances.

Mobile Home Parks: Applies to all Districts where permitted. No mobile home park shall be developed in any permitted district until all trailer parks or mobile home parks shall secure approval of the Parish Health Unit on the method of sewage treatment and disposal and on the public water supply, and shall be built in accordance with the following minimum construction standards:

- A. Individual trailer sites may be leased or rented but not subdivided or sold.
- B. A minimum site of 3 acres is required, with a minimum frontage of 200 feet, on a publicly maintained street or road.
- C. Maximum density is 12 trailer sites per acre.
- D. Minimum improvement requirements for private drives within the trailer park are 23 feet back to back of curb in a 35 foot width between building lines with underground storm drainage and pavement construction of at least 6 inch soil cement base and 1½ inch of asphaltic concrete surface.
- E. Where only one drive is to be provided, each trailer park shall include an adequate circular turnaround at the rear of the property with a minimum radius of 30 feet for garbage trucks and other vehicles.

- F. Minimum lot size is a thirty (30) foot front by a seventy-five (75) foot depth.
- G. Each trailer site shall have two two-foot wide concrete runners 6 inches thick for the trailer location and a 4 inch thick, 10 foot by 26 foot concrete parking pad, to be measured from the back of curb at the front of the site.
- H. If garbage hoppers are to be provided then two (2) shall be provided for each twenty (20)-trailer sites with the same type and specifications as apartment developments.
- I. Each trailer site shall be provided with a sanitary sewer connection and each trailer park shall be provided with a collection and treatment system, public water supply, and fire hydrants in compliance with the standards of the Public Health Unit, the State Health Department, and Department of Public Works.
- J. There may be established a separate or optional area for overnight campers which area shall be provided with central public facilities.
- K. Where Mobile Home Parks are established, a solid fence or wall at least 6 feet high shall be provided along all sides and rear property lines.
- L. Side and Rear Yards: Any Mobile Home Park developed under these standards shall provide a 20 foot side and rear yard buffer if it is developed adjacent to a residential district or a recognized residential subdivision.
- M. Prior to the issuance of a permit for a mobile home park the plan of the proposed mobile home park shall be subject to a public hearing held by the Planning Commission, which plans shall be reviewed by Department of Public Works prior to Planning Commission hearing.
- N. Where Mobile Home Parks are established, a recreational area shall be provided at a rate of ten (10) percent of the overall park area, but shall not be required to exceed one (1) acre in size.

Section 4.103 Cluster Subdivisions

Cluster Subdivision is a single family detached residential development that permits lots with dimensions, frontages, and setbacks reduced from conventional lot sizes, provided the density of the tract as a whole shall not be greater than the density allowed by the underlying zoning district to which the property is subject and the remaining land area is reserved for common open space. The common open space shall promote the creation and preservation of open, cultural and/or natural areas.

- A. Purpose. The intent of this provision is to improve the quality of life of homeowners by creating standards of residential development to accomplish the following:
 - 1. Provide flexible development options where the standard rectilinear lot pattern may not be practical due to physical constraints;
 - 2. Promote creative design to achieve walkable neighborhoods, diverse housing choices and distinctive, attractive places consistent with the Horizon Plan;
 - 3. Provide an efficient use of land that is characterized by a smaller network of utilities and streets.

B. Development Standards.

1. At least fifty (50) percent of the common open space requirement shall be devoted and maintained as green open space.
2. Lakes or Ponds may be included in the common open space calculations provided that they are designed so that a minimum of twenty (20) percent of the abutting shoreline is made accessible for the common usage of the development or 300 feet of frontage whichever is the lesser. Drainage ditches or canals are not considered lakes and ponds and shall not count towards open space.
3. Hard surface areas such as pedestrian plazas and recreational courts may account for up to twenty-five (25) percent of the common open space.
4. Common landscape areas located within rights-of-way or servitudes may account for up to twenty-five (25) percent of the common open space.
5. Dry detention basins and retention areas may account for up to fifty (50) percent of the common open space.
6. Servitudes with existing below ground utilities or facilities may be included in the common open space requirement.
7. The area immediately surrounding existing building(s) and existing building(s) that have historical or cultural significance may be located within the dedicated common open space. However, the enclosed building area and may be included in the common open space requirements. These areas must be made accessible for the common usage of the development.”
8. A minimum of twenty five percent (25%) of the total site area contained within a Cluster Subdivision shall be dedicated for common open space.

Section 4.2 Character of development

The subdivider or tract developer or his representative shall confer with the Planning Commission staff regarding the type and character of development that will be permitted in the subdivision and discuss with the Planning Commission staff the minimum restrictions to be placed upon the property to prevent the construction of substandard buildings, to control the type of structures, or the use of the lots which, unless so controlled, would clearly depreciate the character and value of the proposed subdivision or site or tract development and other adjacent property. Deed restrictions or covenants shall be submitted to provide for the proper protection and maintenance of the development; provided, however, that such deed restrictions or covenants shall not contain reversionary clauses wherein any lot shall return to the subdivider because of a violation thereon of the terms of the restrictions or covenants. A copy of such restrictions shall accompany the plat for final approval.

