

SUBDIVISION REGULATIONS
LAFAYETTE, LOUISIANA

SECTION 1. GENERAL PROVISIONS

1.1 Title

These Regulations shall be known as the Subdivision Regulations of the City of Lafayette, Louisiana.

1.2 Purpose

The regulations and restrictions established by these Regulations have been made in harmony with the Master Plan and Zoning Ordinance of the City of Lafayette and establish a procedure for the submission and recording of plats and maps, the subdividing or resubdividing of any real property, and the examination and approval or disapproval of such plats and maps; all designed for the purpose of protecting the health, safety and general welfare of the people of the City of Lafayette and their property situated therein.

1.3 Authorization

Those Subdivision Regulations are authorized under Title 33, Sections 101-119 Louisiana Revised Statutes, as amended, and this Ordinance is hereby declared to be in accordance with all provisions of said Statutes.

1.4 Jurisdiction

These Subdivision Regulations shall apply to all lands located within the legal boundaries of the City of Lafayette as now exists or as may subsequently be changed by future annexation.

1.5 Control Over Platting

- (a) No plats shall be recorded, or offered for record, nor shall any land be offered for sale with reference to such plat, until the plat has been approved in writing by the Planning Commission. The Planning Commission shall ascertain, before approving it, that the plat has satisfied all of the requirements of these Regulations, and the Zoning Ordinance of the City of Lafayette.
- (b) It is the policy of the City of Lafayette that no building permit shall be issued or granted for the development or use of any land within the City of Lafayette until a plat of the lot, parcel, or site of the proposed development has been approved under the provisions of these regulations.

(c) The burden of proof will be with the applicant for a new subdivision to demonstrate full compliance with the intent and purpose of these regulations.

(d) The provisions of this Section 1.5 shall not be applicable to any single family residential use, located on an existing public street or private street, created by family partition, not intended for a direct future extension for which a subdivision plat of the property was recorded in the Lafayette Parish Clerk of Court's office prior to June 30, 1998, irrespective of subsequent annexation into the corporate limits of Lafayette. Furnishing a certified copy of the act from the Lafayette Parish Clerk of Court's office should be sufficient to provide that the plat was filed prior to the grandfather date of June 30, 1998.

SECTION 2. DEFINITIONS

2.1 Rules of Language Construction

For the purpose of these Regulations and when not inconsistent with the context, words used in the present tense include the future, words in the singular include the plural, words in the plural include the singular, the masculine includes the feminine, the word "shall" is mandatory and not directory, the word "may" is permissive, and the particular controls the general. Any words not herein defined shall be construed as defined in the Zoning Ordinance, or if not defined therein, shall be defined in a dictionary of current standard usage.

2.2 For the Purpose of These Regulations, Certain Words Used Herein are Defined as Follows:

DEFINITIONS:

BASE FLOOD: The flood having a one-percent probability of being equaled or exceeded in any given year, also referred to as the 100-year flood.

BASE FLOOD ELEVATION: The height of the base flood in relation to the National Geodetic Vertical Datum of 1929 (or other datum where specified).

BASE FLOOD ELEVATION DETERMINATION: An engineering evaluation of a flooding source performed through detailed methods of study of the floodplain geometry or topography, hydrology and hydraulic analyses to determine the Base Flood Elevation as a result of the peak flood discharges during the Base Flood event or the flooding having a one percent chance of being equaled or exceeded in any given year. The determination should provide the basic information on the scope and methodology of the topographic, hydrologic and/or hydraulic analyses that are prepared in support of the existing conditions of the Area of Special Flood Hazard designated as "Zone A". All analyses must be completed in accordance with the applicable sections of the National Flood Insurance Program (NFIP) regulations.

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 line of municipalities.

BUILDING LINE: A line extending across the width of a lot, parallel to the street right-of-way, and in front of which no building may be constructed.

COMMISSION: The Lafayette City-Parish Planning and Zoning Commission created by the Home Rule Charter of the Lafayette City-Parish Consolidated Government.

COMPREHENSIVE PLAN: The reports, maps, charts, and descriptive matter which set forth the Comprehensive Plan for the planning area, made and adopted by the Planning Commission, and which includes any unit or part of such plan separately adopted, and any amendments to such plan or parts thereof.

DEDICATION: The appropriation of land by the owner to some public use.

DEPTH OF LOT: The average distance from street right-of-way to the rear lot line, which is the lot line opposite and most distant from said right-of-way line.

DESIGNATED FLOOD HAZARD AREA/IDENTIFIED FLOOD HAZARD AREA: The land in the flood plain within a community subject to a 1 percent or greater chance of flooding in any given year. The area may be designated as Zone A on the FHB. After detailed ratemaking has been completed in preparation for publication of the flood insurance rate map, Zone is usually refined into Zones A, AO, AH, A1-30, AE, A99, AR, AR/A1-30, AR/AE, AR/AO, AR/AH, A VO or V1-30, VE, or V. For purposes of these regulations, the term "Special Flood Hazard" is synonymous in meaning with the phrase "Area of Special Flood Hazard" or "Flood Hazard Area."

DEVELOPMENT DESIGN PLANS: Subdivision construction plans and profile sheets depicting design of the development drainage system, roadways and other related infrastructure prepared by and signed and sealed by a Professional Engineer registered in the State of Louisiana. The construction plans must be approved by the Public Works Department before construction begins.

DOUBLE FRONTAGE LOTS: Lots with access to two (2) streets that are not corner lots (see reverse frontage lot and through lot).

DRAINAGE IMPACT ANALYSIS: Analysis prepared by and signed and sealed by a Professional Engineer registered in the State of Louisiana that formulates the impact of the storm water runoff of a proposed development on the area drainage system. It typically addresses the characterization of the site development, grading plan, peak rates of storm water runoff, retention/detention volumes for the required design storm event, site and area drainage system design criteria for storm conveyance, and measures to control storm water runoff from the development into the existing area drainage system. The drainage impact

analysis must be based on the proposed Development Design Plans depicting design of the development drainage system, roadways and other related infrastructure.

EASEMENT: A right granted by the property owner generally established in real estate deed or on a recorded plat to permit the use of land by the public, a public agency, a utility, a corporation or particular person for a specified purpose of use.

EVIDENCE: Any map, table, chart, contract, or any other document or testimony, prepared or certified by a qualified person to attest to a specific claim or condition, said evidence must be relevant and competent and must support the position maintained by the subdivider.

FINAL SUBDIVISION PLAT: The final plan of the plat, subdivision or dedication prepared for filing and recording in conformance with these regulations.

FIVE HUNDRED (500) YEAR FLOOD ZONE: Identified as "Zone X" by the on the Federal Emergency Management Agency Flood Insurance Rate Map, an officially designated land area that is likely to be flooded by a storm equal to or greater in intensity than the 500 year storm event.

FLOODPLAIN OR FLOOD AREA: Any land susceptible to being inundated by water from any source.

FLOOD PLAIN IMPACT ANALYSIS: An engineering evaluation of a flooding source performed through hydrologic and hydraulic analyses to provide peak flood discharges and elevations of floods for the frequencies of occurrence. The analyses should provide the basic information on the scope and methodology of the hydrologic and/or hydraulic analyses that are prepared in support of the existing conditions and proposed modifications of the Area of Special Flood Hazard. All analyses must be completed in accordance with the applicable sections of the National Flood Insurance Program (NFIP) regulations.

FLOOD WATERS: A general or temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters and the unusual and rapid accumulation or runoff of surface waters from any source.

FLOODWAY: Land identified on the Federal Emergency Management Agency Flood Insurance Rate Map or a floodway map as a floodway. Development, fill, overlays, etc. shall not occur on land identified as a floodway unless hydrologic and hydraulic HEC-RAS data or other model acceptable to the applicable regulatory agency prepared by a Louisiana licensed engineer is presented certifying that no adverse flooding will occur upstream, downstream or on the development site as a result of the proposed improvements. The data must be reviewed and subsequently approved by the Federal Emergency Management Agency, the local Flood Plain Administrator prior to development, and other applicable regulatory agencies.

IMPROVEMENTS: Street grading, street surfacing, curb and gutter, sidewalks, water mains and lines, sanitary and storm sewers, drainage facilities, culverts, bridges, utilities, street names, signs, street lights, trees, or other such installations as may be designated by the Planning Commission.

IMPROVEMENTS AGREEMENT GUARANTEE: Any security which is acceptable to the City of Lafayette in lieu of a requirement that certain improvements be made by the subdivider before the plat is approved, including performance bonds, letters of credit, escrow agreements, and other similar collateral of surety agreements.

LAFAYETTE CITY-PARISH COUNCIL: The legislative power of the Lafayette City-Parish Consolidated Government.

LAFAYETTE CONSOLIDATED GOVERNMENT: The Lafayette City-Parish Consolidated Government.

LOT: A measured portion of a subdivision or other parcel of land intended as a unit for transfer or ownership for development. The following specific lot types are further identified:

Corner Lot is a lot abutting upon two (2) or more streets at their intersections.

Interior Lot is a lot other than a corner lot with frontage on a single street.

Through Lot is a lot which runs the depth of a block with frontage on more than one (1) street. (See double frontage lots, reverse frontage lots.)

MAJOR THOROUGHFARE PLAN: The plan delineating a system of streets adopted by the Planning Commission on July 22, 1981, as revised, extended, or amended.

MASTER PLAN: See Comprehensive Plan.

PERMANENT MONUMENT: Any structure of masonry and/or metal permanently placed on or in the ground, including those expressly placed for surveying reference.

PLANNING COMMISSION: The Planning Commission of the City of Lafayette as duly constituted by law, referred to herein as the Planning Commission.

PLANNED UNIT DEVELOPMENT: Development of land in a manner which allows a variety, of uses in which normal restrictions of lot sizes, setbacks, densities, land uses, and other criteria may be relaxed in return for development conformance to an approved plan for the total parcel. Approval may be given upon evidence of the provisions of open spaces, public facilities, access, planning aesthetics, and other considerations deemed important by the Planning Commission.

PLAT: A map and supporting materials of certain described land prepared, in accordance with Subdivision Regulations, as an instrument for recording of real estate interests with the Clerk of Court.

PRELIMINARY PLAN: The map or maps of a proposed subdivision and specified supporting materials, drawn and submitted in accordance with the requirements of adopted regulations, to permit the evaluation of the proposal prior to detailed engineering and design.

PUBLIC HEARING: A hearing held by the Planning Commission prior to acting on any subdivision plat and only after the applicant has been notified by mail, at least ten (10) days after the application has been filed. The Planning Commission may require that similar notice be provided in a newspaper of general circulation in the City, to inform the general public of the intention to subdivide.

PUBLIC WORKS DEPARTMENT: Lafayette Consolidated Government, Public Works Department.

RESERVE STRIP: The creation of a strip of land adjacent to a street or proposed street in such a manner as to deny access from adjacent property to such street.

RESUBDIVISION: The changing of any existing lot or lots of a subdivision plat previously recorded with the Clerk of Court of the Parish of Lafayette. This term shall also include reassembly of lots, except as provided in Section 11.

REVERSE FRONTAGE LOTS: Lots which have frontage on two (2) public streets, and have access denied to one (1) frontage. (See double frontage lot or through lot.)

ROADWAY: That portion of the street right-of-way designed for vehicular traffic.

SERVITUDE: A strip reserved for public utilities, drainage, passage and/or other purposes, the title of which shall remain with the property owner, subject to the right of use designated in the reservation of the servitude.

SIGHT TRIANGLE: The open, unobstructed triangular area on a corner lot formed by the intersection of two (2) property-street right-of-way lines and a straight line drawn between the property right-of-way lines. The length of two (2) sides of the triangle, as measured along each property street right-of-way line is thirty (30) feet from the intersection forming the corner.

SITE DRAINAGE PLAN: Subdivision drainage construction plans used to manage the storm water runoff for the development and surrounding area drainage system. The plan should address characterization of the development; grading plan; peak rates of storm water runoff; volumes for the requires design storm event, location, criteria and sizes of retention/detention ponds; and conveyances and measures to control storm water runoff from

the development into the existing area drainage system.

SKETCH PLAN: A map of a proposed subdivision, drawn and submitted in accordance with the requirements of adopted regulations, to evaluate general feasibility and design characteristics at an early stage in the planning process.

SPECIAL FLOOD HAZARD AREA OR ONE HUNDRED (100) YEAR FLOOD ZONE: Identified with an "A. AE & AH" with or without a suffix, an officially designated land area on the latest Federal Emergency Management Agency Flood Insurance Rate Map that is likely to be flooded by a storm equal to or greater in intensity than the 100 year storm event.

STORM WATER MANAGEMENT FACILITY: Physical facilities located within subdivision boundary used to collect, store and convey storm water runoff of a development. These facilities include, but are not limited to, detention and retention ponds, storm water drainage systems (open ditch or subsurface systems), open channels, and special structures such as inlet and discharge control structures, conveyance structures and channel slope erosion protection for outfall structures. Storm water detention facilities such as ponds, parking lots, depressed grassy areas and underground storage systems are used for the temporary storage of storm water runoff and future release, delay and control of storm water runoff. Storm water retention facilities are used for on-site storage of storm water to eliminate subsequent discharge of storm water runoff from a development. Wet ponds are the most common type of retention storage facility although wet ponds may also be designed to function as a retention/detention storage facility.

STREET: Any street, avenue, boulevard, road, land, parkway, viaduct, alley, freeway, or other way for the movement of vehicular traffic which is an existing state, parish or municipal roadway, or a street or a way shown upon a plat, heretofore approved, pursuant to law or approved by official action; and includes the land between street line, whether improved or unimproved, and may comprise pavement, shoulders, gutters, sidewalks, parking areas and other areas within the right-of-way. For the purpose of these regulations, streets shall be classified and defined as follows:

Alley. A minor way which may be dedicated to public use, or may be only for private use and maintained by a private entry, which is used primarily for secondary vehicular service access to the rear or side properties otherwise abutting on a street.

Arterial Street. A general term denoting a highway, primarily for through traffic, carrying heavy loads and large volumes of traffic, usually on a continuous route, and shown as such on the Major Thoroughfare Plan.

Boulevard. A broad, often landscaped thoroughfare with lanes in each direction, separated by a median strip.

Collector Street. A thoroughfare, whether within a residential, industrial, commercial, or other type of development, which primarily carries traffic from local streets to arterial streets.

Cul-de-sac. A short public way with one end open to traffic and the other end terminated by a vehicular turn-around.

Half-Street. A street parallel and contiguous to a property line, and of lesser right-of-way width than is required for a street.

Loop Street. A type of local curved street, each end of which terminates at an intersection with the same street or thoroughfare.

Minor Street. A street intended primarily to provide pedestrian and vehicular access to abutting properties and designed to carry vehicular traffic from one or more individual lots to or from a collector or arterial street.

Private Street. A right-of-passage intended for use by the general public that is designated as a private street on the Preliminary and Final Subdivision Plat.

Service or Frontage Road. (Also Marginal Access Street). A minor or collector street located adjacent and parallel to an arterial or collector street for providing and controlling access to abutting properties and adjacent areas.

STREET RIGHT-OF-WAY. That portion of land dedicated to public use for street and utility purposes.

SUBDIVIDER OR DEVELOPER. Any person, group, corporation, or other entity, or any agent thereof, dividing or proposing to divide land so as to constitute a subdivision.

SUBDIVISION. Unless otherwise exempted by State law, a subdivision of land is:

The division of a lot, tract, or parcel of land into two (2) or more lots, plats, sites or other divisions of land for the purpose, whether immediate or future, of sale or of building development. It includes resubdivision, and when appropriate to the context, relates to the process of subdividing or to the land or territory subdivided.

SECTION 3. PLANNING PRINCIPLES AND REQUIREMENTS

3.1 Planning Requirements

- (a) It shall be the duty of the Planning Commission to study each proposed subdivision plat in connection with elements of the City's Comprehensive Plan, the Zoning Ordinance, and the general character of the area, and to take into consideration the general requirements of the City of the land to be subdivided.

Particular attention will be given to the specific requirements for public utilities, roads, utility, pedestrian and other easements, the adequacy of street connections and the suitability of the land for development.

- (b) It shall be the duty of the Planning Commission to discourage the subdividing of lands that are far in advance of the needs of the City; or that, by their location, cannot be served by public utilities, fire protection, police protection or other public service, or that are located in areas subject to flooding, or that are topographically unsuitable for development; or that for any other reason are being unwisely or prematurely subdivided.
- (c) It shall be the duty of the Planning Commission to encourage the replatting of undeveloped lands deemed to be unsatisfactorily subdivided, or any underdeveloped land that represents an obstacle to the orderly and efficient growth of the City.
- (d) If a tract is subdivided into larger parcels than ordinary building lots, such parcels shall be arranged to allow the opening of future streets and logical future subdivision.
- (e) It shall be the duty of the Planning Commission to encourage the coordinated platting of adjacent small parcels of land.

3.2 Planning Principles

- (a) The subdivision layout shall result in the creation of lots which are developable and capable of being built upon.
- (b) Public or private street layout shall provide access to all lots, or living units, within the subdivision.
- (c) Reserve strips controlling access to streets shall not be permitted, except where their control is placed with the City, as approved by the Planning Commission.
- (d) Land subject to flooding or to inadequate drainage, or otherwise substandard land shall not be platted for any use which might endanger health, life, property or which may aggravate flood or erosion hazards. Such land shall be set aside for other uses which will not present these hazards. However, such land may be used for development, provided the developer presents and constructs a suitable safeguard to overcome the above listed deterrence.
- (e) The proposed design within the subdivision shall not result in an over-intensive use of the land.
- (f) The proposed design shall attempt to avoid traffic congestion and compliment an

adequate traffic and avoid traffic hazards.

- (g) The subdivider shall reach an agreement with the City of Lafayette for the provision of a water distribution system, sewage disposal facilities and electrical facilities for the proposed subdivision.
- (h) Fire hazards shall not be created or increased without adequate and proper provisions being made to correct the situation.
- (i) Development of the subdivision should not adversely affect any historical, recreational or aesthetic value attached to the land proposed for subdivision or of adjacent land.