Section 4.3 Permanent markers

- A. All subdivision boundary corners and the four (4) corners of all street intersections in subdivisions of previously unsubdivided tracts shall be marked with permanent monuments of concrete with minimum dimension of four (4) inches extending a minimum of three (3) feet below the ground line, or steel pipe firmly imbedded in concrete which extends a minimum of three (3) feet below the ground line. Should conditions prohibit the placing of monuments on line, off-set marking will be permitted; provided, however, that exact off-set courses and distances are shown on the subdivision plat.
- B. A permanent benchmark shall be exactly placed, and its elevation shall be based on data established by the engineering division of the Department of Public Works and accurately noted on the subdivision plat.
- C. At least one (1) benchmark shall be established for each five hundred thousand (500,000) square feet of gross area of the proposed development.

Section 4.4 Procedures

- A. Conference with Planning Commission staff. The subdivider or applicant shall present two (2) blackline check prints of the proposal to the staff at a pre-application conference. The staff will inform the applicant of procedures and required items necessary to complete the application package and review Preliminary Plat Checklist items.
- B. Preliminary plan. After a conference with the Planning Commission staff, the subdivider shall submit the required application package to the Secretary of the Planning Commission, who will check the preliminary plan for compliance with the geometric standards and the preliminary plan requirements. Before the Planning Commission approves a request to subdivide property, there should be accurate and complete information submitted by the applicant to the Office of the Planning Commission of which the Planning Commission will assure that the proposed subdivision meets all the requirements of the Unified Development Code.

The Planning Commission staff shall review all subdivision requests.

The Subdivision Review Committee shall review all subdivision requests consisting of more than five lots.

Following such review, the Subdivision Review Committee shall make recommendations to the Planning Commission relating to all such requests.

- C. Planning Commission Public Hearing. The City-Parish Planning Commission shall hold a public hearing on all subdivisions with more than five (5) lots. Following the Subdivision Review Committee meeting, the subdivision must be considered at the monthly Planning Commission meeting.
 - 1. Notice of the time and place of the public hearing shall be mailed by certified mail to the owner/subdivider and all abutting property owners fifteen (15) days prior to the Planning Commission Meeting. The public hearing shall also be advertised in the official journal. The subdivider shall be present at the Subdivision Review Committee and the public hearing to explain the proposal and answer questions.

2. If the Planning Commission grants preliminary plan approval, five (5) blackline copies will be marked-up with notations, stipulations and/or changes, signed by the Director of the Planning Commission and distributed to: the Director of Public Works, the Chief Engineer of the Department of Public Works, the Parish Health Unit - Chief Sanitarian, the developer's engineer, and the case file in the office of the Planning Commission. Any conditions or requirements not previously stated will be made known to the developer at this time.
3. The Planning Director and his staff shall review any changes made by the owner/subdivider subsequent to the approval of the preliminary plat. If the change suggested by the owner/subdivider is determined by the Planning Director and his staff to be of a substantial nature, then approval can only be granted by the Planning Commission and then only after a public hearing is held for that purpose. If the Planning Director and his staff determine that the suggested change is not substantial in nature, then approval will be granted immediately. Changes of substantial nature are defined as follows:
 - (a) An increase in the number of lots by more than ten (10) percent of the originally approved plat.
 - (b) Redesign of the subdivision or any portion thereof which would change the street pattern or overall layout of the previously approved plat.
 - (c) Relocation or addition of any sewerage treatment facility, except as mandated by an agency with the legal authority to govern the change, only after review before the Capital Improvements Committee of the Metropolitan Council.

Upon approval by the Planning Commission, the Secretary will return to the subdivider an approved copy of the preliminary plan.

If the subdivider fails to proceed with the steps required in subsections (D) through (F) below within six (6) months from the date of preliminary approval, the Planning Commission reserves the right to cancel its preliminary approval.

The Preliminary Plat approval shall initially be valid for a period of two (2) years from the date of approval. Upon approval of the construction drawings and specifications, the Preliminary Plat approval shall automatically be extended for an additional six (6) months upon written request to the Planning Commission by the developer. Such written request shall be made thirty (30) days prior to the expiration of the original two (2) years approval period. Unless extended, failure to submit the Final Plat for signature and recording within two (2) years of approval of the Preliminary Plat shall require resubmission of an application, public hearing, and fees for the Preliminary Plat to the Planning Commission for approval.

If no street, drainage, or sewer improvements are required for a site or tract development the preliminary plan may be approved as the final plat; otherwise procedure is the same as for a subdivision.

- D. Final plat and construction plans. The subdivider or his engineer shall confer with the Department of Public Works and the Parish Health Unit to determine the standards and specifications, which shall govern proposed improvements. After preliminary approval of the geometric layout has been granted by the Planning Commission, the developer shall submit complete construction plans for the first or initial development of the area given preliminary approval together with a complete and accurate contour map using mean sea level datum to the Department of Public Works for their review and approval. The construction plan shall include the complete design of the sanitary sewerage system, storm drainage system and the street name system, which shall include street names approved by the Planning Commission, for the entire area to be subdivided. It shall be recognized as a principle that the sanitary sewerage and storm facilities cannot be properly designed on a piece-meal basis, and that the entire area shall be studied and worked out as a unit giving due consideration to the problems which may be created by the subdivision of adjacent lands, especially as pertains to drainage. The subdivider shall do no construction work until his completed construction plans have been approved by the Department of Public Works, and a reasonable time must be allocated for the proper study of the plans submitted. After the construction plans have been approved, the subdivider and his engineer shall proceed with the preparation of the final plat. The subdivider shall not sell or lease any lots in the subdivision until the final plat has been approved. Typical sections, as published by the Department of Public Works showing the reservation of spaces for all utilities, shall be included in the subdivision construction plans. Copies of storm sewerage layouts and sanitary sewerage layouts shall be submitted by the developer's engineer to the various utility companies involved prior to approval of the plans by the Department of Public Works.
- E. Distribution of final plat and construction plan for checking. When the final plat and construction plans are complete, the subdivider shall distribute black-and-white check prints as follows:
1. Two (2) copies of the Final Plat to the Secretary of the Planning Commission;
 2. Two (2) copies of the final plat and one (1) set of construction plans to the Department of Public Works;
 3. One (1) copy of the final plat and two (2) copies of the sewer construction plan to the Director of the Parish Health Unit.
- F. Approval of construction plans. After construction plans have been approved by the Department of Public Works and sewer construction plans have been approved by the Department of Public Health and the Health Unit, the Secretary of the Planning Commission shall be notified of such approval in writing. Final approval of construction plans shall be valid for a period of six (6) months from date of approval. The Department of Public Works shall cancel and revoke approval in writing of all construction plans under which no work is commenced within six (6) months, and new construction plans conforming to the regulations then in effect must be submitted and approved, before construction of any improvements. When construction plans have been approved the developer shall apply for inclusion in the consolidated garbage district and consolidated road-lighting district.

- G. Construction of improvements. After construction plans have been approved by the Department of Public Works, and prints filed with the director, the subdivider may construct the required improvements. The Director of Public Works shall be notified in advance of the date that such construction shall begin. Construction shall be performed under the supervision of the Department of Public Works, and shall at all times be subject to inspection by that department. However, this in no way shall relieve the subdivider and his engineer of close field supervision and final compliance with approved plans and specification.

Field inspection shall be performed by the Department of Public Works together with the developer's consulting engineer and the testing laboratory.

1. The Department of Public Works shall be responsible for the following:
 - (a) The Department of Public Works shall hire and supervise the work of independent engineering firms and/or testing laboratories that will verify the quality of the work being performed for the developer's contractor, consulting engineer, and testing laboratory. The fee, or the portion of the fee, for this work shall be paid from the fee schedule established by the Metropolitan Council.
 - (b) The Department of Public Works shall do general inspection of the following:
 - (1) Excavations;
 - (2) Subsurface drainage;
 - (3) Inlets, junctions, and manholes;
 - (4) Sanitary sewer collection lines;
 - (5) Sanitary sewer manholes;
 - (6) Sanitary sewer treatment facilities;
 - (7) Base processing;
 - (8) Sidewalks;
 - (9) Curbs and medians;
 - (10) Roadway pavements;
 - (11) Utilities installation;
 - (12) Manufacture and installation of all drainage and sanitary sewer pipe.
 - (c) The Department of Public Works shall be in charge of intermediate site inspection and approval of the following:
 - (1) Sub-base: Check integrity with developer's consulting engineer and representative of the testing laboratory.
 - (2) Sanitary sewer treatment facilities: Be on call when inspections needed.
 - (d) The Department of Public Works shall check the visual appearance of curbs and medians, street pavements and sidewalks; notifying the developer's consulting engineer of any poor workmanship.
 - (e) The Department of Public Works shall conduct the final inspection of all improvements with representatives of the consulting engineer, the contractor, the utility company, and the testing laboratory.

2. The developer's consulting engineer shall be responsible for the following:
 - (a) The consulting engineer shall provide a survey party for the stakeout of lines and grades to complete the work.
 - (b) The consulting engineer shall inspect the laying of the sanitary sewer line and the storm drainage, including the preparation of "as built" wye record. (The testing laboratory may perform this.)
 - (c) The consulting engineer shall perform the inspection of the same items covered under subsection (G)(1) b above.
 - (d) The consulting engineer shall request intermediate site inspections by the Department of Public Works.

3. The testing laboratory shall be responsible for the following:
 - (a) The testing laboratory shall test the concrete used in the construction of the street pavements, curbs, and sidewalks.
 - (b) There shall be a resident inspector of the testing laboratory to inspect the base processing.
 - (c) There shall be a resident inspector of the testing laboratory to inspect the street pavements including asphalt.
 - (d) A representative of the testing laboratory shall be present at the concrete and/or asphalt plants to inspect preparation of these materials.
 - (e) A representative of the testing laboratory shall attend intermediate site inspections when called upon.
 - (f) A representative of the testing laboratory shall attend the final inspection.
 - (g) The testing laboratory shall furnish reports to the Department of Public Works, the developer's consulting engineer, and the contractor on items (a) through (e) above.
 - (h) The testing laboratory shall inspect the laying of the sanitary sewer lines and storm drainage if the developer's consulting engineer does not perform this function.
 - (i) All concrete, metal, clay, plastic, or other acceptable pipe shall be stamped as approved by the testing laboratory prior to delivery to the job site.