SECTION 4. PRE-APPLICATION PROCEDURE

4.1 Pre-Application Procedure

- (a) Prior to filing the Preliminary application for subdivision approval, the subdivider is encouraged to consult informally with the Planning Commission Staff, in order to gain information regarding goals and objectives of the Comprehensive Plan, the Subdivision Regulations, and the Zoning Ordinance. The intent of this procedure is to assist the subdivider in preparing a plan which will meet the requirements of the controlling regulations, and to permit the processing of the Preliminary Plan in an expeditious manner.
- (b) The subdivider may submit a sketch plan of the proposed subdivision, showing the relationship to surrounding streets and properties, to existing conditions, community facilities, utilities, services and conformance with the Comprehensive Plan and the Zoning Ordinance.

4.2 Upon submittal of the sketch plan, the Planning Commission Staff or the subdivider may request a conference to review the proposed subdivision. Within ten (10) days of submittal of the sketch plan, the Planning Commission Staff shall notify the subdivider, in writing, if the plan, as submitted, meets the objectives of the Subdivision Regulations or the reasons it does not.

4.3 The Sketch Plan Should Include the Following:

- (a) Names, addresses and telephone numbers of the owner(s), subdivider(s), and engineer or land surveyor.
- (b) Vicinity sketch showing the location of all adjacent and abutting streets and the names of all adjacent subdivisions and its relationship to the nature features.
- (c) A sketch showing the proposed streets and lots of the area proposed to be

subdivided on a scale using multiples of ten (10) not to exceed a scale of one (1) inch equals one hundred (100) feet and a north arrow designating true north.

- (d) The proposed land use and the approximate number and size of lots to be created.
- (e) The traffic circulation pattern proposed for the subdivision, including plans for connecting new streets to existing streets.
- (f) Any additional information that may be helpful in reviewing the proposal.

SECTION 5. PRELIMINARY PLAN PROCEDURE

5.1 The purpose of the Preliminary Plan is to review and check the proposed subdivision against the specific design standards and improvements required as set forth in the Subdivision Regulations and the Zoning Ordinance. The Preliminary Plan differs from the Pre-Application Sketch Plan in that it is more detailed and, consequently, shall show the entire area proposed to be subdivided, however, phases of subdivision development may be delineated for final subdivision approval.

5.2 Whenever the proposed subdivision contemplates intended land uses which are incompatible with, or non-conforming to, existing and updated comprehensive plans or zoning regulations, the subdivider must first bear the responsibility for demonstrating why conditions of the Comprehensive Plan should no longer apply and, where zoning reclassification is necessary, the subdivider must petition for the required amendment prior to filling the application for Preliminary Subdivision Plan approval.

5.3 The Preliminary Plan, if accepted for processing, shall be referred by the Planning Commission to the following departments or agencies for review and comment:

- (a) City of Lafayette, Department of Public Works
City of Lafayette, Department of Utilities
City of Lafayette, Fire Department
- (b) Where appropriate, comments concerning the proposed subdivision may be requested from the following agencies, failure to receive comments from the respective agency within the allotted time period for Preliminary Plan review shall be deemed as tacit approval by said agency.

Private and public utilities serving the area.

The Regional Planning Commission.

The local soil conservation district board for explicit review and recommendations regarding soil suitability and flooding problems.

The District Office of the Corps of Engineers concerning flood hazard potential and permitting requirements.

Any other agencies such as the Louisiana Department of Transportation and

Development, the local historical society, etc., who in the opinion of the Planning Commission may provide relevant comments in the proposed subdivision.

- 5.4 No action of approval, conditional approval, or disapproval shall be taken by the Planning Commission until after a hearing on said proposed subdivision plat shall have been held.
- 5.5 (a) The Planning, Zoning and Codes Department development staff shall fix a date for a public hearing of a completed Preliminary Plan. Notice of time and place of the hearing shall be sent by regular mail to the subdivider (the applicant) and owner of the land being subdivided, within ten (10) days after the application has been filed. Similar notice shall be mailed to the owners of property located within three hundred (300) feet of the proposed subdivision as determined by reference to the most current tax rolls as periodically updated by the Lafayette Parish Tax Assessor.
- 5.5 (b) Notice of the proposed subdivision and the time and place of the public hearing with respect to the subdivision shall be published in the official journal of general circulation of the Lafayette Consolidated Government on one occasion, one week and one day prior to the scheduled hearing.
- 5.5 (c) To provide further notice to the public of the proposed subdivision, one or more weatherproof signs shall be placed in one or more public street rights-of-way nearest to the proposed subdivision at least fourteen (14) days prior to the date scheduled for the hearing before the Lafayette Planning Commission, or seven (7) days prior to the date scheduled for the hearing before the Hearing Examiner. Any such sign shall be green in color, a minimum of four feet by four feet (4' x 4'), shall state that the property near which it is erected is being considered for development/subdivision and shall contain in addition to the information below a telephone contact number within the Lafayette Consolidated Government, Planning, Zoning and Codes Department ("PZC"). The PZC development staff shall determine the number and location of signs required at the time of application for preliminary plan approval. The applicant/developer, at its sole cost and expense, shall place the required number of signs at the locations determined by the PZC staff. Each sign shall contain, at a minimum the following information:
- (i) Name and type of the proposed development or subdivision; and
 - (ii) The total number of proposed lots; and
 - (iii) Applicant/developer's name, telephone and fax numbers. Names shall include all principals, partners, shareholders or members of any applicant/developer entity; and
 - (iv) Date, time and location of the public hearing with respect to the proposed subdivision; and
 - (v) The statement "A subdivision is proposed for this site."

The sign(s) must be approved by the PZC development staff prior to posting. All signs must be posted in visible locations and all signs shall be at least four (4) feet from the ground.

The applicant/developer shall, at its sole cost and expense, remove the sign(s) within seven (7) working days following the public hearing, unless the decision of the Commission is appealed to the Lafayette City-Parish Council. In the event of an appeal to the Lafayette City-Parish Council, the applicant shall remove the sign(s) within seven (7) working days after the matter is heard by the Lafayette City-Parish Council.

- 5.5 (d) Each application for preliminary subdivision plan approval shall contain the following certification:

“The applicant and the surveyor preparing the subdivision plat which is the subject of this application hereby represents, warrants and certifies to the Lafayette Consolidated Government that (i) the information delivered in connection with this application with respect to the names and addresses of the property owners within three hundred (300) feet of the proposed subdivision is true and accurate and that each the applicant and the surveyor have conducted all necessary investigations to confirm its accuracy, and (ii) the names and addresses of the owners of property located within three hundred (300) feet of the proposed subdivision delivered to the Lafayette Consolidated Government are true and correct and were obtained from the most current tax rolls as periodically updated by the Lafayette Parish Tax Assessor.”

In the event that the owner of any property within three hundred (300) feet of a proposed subdivision is a condominium development, then in such event notices shall be sent to the condominium association who shall be responsible for providing such notification to each condominium unit owner.

In the event the PZC development staff or the Commission determines, at anytime prior to action begin taken by the Commission with respect to any preliminary plan, that the information (or any portion thereof) contained in the application for preliminary plan approval is incorrect then the PZC development staff or the Commission may deem the application to be incomplete, and the same shall be returned to the applicant without further action by the PZC development staff or the Commission. The PZC staff or the Commission shall not be obligated to further review the application until the information (or any portion thereof) shall be corrected to the satisfaction of the PZC staff.

- 5.6 Following (a) review of the Preliminary Plan and other material submitted for conformity thereof to these Regulations, and (b) hearing on the Plan, and (c) negotiations with the subdivider on changes deemed advisable to the kind and extent of the improvements to be made by him, the Planning Commission shall, within forty (40) days, act thereon as submitted or modified. Approval shall be expressed as tentative approval and the conditions, if any, shall be stated in writing. If the Preliminary Plan be disapproved, the reasons therefore shall be stated in writing.
- 5.7 The Director of Planning shall notify the subdivider in writing of the conditions of approval with such conditions of approval, as necessary, shown on the Preliminary Plan.

5.8 Tentative approval of the Preliminary Plan shall not constitute approval of the Final Plan. Rather, it shall be deemed an expression of approval of the layout submitted on the Preliminary Plan.

5.9 Receipt of a copy of the Preliminary Plan, indicating the Planning Commission approval conditions, is authorization for the subdivider to proceed with the preparation of construction plans and specifications in accordance with the improvements required in Section 17. The subdivider shall submit the necessary construction plans, specifications and documents for the required public improvements to the Department of Public Works, Engineering Division and the Utilities Department. The developer shall submit:

Reproducible sepia of each of the approved plans and of the total subdivision (as corrected, if required at Preliminary), along with three (3) complete copies of plans and specifications to the Planning Commission Director for approval and stamp. Approval stamp is to read: "Accepted for Construction Only. Authorization to proceed granted this _____ day, by _____." Following the approval of said plans by the respective department, construction of the improvements may commence, or the subdivider may elect to furnish an Improvement Agreement Guarantee for one hundred twenty-five percent (125%) of the estimated cost of the required improvements. The Improvement Agreement Guarantee shall be submitted to the respective department, charged with the responsibility of those improvements. The Improvement Agreement Guarantee, along with the completed construction plans, and/or Bank Letter of Credits will allow the developer to present his Final Plat to the City Planning Commission for approval.

5.10 Preliminary Plan approval shall be effective for an initial period of one (1) year during which time final construction plans and drawings must be submitted to and approved by the Department of Public Works, Engineering Division and the Utilities Department, Engineering Division. Subsequent to City approval of these final construction plans and drawings, Preliminary Plan approval shall automatically be extended for a period of six (6) months. Extensions to the above specified time period may be given by the Planning Commission Staff provided that it is demonstrated that reasonable progress has been made. If the Final Plan has not be submitted for approval within the specified time limit, a Preliminary Plan must be again submitted, following the original Preliminary Plan requirements to the Planning Commission, for approval.

5.11.1 Plats containing five (5) lots or less may be exempted from the requirements for filing and approval of the Preliminary Plan, and may file a Final Plan, but shall have the required public hearing on the Final Plan.

SECTION 6. PRELIMINARY PLAN SUBMITTAL REQUIREMENTS

6.1 Deadline Date

The Preliminary Plan and required data shall be filed in the Planning Commission office no later than 4:00 p.m., twenty-eight (28) days prior to the next Planning Commission meeting at which the Preliminary Plan is scheduled to be considered. The Preliminary Plan that is received shall be stamped showing the date, time, and acknowledgement that the filing fees have been paid. No Preliminary Plat shall be accepted without filing fees being paid at time of submission.

6.2 Data Required on the Preliminary Plan

Twenty (20) copies of the official application for subdivision and the Preliminary Plan of subdivision shall be filed in the Planning Commission Office and contain the following:

- (a) Names, addresses and telephone number of the property owner(s) and the subdivider.
- (b) Legal description of the area to be subdivided and proof of ownership.
- (c) Number of lots according to type, lot size, and estimated population.
- (d) The acreage of the entire tract to the nearest tenth (1/10) of an acre (or square footage, if under one (1) acre) and the percent of the total area to be devoted to streets and other type uses including single and multi-family residential, commercial, industrial, churches, schools and parks, and other public, quasi-public or private uses.
- (e) A vicinity drawing prepared at a scale of no less than one (1) inch equals one thousand (1,000) feet showing the general location of the proposed subdivision with respect to the City's incorporated boundaries or by reference to permanent survey monuments; the location of existing streets, alleys and highways; the location of natural and man-made features including watercourses; and the location of other important features, all within an area encompassing the proposed subdivision and extending outward from the proposed subdivision.
- (f) Preliminary Plan drawing(s) at a scale of one (1) inch equals one-hundred (100) feet; some variation from this may be acceptable in the case of large subdivisions but the maximum allowable scale reduction is two hundred (200) feet to one (1) inch. These drawings shall depict the following:
 1. Name of the subdivision.
 2. Scale (written and graphic).
 3. North arrow (designated true north).
 4. Date of Preparation.
 5. A composite road plan with graphic alignment, dimensioned right-of-way widths, centerline stationing, curve radii and tangent length, and intended

- type of surfacing material.
 6. Location of the subdivision phase, if a part of some larger subdivision or tract of land, and where appropriate, by reference to permanent survey monuments.
 7. Existing and proposed street names.
 8. Dimensions of all lots to the nearest foot.
 9. Lots and blocks numbered consecutively.
 10. Sites to be reserved or dedicated for parks, playgrounds, schools, or other public uses.
 11. Location of common open space not reserved or dedicated.
 12. Proposed sites for multi-family dwellings, shopping centers, community facilities, industry, other uses, exclusive of single family dwellings.
 13. Existing buildings, roads, all easements, telephone lines, gas lines, power lines, and features located on the subdivision and abutting its boundaries.
 14. Location, identification, and principal dimensions for all proposed public and private easements, including roads, bikeways, pedestrian ways, railroads, and utility rights-of-way.
 15. One (1) copy of names and addresses of surrounding property owners on gummed-back labels.
- (g) The location of all registered trees shall be indicated on the plat.
- (h) Proposed easements showing location, size, and use.
- (i) In the case of subdivisions located in flood hazard areas, contours drawn on the Preliminary Plat or a Supplemental Plat. Contours shall be drawn at least at one (1) foot intervals unless another contour interval is specified by the Planning Commission.
- (j) A drainage study shall be required, as per Section 16, and shall meet the approval of the Department of Public Works, Engineering Division. Location and sizes of all culverts to be provided, bridges and drainage ditches, channels and easements shall be shown.
- (k) When unusual topographic conditions exist, a generalized grading plan identifying areas of cut and fill and street gradients may be required prior to Preliminary Plan approval. Intended contours shall be shown on solid lines at the same interval as required for existing contours, which shall be shown as dashed lines.
- (l) When warranted by unusual conditions the DPW, Engineering Division may require the typical centerline profile of streets, road, storm drainage, and underground utilities plotted with sufficient accuracy to insure that designs will conform to the prescribed standards approved by the Department. of Public Works, Engineering Division.

- (m) When applicable, textual materials shall be submitted as follows:
 - 1. Estimated total number of gallons per day of water system requirements and proposed method of supply.
 - 2. Estimated total number of gallons per day of sewage to be treated and proposed method of treatment.
- (n) Any additional information that may be reasonably required by the Planning Commission which will aid in the evaluation of the proposed subdivision.

6.3 Drawing Requirements

- (a) The prints of the map shall be clear and crisp reproductions.
- (b)
 - 1. The preliminary plat will be stamped and signed by a land surveyor registered in the State of Louisiana. The development perimeter boundary lines will be drawn to scale with distances and bearings shown. The boundary monuments of the development perimeter must exist in the field as shown on the preliminary plat. The development interior lot lines and right of way lines do not have to be monumented in the field as shown on the preliminary plat; however, if they are shown, and not monumented, a note on the preliminary plat must clearly state what is and what is not monumented (La. revised statute 37:682(9)). A poorly drawn, illegible or incorrect plat will be rejected at the staff level.
 - 2. When a preliminary plat reflects not only surveying work but design of drainage, roadways, etc. then both the Professional Land Surveyor and the Professional Engineer responsible for their respective work must stamp and sign the preliminary plat. A note on the preliminary plat must clearly identify the division of the Engineers and the Surveyors work.
 - 3. Subdivision plans and profile sheets depicting design of drainage, roadways, etc are engineering work and must be signed and sealed by a Professional Engineer registered in the State of Louisiana. Those construction plans must be approved by the Department of Public Works before construction begins.
- (c) Whenever applicable, all drawings will be submitted on sheet size twenty-four (24) inches by thirty-six (36) inches using as many sheets as necessary.

6.4 Filing Fees

A Preliminary Plan submission shall not be considered complete unless the appropriate filing fee, as specified in Section 14 of these Regulations has been paid.

6.5 Revisions to the Preliminary Plan

- (a) It is the policy of the City Planning Commission that revised or substitute Preliminary Plans shall not be considered after an official application has been duly accepted and processed. Conditional preliminary approval may be granted, if the required revisions are minor or inconsequential in nature, and provided further that the revisions are completed to satisfaction of the Development Manager within ten (10) days of the granting of conditional Preliminary Plat approval by the City Planning Commission.

Failure to submit the require revisions to the Development Manager within the allotted time period, by 5:00 p.m. on the tenth day, shall nullify the conditional Preliminary Plan approval of the City Planning Commission.

SECTION 7. FINAL SUBDIVISION PLAN PROCEDURE

- 7.1 The subdivider shall apply on appropriate forms to the Planning Commission for review of the Final Subdivision Plat. The Final Plat may represent all or part of a subdivision, in the case of phase development, which has received Preliminary approval. The Final Plat and required accompanying data shall be filed with the Planning Commission at least twenty-eight (28) calendar days prior to the Regular Meeting of the Planning Commission at which it is scheduled to be considered.
- 7.2 The Final Plat shall comply with the Final Plat requirements specified in Section 8 in these Regulations, and shall be accompanied by such other documents and materials as may be required.
- 7.3 The Final Plat may consist of only that portion of the approved Preliminary Plan which the subdivider proposes to record and develop at the present time, provided however, that such portion conforms to all requirements of these Regulations and the plan for improvements developed for the entire area.
- 7.4 Before approving the Final Plat, the Planning Commission shall require proof that the improvements required in Section 17 have been satisfactorily completed, or that appropriate improvement agreement guarantees have been furnished with the respective department assuring their completion.
- 7.5 If the Final Plat conforms to the approved Preliminary Plan and, if the necessary improvements are constructed in accordance with the approved plans or a satisfactory improvement agreement guarantee has been submitted assuring their construction in accordance with the approved plans, the Final Plat shall be approved by the Commission, provided all plat submittal requirements have been met.
- 7.6 The Development Manager, on the behalf of the City Planning Commission, may

approve a completed Final Plat, upon request of the applicant, provided that the Final Approval Plat meets all the requirements of these Regulations, as well as all requirements encumbered during the Preliminary Plat Approval process.

Any requested variances or waivers of the Final Plat requirements will be denied by the Development Manager and must be appealed to the City Planning Commission. Any approval or denial of requested variances or waivers must be reflected on a revised building development plat prior to recordation of the Final Plat.

- 7.7 The approval of the Planning Commission shall be shown on the plat with the date of such approval and over the signature of the Director of Planning.
- 7.8 The subdivider will be notified in writing within (10) days of the Commission's action and reasons thereof.
- 7.9 Any Final Plan which has been approved by the Planning Commission and endorsement shown thereon shall be recorded in the Office of the Clerk of Court of Lafayette Parish by the Planning Commission Staff upon submittal of the approved Final Plat and appropriate recording fee, not later than six (6) months following the date of approval or said approval of the Final Plat shall be deemed void.
- 7.10 Every plat that has received Final approval by the Planning Commission and, has been duly recorded, shall be deemed to be an amendment of, or an addition to, or a detail of the City's Master Plan and shall be considered a part thereof.
- 7.11 Final approval of a subdivision plat by the Planning Commission shall in no way constitute legal acceptance to any dedicated streets, alleys, utility improvements or other public lands.