If the above procedure is not followed, the Department of Public Works has the authority to close down the job after written notice to the developer and the consulting engineer.

- H. Acceptance of improvements. When construction is complete, in accordance with the approved plans and specifications, and complies with the provisions of these regulations, the subdivider, through his engineer, shall certify that all work has been completed and request final inspection so that he may obtain written final approval and acceptance from the Department of Public Works and submit such written approval to the Secretary of the Planning Commission. For a period of twelve (12) months after acceptance of the work the subdivider shall keep all filled trenches, pipes, manholes, structures, paved or unpaved surfaces, etc., constructed by the subdivider in good condition, making repairs to such defects in materials or workmanship as may develop or be discovered. If sewage treatment plants and/or pumping stations are constructed, the subdivider shall guarantee materials and workmanship of these facilities for a period of twelve (12) months. The subdivider shall file with the Department of Public Works a maintenance agreement and surety bond securing to the Metropolitan Council the satisfactory performance of this work for a period of one (1) year from the date of such bond. The amount of the bond shall be ten (10) percent of the cost of the improvements as determined by the Department of Public Works, and the Parish Attorney shall approve the form of the bond. The bond shall be subject to cancellation only upon the written approval of the Director of Public Works.
- I. Approval of final plat. Upon completion and acceptance of improvements the Secretary of the Planning Commission and the Department of Public Works shall check the final plat for conformity with the preliminary plans and for compliance with Section 4.6. The Secretary of the Planning Commission shall then indicate such approval by his signature on the plat.
- J. Filing and distribution of final plat. The subdivider shall have a total of thirteen (13) blackline prints of the approved final plat. Two (2) prints will be recorded with the Clerk of Court; one (1) print to remain at the Clerk of Court and one (1) will be forwarded to the Secretary of the Planning Commission. The subdivider shall furnish the Secretary of the Planning Commission with the one (1) recorded blackline print and the eleven (11) blackline prints within 2 days of approval to be distributed as follows:
- One (1) certified copy for the files of the Planning Commission; two (2) copies for the Office of the Clerk and Recorder; one (1) copy for the Parish Health Unit; two (2) copies for the Director of the Department of Public Works; and, one (1) copy for the Building, one (1) copy for the State Department of Highways, and one (1) copy for each company providing water, power, gas and telephone services.
- K. Exceptions. The following exceptions to certain provisions of this section are permissible:
1. Bond in lieu of immediate construction. In lieu of immediate construction of improvements as required in subsection (G) above, the subdivider may file with the Planning Commission an agreement and bond securing to the Metropolitan Council the actual satisfactory construction of proposed improvements within a period of not more than two (2) years from the date of such agreement and bond. The Director of the Department of Public Works shall approve the amount of the bond, and the Parish Attorney shall approve the form of the bond. The bond may be canceled only upon written approval of the Director of the Department of Public Works.

2. Subdivision of portion of a tract. The owner or developer shall prepare a preliminary plan for the entire tract and then may submit a final plat for only a portion of the tract. No construction shall be started until construction plans for the entire area covered by the final plat have been approved. Improvements must be installed for all of that area for which a final plat is submitted and the owner may sell, lease, or offer for sale or lease only those lots in the improved portion of the property.

In such cases of partial development of a subdivision, the street system, drainage system, trunk sewers, and sewage treatment plants shall be designed and built in such a manner as to be easily expanded or extended to serve the entire area.

Section 4.5 Preliminary Plans

All plans for the subdivision of land into more than five (5) lots or for the layout and development of a site or tract here in above described shall conform with preliminary plan, the requirements of the laws of the state governing surveying, platting and subdivision of land, and to the Unified Development Code as contained herein and all other applicable ordinances of the City-Parish and all amendments thereto.

- A. Preliminary plan. The purpose of the preliminary plan is to show graphically all facts needed to enable the Planning Commission, the Department of Public Works, and other City-Parish agencies, including the Parish School Board, Recreation and Park Commission, and the City Health Unit, to determine whether the proposed layout of the land in question is satisfactory from the standpoint of public interest and will meet the requirements of these regulations. Changes may be necessary in the preliminary plan before it can be tentatively approved. Approval of a preliminary plan is a tentative approval only and does not constitute the approval of a recorded plat. The preliminary plan shall be drawn to a scale of one (1) inch equals one hundred (100) feet or less. If the subdivision contains more than one hundred sixty (160) acres, the preliminary plan may be drawn to a scale of one (1) inch equals two hundred (200) feet.
- B. Composition of the preliminary plan. The following items normally will be required to be shown on the preliminary plat:
 1. Title. The title under which the proposed subdivision is to be recorded; the location of the property to be recorded; the location of the property to be subdivided; the name of the owner or owners and/or the subdivider; and the name of the engineer, surveyor or landscape architect, if any, who is platting the tract. The Title should read: "Preliminary Plat of," "Subdivision Name," "the legal description and township and range."
 2. Boundary Lines and Existing Improvements.
 - a. Boundaries of the subdivision location; width and names of streets adjoining the subdivision; section and township lines; indication of incorporated areas, sewer districts, zoning district classification and boundaries, school districts and other legally established districts; all watercourses, drainage ditches, wooded areas, and other features within the area to be subdivided as well as the same facts regarding adjacent property.

- b. All property affected must be platted; i.e., when a lot is removed from a property, both the lot and the remainder must be designated as lots and dimensions given.
 - c. All dimensions, bearings and corner markers must be shown on the plat
 3. When subdividing lots of record, lots must be redesignated. For example, if Lot one (1) was divided into lots, the resulting new lots would become 1-A and 1-B, or Lot X-1 and X-2.
 4. Abutting Property. The names of all abutting subdivisions, and the names and recorded owners of abutting tracts of unsubdivided land.
 5. Features of Proposed Subdivision.
 - a. The proposed location, names and width of streets layout and approximate dimensions of lots; any other necessary descriptions of lots, servitudes and easements; and location and dimensions of existing buildings, if any; and subdivider's front building lines with setbacks. The lots shall not encroach on major drainage servitudes or rights-of-way and all such servitudes or rights-of-way shall be excluded from lot area.
 - b. Existing buildings must be shown.
 - c. Existing ditched, drains or canals must be shown. Check with the engineering division of the Department of Public Works for right-of-way requirements.
 6. Sewers, Water Lines, and Drainage Ditches.
 - a. Existing drainage ditches, sanitary and storm sewers, water mains, culverts, and other underground structures within the tract or immediately adjacent; statement of proposed plans for drainage and sewage disposal, including location of proposed culverts and bridges and contours from USGS Quadrangle Maps or better.
 - b. All subdivisions of five (5) lots or less will show existing sewer lines and wyes. If the lot is to be subdivided and has only one (1) existing sewer wye, then an additional wye must be installed to serve the additional lot. If no wye exists, then two (2) wyes must be installed to serve both lots. The cost of the installation must be borne by the property owner or subdivider.
 - c. If the property is outside the wastewater suburban transportation network and has no connection to sanitary sewer line, the sewer note is required with a place for the owner to sign.
 - d. If the property is located outside the wastewater suburban transportation network and no sanitary sewer facilities are available, no more than fifty (50) lots may be approved. This requires that the Chief Sanitarian of the Parish Health Unit certification on the plat that he is approving the proposed method of disposal for fifty (50) or less lots. If the subdivider desires to develop more than fifty (50) lots, he must provide community sanitary sewage treatment facilities.

- e. If the property is located within the wastewater suburban transportation network, the subdivider must provide connection to the sanitary sewer facilities at his expense. If he desires to obtain approval prior to construction of such connection, he may deposit with the Planning Commission a cashier's check or certified check in the amount of construction as set by the Department of Public Works accompanied by a special form letter. After the construction is completed and the Department of Public Works has notified the Planning Commission that they have accepted the installation for maintenance, the office of the Planning Commission will notify the Finance Director that he may refund the subdivider's deposit.
7. Public Utilities. The location of all existing and proposed servitudes and existing and proposed public utilities including storm and sanitary sewers, water, gas and power lines.
 8. Streets.
 - a. Statement of proposed street improvements. In order for the Planning Commission and the Department of Public Works to determine whether proposed subdivision streets would be subject to flooding to a depth of more than one foot, and whether developments of a subdivision shall be permitted, the inundation level of record, the one hundred (100) year flood level and the design water surface shall be shown on the preliminary and final plat, meeting the applicable requirements of the specified ordinances as they relate to drainage matters. All existing streets' names and right-of-way widths must be shown.
 - b. No lots may be subdivided on private streets or roads or on unimproved right-of-way unless such roads are first improved to Unified Development Code standards.
 9. Special Use Areas. Location and size of proposed parks, playgrounds, church or school sites, or other special uses of land.
 10. North Point, Scale, and Date.
 11. Vicinity Map. A key or vicinity map with a North arrow at two thousand (2,000) foot scale for subdivisions of more than twenty (20) lots, or at five hundred (500) foot scale for subdivisions of less than twenty (20) lots, showing existing streets, roads, drainage channels within at least one thousand (1,000) feet from the boundaries of the property being subdivided.
 12. Flood Elevation Data. The preliminary plat showing the subdivision of property shall include the record inundation, the FEMA flood zone(s) and the FIRM Base Flood Elevation(s), all of which shall be provided by the engineering division of the Department of Public Works. Where the area subdivided lies at or below the record inundation level, or the FIRM Base Flood Elevation, whichever is greater, that area shall be shaded with approved drafting type shading. Shading by pencil is not acceptable. The foregoing information shall also be set forth in a separate box in the general notes.