SECTION 8. FINAL PLAN SUBMITTAL REQUIREMENTS

8.1 Purpose and Intent

The purpose of the Final Plan is to provide a permanent and accurate record of the exact size, shape and location of the lots, blocks, streets, easements, and other parcels of land within the subdivision. The Final Plan, when recorded by the Clerk of Court, becomes the legal instrument whereby the location and boundaries of separate land parcels within the subdivision are identified.

8.2 Overall Plan Requirements

- (a) A Final Plat may be submitted in phases covering representative and reasonable portions of the subdivision tract. In such cases, submission shall include a map, indicating the phase designated for the entire tract, and each sheet numbered accordingly and include title, legend, matchlines and other appropriate information.

- (b) The Final Plan submission shall conform in all major respects to the Preliminary Plan as previously reviewed and approved by the Planning Commission and shall incorporate all modifications required in its review. A Final Plan may be approved, however, which has been modified to reflect improvements in design or changes which have occurred in its natural surrounding and environment since the time of the Preliminary Plan review and approval.
- (c) Parcels not contiguous shall not be included in one plat, nor shall more than one (1) plat be made on the same sheet. Contiguous parcels owned by different parties may be embraced on one (1) plat, provided that all owners join in the dedication and acknowledgement.

8.3 Twenty (20) copies of the Final Plan of Subdivision shall be filed with the Planning Commission and contain the following:

(a) Final Plan Drawings

Final Plan drawing(s) drawn at a scale of one (1) inch equals one hundred (100) feet shall be submitted with the following information thereon:

1. The exact name of the subdivision.
2. Scale (written and graphic).
3. True North Arrow and date.
4. Name and addresses of owner(s) of record.
5. Total number of lots.
6. The number of acres, to the nearest one-tenth (1/10) acre, and the percent of total area of the subdivision in streets and each other type of use proposed for the subdivision.
7. Township, Range, Principal Meridian, Section, and Quarter Section(s).
8. Location of the subdivision as a part of some larger subdivision or tract of land, and where applicable, by reference to permanent survey monuments.
9. All streets, walkways, and alleys shall be designed as such and streets shall have names, bearings and dimensions given.
10. All lands within the boundaries of the plan shall be accounted for either as lots, walkways, streets, alleys or excepted parcels.

11. The bearings, distance and curve data of all perimeter boundary lines shall be indicated outside the boundary line, not inside with the lot dimensions. When the plan is bounded by an irregular shore line or body of water, the bearings and distances of a closing meander traverse should be given and a notation made that the plan includes all land to the water's edge or otherwise.
12. All easements shall be designated as such using dashed lines with bearings and dimensions given.
13. All lots within each block shall be consecutively numbered and blocks, if designated, shall be numbered consecutively.
14. The names of abutting subdivisions; or in the case of abutting unplatted property, the notation "Unplatted" shall appear.
15. All public or quasi-public areas shall be identified.
16. On curved boundaries and all curves on the plan, sufficient data shall be given to enable the re-establishment of the curves on the ground. This curve data shall include the following for circular curves:
 - a. Radius or curve
 - b. Central angle
 - c. Tangent
 - d. Arc length
 - e. Notation of non-tangent curves
17. Lengths shall be shown to hundredths of a foot, and angles and bearings shall be shown to seconds of arc.
18. All dimensions of irregularly shaped lots shall be indicated on each lot.
19. Bearings and lengths shall be given for all lot lines, except that bearings and lengths need not be given for interior lot lines where the bearings and lengths are the same as those of both end lot lines.
20. A reference to the restrictive covenants, if any, filed with the plan.
21. Plat certification must be in accordance with the Final Plan Drawing Requirements.
22. Required statements on the Final Plan shall conform to requirements established by the Planning Commission.

(b) Supporting Drawings

When necessary the following information shall be provided:

1. All utilities, easements, plus statements, as applicable, that service will be provided to the development.
2. When required by Department of Public Works, Engineering Division, plan profile and typical cross section drawings of roads, bridges, culverts, and other drainage structures.
3. Grading and drainage plan when required.
4. Erosion and sediment control plan, when required.

(c) Required Accompanying Data

The Final Plat shall be accompanied with the following data:

1. Copies of all restrictive covenants or restrictions, if any, placed on the subdivision, one (1) copy of which shall be filed with the plan.
2. Engineering plans approved for streets, drainage facilities, utility systems, bridges and for other improvements proposed to be installed by the subdivider.
3. When a new street will intersect with a state highway, approval from the Department of Transportation and Development must be presented.
4. A guarantee of public improvements.
5. Where the subdivider is to dedicate land for schools, parks, or other public purposes, a letter of intent is required from the applicable public authority stating that it will accept the lands to be dedicated subject to applicable improvement standards and agreements by the appropriate public agencies.
6. Function, ownership and the manner of maintenance of common open space not otherwise reserved or dedicated for public use.

(d) Drawing Requirements

All drawings submitted with, and as a part of the Final Subdivision plan, shall conform to the following specifications:

1. Drawings shall be at a scale of not less than one (1) inch equals one hundred (100) feet, except that a scale of one (1) inch equals two hundred (200) feet may

be permitted for very low density development on approval by the Planning Commission.

2. Whenever possible, sheet size should be twenty-four (24) inches by thirty-six (36) inches with an appropriate border on each side. As many sheets as necessary may be submitted for a single plan or filing, however, multiple sheets shall be numbered.
3. The final plat will be stamped and signed by a land surveyor registered in the State of Louisiana. The development perimeter lines, interior lot lines and right of way lines inside the development will be drawn to scale with distances and bearings shown on all of their corners and points of change in bearings, and all will be monumented in the field as shown on the final plat (see La. Rev. Statute 37:682 (9)). A poorly drawn, illegible or incorrect plat will be rejected at the staff level.

When a final plat reflects not only surveying work, but also design of drainage, roadways, etc., then both the Professional Land Surveyor and the Professional Engineer responsible for their respective work must stamp and sign the plat. A note on the final plat must clearly identify the division of the Engineers and Surveyors work.

Subdivision plans and profile sheets depicting design of drainage, roadways, etc. are engineering work and must be signed and sealed by a Professional Engineer registered in the State of Louisiana. If no waiver has been granted whereby construction plans approval is not required and/or if no construction plans have been approved by the Department of Public Works the final plat will be rejected at the staff level. If the development has been monumented and/or constructed in any way not depicted on the final plat and/or the approved latest revised preliminary plat the final plat will be rejected at the staff level.

SECTION 9. APPROVED FINAL PLAT

- 9.1 The subdivider shall submit the Approved Final Plat to the Planning Commission Office for recording with the Clerk of Court of Louisiana Parish.
 - (a) One (1) original ink drawing, or comparable, shall be submitted on tracing cloth, mylar or tracing paper. The scale shall be one (1) inch to one hundred (100) feet. (1"=100'). Sheet size shall be twenty-four (24) by thirty-six (36). If two (2) or more sheets are required, sheets may be numbered. The approved Final Plan shall show the following:
 1. Sufficient data to determine and to readily reproduce on the ground the location, bearing and length of every street line, the tract boundary line, right-of-way, lot lines, and all existing and proposed sanitary sewer, storm sewer, and utility easements.

2. The boundary lines of the area being subdivided with accurate distances to tenths (1/10) of a foot and bearing to one-half (1/2) minute. The boundaries shall be determined by accurate survey in the field, which shall be balanced and closed with a total linear error of closure not to exceed one (1) foot to five thousand (5,000) feet, and angular error of closure not to exceed thirty (30) inches Vn. In addition, boundaries will also be tied into the nearest existing public road or public street right-of-way, and recorded adjacent subdivisions showing subdivision name.
3. All dimensions shall be accurate to the nearest one-tenth (1/10) of a foot and all angles accurate to the nearest one-half (1/2) minute.
4. Name and right-of-way of each street or other rights-of-way.
5. Title, name and location of subdivision, north arrow, date and scale.
6. Location, dimensions and purposes of any easements and any areas to be dedicated to public use.
7. Lots, commons or sites numbered or lettered in numerical or alphabetical order.
8. Accurate location and description of monuments and markers.
9. The Final Plat must be certified in accordance with the Final Plan Drawing Requirements.

SECTION 9A: HEARING EXAMINER

9A1: Creation of Office of Hearing Examiner

There is hereby created the Office of Hearing Examiner. The Hearing Examiner shall be the person who is serving as Director of the Planning, Zoning and Codes Department after having been appointed by the President. The Hearing Examiner shall have the right to appoint a designee to perform his duties from time to time in the event of his inability to conduct certain hearings due to scheduling or other conflicts. The function of the Hearing Examiner shall be to:

- (a) Review subdivision plat applications which qualify under either LSA-R.S. 33:113 or 33:113.1 for approval without public hearing or which qualify for consideration and administrative approval.
- (b) In those instances where the Hearing Examiner conducts a plat review under the provisions of Subsection 402A of this Section, and there is opposition to the decision of the Hearing Examiner, the said decision shall be a tentative finding which shall be submitted by the Hearing Examiner to the Planning Commission at its next regularly scheduled meeting for final review and action, provided however, that such plat

application shall not be subject to public hearing. In the event that there is no opposition to the plat application or to any of the conditions proposed by the Hearing Examiner for approval, the decision of the Hearing Examiner shall constitute final action on the application for the purpose of issuance of a building permit. Nevertheless, the application shall be placed upon a consent agenda of the Planning Commission for final approval.

- (c) When the plat application comes before the Hearing Examiner under the provisions of Subsection 403A hereof, permitting approval or certification of certain plats involving minor modifications of existing parcels, including boundary line adjustments, the action of the Hearing Examiner shall be final, subject to appeal by the applicant to the Planning Commission.
- (d) The Hearing Examiner shall, on a monthly basis, provide the Planning Commission with a summary of all plats acted upon by him, so that the Planning Commission may review, analyze and otherwise monitor the activities of the Hearing Examiner.

SECTION 9A.2 Procedure for Application to Hearing Examiner for Plat Review of Plat Requiring Ultimate Planning Commission Approval with a Waiver of Public Hearing Under LSA-R.S. 33:113

- (a) Where a plat is submitted which meets the following criteria, the plat shall be submitted to the Hearing Examiner for examination and review. The criteria are as follows:
 - 1. The development creates no more than five lots;
 - 2. The applicant is not providing for the creation of any new public or private streets and the application involves no private streets which have been created after June 30, 1998, which have been previously approved by the Planning Commission.
 - 3. The applicant owns no property adjacent to the proposed development, or in the event that he does, the applicant shall not have submitted any other application for a subdivision of property from the total property owned by the applicant within a year prior to the current application; provided however, that applications for lot line adjustments shall not be considered as applications for a subdivision of property for the purpose of this section.
 - 4. The development under review does not exceed five acres; and
 - 5. Hearing Examiner Checklist is provided.
- (b) Prior to the hearing, the Hearing Examiner shall obtain consultation, comments and input from such City-Parish Departments and public agencies that may be appropriate for adequate consideration of the plat.

- (c) The Hearing Examiner shall schedule regular meetings not less than two times per month, unless as a result of their being no items submitted for review, any meeting should be unnecessary, the specific meeting times and dates to be set at the discretion of the Hearing Examiner, whereat the Hearing Examiner shall meet with the subdivision applicant and any interested party.
- (d) At this meeting, the Hearing Examiner shall:
 - 1. Render a tentative decision, subject to approval, modification or rejection by the Planning Commission, and shall cause immediately thereafter to be issued to the applicant a written decision setting forth the official tentative decision of the Hearing Examiner.
 - 2. Advise the applicant of the date upon which the plat application shall be officially considered by the Planning Commission and shall thereafter in his written tentative decision confirm in writing the date of such meeting.
 - 3. Advise, if appropriate, the applicant that his decision is tentative only and must be approved, modified or reversed by the Planning Commission at the meeting for which consideration of the application is scheduled; provided however, that in the event that there is no opposition to the decision of the Hearing Examiner, said decision shall be considered final for purposes of issuance of a building permit only, subject to approval on a consent agenda at the next available Planning Commission meeting.
 - 4. Advise the applicant that the decision is final for the purposes of issuance of a building permit only in the event that there are no issues to be resolved or in dispute which would otherwise be presented to the Planning Commission, subject to approval on a consent agenda at the next available Planning Commission meeting.
- (e) The Hearing Examiner shall have the right, tentatively, to make the same requirements, conditions and approvals, and shall use the same procedures relative to staff review as would be implemented for any other subdivision plat application, provided however, that said review shall be conducted on an expedited basis to insure timely and quick response within the delays specified hereinabove.
- (f) After the meeting with the Hearing Examiner, if necessary, the subdivision application shall be set for consideration by the Planning Commission at its next available regularly scheduled meeting. The Hearing Examiner shall include in the package regularly

prepared for the Planning Commission a special section which shall include all subdivision applications which have been considered by the Hearing Examiner. The Planning Commission should it so desire, may elect to consider without public hearing those matters which qualify for consideration without public hearing under LSA-R.S. 33:113 at its regularly scheduled public hearing.

- (g) The Hearing Examiner meetings and the subsequent Planning Commission meeting whereat any matter previously considered by the Hearing Examiner shall be reviewed shall be subject to the notice requirements of the applicable subdivision regulations. A consent agenda shall be created by the Planning Commission for approval of Hearing Examiner decisions which are without opposition. There shall be no public hearing relative to items placed on the consent agenda, although the Commission may remove any item from the consent agenda and place it upon the regular agenda and conduct a public hearing with regard thereto.
- (h) In no event shall a certificate of occupancy be issued for occupancy of any property submitted for subdivision unless and until a final approval has been issued by either the Hearing Examiner or the Planning Commission, depending upon by whom same is to be issued under the provisions of these Regulations. Final approval shall be issued by the same entity having authority to issue the preliminary subdivision approval.

SECTION 9A.3 Procedure for Approval or Certification of Certain Plats Involving Minor Modifications of Existing Parcels of Land

- (a) Where a plat is submitted which meets the following criteria, the plat shall be submitted to the Hearing Examiner for examination and review. The criteria are as follows:
 - 1. The realignment or shifting of lot boundary lines, including removal, alignment, or shifting of the interior lot boundary lines, or the redesignation of lot numbers provided the application meets the following requirements.
 - a. Does not involve the creation of any new street or other public improvement.
 - b. Does not involve more than five 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 and zoning ordinances; or
 - 2. Parcels of land where a portion has been expropriated or has been dedicated, sold or otherwise transferred to the parish or municipality, thereby leaving a severed portion of the original property which requires a redesignation of lot number and establishment of new lot boundary lines.

- (b) Where the above criteria is met, the Hearing Examiner shall, within a period of two (2) weeks from receipt of the plat, approve, with or without conditions, or deny approval of the plat, after consultation and input from such departments and public agencies as may be appropriate for adequate consideration of the plat.
- (c) The public hearing shall not be required for applications meeting the criteria of 9A.3
- (d) After all input has been received by the appropriate departments and public agencies the Hearing Examiner shall:
 1. Render to the applicant a written decision setting forth the official decision of the Hearing Examiner.
 2. Advise the applicant of the applicant's right to appeal the decision to the Planning Commission by formally filing a request for appeal within five (5) days, exclusive of legal holidays from the date of issuance of the official written decision of the Hearing Examiner and shall include in the official written decision notice of said appeal rights.
- (e) In the event of an appeal of the Hearing Examiner's decision, the Hearing Examiner shall schedule the appeal for the next available regularly scheduled Planning Commission meeting. The Hearing Examiner shall include in the package regularly prepared for the Planning Commission in anticipation of its meetings a special section which shall include all subdivision application appeals which fall under this provision.
- (f) In no event shall a certificate of occupancy be issued for occupancy of any property submitted for subdivision unless and until a final approval has been issued by either the Hearing Examiner or the-Planning Commission, depending upon by whom same is to be issued under the provisions of these Regulations. Final Approval shall be issued by the same entity having authority to issue the preliminary subdivision approval.
- (g) In connection with the review of subdivision applications, the Hearing Examiner shall have the authority to grant a waiver of any minimum setback otherwise reviewed by the subdivision regulations.

SECTION 9A.4 Subdivision Regulations to Be Adopted in Accordance Herewith

- (a) In accordance with the provisions of LSA-R.S. 33:113, the City-Parish Planning Commission may adopt additional subdivision regulations in conformity herewith clearly setting forth the provisions for waiver of the public hearing as provided in Section II. hereof.
- (b) The Hearing Examiner/City-Parish Planning Commission shall be entitled to collect the following fees:

Residential lot application: \$100.00
Boundary Line Adjustment: \$100.00
Commercial Lot application: \$500.00

In all instances, the Hearing Examiner/Commission shall be entitled to review actual recording costs charged by the Lafayette Parish Clerk of Court's office or a minimum of \$50.00, whichever is greater, to defray recording and processing expenses.

SECTION 9A.5 Enforcement of Illegal Subdivisions

It shall be the duty of the Hearing Examiner to enforce the provisions of both state law and applicable subdivision regulations relative to the creation of illegal subdivisions and the territorial jurisdiction covered by the respective subdivision regulations. In that regard, the Hearing Examiner shall have the authority to take any one (1) or more of the hereinafter set forth nonexclusive actions, namely to-wit:

- (a) Deny the granting of building permits for the construction of improvements upon property that he determines to have been subdivided without compliance with these subdivision regulations.
- (b) Turn over to legal counsel for the City-Parish Government any found violations for purpose of prosecution under LSA-R.S. 33:114.
- (c) Resort to such other remedies as are provided by state law or local ordinance.

SECTION 9A.6 Additional Power of Hearing Examiner

The Hearing Examiner is hereby given authority to grant extensions of letters of credit that have been posted by any subdivision applicant on an annual basis for a maximum of up to five (5) years from the original letter of credit term. Any proposed additional extension must be granted by the Planning Commission.

SECTION 10. VACATION OF A PLAT OF RECORD

10.1 Conditions

A subdivider or land owner(s) may make application to the City to vacate any plat of record under the following conditions:

- (a) The plat to be vacated is a legal plat of record.
- (b) Vacation of the subdivision will not interfere with development of, nor deny access via public thoroughfare to, adjoining properties, utility services or other improvements.