13. All public servitudes and all private servitudes intended for public use must be dedicated by the owner. This requires dedication notes and a place for owner's signature. This excludes the dedication of major street right-of-way as indicated on the Major Street Plan; however, a major street building setback will be required.
 14. Drainage Impact Study.
 - (a) The Director of the Department of Public Works shall prior to any alteration or relocation of any watercourse, notify adjacent communities and the state coordinating office of such alteration or relocation and submit copies of such notice to the Federal Insurance Administrator.
 - (b) No development of land shall be allowed which would have the effect of reducing the flood carrying capacity within any altered or relocated part of any watercourse.
- * A drainage impact study shall be submitted in accordance with Ordinance #9836. See Section 15.2 UDC

Section 4.6 Information required for construction plan

- A. All designs shall be made in accordance with design standards of the Department of Public Works and a copy of complete design data shall be submitted for permanent record.
- B. The basic requirements of plans for street and drainage improvements are as follows:
 1. Contour map of the area comprising the subdivision and sufficient additional area to include all watersheds, which might be a factor in the design of the storm sewer system;
 2. Layout plans of storm sewer system and/or ditch drainage system including culvert locations;
 3. Layout plan of sanitary sewer system if it is to be built;
 4. Plan and profile of all streets, including the following:
 - (a) Profile along the centerline and each property line;
 - (b) Proposed curb grade;
 - (c) Grade of storm sewers and/or ditch drainage system;
 - (d) Grade of sanitary sewers;
 - (e) Design details of streets and sewerage improvements.
 - (f) All streets and private servitudes of access shall be named from the list approved by the Office of the Planning Commission.

Section 4.7 Final Plats

The final plat shall be drawn in ink to a scale of one (1) inch equals one hundred (100) feet on tracing cloth or polyester base film, in one (1) or more sheets whose dimensions are twenty-four (24) inches by thirty-six (36) inches. For subdivisions without improvements, and for subdivisions of five (5) lots or less, sheet size shall be eight and one-half (8½) inches by eleven (11) inches or multiples thereof. Where the subdivision area is of unusual size or shape, the Planning Commission may permit a variation in the scale or size of the final plat. If more than two (2) sheets are required an index of the same dimensions shall be filed showing the entire subdivision on one (1) sheet.

Prior to final plat approval, all property currently zoned C1 (Light Commercial), LC-1 (light Commercial One), LC-2 (Light Commercial Two), LC-3 (Light Commercial Three), HC-1 (Heavy Commercial One), HC-2 (Heavy Commercial Two), and C2 (Heavy Commercial) shall be rezoned to the most restrictive residential zoning classification that accommodates the proposed lot sizes indicated on the submitted subdivision plat. An application to rezone the subject property and a preliminary plat application may be done simultaneously.

- A. All information required in Section 4.5 for the preliminary plan and, in addition, specific information listed below shall be required on the final plat:
1. Name of subdivision;
 2. Name, address, and signature of the subdivider;
 3. North point, scale, and date;
 4. The outer boundary lines with accurate distances, angles, or true bearings if available, the exact location and width of all recorded streets and ways intersecting the boundaries of the tract being divided;
 5. Distances and angles, or true bearings if available, to the established street lines or official monuments, which shall be accurately described on the plat; municipal, range, township, parish and section lines accurately tied to the lines of the subdivision by distances and angles, or true bearings, if available;
 6. Streets, alleys, ways and private servitudes of access, together with their widths and names from the list approved by the Office of the Planning Commission;
 7. All curve data, the lengths of all arcs, radii, internal angles, points of curvature, and lengths and bearings of tangents;
 8. All dimensions, both linear and angular, necessary for determining the exact boundary of all lots in the subdivision; all angles must either be given directly or indicated by the bearings shown; where any lot line is curved, the significant elements of the curve, such as the arc length and the subtending central angle, bearing and dimensions of side lot lines and where a curve is involved an indication if it is a radial line and any and all mathematical information and data necessary to locate all interior and exterior boundary lines of any lot;

9. Every plat shall show a note giving reference to the basis of the bearing, i.e., "Bearings shown refer to true 'North' or "Bearings shown refer to Grid North as established for the Louisiana Plane Coordinate System by the U.S.C. & G.S." or "Bearings shown refer to assumed North based on a bearing of S 10°30' 10" W used for the center line of State Highway 100," or "Bearings shown refer to the map (or deed) call N 30°E for the easterly line of the Smith Tract," etc. In all cases the bearings used shall be referenced to some well-established line;
10. All block indications, if any, lot numbers; number or letter shall designate all individual areas, and lots in new subdivisions shall be numbered consecutively. No tract or portion of land shall be indicated as "Reserved";
11. Benchmarks: The accurate location, material type and description of all permanent vertical control monuments (benchmarks) shall be designated by a permanent vertical control monuments based on datum established by the engineering division of the Department of Public Works. Approved City-Parish permanent vertical control monuments or subdivision monuments referenced to the official City-Parish permanent vertical control system shall be shown on the final plat and reference to this final plat shall be used to set all lowest floor elevations of residential, non-residential and manufactured home structures to meet the requirements of Sections 16.852(5).
12. Special use areas: Location and size of proposed parks, playgrounds, church or school sites, or other special uses of land to be considered for dedication or sale for public use and of all property that may be designated by deed and covenants for the common use of the property owners in the subdivision, along with a statement for responsibility for maintenance;
13. Description of the tract being subdivided;
14. Statement of dedication: The following statement signed by the owner: The streets and rights-of-way shown hereon, if not previously dedicated are hereby dedicated to the perpetual use of the public for proper purposes. All areas shown as servitudes are granted to the public for use of utilities, drainage, sewage removal or other proper purpose for the general use of the public. No trees, shrubs or other plants may be planted, nor shall any building, fence, structure or improvements be constructed or installed within or over any servitude or right-of-way so as to prevent or unreasonably interfere with any purpose for which the servitude or right-of-way is granted. Where a sewage treatment plant or oxidation pond is to be provided by the developer, the area to be used for this purpose shall be dedicated by the owner as a servitude for that purpose only, and shall be separate from any other lot or building site;
15. Statement regarding sewage disposal: Statement signed by the owner and/or subdivider to the effect that, outside the Wastewater suburban transportation network, no person shall provide or install a method of sewage disposal, except connection to an approved sanitary sewer system, until the method of sewage treatment and disposal has been approved by the Health Unit;

DEDICATION

THE STREETS AND RIGHTS OF WAY SHOWN HEREON, IF NOT PREVIOUSLY DEDICATED ARE HEREBY DEDICATED TO THE PERPETUAL USE OF THE PUBLIC FOR PROPER PURPOSES. ALL AREAS SHOWN AS SERVITUDES ARE GRANTED TO THE PUBLIC FOR USE OF UTILITIES, DRAINAGE, SEWAGE REMOVAL OR OTHER PROPER PURPOSE FOR THE GENERAL USE OF THE PUBLIC. NO TREES, SHRUBS OR OTHER PLANTS MAY BE PLANTED, NOR SHALL ANY BUILDING, FENCE, STRUCTURE OR IMPROVEMENTS BE CONSTRUCTED OR INSTALLED WITHIN OR OVER ANY SERVITUDE OR RIGHT-OF-WAY SO AS TO PREVENT OR UNREASONABLE BY INTERFERE WITH ANY PURPOSE FOR WHICH THE SERVITUDE OR RIGHT-OF-WAY IS GRANTED.

SEWAGE DISPOSAL

NO PERSON SHALL PROVIDE A METHOD OF SEWAGE DISPOSAL, EXCEPT CONNECTION TO AN APPROVED SANITARY SEWER SYSTEM, UNTIL THE HEALTH UNIT OF EAST BATON ROUGE PARISH HAS APPROVED THE METHOD OF SEWAGE TREATMENT AND DISPOSAL.

*(IF APPLICABLE, THE FOLLOWING IS TO BE ADDED)

WHERE A SEWAGE TREATMENT PLANT IS TO BE PROVIDED BY THE DEVELOPER, THE AREA TO BE USED FOR THIS PURPOSE SHALL BE DEDICATED BY THE OWNER AS A SERVITUDE FOR THAT PURPOSE ONLY, AND SHALL BE SEPARATE FROM ANY OTHER LOT OR BUILDING SITE.

SIGNATURE

NAME & TITLE

NAME OF COMPANY

16. Restrictions: Private restrictions, restrictive covenants or trusteeships and their periods of existence to apply to lots in the subdivision shall be signed by the owner or his agent and recorded in the Office of the Clerk and Recorder of the Parish, and a copy shall be furnished to the Secretary of the Planning Commission. Where underground electrical utility service is provided for the subdivision, restrictions shall include a requirement that the owner of each lot shall furnish an electric servitude from the source of supply to his meter location for receipt of electric service on the lot, and this requirement shall be noted on the subdivision plat;

17. Flood Elevation Data: The final plat showing the subdivision of property shall include record inundation, the FEMA flood zone(s) and the FIRM Base Flood Elevation(s), all of which shall be provided by the engineering division of the Department of Public Works: Where the area subdivided lies at or below the record inundation level or the FIRM Base Flood Elevation, whichever is greater, that area shall be shaded by an approved drafting type shading pattern. Shading by pencil is not acceptable. The foregoing information shall also be set forth in a separate box in the general notes. A note shall be on the final plat indicating that the base flood elevation(s) are subject to change and the current base flood elevation should be verified with the engineering division of the Department of Public Works.
18. Professional Land Surveyor's certification and seal: This certification shall be a statement by a registered land surveyor licensed to practice either of these professions in the state to the effect that the plan is based upon an actual survey made by him and that the distances, courses, and angles and all other required survey information are shown correctly, that the monuments have been set and the lot and block corners staked correctly on the ground and that he has fully complied with the provisions of R.S. 33:5051 et seq., and the minimum standards for the practice of land surveying as promulgated by the State Board of Registration for Professional Engineers and Land Surveyors. The land surveyor's seal shall also be shown. A note shall be placed on the final plat indicating the survey classification.

CERTIFICATION:

THIS IS TO CERTIFY THAT THIS PLAT IS
MADE IN ACCORDANCE WITH LA. RE-
VISED STATUTES 33:5051 ET. SEQ. AND
CONFORMS TO ALL PARISH ORDINANCES
GOVERNING THE SUBDIVISION OF LAND.