- (c) Vacation of the subdivision will not be contrary to the City of Lafayette's Master Plan.

10.2 Procedure

The land owner(s) shall present a proposal to the Planning Commission calling for vacation of the subdivision. The Planning Commission shall determine whether the request, in its opinion, meets the condition listed above. The Planning Commission shall make its decision within sixty (60) days after receipt of the required information. If the proposal is approved, it shall then be recorded in the Office of the Clerk of Court, by the Planning Commission Staff. All fees for the recording of such vacation shall be paid by the subdivider or land owner.

10.3 Data Required for Vacation of a Plat

Twenty (20) copies of the letter requesting vacation of the subdivision, signed by the owner and notarized (original letter only) shall be filed in the Planning Commission office along with the following:

- (a) A plat of the subdivision to be vacated.
- (b) A legal description of the subdivision.
- (c) Names and addresses of owners of adjacent property.
- (d) Advertising, notification and recording fees.
- (e) The legal instrument to be recorded after Planning Commission approval.

SECTION 11. RESUBDIVISION

11.1 Any subdivision being of record at the time of adoption of these Regulations, or approval under these Regulations, which a developer intends to resubdivide shall first follow the procedures as outlined in Section 10 for vacation of a plat of record. Subsequent to successful vacation of a plat of record, the subdivider shall then follow the procedures outlined below.

11.2 Resubdivision or reassembly of land or changes to a recorded plat shall be considered a subdivision and it shall comply with these Regulations with the following exception: The Planning Commission may instruct the applicant to start with the submission of a Preliminary Plan or Final Plat in the platting process. The decision shall be based upon the extent to which the proposal, at the time of initial submission of the plat, conforms with these Subdivision Regulations.

11.3 This provision will permit the sale or exchange of land between adjoining property owners without requiring the owners to submit a formal application for subdivision

provided that:

- (a) Additional lots are not created.
- (b) That the resulting lots are not reduced below the minimum sizes required by these Regulations or the Zoning Ordinance.
- (c) That the orientation of the lots to public streets remains the same.
- (d) If the original subdivider is the owner of one (1) or more of the lots involved in the sale or exchange of land, the resulting lots shall be platted and submitted to the Planning Commission Staff for review, approval and recording.

SECTION 12. PLANNED UNIT DEVELOPMENT

12.1 Definition

Planned Unit Development (P.U.D.) is the development of land in a manner which allows a variety of uses in which normal restrictions of lot size, setbacks, densities, land use, and other criteria may be relaxed in return for development conformance to an approved plan for the total parcel. Approval may be given upon evidence of the provision of open space, public facilities access, planning aesthetics, and other considerations as specified elsewhere in these Regulations for Preliminary and Final Subdivision Approval.

12.2 Intent

- (a) The intent of Planned Unit Development is to encourage flexibility and variety in land development, and to provide a more efficient allocation and maintenance of open space and more efficient use of those public facilities required in connection with such development.
- (b) To achieve this, the applicant is allowed to provide flexible and varied land use and building design through the application of performance criteria rather than rigid standards. Regulations adapted to such unified planning development and intended to accomplish the purposes of zoning and other applicable land use regulations to the same degree that regulations control development on a lot-by-lot rather than on a unified basis.
- (c) In view of the substantial public advantages of Planned Unit Development, it is the intent of this section to promote and encourage development in this form where appropriate. The purpose of this section shall be to encourage and provide for the efficient and compatible integration of residential, commercial, and industrial development and renewal so that the growing demands of the population may be met by greater variety in type, design, and layout of buildings and by the conservation and more efficient use of open space ancillary to said buildings; to encourage a more efficient use of land and public services, or private services in lieu thereof, and to reflect changes in the

technology of land development so that resulting economics may result; and to provide a procedure which can relate to type, design, and layout of residential, commercial, and industrial development to the particular site, thereby encouraging preservation of the site's natural characteristics.

12.3 Objectives

In order to carry out the aforementioned intent, a Planned Unit Development shall achieve the following objectives:

- (a) Contain required usable open space and recreation areas.
- (b) Preserve trees, outstanding natural topography and geologic features, while preventing soil erosion and uncontrolled surface water drainage as practical.
- (c) Have a development pattern in harmony with the Master Plan.
- (d) Establish a variegated environment which may vary according to use, occupancy, tenure, (e.g., individual ownership, cooperatives, condominiums, leaseholds), types of dwellings (e.g., detached house, townhouses, garden apartments), lot size, and /or type community facilities available.

12.4 General Requirements

(a) General Standards for the Planned Unit Development

The following general standards shall be observed regarding planning, design, and construction of the Planned Unit Development:

- 1. The Planned Unit Development should be designed in a manner such that wherever possible it protects the environmental assets of the area.
- 2. The Planned Unit Development design plans shall take into account characteristics of soils, slopes and potential hazards, in a manner intended to protect the health, safety, and welfare of potential users of the Planned Unit Development.
- 3. The Planned Unit Development shall be consistent with the intent of the Comprehensive Plan of the City of Lafayette and the policies therein, as well as other plans and policies adopted by the City of Lafayette Planning Commission.
- 4. Planned open spaces within the Planned Unit Development, including those spaces being used as public or private recreation sites, shall be protected by adequate covenants running with the land, or by conveyance or dedications.

5. The area proposed as a Planned Unit Development shall be subject to the requirements for review and approval specified in the Zoning Ordinance for the City of Lafayette.

12.5 Minimum Design Requirements

The following shall serve as minimum design requirements in planning and construction of the Planned Unit Development:

(a) Minimum Site Requirements

1. The minimum site area shall be not less than one (1) acre. This may be waived by the Planning Commission in a built-up or high density area that is vacant or in need of rehabilitation and/or demolition.
2. Overall density shall not exceed densities allowable by the Zoning Ordinance for the area in which the site is located, if a portion of the development is used for residential purposes, the overall number of dwelling units shall be no greater than would have been permissible in the tract if it had been divided into lots of the appropriate size to comply with zoning district requirements. The Planning Commission may waive its requirements where there are provisions for well planned open space which include recreational facilities or the preservation of site amenities.
3. The perimeter side yard requirements of the overall development shall meet those specified in the Zoning Ordinance for the district involved.
4. Setback requirements apply to the boundary of the development unless otherwise specified in the Zoning Ordinance.
5. Land not usable for residential or other purposes may be set aside for open area uses such as parks, conservation areas, recreational areas, etc.

(b) Site Relationship to Immediate Surroundings

1. The planned unit's relationship to its immediate surroundings shall be considered in order to avoid adverse effects to the surrounding development caused by traffic circulation, building height or bulk, lack of screening, or intrusions on privacy.
2. Areas which cannot be feasibly serviced by necessary public services, including roads, road maintenance, schools, police, fire, and utilities, shall not be approved for Planned Unit Development.
3. Adequate landscaping must be provided to reduce the visual impact of off-street parking areas and provide a logical transition between the Planned Unit

Development and surrounding uses. Landscaped buffers shall be provided to screen commercial and industrial uses when such uses differ from surrounding uses. Screening should also be used to buffer potential adverse effects of light, noise or other undesirable elements that could disturb the Planned Unit Development surroundings.

(c) Utilities

1. The developer shall provide water, sewage and electrical facilities for connection to a public stream that meet the standards of the City of Lafayette Utilities Department.
2. Wherever practical and feasible, all utilities shall be placed underground.

(d) Off-Street Parking

Parking in connection with every industrial, commercial, residential, recreational or any other use within the Planned Unit Development shall be provided concurrent with completion of said element of the Planned Unit Development. All required parking shall be off-street and in accordance with standards set forth in the Zoning Ordinance. Parking may be provided in grouped facilities to service several separate uses and such consolidated facilities are encouraged.

(e) Circulation

1. Design and construction of the Planned Unit Development shall include adequate, safe, and convenient arrangements for pedestrian circulation, roadways, driveways, off-street parking and loading space.
2. Circulation shall be determined by review of each Planned Unit Development. Public streets must serve the entire Planned Unit Development; however, private roads may be permitted if they meet minimum construction standards and can be used by police and fire department vehicles for emergency purposes, and each structure of use in the Planned Unit Development provides required off-street parking and loading spaces or service areas.
3. The right-of-way and/or pavement widths for internal ways, roads and alleys shall be determined from sound planning and engineering standards. Consideration shall be given to special street widths, construction and paving requirements resulting from traffic requirements within the Planned Unit Development.
4. Alleys in residential areas shall be used when they are a necessary feature to continue an existing pattern; provide essentially needed access; or property service entrances; and are not in conflict with design amenities of the Planned Unit Development.

5. Alleys shall be provided in commercial and industrial areas, except this provision may be waived when other facilities are made and approved for service access.

(f) Refuse Disposal

Refuse storage should be conveniently located and conform to the Department of Public Works policy on enclosures.

If inside storage is to be provided, the location should facilitate pickup.

(g) Signs

Signs shall be permitted in the Planned Unit Development only as specified in the Zoning Ordinance.

(h) Distance Between Structures

Sufficient distance shall be provided between buildings within the Planned Unit Development, but buildings should not, in any case, be closer than ten (10) feet.

(i) Fire Protection

Fire hydrants shall be designed to meet the City Utility Department's specifications and located in accordance with the City of Lafayette Fire Department's specifications.

(j) Common Open Space

1. Common open space shall mean a parcel or parcels of land and area of water, or a combination of land and water within the site designated for a Planned Unit Development, designed, intended, and reserved primarily for one use or enjoyment of residents, occupants, and owners of the Planned Unit Development. Common open space may contain such complementary structures and improvements as are necessary and appropriate for the benefit and enjoyment of residents of the Planned Unit Development.
2. Common open space for the overall project shall not be less than specified in the Zoning District in which the site is located.
3. The developer shall provide for and establish and organization for the ownership and maintenance of the common open space for the benefit of residences, occupants and owners of the Planned Unit Development. Such organization shall not be dissolved and shall not dispose of the common open space, by sale or otherwise, except to an organization conceived and established to own and maintain the common open space for the benefit of the Planned Unit

Development, and thereafter such organization shall not be dissolved or dispose of the common space without first offering to dedicate the same to the City or other appropriate governmental unit.

12.6 Compliance with Subdivision Design Standards

The Planned Unit Development shall be subject to all appropriate design, flood, and drainage standards in these Regulations.

12.7 Application Requirements

When a Planned Unit Development proposal is submitted for consideration, the following procedure shall be observed:

(a) Pre-Application

Prior to submitting a formal application for Planned Unit Development, a Pre-application conference with the Planning Staff is encouraged in order for the applicant to become acquainted with Planned Unit Development procedures and related requirements. (See Section 4: Pre-Application Procedure.)

(b) Formal Application

Application for Preliminary and Final Approval shall follow all procedural requirements outlined in these Regulations.

SECTION 13 TRADITIONAL NEIGHBORHOOD/NEW URBANIST DEVELOPMENT

For brevity throughout these regulations, the terms “Traditional Neighborhood Development” or “TND” are used in place of “Traditional Neighborhood/New Urbanist Development.”

GENERAL PROVISIONS – PURPOSE AND INTENT

Purpose. The purpose of a Traditional Neighborhood/New Urbanist Development is to encourage mixed-use, compact development that is sensitive to the environmental characteristics of the land and facilitates the efficient use of services. A TND diversifies and integrates land uses within close proximity to each other and provides for the daily recreational and shopping needs of the residents. A TND is a sustainable, long-term community that provides economic opportunity and environmental and social integration for the residents.

Design. A TND is designed to ensure the development of land as a traditional neighborhood. A TND is characterized by the following design elements:

1. Neighborhoods that are limited in size and oriented toward pedestrian activity;

2. A variety of housing types, shopping, services, and public facilities;
3. Residences, shops, workplaces, and civic buildings interwoven within the neighborhood, all within close proximity;
4. A network of interconnecting streets and blocks that maintains respect for the natural landscape;
5. Natural features and undisturbed areas that are incorporated into the common open space of the neighborhood;
6. A coordinated transportation system with a hierarchy of appropriately designed facilities for pedestrians, bicycles, public transit, and automotive vehicles;
7. Well-configured squares, plazas, greens, landscaped streets, preserves, greenbelts, and parks woven into the pattern of the neighborhood and dedicated to the collective social activity, recreation, and visual enjoyment of the populace;
8. Civic buildings, common open spaces, and other visual features that act as landmarks, symbols, and focal points for community identity;
9. Compatibility of buildings and other improvements as determined by their arrangement, bulk, form, character, and landscaping to establish a livable, harmonious, and diverse environment;
10. Private buildings that form a consistent, distinct edge and define the border between the public street space and the private block interior;
11. Architecture and landscape that are harmonious and respond to the unique character of the region; and
12. Provides an increased range of options than are allowed by conventional zoning.

OVERVIEW

1. **Size.** A TND consists of an area of not less than fifty (50) contiguous acres. In this Ordinance, property is considered contiguous even if separated by a public roadway.
2. **Areas within the TND.** A TND is divided into at least two types of areas. A TND shall have one Neighborhood Center Area (sometimes referred to as a town center or village center) and at least one Mixed Residential Area. A TND may also have a neighborhood edge area, civic spaces and green spaces.
3. **Neighborhood Center Area.** A Neighborhood Center Area serves as the focal point of a TND, containing retail, commercial, civic, and/or public services, and, to a secondary extent,

residential uses, to meet the daily needs of community residents. A Neighborhood Center Area is pedestrian-oriented, and is designed to encourage pedestrian movement. A square may be located in a Neighborhood Center Area. Retail and commercial uses should generally be located adjacent to a square. Neighborhood Center Area uses include, but are not limited to, retail shops, restaurants, offices, banks, hotels, post office, governmental offices, churches, community centers, and attached residential dwellings and to a lesser degree single-family detached dwellings.

4. **Mixed Residential Area.** A Mixed Residential Area includes a variety of residential land uses including single-family residential, duplex, townhouse, and multi-family. Residential scale retail and commercial uses are permitted within a Mixed Residential Area with architectural and land use controls. Retail and commercial uses in a Mixed Residential Area are required to blend into the residential character of the neighborhood. A Mixed Residential Area includes common open spaces such as small squares, pocket parks, community parks, and greenbelts. A Mixed Residential Area promotes pedestrian activity through well-designed and varied streetscapes that also provide for the safe and efficient movement of vehicular traffic. Mixed Residential Area uses include single-family homes, condominiums, townhouses, apartments. Non-residential uses may be considered for approval in the Mixed Residential Area. Nothing shall preclude the imposition of restrictive covenants to limit or eliminate retail or commercial uses. Mixed Residential Areas often utilize alleys either public or private. Varying lot sizes are encouraged within the Mixed Residential Area.
5. **Neighborhood Edge Area.** A Neighborhood Edge Area is the least dense portion of a TND, with larger lots and greater setbacks than the rest of the neighborhood. Alleys are not required, and direct vehicular access to the street is permitted. Only single-family residential dwellings are permitted. A Neighborhood Edge Area is appropriate along the perimeter of the neighborhood. A portion of a TND that adjoins existing or platted conventional low-density housing shall be designated as a Neighborhood Edge Area.
6. **Civic uses.** Civic uses that are oriented to the general public are permitted in a Neighborhood Center Area and Mixed Residential Area. These uses are essential components of the social and physical fabric of a TND. Special attention should be paid to the location of government offices, libraries, museums, schools, churches, and other prominent public buildings to create focal points and landmarks for the community. The locations of these major public civic uses should be designated on the overall development plan at the time of approval. Civic spaces should be integrated in residential and commercial areas in the TND.
7. **Common open space.** Common open space is a significant part of a TND design. These spaces serve as areas for community gathering, landmarks, and as organizing elements for the neighborhood. Common open space includes squares, plazas, greens, preserves, parks, and greenbelts.
8. **Streets and alleys.** A TND is designed to be pedestrian oriented. To accomplish this goal,

street pattern and design is used to reduce vehicle travel speeds and encourage pedestrian activity. An interconnected network of streets and alleys is required. Streets may be smaller than in conventional development and more varied in size and form to control traffic and give character to the neighborhood.

9. Definitions.

ACCESSORY BUILDING: A subordinate building or a portion of the main building on a lot, the use of which is customarily incidental, secondary, or minor to that of the main or principal building.

ALLEY: A public or private roadway which affords only a secondary means of access to the rear of abutting property.

APPLICATION: An application filed by the developer for TND zoning and or subdivision of property.

BUILDING SCALE: The relationship between the mass of a building and its surroundings, including the width of street, common open space, and mass of surrounding buildings. Mass is determined by the three-dimensional bulk of a structure: height, width, and depth.

BUILDING SETBACK, FRONT: The distance from the street right-of-way line to the closest point of the foundation of a building or projection thereof.

CHARRETTE: A technique for consulting with stakeholders in a particular planned development. Charrettes typically involve intense and possibly multi-day meetings, involving municipal officials, developers, and residents.

COMMON OPEN SPACE: Shared use space not utilized for enclosed improvements, including squares, plazas, greens, preserves, parks, and greenbelts, but excluding vehicular use areas.

CONCEPT PLAN: An informal map of a proposed subdivision or a site plan of sufficient accuracy to be used for the purpose of discussion and classification.

CURB RADIUS: The curved edge of streets at an intersection measured at the outer edge of the street curb or of the parking lane.

GREEN: A common open space available for unstructured recreation, its landscaping consisting of grassy areas, trees, shrubs, and other landscaping.

GREENBELT: A series of connected common open spaces that may follow natural features such as ravines, creeks, or streams.

LINE OF SIGHT: The clear sight distance area at an intersection required by motorists,

pedestrians, bicyclists and others to view a conflict, make a decision and react to that decision.

LOT LINE: Any of the property lines bounding the lot.

LOT WIDTH: The horizontal distance between side lot lines measured at the front setback.

NET ACRE: An acre of land excluding street rights-of-way and other publicly dedicated improvements such as parks, common open space, and stormwater detention and retention facilities.

PRIVATE OPEN SPACE IMPROVEMENTS: Manmade non-horticultural improvements to open space and to include swimming pools, tennis courts, basketball courts, sports fields, recreation centers, and community meeting halls.

PARK: A common open space, available for recreation, its landscape tending to consist of paths and trails, some open lawn, trees, open shelters, or recreational facilities.

PLAZA: A common open space at the intersection of important streets, set aside for civic purposes and commercial activity, including parking, its landscape tending to consist of durable pavement and formal tree plantings.

PRESERVE: Common open space that preserves or protects a tract of land from development, including without limitations, floodplains, wetlands, protected habitats, environmental or natural features.