SIGNATURE

MICHAL J. ANTHONY,
CIVIL ENGINEER



19. Recommendation for approval and signature by the Director of the Department of Public Works and the approval and signature of the Director of the Planning Commission shall be shown on the final plat.
20. The street light layout must have Department of Public Works' approval at the final plat approval phase.
21. The Wastewater Impact Fee is required in accordance with Ordinance 10043, EBROSCO Ordinance 1242, as amended, adopted September 28, 1994, by the Metropolitan Council.

Statement of Wastewater Impact Fee Certification (to be placed on the Final Plat:

This is to certify that the Developer of (Lots/Tracts) _____ through _____ has paid \$_____ per (Lot/Tract) _____ for a total of \$_____ (Check No. _____) in Wastewater Impact Fees in accordance with Ordinance 10043, EBROSCO Ordinance 1242 as amended, adopted September 28, 1994, by the Metropolitan Council. Additionally, all (Lots/Tracts) _____ for which a building permit will be issued for improvements to the (Lot/Tract) _____ will require payment of the remaining portion of the Wastewater Impact Fee in accordance with the aforementioned Ordinance. This subdivision is located in the _____ Sewer District.

- B. All surveying for perimeter, street center line, property line and control monumentation of a subdivision shall be performed with the precision as specified for that class of survey in accordance with the minimum standards for the practice of land surveying as promulgated by the State Board of Registration for Professional Engineers and Land Surveyors.
- C. Permanent control monuments of materials approved by the Department of Public Works shall be placed at all of the following locations and shown on the final plat:
 1. At the corners, control points and angle points around the perimeter on boundary of the subdivisions at intervals or locations designated by the Department of Public Works, but spaced no further than six hundred (600) feet apart;
 2. At all points where the perimeter or boundary of the subdivision intersects street right-of-way lines;
 3. At all street corners formed by the intersection of street right-of-way lines. On curved street corners, monuments shall be placed on the right-of-way line at each end of the curve; and
 4. On all property lines at the point of curvature and the point of tangency of all horizontal curves.

Section 4.8 Violation and penalty

Whoever, being owner or agent of the owner of any land located in a subdivision, transfers or sells, or agrees to sell any land by reference to, or exhibition of, or by other use of a plat of a subdivision, before such plat has been approved by the Planning Commission and recorded or filed in the office of the Clerk of Court of the Parish, shall forfeit and pay a penalty of one hundred dollars (\$100.00) for each lot or parcel so transferred or sold or agreed or negotiated to be sold. The description of such lot or parcel by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties. Where decisions are left herein to the Department of Public Works, any person dissatisfied with such decision may appeal to the Planning Commission. Such appeal shall be made by letter addressed to the Planning Commission through its Secretary, with sufficient copies to go to all members of the Planning Commission. Upon receipt of such an appeal, the Secretary shall notify the members of the Planning Commission of such appeal and expeditiously place the appeal on the agenda of the Planning Commission for a hearing.

Section 4.9 Revocation or relocation of streets, alleys, rights-of-way, or servitudes dedicated to public use

A. Application to Planning Commission

Any person desiring to have a public street, alley, right-of-way, or servitude revoked or relocated shall first apply to the Planning Commission for the revocation or relocation.

B. Requirements

At the time of filing application with the Planning Commission, the applicant shall submit to the Office of the Planning Commission a plat showing the existing street, alley, right-of-way, or servitude, and the proposed relocation, if necessary, together with a written request giving the reasons supporting such revocation or relocation.

C. Fees

At the time of filing the application, the applicant shall pay to the Office of the Planning Commission a fee to cover the cost of processing the application, together with all legal instruments, ordinances, etc., necessary to complete the revocation or relocation. All of the legal instruments, ordinances etc., must be approved by the Parish Attorney, and the applicant shall supply such other information as may be deemed necessary by the Parish Attorney or the Office of the Planning Commission.

D. Procedure

The Planning Commission shall investigate the propriety and feasibility of the revocation or relocation and submit its recommendation thereon to the Metropolitan Council within 60 days after the application is submitted to the Office of the Planning Commission; provided that, in those instances where the revocation or relocation will not have any effect on any abutting property involved, no hearing before the Planning Commission shall be required, but a recommendation shall be made to the Metropolitan Council by the Office of the Planning Commission and Department of Public Works, after the conduct of such investigation thereof as they may deem necessary and appropriate.

E. Action by Council

After receipt of recommendations from the Planning Commission, the Metropolitan Council may, if it so desires, introduce an ordinance revoking or relocating the street, alley, right-of-way or servitude, which ordinance shall lay over until the next regular meeting of the Metropolitan Council for a public hearing called and advertised therefore, as in the case of other ordinances requiring a public hearing. At the time of the hearing the Metropolitan Council may adopt or reject the ordinance as it sees fit.

F. Title not Warranted

This chapter does not give any person the right to have a street, alley, right-of-way, or servitude revoked and the City-Parish does not warrant clear and merchantable title to any property over which the street, alley, right-of-way or servitude to be revoked or relocated lies.