PRINCIPAL BUILDING: A building in which the primary use of the lot on which the building is located is conducted.

PUBLIC OPEN SPACE: Common open space that is owned and maintained by the Lafayette Consolidated Government.

RESERVE: A tract of land kept in reserve for future development.

QUEUING: The use of one travel lane on local streets with parking, usually an intermittent parking pattern, on both sides.

SECONDARY DWELLING UNIT: An additional dwelling unit located within the principal dwelling on the lot, in a freestanding building or above a residential garage.

SERVITUDE: A right by which something, as a parcel of land, is subject to a specified use or enjoyment by another (servitude for utilities, access, construction, drainage, etc.)

SQUARE: Common open space that may encompass an entire block, is located at the intersection of important streets, and is set aside for civic purposes, with landscape tending to

consist of paved walks, lawns, trees, and civic buildings.

STREETSCAPE: The area within a street right-of-way that contains sidewalks, street furniture, landscaping, or trees.

TND: A compact, walkable, mixed-use neighborhood where residential, commercial and civic buildings are located within close proximity to each other.

PROCEDURE

The submittal requirements in the City of Lafayette Subdivision Regulations and/or the Lafayette Parish Subdivision Regulations apply to the TND, except to the extent inconsistent with or augmented by this section and, in particular, the following:

1. A pre-application conference with the Planning, Zoning and Codes Department is required prior to submittal of a Concept Plan. At the pre-application conference, there will be consideration of densities of residential and commercial uses, common open space requirements, and other development related issues. The applicant should hold the pre-application conference prior to conducting a Charrette.
2. If the property is located within the City of Lafayette it must be classified as a TND Zoning District. The Concept Plan must be submitted with the request for zoning assignment.
3. Property located in the City of Lafayette must follow the requirements for rezoning as outlined in the Lafayette Zoning Ordinance. The applicant/developer must provide a Concept Plan indicating the areas proposed for the Neighborhood Center Area, Mixed Residential Area, Neighborhood Edge Area, civic use, and common open space. The Concept Plan does not have to be an official plat of survey.
4. Once a TND zoning district is assigned and approved by the Lafayette City-Parish Council, changes to the Concept Plan may be approved by the Lafayette Zoning Commission. The Concept Plan shall be recorded in the Lafayette Parish Clerk of Court's office.
5. Property located within the unincorporated area of Lafayette Parish or the Area of Influence shall meet the general requirements of a TND listed in the Overview Section in order to be considered for approval under the provisions of this Ordinance.
6. Property within a TND shall be subdivided.
7. If located within the City of Lafayette, an application for preliminary plat approval of a TND may only be filed after the rezoning has been approved by the Lafayette City-Parish Council.
8. An overall development plan must be submitted for a TND for approval by the Planning Commission. The overall development plan will be considered the preliminary plat. The overall development plan may be separated into phases for purposes of construction plan

submittal and final plat approval. The overall development plan is intended to reflect the overall development concept, and in particular, the communication of traffic, utilities and other improvements between phases.

9. Lots, streets, common open spaces, and other property divisions shall be platted as required by the City of Lafayette Subdivision Regulations or the Lafayette Parish Subdivision Regulations, whichever applies.
10. A final subdivision plat may not be approved unless there has been compliance with the provisions of this Ordinance relating to creation of a Property Owners Association and Land Use Allocations.
11. If a reserve tract is proposed, then the TND must provide for a temporary use until changed. Any change in the temporary use, including a change to a permanent use, must be approved by the Lafayette City-Parish Council.
12. Development Agreement. All TNDs that have received preliminary plat approval according to the provisions stated herein shall be subject to a Lafayette Consolidated Government/applicant agreement prior to or contemporaneous with submittal of construction plans to the Public Works Department. This agreement is designed and intended to reflect the agreement of the Lafayette Consolidated Government and the applicant as to the Development, including without limitation the phasing of construction to insure the timely and adequate provision of public infrastructure improvements. This agreement is also intended to insure balanced intensity of development to avoid overloading existing public facilities during the construction phase. This agreement will be individually negotiated for each phase, but should address the following issues:
 - a. Any agreement on cost sharing for the installation or over-sizing of major utility systems, lines or facilities.
 - b. Any agreement for encroachment of overhangs into servitudes.
 - c. Any agreement on cost sharing for the installation of interior or perimeter roadways or street network.
 - d. Any agreement as to a mandatory construction or dedication schedule for common open space area or improvements, school site(s), landscaping or greenbelt development or other comparable items to be dedicated or constructed for each acre of property within the TND. This requirement is intended to allow the Lafayette Consolidated Government to insure that pre-planned public facilities, improvements or amenities are installed concurrently with other development on the basis of a negotiated formula.
13. In order to insure that the required common open space is allocated for the entire development, in a properly phased fashion as outlined in the development agreement, the Planning Commission staff may discontinue the issuance of building permits until the

required common open space is constructed and/or dedicated.

LAND USE ALLOCATIONS

Land use allocations. Each lot within a TND must be allocated particular permitted land use categories. The identification of permitted land uses within all or a portion of a TND may be made by reference to other zoning districts available within the Lafayette Zoning Ordinance.

Neighborhood uses. In order to achieve the proximity necessary to make neighborhoods walkable, it is important to mix land uses throughout the TND and not to separate uses. A TND shall consist of a mix of residential uses, a mixed-use area, and common open space as provided below:

1. Mixed Residential Area. For new construction or infill development, the mix of residential uses may be satisfied by existing residential uses adjacent to the TND by including some and/or all of the following:
 - a. Single-family detached dwellings;
 - b. Single-family attached dwellings, including duplexes, townhomes, row houses;
 - c. Multi-family dwellings;
 - d. Secondary dwelling units;
 - e. "Special needs" housing, such as community living arrangements and assisted living facilities;
 - f. Residential units above commercial uses, which shall be considered multi-family units.
2. Mixed-use areas, of commercial, residential, civic or institutional, and common open space uses as identified below. Most of the residences should be within approximately one-quarter (1/4) mile distance from existing or proposed commercial, civic, and/or common open space areas.
3. Commercial uses may include the following:
 - a. Food service (including without limitation, neighborhood grocery store; butcher shop, bakery, restaurant (including the sale and consumption of alcohol), cafe, coffee shop, neighborhood tavern/bar/pub, deli, ice cream parlor, specialty food and/or outside dining patio and sitting area). A drive-thru facility for food service is prohibited;
 - b. Retail use (including without limitation, retail sales, florist, nursery, fuel sales, store selling hardware, stationery, books, drugs, apparel, antiques, furniture, music, pets, toys, and gallery, studio, shop of artist/artisan, and farmers' market);
 - c. Service (including without limitation, child care center, music/dance/exercise studio, office (including professional/medical/financial office and bank), medical clinic,

- barber/salon, laundromat, educational, dry cleaning, health/fitness, tailor shop, and postal);
- d. Accommodations (small hotel/inn);
 - e. Club/organization (including fraternal organization).
4. Residential uses may include the following, for sale or rent:
- a. Single-family attached dwelling, including duplex, townhome, row house;
 - b. Multi-family dwelling;
 - c. Residential unit/s located on upper floors above commercial uses or to the rear of storefronts;
 - d. Live/work unit that combines a residence and the resident's workplace;
 - e. "Special needs" housing, such as community living arrangement and assisted living facility.
5. Civic or institutional uses may include the following:
- a. Municipal office, fire station, library, museum, community meeting facility, and post office;
 - b. Place of worship;
 - c. Transit shelter;
 - d. Philanthropic institution;
 - e. Educational facility.
6. Office uses may include the following:
- a. Art gallery and studio;
 - b. Bank;
 - c. Child care center;
 - d. Club;
 - e. Office;
 - f. Medical clinic.

7. Common open space uses may include the following:
 - a. Central square;
 - b. Neighborhood park;
 - c. Recreational facility;
 - d. Playground.

UTILITY AND DRAINAGE SERVITUDES

Servitudes for public utilities and drainage ways shall be provided in the widths and locations deemed necessary by the appropriate Department of the Lafayette Consolidated Government. The servitudes shall be dedicated to the Lafayette Consolidated Government for its use and benefit, as well as for the benefit of such utility providers as the Lafayette Consolidated Government may authorize to utilize same.

Encroachments including but not limited to balconies and overhangs shall not be allowed in any servitudes that include or may include major utility equipment (i.e., transformers, fire hydrants, major valves, switching cabinets, etc.)

GUIDELINES FOR GARAGES AND SECONDARY DWELLING UNITS

Garages and secondary dwelling units may be placed on a single-family detached residential lot within the principal building or an accessory building provided that the secondary dwelling unit shall be no larger than five hundred (500) square feet. Garage doors shall have a minimum setback of twenty feet (20') behind the façade of the principal structure when accessed from the front property line.

PROPERTY OWNERS ASSOCIATION

1. Conditions, covenants, and restrictions for the property located within a TND must be filed in the Office of the Lafayette Parish Clerk of Court by the owners before a final subdivision plat may be approved, a lot sold, or a building permit issued.
2. Conditions, covenants, and restrictions shall contain the following:
 - a. Create a property owners association with mandatory membership for each property owner;
 - b. Establish architectural standards that are in conformity with the requirements of this Ordinance;

- c. Create an architectural control committee to review development for compliance with the architectural standards and issue certificates of approval;
- d. Provide for the ownership, development, management, and maintenance of private open space (except those owned by individual property owners), community parking facilities, and other common areas and facilities;
- e. Provide for the maintenance of the landscaping and trees within the streetscape;
- f. Require the collection of assessments from members in an amount sufficient to pay for its functions;
- g. Be effective for a term of not less than 50 years;
- h. Require that the property owners association address the disposition and management of private open space, community parking facilities, and other common areas before it may be dissolved.

ARCHITECTURAL STANDARDS

1. The conditions, covenants, and restrictions should establish architectural standards for the property within a TND. The standards should comply with this section.
2. The architectural standards shall achieve the following objectives:
 - a. Architectural compatibility;
 - b. Human scale design;
 - c. Integration of uses;
 - d. Encouragement of pedestrian activity;
 - e. Buildings that relate to and are oriented toward the street and surrounding buildings;
 - f. Residential scale buildings in mixed residential areas;
 - g. Buildings that contain special architectural features to signify entrances to the Neighborhood Center Area and important street intersections; and
 - h. Neighborhood Center Area buildings that focus activity on the neighborhood square.

COMMON OPEN SPACE

The following common open space requirements apply within a TND. At least twenty percent (20%)

of the gross acreage of the TND District must be common open space. However, depending on the overall size of the development and the densities proposed, the Planning Commission may reduce the amount of required open space to no less than fifteen (15%) percent.

Ninety percent (90%) of the lots within the areas devoted to mixed residential uses shall be within a one-quarter (1/4) mile distance from common open space. At least twenty-five percent (25%) of the common open space shall be dedicated as parkland.

1. The following uses may account for common open space with the stated limitations:
 - a. Parks, open greenbelt areas, and other recreational space which are readily accessible must account for not less than twenty-five percent (25%) of the common open space.
 - b. Trees along thoroughfare types located within designated landscape common areas or landscape servitude and located within a street right-of-way may only constitute twenty-five percent (25%) of the common open space. There should be a minimum average of one (1) street tree on each side of the street per forty feet (40') of frontage. Depending upon the type of street tree, the spacing may be greater than described above. However, common open space within vehicle use areas or any noncontiguous green area of less than five hundred (500) square feet may not be included.
 - c. Unpaved lakes, ponds, bayous, streams, or creeks, including stormwater retention basins provided that they are designed so that a minimum of twenty percent (20%) of the abutting shoreline is made accessible for the common use of the development, but in no event less than three hundred feet (300') of frontage.
 - d. Storm water detention basins of not less than one (1) acre; but may not exceed twenty-five percent (25%) of the common open space and must be designed to provide for acceptable maintenance and upkeep of the detention basin.
 - e. Golf courses may account for up to fifty percent (50%) of the common open space provided that the course is open to the public. If a golf course is proposed as part of the TND it shall be designed to adhere to the concepts stated herein with regards to the street network to the extent practical.
 - f. Natural wetlands shall not exceed fifty percent (50%) of common open space plus any natural wetlands reasonably visible from interpretive walkways provided in and through the wetland.
 - g. Hard surface recreation areas such as recreational courts and pedestrian plazas may account for up to twenty-five percent (25%) of the common open space.
 - h. Servitudes with existing below ground utilities and/or facilities with a width of not less than thirty feet (30').
 - i. Electrical transmission line servitudes with a width not to exceed one-hundred fifty feet (150') in commercial and residential areas only, and must be improved, recreational use areas available to the public. Construction plans for said improvements shall be approved

by the owner and operator of said transmission lines prior to construction beginning.

- j. School sites, library sites, outside hard surface recreational areas, not to exceed twenty percent (20%) of the common open space, excluding the area devoted to buildings.
 - k. An existing building or buildings that have historical or cultural significance may be located in a common area space; however, the enclosed building area may not be included in the common open space requirement.
2. Common open space shall not include:
- a. Required elements such as:
 - i. Yards which are not accessible for the common use of the development;
 - ii. Parking areas, unless consideration is given to pervious surface treatment;
 - iii. Drives, unless consideration is given to pervious surface treatment;
 - iv. Except as provided in Subsection 1, i. above, utility with above ground improvements or road servitudes;
 - v. Paved coulees or creeks.
 - b. Structures (unless a part of the common open space such as gazebos);
 - c. Required unimproved drainage ditches or canals; and
 - d. Areas reserved for the exclusive use and benefit of an individual tenant or owner.
3. Common open space shall be permanently set aside for the sole benefit, use, and enjoyment of present and future occupants of the TND through covenant, deed restriction, common open space servitude, or similar legal instrument; or, if agreed to by the Lafayette Consolidated Government, the common open space may be conveyed to the Lafayette Consolidated Government for the use of the general public.
4. In the event land shown on a preliminary plat (as hereinafter defined) as common open space is dedicated to the Lafayette Consolidated Government, the government may, but shall not be required to, accept the common open space provided: (a) such land is accessible to the residents of the Parish; (b) there is no cost of acquisition other than the costs incidental to the transfer of ownership; and (c) the Lafayette Consolidated Government agrees to and has access to maintain such lands.
5. Common open space shall be protected against building development and environmental damage by conveying to the Lafayette Consolidated Government, association, or land trust an common open space servitude restricting the area in perpetuity against any future building and against the removal of soil, trees and other natural features.

DRAINAGE

Applicable drainage provisions. The drainage provisions of the City of Lafayette Subdivision Regulations or the Lafayette Parish Subdivision Regulation apply to development in a TND.

Planning and engineering. Drainage planning and engineering for a TND shall be for the development as a whole.

Design. In designing drainage facilities, impervious cover calculations shall assume maximum impervious cover for each lot within the TND.

Plat approvals. A final plat may not be approved unless a master drainage plan for the entire TND has been approved by the Director of the Public Works Department or his designee. A final plat shall not be approved unless adequate drainage facilities are provided for all property within the plat.

LANDSCAPING

The Public Works Department shall have the right to dictate types of trees that may be planted in the public right-of-way for any development, whether in the City or Parish of Lafayette. In addition, plantings in the public right of way at intersections shall be reviewed for the appropriate line of sight distance, according to Chapter 86, Article VIII, Section 86-102 Sight Triangle - Obstruction of View at Intersections of the Lafayette Consolidated Government Code of Ordinances.

Overall composition and location of landscaping shall complement the scale of the development and its surroundings. In general, larger, well-placed contiguous planting areas shall be preferred to smaller, disconnected areas. Where screening is required by this Ordinance, it shall be at least three feet (3') in height, unless otherwise specified. Required screening shall be at least fifty percent (50%) opaque throughout the year. Required screening shall be satisfied by one (1) or some combination of a decorative fence not less than fifty percent (50%) behind a continuous landscaped area, a masonry wall, or a hedge.

1. A comprehensive landscaping plan, which establishes coordinated landscaping guidelines, is required for the entire TND and shall be provided by a licensed landscape architect.
2. Trees along streets.
 - a. A minimum of one (1) deciduous canopy tree per forty feet (40') of frontage, or fraction thereof, shall be required. Trees may be clustered and need not to be evenly spaced, subject to further provisions as set forth herein.
 - b. Trees should preferably be located between the sidewalk and the curb, within the landscaped area of a boulevard, or in tree wells installed in pavement or concrete.
 - c. Native shade trees which grow to a minimum height of forty feet (40') at maturity should be planted along all streets at a minimum average spacing which is appropriate for the specified

trees.

- d. Trees shall have a minimum caliper of two and one-half inches (2 ½”) at the time of planting.

3. Parking area landscaping and screening for surface parking lots.

- a. All parking and loading areas fronting public streets or sidewalks, and all parking and loading areas abutting residential districts or users, should provide a landscaped area at least five feet (5’) wide along the public street or sidewalk; screening minimum of forty-two (42”) inches in height and not less than fifty percent (50%) opaque; and one (1) tree for each twenty-five linear feet (25’) of parking lot frontage.
- b. The corners of parking lots, "islands," and all other areas not used for parking or vehicular circulation shall be landscaped. Vegetation may include turf grass, native grasses or other perennial flowering plants, vines, shrubs or trees. Such spaces may include architectural features such as benches, kiosks or bicycle parking.
- c. For all parking lots with more than six (6) spaces, the landscaped area shall be comprised of a minimum of twenty percent (20%) of the total parking lot area.

4. A landscaping plan is required for structured parking.

SETBACKS

1. Building setback, front – Mixed-Use Area. Structures in the mixed-use area have no minimum setback except where utility servitudes are required, in which case the minimum shall be behind the said servitude (including niches). Commercial and civic or institutional buildings should abut the sidewalks in the mixed-use area except where utility servitudes are required, in which case the minimum shall be behind the said servitude (including niches).
2. Building setback, front – Mixed Residential Use Area. Single-family detached residences shall have a building setback in the front between zero (0’) and twenty-five feet (25’) except where utility servitudes are required, in which case the minimum shall be behind the said servitude (including niches). Single-family attached residences and multi-family residences shall have a building setback in the front between zero (0’) and fifteen feet (15’) except where utility servitudes are required, in which case the minimum shall be behind the said servitude (including niches).
3. Building setback, garage – In residential areas, garage doors which face the front of a lot shall be placed a minimum of twenty feet (20’) beyond the setback of the principal structure.
4. Building setback, rear – Mixed Residential Use Area. The principal building on lots devoted to single-family non alley-loaded detached residences shall be setback no less than five feet (5’)

from the rear lot line except where utility servitudes are required, in which case the minimum shall be behind the said servitude (including niches).

5. Side setbacks. Provision for zero (0') lot line single-family dwellings should be made, provided that a reciprocal access servitude is recorded for both lots and townhomes or other attached dwellings, provided that all dwellings have pedestrian access to the rear yard through means other than the principal structure and provided that there are no utility servitudes required. If utility servitudes are required, the minimum setback shall be behind the said servitude (including niches).
6. Side setbacks. All side setbacks shall meet the minimum required by the most current addition of the applicable building code – International Building Code or International Residential Code.

LOT AND BLOCK STANDARDS

1. Local Streets. Blocks shall not exceed eight hundred feet (800') in length along local streets. The minimum block length for local streets shall be two hundred feet (200') or be sufficient to accommodate two (2) tiers of lots.
 - a. For any development wherein lots are subdivided and a public or private street is proposed which equals or exceeds eight hundred feet (800') in length, provision for cross streets extending to the property line within each eight hundred foot (800') interval, thereby creating two (2) or more blocks shall be provided and constructed. In the case of public streets, said cross streets shall be dedicated to the public.
 - b. For any development in which lots are being created along the length of an existing public or private street, and the cumulative length of frontage for said lots equals or exceeds eight hundred feet (800'), a cross street extending to the rear property line of said lots, thereby dividing said lots into two or more blocks shall be provided for each eight hundred feet (800') in frontage.
2. Collectors. Blocks shall not exceed two thousand feet (2,000') and shall not be less than one thousand feet (1,000') along collector streets.

For any development in which lots are being created along the length of an existing public street, and the cumulative length of frontage for said lots equals or exceeds two thousand feet (2000'), a cross street extending to the rear property line of said lots, thereby dividing said lots into two or more blocks shall be provided for each two thousand feet (2000') in frontage.

3. Arterials - Major and Minor. Blocks shall not exceed feet (5,000') and shall not be less than two thousand feet (2,000') in length along major arterials and/or minor arterials.

For any development in which lots are being created along the length of an existing public street, and the cumulative length of frontage for said lots equals or exceeds five thousand feet (5000'), a cross street extending to the rear property line of said lots, thereby dividing said lots into two or more blocks shall be provided for each five thousand feet (5000') in frontage.

4. Measurement Criteria. Block lengths are to be determined by the measurement along the face of a block (i.e., congruent with street right-of-way lines) from street intersection to another street intersection, where such streets provide cross traffic circulation (not cul-de-sac streets or loop streets).
5. Lot widths. Lot widths should create a relatively symmetrical street or road cross section that reinforces the public space of the street or road as a simple, unified public space.
6. Access to alleys. Direct vehicular access from a lot to an alley in the TND is permitted and preferred. Direct vehicular access from a lot to a street is not permitted, except as provided in this section.
7. Exception. Direct vehicular access from a lot to a street is permitted in situations where topographical conditions and/or insufficient lot depth to permit the use of an alley exists, or where the Commission otherwise deems it appropriate.
8. Lot arrangements. The side lines of lots in subdivisions shall be approximately at right angles to straight street lines or radial to curved street lines, unless site conditions dictate otherwise. An arrangement placing adjacent lots at right angles to each other shall be avoided.
9. Lots front streets. Each lot, except a lot that fronts on a common open space and abuts an alley, shall front a public or private street.

STREET NETWORK

1. The circulation system shall allow for different modes of transportation.
2. The circulation system shall provide functional and visual links within the residential areas, mixed-use area, and common open space of the TND and shall be connected to existing and proposed external development. The circulation system shall provide adequate traffic capacity, provide connected pedestrian and bicycle routes, especially off-street bicycle or multi-use paths or bicycle lanes on the streets where required and ADA-approved crosswalks and sidewalks, control through traffic, provide adequate transit stops, limit lot access to streets of lower traffic volumes, and promote safe and efficient mobility through the TND.
3. The street network of the TND shall be connected to existing street. TND streets should be laid out to allow extensions to future neighborhoods. Dead-end streets are prohibited unless topographical conditions offer no practical alternative for connectivity, as determined by the Director of the Traffic and Transportation Department or his designee.
4. Design of streets.
 - a. General.
 - i. Streets consist of moving lanes, parking lanes, curbs or swales, planters, trees, streetlights and sidewalks.
 - ii. Street types shall be designated in the overall development plan.

- iii. Streets passing from one (1) use area to another shall change appropriately except those designated as a collector in the overall development plan.
 - iv. The exact locations of trees and lights along streets may be adjusted for specific conditions, such as building entrances.
 - v. Streets that exist in or near a TND at the time of rezoning, and are consistent with the intent of this Ordinance, may become an approved standard for use in that TND. An example of such a condition is commonly found in a nearby historic neighborhood.
 - vi. Striping on formal parked streets is required. Striping shall be completed prior to final plat approval.
 - vii. The full width of all alleys shall be designated a utility servitude. Only in the absence of alleys and where deemed necessary by the appropriate Department of the Lafayette Consolidated Government are utility servitudes permitted elsewhere.
 - viii. All streets within a TND shall terminate at other streets, forming a network. Cul-de-sacs shall be granted only when justified by site conditions.
- b. Design of streets in commercial areas.
 - i. All lots shall front on a street, except that a maximum of twenty percent (20%) of lots served by a rear alley may front on a common open space.
 - ii. Streets may intersect at no less than a 60-degree angle.
 - c. Design of streets in civic areas. Streets affronting civic buildings or civic spaces shall follow the standards of the underlying use area.

CORNER RADII

The roadway edge at street intersections shall be rounded by a tangential arc with a minimum radius of ten feet (10') for local residential streets, fifteen feet (15') for local commercial streets and twenty-five feet (25') for intersections involving collector or arterial streets. Deviations from these minimum standards must be approved by the Director of the Traffic and Transportation Department or his designee.

GEOMETRY

- 1. Street jogs and offsets shall be permitted as follows, with deviations from these minimum standards requiring approval by the Director of the Traffic and Transportation Department or his designee:
 - a. along residential streets a minimum of seventy-five feet (75');
 - b. along commercial streets a minimum of one hundred feet (100')

- c. along arterial and collector streets a minimum of one hundred twenty-five feet (125’).
2. On TND local streets, the permitted centerline radius for streets with a design speed of twenty-five (25) mph and no superelevation is one hundred fifty feet (150’). The minimum length of the centerline curve shall be seventy-five feet (75’).
3. On TND local streets, the permitted minimum centerline radius for streets with a design speed of twenty (20) mph and no superelevation is ninety feet (90’). The minimum length of the centerline curve shall be seventy-five feet (75’).

LINE OF SIGHT

All intersections shall be reviewed for the appropriate line of sight distance. The line of sight shall be based upon the Chapter 86, Article VIII, Section 86-102 Sight Triangle - Obstruction of View at Intersections of the Lafayette Consolidated Government Code of Ordinances. No buildings, structures, parking or plantings shall be allowed within the line of sight.

PEDESTRIAN CIRCULATION

Convenient pedestrian circulation systems that minimize pedestrian-motor vehicle conflicts shall be provided continuously throughout the TND. Where feasible, any existing pedestrian routes through the site shall be preserved and enhanced. All streets, except for alleys, shall be bordered by sidewalks on both sides. The following provisions also apply:

1. Sidewalks in residential areas. Sidewalks shall be a minimum five feet (5’) in width. Sidewalks shall be provided along both sides of each street in residential areas. For pedestrian safety, sidewalks shall be separated at least three feet (3’) from the curb in areas of single-family detached dwelling units. In areas of multi-family and attached single-family dwellings, pavement may extend between the required pedestrian sidewalk and the street curb, provided a minimum five-foot (5’) unobstructed pedestrian sidewalk is provided.
2. Sidewalks in mixed-use areas. Sidewalks shall be a minimum of five feet (5’) in width. Sidewalks shall be provided along both sides of each street type located within a mixed-use area. Within mixed-use areas, pavement may extend between the required pedestrian sidewalk and the street curb provided a minimum five-foot (5’) unobstructed pedestrian sidewalk is provided, and that there be a minimum six-foot (6’) street tree buffer between the pedestrian sidewalk and the curb on both sides of the roadway.
3. Disabled accessibility. Sidewalks shall comply with the applicable requirements of the ADA.
4. Crosswalks. Intersections of sidewalks with streets shall be designed with clearly defined edges. Crosswalks shall be well lit and clearly marked with contrasting paving materials or texture at the edges.

BICYCLE CIRCULATION

Bicycle circulation should be accommodated on streets and/or on dedicated bicycle paths. Where feasible, any existing bicycle routes through the site should be preserved and enhanced. Facilities for bicycle travel may include off-street bicycle paths (generally shared with pedestrians and other non-motorized users) and separate, striped, five-foot (5') bicycle lanes on streets. If a bicycle lane is combined with a lane for parking, the combined width should be fourteen feet (14').

PUBLIC TRANSIT ACCESS

Where public transit service is available or planned, convenient access to transit stops should be provided. If provided, access to the transit stops should be within a five (5) minute walk from all residences. Where transit shelters are provided, they should be placed in highly visible locations that promote security through surveillance, and should be well lighted.

MOTOR VEHICLE CIRCULATION

Motor vehicle circulation shall be designed to minimize conflicts with pedestrians and bicycles. Traffic calming features such as queuing streets, curb extensions, traffic circles, and medians should be used to encourage slow traffic speeds.

JOINT ACCESS DRIVEWAYS

A system of joint uses driveways and cross access servitudes shall be established wherever feasible within the TND. Building sites shall incorporate the following:

1. An access and circulation system that includes coordinated or shared parking areas wherever feasible.
2. Stub-outs and other design features to make it visually obvious that the abutting properties must be tied in to provide cross access via a service drive.

PARKING REQUIREMENTS

The requirements for parking spaces shall be as listed elsewhere in the Lafayette Zoning Ordinance or the Lafayette Parish Subdivision Regulations unless stated otherwise herein. Parking areas for shared or community use should be encouraged. In addition:

1. In the mixed-use area, the primary parking lot shall be located at the rear or side of a building. If located at the side, screening shall be provided as specified in paragraph 9, below.
2. A parking lot or garage in most instances should not be adjacent to or opposite a street or intersection.
3. In the mixed-use area, a commercial use must provide one (1) parking space for every four hundred feet (400') of gross building area.

4. Parking lots or garages must provide not less than one (1) bicycle parking space for every ten (10) motor vehicle parking spaces.
5. Adjacent on-street parking may apply toward the minimum parking requirements.
6. In the mixed residential areas, parking may be provided on-site. A minimum of one (1) off-street parking space with unrestricted ingress and egress shall be provided for each secondary dwelling unit.
7. Multi-family uses must provide one (1) parking space for every first bedroom and 0.5 parking spaces for each additional bedroom.
8. In residential areas, garage doors which face the front of a lot shall be placed a minimum of twenty feet (20') beyond the setback of the principal structure. However, the Planning Commission may modify this requirement for no more than twenty percent (20%) of the dwelling units if warranted by topography or other environmental conditions.
9. In non-residential areas, parking lots in most instances should be located to the rear or side of buildings. Side parking lots shall account for no more than twenty-five percent (25%) of parking per site, and shall be screened from sidewalks by a combination of low walls or fences and landscaping.
10. In the case of commercial or office uses which have shop or store fronts adjacent to sidewalks and streets, parking along the street directly in front of the lot shall count toward fulfilling the parking requirements.
11. The required number of spaces for commercial and office uses may be further reduced by demonstrating the use of shared parking.
12. If a developer desires additional customer parking for non-residential uses, it shall be provided on grassy, pervious surfaces (of reinforced/plastic grid, reinforced block or similar material) which are adequate to sustain parked vehicles.
13. Non-residential off-street parking should be located in parking lots located behind the buildings, internal to the block.
14. Parking shall be accessed by alley or rear lane, when available. However, there shall be no parking in an alley or lane.
15. Parking shall be prohibited within thirty feet (30') of intersections to enable public service and emergency vehicles adequate turning radii, and in mid-block sections such that emergency vehicles can park and operate within one hundred twenty-five feet (125') of all buildings on the block.
16. Required parking must be provided within a five (5) minute (one-quarter (1/4) mile) radius of the site which it serves.
17. The location of permitted parking along streets should be coordinated to allow access to mail

boxes. A central mail delivery location for all or a portion of the lots may be provided as opposed to individual deliveries to lots.

18. Parking lots greater than two (2) double loaded parking rows should be carefully arranged to minimize breaks between pedestrian destinations.

19. Shared parking.

- a. If an office use and a retail use share parking, the parking requirement for the retail use may be reduced by twenty percent (20%), provided that the reduction shall not exceed the minimum parking requirement for the office use.
- b. If a residential use shares parking with a retail use other than lodging uses, eating and drinking establishments or entertainment uses, the parking requirement for the residential use may be reduced by thirty percent (30%), provided that the reduction does not exceed the minimum parking requirement for the retail and service use.
- c. If an office and a residential use share off-street parking, the parking requirement for the residential use may be reduced by fifty percent (50%), provided that the reduction shall not exceed the minimum parking requirement for the office use.
- d. The required number of spaces for commercial, office, civic, and multi-family uses may be further reduced by demonstrating the use of shared parking.

20. Parking structures may have adjacent commercial uses.

SIGNAGE

Comprehensive sign guidelines are required for the entire TND. Such guidelines shall be submitted to the Planning Commission. Signs within the TND shall share a common style as to sizes, shapes and material permitted.

LIGHTING

Lighting along streets, including pedestrian scale lighting, shall be provided along all streets. Streetlights shall be installed on both sides of the street at intervals of not greater than seventy-five feet (75'). Generally more, smaller lights, as opposed to fewer, high-intensity lights, should be used.

However, for all TND's with Lafayette Utilities System electrical facilities, the Lafayette Utilities System Standards for Arterial Street Lighting "Red Book" shall be adhered to at all times.

Lighting structures should be architecturally compatible with the surrounding area. Lighting shall be shielded and directed downward in order to reduce glare onto adjacent properties.

STREET CROSS SECTIONS

TND street cross sections are featured in Attachments 1-6. The applicant may propose additional street cross sections specific to the proposed development with the preliminary plat. All pavement

construction requirements shall be in accordance with the City of Lafayette Subdivision Regulations. Any proposed street cross sections differing from those contained in the attachments shall be required to be reviewed and approved by the Planning Commission.

SECTION 14. FILING FEES

14.1 Purpose

In order to cover the costs of review and other expenses incidental to the processing of a subdivision plan, the subdivider shall pay all fees as outlined in the Fee Schedule. No Preliminary or Final subdivision plat shall be considered by the Planning Commission until all fees are paid in full. No fees are refundable upon any processing, partial or complete, of a subdivision plat.

14.2 Fee Schedule

The City has established the following fee structure for the subdivision of property in the City of Lafayette:

Residential	\$600.00 Plus \$12.00 Per Lot/Unit
Commercial/Industrial	\$1000.00 Plus \$12.00 Per Lot/Unit
Revised Plats	\$350.00
Condo Conversions	\$500.00
Extensions of Preliminary Approval	\$200.00
Vacation of Plat	\$250.00
Reassembly of Land	\$150.00

The above stated fees will be paid to the City in the following manner:

The application fee of \$600.00 for residential or \$1000.00 for commercial shall be paid at the time of Preliminary approval request.

One-half (1/2) of the per lot/unit fee of \$12.00 shall be paid at the time of Preliminary approval and the remaining one half (1/2) shall be paid at the time of Final approval.

14.3 At the time of Preliminary Plat submittal, a mailing notification fee of the current cost of regular mail, per abutting property owner, must be submitted to the City of Lafayette, Department of Planning and Development Management.

14.4 At the time of Final Plat submittal, the required recording fee of the Lafayette Parish Clerk of Court shall be submitted to the City of Lafayette, Department of Planning and Development Management.

14.5 All fees (application, mailing and recordation) shall be payable to the City of Lafayette, Department of Planning and Development Management.

14.6 The fees as outlined in Section 14.2 became effective September 22, 2007.

14.6.1 The fees as outlined in Section 14.2 shall be reviewed annually by the City Planning Commission.

14.6.2 The City will collect the Final fee, as outlined in Section 14.2, for developments acquired through annexation that received Preliminary approval from the Parish of Lafayette.

SECTION 15. URBAN STANDARDS AND CRITERIA

15.1 The subdivision standards contained within this Section are designated for the establishment of minimum requirements for property located within the City of Lafayette, or properties intended to be annexed into the City of Lafayette, in order to provide the necessary facilities and services demanded by urbanization.

15.2 General Site Considerations

The subdivider shall prepare the proposed subdivision plat in conformance with the following general provisions:

- (a) No subdivision shall bear the same name as another subdivision in the City or Parish unless located on adjoining property.
- (b) The design and development of subdivision shall preserve, insofar as it is practical, the natural terrain and natural drainage.
- (c) Any land subject to inundation or located in a natural drainage channel shall not be subdivided until provisions are made to adequately protect development or to restrict development from these areas of the lot. A competent, independent professional engineer may be required at the expense of the subdivider for the purpose of verifying the technical requirements. These provisions shall be made to protect the health, safety, and welfare of the public as well as to minimize any flood hazard resulting from development of the area. Areas subject to flooding may be left as open space or reserved as easements.
- (d) Provisions should be made to preserve any natural features of the site which would enhance the subdivision, including all plans for open space or other such land use planning elements as set forth in the City's Master Plan.
- (e) Areas which cannot be feasibly serviced by necessary public services, including roads, police, fire, and utilities, shall not be subdivided.
- (f) Consideration of land use, density, and design of subdivision shall follow from the consideration of guidelines and policies as set forth in the City's Master Plan.

- (g) This Planning Commission supports the efforts of Municipal and Parish Government in the area to preserve and promote the French language in Acadiana. Residential, commercial, and industrial developments are encouraged to include the use of French names and terms wherever possible, particularly in reference to street names.

15.3 Streets

- (a) The arrangement character, extent, width, grade and location of all streets shall conform to the Metropolitan Major Thoroughfare Plan and shall be considered in their relation to existing and planned streets, topographical conditions, to public convenience and safety, and in their appropriate relation to the proposed uses of the land to be served by such streets.
- (b) Where such is not shown on an approved Comprehensive Plan, the arrangement of streets in a subdivision shall either:
 - 1. Provide for the continuation or appropriate projection of existing or proposed arterial or collector streets into surrounding areas, but also designated when possible to deter commercial or industrial traffic from residential areas; or
 - 2. Conform to a plan for the neighborhood approved or adopted by the Planning Commission to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impracticable.
- (c) Minor streets shall be so laid out that their use by through traffic will be discourage
- (d) Where a proposed subdivision abuts or contains a railroad right-of-way or an existing or proposed arterial thoroughfare, as designated in the Major Thoroughfare Plan, the Planning Commission may require one or more of the following:
 - 1. Marginal access streets on each side of the right-of-way
 - 2. Reverse frontage lots with required screen planting within the non-access frontage.
 - 3. Deep lots with service alleys.
 - 4. Adequate right-of-way that is appropriate for future traffic demands.
 - 5. Other such treatment as may be necessary for adequate protection and the separation of local and through traffic.
- (e) Reserve strips controlling access to streets shall be prohibited except when their control is definitely placed under the jurisdiction of the City of Lafayette, under

conditions approved by the Planning Commission.

- (f) Half streets shall be prohibited.

the size of the tract, the surrounding area, accessibility to other streets, density of the proposed development and other physical features. The maximum length shall be as follows; however, the Planning Commission may approve such streets of a greater length when unusual conditions exist. The turnaround dimensions shall apply to a dead-end street over one hundred-fifty (150') feet from a through street intersection.

Dead-End Streets (Cul-de-Sacs)	Length	Turnaround	
		ROW Diameter	Pavement Diameter
Residential	750	100	77
Commercial	500	120	100
Industrial	500	120	100

When there are plans for the future extension of a dead-end street, the closed end of such streets shall be provided with a temporary shell or gravel turnaround subject to the specifications of the Department of Public Works, Engineering Division.

- (n) Alleys shall have a minimum improved width of twenty (20') feet and may be required in commercial and industrial subdivisions or townhouse developments, but shall not be encouraged or required for other residential development except under unusual conditions. Dead-end alleys, alley intersections and changes in alley directions are prohibited. A driveway easement assuring permanent rear lot access for interior lots may be substituted for an alley.
- (o) On all streets which are offered for dedication, all grading, surfacing, drainage and sidewalk construction shall be done under the supervision of the Department of Public Works, Engineering Division or by a testing laboratory approved by the aforementioned Department, or a licensed civil engineer.
- (p) All curbs, sidewalks, crosswalks and pedestrian ways, intended for public dedication, shall be designed and constructed in accordance with the Louisiana State Handicapped Code.
- (q) On all streets not offered for dedication, the subdivider shall furnish the Department of Public Works, Engineering Division a certificate from an approved testing laboratory or a registered civil engineer certifying that said street work has been constructed in accordance with the approved specifications.
- (r) Street name signs shall be erected at all intersections built and set to the specifications of the City Traffic Engineer.
- (s) Where lots are created fronting on a substandard public right of way, a building

setback line shall be placed at a distance from the public right of way equal to the sum of one-half of the right of way deficit and the zoning setback for the applicable zoning district.

15.4 PRIVATE STREETS AND PRIVATE ALLEYS

(a) General Arrangement and Layout of Private Streets

The pattern or layout of the private street system in any project must provide for the following basic design concepts:

1. Provide adequate vehicle access to buildings and facilities within the plat boundaries.
2. Provide adequate interior traffic circulation and access to buildings by fire fighting personnel and equipment.
3. Provide adequate access to the existing public street system adjacent to the boundaries of the plat.
4. Be so designed to allow for the orderly flow of vehicular traffic, which would not induce a hazard to vehicular traffic and the occupants of the development as determined by the Public Works, Traffic Engineer.
5. Private streets may be utilized only in those areas where there is no possibility of future extension of public streets into the area; and in areas where due to the boundaries of the subdivision there will be no future need to extend the private streets beyond the boundaries.
6. The designation of a private street as a private street, is the responsibility of the Planning Commission.

(b) Right-of-Way Widths and Pavement Requirements of Private Streets

Since private streets are established without the benefit of a formalized right-of-way width, it is required that a minimum unobstructed right-of-passage width of twenty-four feet (24') be provided along such private street except if designated as a one-way street in which event twenty feet (20') is required. If parallel parking is to be allowed along the private street, additional width will be required to accommodate it. The entire private street right-of-passage will be paved to the same pavement requirements that pertain to public streets. The assurance of pavement construction requirements will be under the jurisdiction of the Department of Public Works review of construction standards.

(c) Each lot shall have a direct frontage on a public or private street. Where a townhouse, condominium, apartment complex, or mobile home subdivision is planned, a certified copy of restrictions, agreements or contracts providing adequate public access and safety to each unit must be submitted to the City Planning Commission.

(d) General Arrangement and Layout of Private Alleys

Private alleys may be provided within any subdivision to provide secondary vehicular access to buildings which otherwise have their primary access from an adjacent public street or private street. Private alleys cannot be used or designed to provide the principle access to property outside the subdivision plat boundaries in which the private alleys are located.

(e) Right-of-Way Widths and Pavement of Private Alleys

Since private alleys are established without the benefit of a formalized right-of-way width, it is required that a minimum unobstructed right-of-passage width of eighteen feet (18') be provided along such private alleys except if designated as a one-way private alley in which event twelve feet (12') is required. No parallel parking will be allowed along a private alley and signs prohibiting parking will be prominently displayed. The entire private alley right-of-passage will be paved to the same pavement requirements that pertain to public streets. Intersections with private streets must be at right angles with variations not to exceed ten (10) degrees and have twenty-five (25') feet radii at all corners. Intersections of two (2) private alleys are not allowed. The assurance of pavement construction requirements will be under the jurisdiction of the Department of Public Works.

(f) Dead-Ends, Cul-de-Sacs, and T-Type Turnarounds for Private Streets & Private Streets & Private Alleys

Dead-end private streets and private alleys over one hundred-fifty (150') feet long, measured from the nearest right-of-way line at the intersection, must be terminated by a circular cul-de-sac having a right-of-passage radius of not less than fifty feet (50'). It is permissible for a private alley to be terminated by a T-type turnaround designated in conformance with the standards of the Department of Public Works.

(g) Maximum Allowable Length of Private Streets and Private Alley Cul-de-Sacs

The maximum length of a private street or private alley that terminates in a cul-de-sac (or T-type turnaround for private alleys) will be seven hundred-fifty feet (750') measured from the closet intersection right-of-way line to the furthest edge of the cul-de-sac pavement (or the end of the private alley in the case of a private alley T-type turnaround).

(h) Intersections of Private Streets and Private Alleys

Private streets must not be direct projections of any public street. When a private street or private alley intersects with a public street there must be a minimum off-set distance of one hundred and twenty-five (125') feet from the center line of the private street or private alley to the center line of any adjacent street or alley intersecting the public street. Intersections of all private streets and private alleys with the public streets must be at right angles with variations not to exceed ten (10) degrees and have twenty-five feet (25') radii at all corners.

(i) Multiple Access Points to Public Streets

All property containing private streets must have a private street system so designed to provide adequate emergency vehicular access. The private street system must be designed to provide more than one point of access to the project or development from the public street adjacent to the boundaries of the project or development, if at all possible.

(j) Designation of Private Streets and Private Alleys

The right-of-passage of all private streets will be clearly marked and designated as private streets or private alleys on the Preliminary and Final plats.

(k) Maintenance of Private Streets and Private Alleys

The developer will cause to be created (or furnish a certified correct copy if already in existence) a financial and management legal entity or entities that will guarantee and assure the maintenance of all private streets and private alleys constructed. The developer will provide a certification to the staff, prior to obtaining final subdivision approval, from an attorney licensed to practice law in the State of Louisiana, that the documentation, attached to such certification, provides for the creation of an entity that is responsible for the maintenance of the private streets, private roads and/or private alleys in the subdivision; which certification shall contain the name of the entity responsible for maintenance and its registered office.

(l) Drainage of Private Streets and Private Alleys

Private streets and private alleys must be provided with adequate drainage. Storm water shall not flow for a distance of more than eight hundred (800) feet on any private street or private alley before it empties into an inlet or outfall.

If the private street or private alley is constructed with a "V" cross-section that allows drainage down the center of the pavement, deviations in flow line elevations will not be allowed that result in ponding or standing water. Any inlet provided

for this V cross-section type construction will be centered in the flow line.

The drainage area allowed for surface flow on any private street or private alley shall not exceed ten (10) acres, regardless of flow. All flow of water across any intersection, be it private streets, private alleys, or public streets, shall be through culverts or bridges. The assurance of compliance of the drainage requirements will be under the jurisdiction of the Department of Public Works and they in no way modify or void any other development drainage requirements found in these Subdivision Regulations.

15.5 Blocks

- (a) The length, width, and shape of a block shall be determined with regard to:
 1. Provisions of adequate building sites suitable to the special needs of the type of use contemplated.
 2. Zoning requirements as to lot size and dimensions.
 3. Need for convenient access, circulation, control, and safety of vehicular and pedestrian traffic.
 4. Limitations and opportunities of topography.

(b) Block Length

	Maximum Between Intersecting Streets (In Feet)	Minimum Between Intersecting Streets (In Feet)
Residential	1,500*	500
Commercial	1,500	500
Industrial	1,500	500

*The maximum block length for lots having a width of forty (40) feet or less is twelve hundred (1,200) feet.

- (c) In blocks over seven hundred (700') feet in length, the Commission may require a pedestrian crosswalk not less than ten (10') feet wide to provide circulation or access to schools, playgrounds, shopping areas, transportation or other community facilities

15.6 Lots

- (a) The lot size, width, depth, shape and orientation and the minimum building setback lines shall be appropriate for the location of the subdivision and for the type of

development and uses contemplated.

- (b) Detached single-family lots shall have a frontage of not less than thirty (30') feet and wedge-shaped lots or lots fronting on a cul-de-sac shall have a frontage width of not less than twenty-five (25') feet.
- (c) Corner lots shall have the necessary width to permit appropriate building setback for orientation to both streets and to insure the building is outside the sight triangle.
- (d) Each lot shall have a direct frontage on a public or private street. Where a townhouse, condominium, apartment complex or mobile home subdivision is planned, a certified copy of restrictions, agreements, or contracts providing adequate public access and safety to each unit must be submitted to the City Planning Commission.
- (e) All lots in the subdivision shall be numbered.
- (f) Municipal address numbers shall be assigned to all lots as specified in Section 24.
- (g) Double frontage lots shall be prohibited except when alleys are approved or when reverse frontage is used to provide separation and control of traffic or to overcome specific disadvantages of topography and orientation. A planting screen of at least ten (10') feet in width and across which there shall be no right of access, shall be provided along the line of lots abutting such streets. A statement dissolving the right of access of individual lots to the arterial or collector street shall be placed on the Final Plan and recorded.
- (h) It shall be the responsibility of the property owner adjacent to open ditches along streets to keep the ditch open, unobstructed and free of vegetation that would impede the flow of water. However, the ditch shall be planted in a suitable ground cover that will control erosion.
- (i) Insofar, as is practical, side lot lines shall be at right angles to straight streets and radial to curved streets.

15.7 Easements

- (a) Easements across lots or centered on rear or side lot lines shall be provided for utilities where necessary and shall have a total width of at least ten (10') feet, subject to Public Works and Utilities Department approval.
- (b) Where a subdivision is traversed by a water course, drainage way, channel, or stream, there shall be provided a storm water easement or drainage easement at least twenty (20') feet in width on each side and conforming substantially with the lines of such water courses, and such further width or construction, or both, as will be

adequate for the purpose. The easement shall meet the requirements of the City or Parish Engineering Departments responsible for drainage service.

Parallel streets or parkways may be required in connection therewith. A drainage easement may be less than twenty (20') feet if recommended by the Department of Public Works and approved by the Planning Commission.

- (c) All existing easements that traverse or border any property planned for development under these Regulations must be indicated on the plans submitted to the Planning Commission for approval.
- (d) The City shall control the space allocation in street right-of-way and in public easements.

15.8 Bikeways

- (a) Bikeways may be required on that portion of all developments fronting on and outlined in the Major Thoroughfare Plan for the Lafayette Metropolitan Area.
- (b) Bikeways shall have a minimum width of seven (7') feet and shall be constructed of Portland Cement Concrete in accordance with the specifications of the Department of Public Works, Engineering Division.
- (c) The subdivider shall only be required to supply the necessary easement for bikeways.

15.9 Sidewalks

- (a) General

All developments given final plat approval will provide for the construction of sidewalks. The only exception will be those industrial developments that take place in a location zoned Industrial. The sidewalks will have been constructed at the time of approval of the final plat. The acceptance of a letter of credit in lieu of the construction of sidewalks will be allowed only if approved by the Planning Commission at the time of preliminary plat approval. The amount of the letter of credit must be approved by the Department of Public Works. The responsibility for the construction of the sidewalks will be with the developer of the property.

- (b) Development Fronting on State Highways

The developer must construct sidewalks either in State Highway right of way or in a sidewalk easement on the development property.

If the developer intends to construct the sidewalk in the State right of way, appropriate he will request approval from the local State Highway office on the form before submittal of the preliminary plat.

1. If the State Highway Department approves the application the sidewalks will be shown on the preliminary plat as approved by the State Highway Department.
2. If the State Highway Department denies the application the developer will designate a minimum four (4') foot wide sidewalk easement adjacent to the State right of way line on development property on the preliminary plat. The sidewalk easement can be located within the utility easement. In this event the three (3') foot set back from the edge of the parking lots will be measured from the edge of the sidewalk easement on the development side.
3. Once sidewalks have been constructed in the designated sidewalk easement the City of Lafayette will assume perpetual maintenance of these sidewalks provided they have been constructed to City sidewalk standards.
4. Whatever the case, public sidewalk location must be considered at the time of preliminary design so that provisions can be made for a smooth pedestrian traffic pattern that avoids obstacles (ditches, trees, utilities, etc.). This will also make the developer aware up front if a sidewalk easement will be necessary.

(c) Development Fronting on City Streets

The developer must construct sidewalks either in public street right of way or in a sidewalk easement on the development property.

1. If the situation allows the sidewalks will be built in the public street right of way such that the development side edge of the sidewalk is on the right of way line and the four (4') foot sidewalk width is in public right of way.
2. If the situation of street right of way width, trees, utilities, topography, existing ditches, etc. prevent the construction of sidewalks in public right of way the sidewalk will be constructed in a minimum four (4') foot wide sidewalk easement and so designated on the preliminary plat. The sidewalk easement can be located within the utility easement. In the event the three (3) foot set back from the edge of any parking lot will be measured from the edge of the sidewalk easement on the development side.
3. Once sidewalks have been constructed in the designated sidewalk easement the City of Lafayette will assume perpetual maintenance of these sidewalks provided they have been constructed to City sidewalk standards.
4. Whatever the case, public sidewalk location must be considered at the time of

preliminary design so that provisions can be made for a smooth pedestrian traffic pattern that avoids obstacles (ditches, trees, utilities, etc.). This will also make the developer aware up front if a sidewalk easement will be necessary.

(d) Sidewalk Construction Standards

The sidewalks will be a minimum of four (4') feet wide and meet the following standards:

1. Will be constructed of a minimum of 2500 PSI Portland Cement Concrete, a minimum of four (4") inches thick.
2. Will have a minimum three quarters (3/4") inch thick redwood expansion joint a maximum of every twenty eight (28') feet.
3. Will have scored contraction joint a maximum of every seven (7') feet.
4. Sidewalks across driveways or that will be crossed by vehicles will be six (6') inches thick.
5. The soil beneath this sidewalk will either be natural undisturbed soil or , if it has been filled, will be compacted to 90% standard proctor.
6. The sidewalks will be given a smooth finish then lightly scored by brush or broom to produce a surface texture that minimizes pedestrian slippage in wet weather.
7. The sidewalk will be continuous and even (they may be sloped for terrain and drainage) without an obstacle or bump that will impede, trip or present a safety hazard for pedestrians.
8. The sidewalk will be continuous over the full frontage of the development.
9. At street corners the sidewalk in both directions will extend to the pavement edge. If a ditch culvert is required to accomplish this it will be considered part of the sidewalk requirement. The size and grade of culverts will be determined by the Department of Public Works.
10. Handicap ramps will be constructed as required by law by the developer.

15.10 Utilities

(a) Water System

1. For all proposed subdivisions with the City of Lafayette, the subdivider shall

enter into an agreement with the Utilities Department of the City of Lafayette for the extension of the public water system, including the installation of standard valves, fire hydrants, etc., so that public water service shall be available for each lot within the subdivision.

2. Fire hydrants shall be designed to meet the City Utility Department specifications and located in accordance with the City of Lafayette Fire Department specifications.

(b) Sewage

If a subdivision is so located that it can be served by the extension of an existing public sanitary sewer within a reasonable time, the subdivider shall enter into an agreement with the Utilities Department for the extension of the said sewer so that sanitary sewer service shall be available for each lot within the subdivided area. In the event that public sanitary sewers are not available, the subdivision may be approved with a collection system and treatment plant approved by the City Utilities Department, Engineering Division.

(c) Electricity

An underground electrical distribution system shall be provided in all residential and commercial subdivisions in accordance with the standards of the City of Lafayette Utilities Department. In industrial subdivisions, the electrical distribution system may be placed above or below ground as determined by the needs and proposed uses of the subdivision.

15.11 Drainage Requirements

The requirements for drainage control, whether surface or subsurface, shall be in accordance with Section 16 Flood and Drainage Protection Standards and the City of Lafayette, Department of Public Works, Engineering Division.

15.12 Street Lighting

Street lighting shall be required in accordance with the City of Lafayette, Utility Department lighting standards.

15.13 Master Plan

The Planning Commission shall evaluate each proposed subdivision for compliance with the intent of the Master Plan, unless justified cause can be presented to develop otherwise.

15.14 Historic Preservation

Any site or structure listed on a national, state, or local register of historic places that is directly or indirectly affected by the proposed development shall be carefully considered. It is required that all sites or structures identified be preserved to the greatest degree possible.

15.15 Buffers

When a residential subdivision abuts an existing or proposed commercial or industrial use (including parking lots), a major thoroughfare, or any other unlike use, (i.e., a hazardous site), a solid sight proof fence, barrier or vegetative screen that provides a visual barrier not less than five (5') feet nor more than seven (7') feet in height, shall be constructed by the subdivider between the subdivision and the said use.

15.16 Plat Certification

Plans for the improvements required in this Section shall be prepared by a registered civil engineer. All Final development plats shall be certified.

15.17 Soil Suitability

- (a) The Preliminary Subdivision Plan shall have a soil survey provided by the Soil Conservation Services (S.C.S). The S.C.S. shall review all subdivisions for soil suitability or limitations for planned uses. The recommendations of the S.C.S. shall be considered by the developer and the Planning Commission.
- (b) The developer will consult the S.C.S on his plans for erosion control, sediment control, and vegetation of disturbed soil areas. Submitted with the Final Plat, the plan will include vegetation and structural measures to control erosion.

15.18 Restrictive Covenants

The subdivider or his representatives shall inform the Commission regarding the type of development that will be permitted in the subdivision and discuss with the Commission the minimum restrictions to be placed upon the property that will control the type of structures and the use of the lots.

If required, deed restrictions or covenants shall be submitted to provide for the property public 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.

15.19 Public Sites and Open Space

- (a) The location of all lands within the subdivision intended to be conveyed or reserved

in the deed, for use of all property owners shall be shown on the Preliminary and Final Plats together with the proposed method of ownership, management, and maintenance, and such information as is necessary for the Planning Commission to evaluate the proposal.

- (b) Where a proposed park, playground, or other site for public use is shown on an approved plan and is located in whole or in part in a proposed subdivision, or where open space dedications or reservations are indicated in the Comprehensive Plan design criteria for the area, the Planning Commission may require the reservation of such land within the proposed subdivision. Said reservation shall continue in effect for a period of not more than one (1) year from the date of filing of the proposed subdivision plan. However, such reservation may be released upon written notice by the respective governmental agency. Additional reservation time may be provided but only upon mutual agreement of the subdivider and the appropriate governmental agency. For lands intended for reservation, the subdivider may provide alternate plans for the development in the event that lands set aside for public use are not acquired by the respective governmental agency. If the appropriate governmental agency does not initiate action toward a commitment to acquire the land held in reservation during the period of such reservation, upon the expiration of the reservation any alternate subdivision plans for the tract shall become an integral part of the subdivision and upon meeting all technical requirements as found in these Regulations, shall be deemed to have obtained Preliminary Subdivision approval by the Planning Commission.

SECTION 16. FLOOD AND DRAINAGE PROTECTION STANDARDS.

The following general standards shall apply in addition to any other stated provisions for all proposed development within the City and Parish of Lafayette Parish, both within and outside the currently designated one hundred (100) year flood hazard area.

16.1 Statement of Policy

The Planning Commission shall not allow the subdividing of any land in the flood hazard area where such land is found to be incompatible with its proposed use due to poor drainage, flooding, or other factors, which would make the area vulnerable to flood damages that could pose a potential hazard to public health and safety.

16.2 **DEVELOPMENT WITHIN DESIGNATED 100 YEAR FLOOD HAZARD AREA**

- A. The following shall apply in addition to any other stated provisions for all development proposals that contain land located in a designated flood hazard area, within the City and Parish of Lafayette.
 - 1. No development, fill, or obstruction of any type on or over any portion of a Designated Floodway shall be permitted which alone or cumulatively with

other such development, fill or obstructions would cause or result in an obstruction or other situation which would adversely affect the efficiency of or restrict the flow or capacity of a Designated Floodway so as to cause foreseeable damage to others, wherever located. Any such development application shall include hydrologic and hydraulic HEC-RAS data, or other models acceptable to the applicable regulatory agency, confirming that no adverse flood effects will result from a proposed development in the Designated Floodway. This certification is subject to review and approval or denial by the Lafayette Consolidated Government Floodplain Administrator and/or FEMA.

2. Development proposals shall have public utilities and facilities such as water, sewer, gas, and electrical systems located and constructed to minimize flood damage.
3. New and replacement sanitary sewage systems shall be designed to minimize infiltration of flood waters into the system and discharges from the system into flood waters. New and replacement water distribution systems shall be designed to eliminate infiltration of flood waters into the system and discharge from the system into flood waters.
4. Fill or other materials placed within a known flood hazard area or flood plain area shall be protected against erosion. Acceptable means of protection include but are not limited to: Rip-rap, vegetation covers, hydro-mulch, erosion control matting or bulk heading. See Section 16.2 A.1. for information on proposed fill in floodways as defined by the latest FEMA F.I.R.M.
5. All developments shall comply with the provisions of the Flood Damage Prevention Ordinance of the applicable governing authority.
6. The Planning Commission shall not permit the development of any land in a Flood Hazard, Flood Plain or Floodway areas where such land is found to be incompatible with its proposed use due to poor drainage, flooding or other factors which would make the area vulnerable to flood damages that could pose a potential hazard to public health and safety. A development proposed within a Flood Plain, Flood Hazard or Floodway being identified as such by the latest edition F.I.R.M. maps shall be in accordance with the applicable regulatory agencies.
7. Lots within subdivisions designed for residential developments that are located in the one hundred (100) year flood zone, according to the latest FEMA F.I.R.M., shall have the standard flood note information statements on the plat and the one hundred (100) year flood zone line shall be delineated or noted on the plat in accordance with the FEMA F.I.R.M.

B. DRAINAGE REQUIREMENTS. The following requirements shall apply to all residential, commercial, industrial and other nonresidential developments with the exception of land proposed for agricultural use.

1. **MOBLIE HOME PARK FLOOR ELEVATIONS.** Topographic contours shall be shown on the plat at one (1') foot elevation changes so that it can be determined if mobile homes, when set in place, shall have their floors at a minimum of one (1') foot above the base flood elevation height and in accordance with other applicable regulations. When the foregoing cannot be established, the mobile home owner shall take the necessary precautions and certify to the Department of Planning, Zoning and Codes, through the Flood Plain Administrator having authority, that the mobile home has been set to the required elevation to meet the base flood elevation Flood Program Regulations. The foregoing shall be required prior to provision of utilities or equipment integral to the occupancy of the mobile home, e.g. air conditioning equipment, water heater, electrical panels, etc.

2. **RESIDENTIAL AND NON-RESIDENTIAL FLOOR ELEVATIONS.** Lots within developments proposed for residential, commercial, industrial or other nonresidential development shall be designated as being in or out of the one hundred (100) year Flood Zone or Floodway as per the latest FEMA F.I.R.M. The plat shall state the following: (1) "Any structure, enclosed on three or more sides, built on property in the one hundred (100) year Flood Zone as depicted on this plat shall be elevated so as to insure the lowest floor of such structure is located at a minimum of one (1') foot above the base flood elevation height for that area at that time." Excluded from the foregoing are garages, carports and porches, which shall be located at a minimum of six (6") inches above the base flood elevation height. (2) "In the event the property is in a Floodway, no development is allowed in said Floodway." (3) "Any utility and sanitary facilities shall be installed so as to minimize the effect on same by Flood Waters." The plat may state that, "In lieu of elevating the structure on a site that falls within the one hundred (100) year flood zone to an elevation equal to or above the base flood elevation, the building may be flood-proofed as certified by a Louisiana Licensed Engineer or Land Surveyor and approved by the Flood Plain Administrator."

C. OPEN DITCH DRAINAGE. Streets with open ditch drainage shall be subject to Planning and Zoning Commission approval. A minimum right-of-way of sixty (60') feet shall be required for development with open ditch drainage. Rights-of-way exceeding sixty (60') feet may be required depending on the depth and cross section of roadside ditches and an evaluation of the developer's drainage design. Right-of-way width shall be determined by Capital Improvements Division of the Public Works Department in accordance with generally accepted engineering practices. Maximum ditch side slopes shall be 3:1 (H:V) for foreslope and 2:1 (H:V) for

backslope with a minimum shoulder width of five (5') feet unless otherwise approved by the Public Works Department. A maximum of twenty-eight (28') feet of culverts for a driveway crossing or up to fifty-six (56') feet for circle and horseshoe driveways, unless safety conditions warrant additional pipe installation. Under no circumstance shall the slope of the fill for each side of the driveway(s) be less than 3:1 (H:V), measured from the surface of the driveway to the top of the pipe at the end of the pipe. No objects or culverts (except those necessary for driveway installation) shall be placed within the drainage system without prior written approval from the Public Works Department, Capital Improvements Division. Open ditch drainage will not be allowed in the City of Lafayette or Area of Influence except as provided in Section 15.3(g) of the City of Lafayette Subdivision Regulations.

Any development approved for open ditch drainage shall have the following notation on the Final Plat:

"This development has been approved with an open ditch drainage system providing the required storm water retention/detention capacity. The development shall remain open ditch and only subsurface culverts required for driveways shall be permitted, unless otherwise approved by the Lafayette Consolidated Government Public Works Department, Capital Improvements Division."

In addition, appropriate restrictive covenants shall be incorporated into the Subdivision Covenants to prohibit individual lot owners from placing objects or structures, including but not limited to pipes and culverts, within the drainage system without prior written approval from the Public Works Department, Capital Improvements Division.

D. PLAT SUBMITTAL REQUIREMENTS FOR DESIGNATED FLOOD HAZARD AREA. Where any part of the proposed development is located within a Designated/Identified Flood Hazard area, the following additional information shall be provided at a scale sufficient to determine compliance with this ordinance.

1. Flood Plain Analysis shall be required for all developments of 5 acres or 50 lots located within a Designated Flood Hazard. The complete analysis must be conducted after Preliminary Plat approval by the Planning Commission.
2. Any Flood Plain Impact Analysis conducted for a development located in Designated Flood Hazard Area Zone "A" shall include, as an integral part of the Flood Plain Impact Analysis a Base Flood Elevation Determination in accordance with FEMA document, "Managing Floodplain Development in Approximate Zone A Areas."
3. The Preliminary or Final Plats must clearly delineate areas of the

development which are in the 100-year frequency flood hazard area as identified by the FEMA F.I.R.M. in effect at the time of submittal.

4. Base flood elevation data shall be included on plats having any portion of proposed property within an Identified Flood Hazard Zone. The plat submittal shall delineate limits of Flood Hazard Zone identified in the FEMA F.I.R.M.
5. The Preliminary and Final Plats shall delineate all streams and channels and water courses in the designated flood hazard zone.
6. The Final Plat submittal shall include a declaration that "Development is not allowed in floodway areas unless technical data is submitted to and approved by the Public Works Director (or his/her designee), local Flood Plain Administrator and other applicable regulatory agencies."

E. DRAINAGE DESIGN STANDARDS

1. **DRAINAGE IMPACT ANALYSES.** For all proposed development, Drainage Impact Analyses shall be required pursuant to the following requirements.
 - a. A comprehensive Drainage Impact Analysis of any proposed development and surrounding affected areas shall be submitted to the Public Works Department after Preliminary Plat approval. The development construction plans shall not be approved until a favorable written certification of the Drainage Impact Analysis has been made by the Public Works Director (or his/her designee).
 - b. A developer may submit in writing a request to waive the Drainage Impact Analysis to the Public Works Department. In the event the Public Works Director (or his/her designee) grants the request, (only upon a favorable evaluation of the conditions), the Public Works Director (or his/her designee) shall issue a written approval of said request. The waiver authorization shall be forwarded to the Director of Planning, Zoning & Codes and the Drainage Impact Analysis shall not be required in order to obtain preliminary and/or final plat approval for the development.
 - c. Should the Drainage Impact Analysis indicate that improper drainage may occur as a result of development, then the plat shall be returned to the Planning Commission for determination as to whether the condition of Preliminary Plat approval has been satisfied. In the event the Planning Commission determines the condition is not satisfied, then the Planning Commission shall rescind Conditional

Preliminary Plat approval.

- d. No construction of any development components which are the subject of any Preliminary or Final plat approval by the Planning Commission shall be commenced until a favorable written approval of the Drainage Impact Analysis has been made by the Public Works Director (or his/her designee). Violation of this provision can result in a cease and desist order being issued with respect to such development.

2. **SPECIFICATIONS FOR DRAINAGE IMPACT ANALYSES AND DEVELOPMENT REGULATIONS.** Every required Drainage Impact Analysis shall comply with the following specifications.

- a. An area drainage map shall be submitted which identifies:
 - (i) The various drainage areas involved/affected.
 - (ii) The acreage in each drainage area.
 - (iii) The slope of each drainage area to the entry point and/or exit point of the development.
- b. The Drainage Impact Analysis shall indicate:
 - (i) The cubic feet per second (cfs) of storm water resulting at each development entry point from a designated storm. This determination shall be based on the existing land use of the upstream drainage areas.
 - (ii) The cubic feet per second of storm water at each development exit point resulting from a design storm. This determination shall be based on the existing land use of the upstream drainage areas whether inside or outside the development. This calculation shall take into account expected construction within the development that will change the grades, direction of flow, run-off factors or other existing conditions.
 - (iii) The maximum capacity, expressed in cubic feet per second, of existing and proposed drainage structures within the development based on the design storm event.
 - (iv) The capacity of all ditches, culverts, sub-surface and surface drainage structures that will be utilized by new or relocated outfall points downstream of the development in allowing passage of storm water to the first outfall, coulee, canal or river. In no case shall a developer be required to evaluate the

capacity of first outfall, coulee, canal or river in excess of 1,000 feet down stream of the development.

- c. The Drainage Impact Analysis shall consist of three (3) distinct and designated parts as follows:
 - (i) Summary: The effect 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 performed to support the drainage system design.
- d. The subdivision Drainage Impact Analysis and the Development Drainage Design shall be based on a five (5) year storm event (minimum) for residential developments and a ten (10) year storm event (minimum) for commercial developments.
- e. Subsurface drainage of drainage outfalls serving more than a single development shall be based on a ten (10) year storm event.
- f. Open channel drainage serving more than a single development shall be based on a ten (10) year storm event with one (1) foot of freeboard existing in the channel above the ten (10) year water surface elevation.
- g. If the Drainage Impact Analysis and/or Development Drainage Design is based on rainfall intensity, the rainfall intensity data contained in the most recent edition of the Louisiana Department of Transportation and Development's *Hydraulics Manual* shall be used.
- h. Ponding, retention or detention of storm water shall be evaluated in the Drainage Impact Analysis in accordance with Section 16.4 of these regulations "Engineering Requirements."
- i. All open ditch and subsurface drainage systems shall be designed in accordance with the most recent edition of the Louisiana Department of Transportation and Development's *Hydraulics Manual* unless otherwise approved by the Public Works Director (or his/her designee).
- j. The development 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 development construction.

- k. Hydraulic calculations, plan profile sheets and area drainage maps shall be submitted for review and shall be approved by the Public Works Director (or his/her designee) before any development improvement work begins.
- l. Subsurface storm sewers shall be designed for a five (5) year storm event (minimum). Outfall structures and outfall channels shall be designed for a ten (10) year storm event (minimum). Collector street crossings shall be designed for a ten (10) year storm event (minimum). Arterial street crossings shall be designed for a twenty-five (25) year storm event (minimum) unless otherwise approved by the Public Works Director (or his/her designee).
- m. Only drainage pipe constructed of materials approved by the Director of the Public Works Department (or his or her designee) may be used in storm sewer construction in the public rights-of-way or servitudes.

16.3 RESIDENTIAL SUBDIVISION DRAINAGE PROTECTION STANDARDS

A. GENERAL STANDARDS. The following general standards shall apply in addition to any other stated provisions for development proposals.

1. DEVELOPMENT DRAINAGE DESIGN. The developer's design engineer shall make provision in the drainage improvements for each development to accommodate potential runoff from its entire upstream drainage area, whether inside or outside of the development. Additionally, the design engineer shall study the effect of each development on existing downstream drainage facilities or roadside ditch outside the area of the development. This portion of the study shall be limited to the effluent channel only. Where it is anticipated that the runoff incident of the development will overload an existing downstream drainage facility or roadside ditch, the design engineer shall indicate this fact in the development drainage design, make provision to prevent the overloading of downstream facilities or roadside ditch. Streets and lots of a proposed development shall be arranged so as to minimize artificial drainage channel relocation.

2. DEVELOPMENT DRAINAGE PLAN SUBMITTAL REQUIREMENTS. The design engineer shall submit the development drainage plans detailing the runoff flowing into, through and exiting the development. The drainage plans shall contain the following information:

- a. The location, description and elevation of permanent or temporary benchmarks to be used in the construction of the improvements.

- b. All elevations, which shall be N.G.V.D. measured to at least second order accuracy or better. A note shall be placed on the drainage plan sheet indicating the benchmark, elevation, location, and description utilized in construction of the development.
 - c. The floodplain elevation, if applicable, and the area(s) within the 100-year flood boundary. A note shall be made on the drainage plan sheet and the final subdivision plat if any portion of the development, lot or street is within the 100-year flood.
 - d. Culvert sizes for road crossings and for driveways (open ditch construction) with a notation of the flow rate shall be shown.
 - e. All developments reviewed by the Planning Commission shall be consistent with the ordinances or regulations of the applicable governing authority.
 - f. Hydraulic calculations, plan-profile sheets and drainage area maps may also be required to be submitted.
3. A development designed with open ditch drainage systems shall include the following statement on the Final Plat: "This development has been approved with an open ditch drainage system that provides the required storm water retention/detention capacity. The development shall remain open ditch and only subsurface culverts required for driveways shall be permitted, unless otherwise approved by the Lafayette Consolidated Government Public Works Department, Capital Improvements Division."

B. RUNOFF DETERMINATION METHODS. For drainage areas less than 200 acres, the design engineer shall use the Rational Method ($Q=CIA$) procedure for determining runoff rates. For drainage areas between 200 and 2,000 acres, the design engineer shall use the most recent Soil Conservation Service (S.C.S.) Method, as modified by the Louisiana D.O.T.D. procedure for determining runoff rates. For drainage areas greater than 2,000 acres, the design engineer shall use the most recent USGS Regression procedure for determining runoff rates.

C. DRAINAGE DESIGN CRITERIA. Subsurface storm sewer systems for developments shall be designed for a five (5) year storm event (minimum). Storm sewers for outfall channels shall be designed for a ten (10) year storm event (minimum). Developments with open ditch drainage systems shall be designed for a five (5) year storm event occurrence interval except that cross drains for drainage channels within developments shall be designed for a ten (10) year storm event. Channel crossings in excess of 100 square feet shall be designed, if feasible, for a twenty-five (25) year storm event. Drainage designs shall be in conformance with

the latest edition of the Louisiana DOTD Hydraulics Manual.

- D. RAINFALL INTENSITY.** Rainfall intensity and duration shall be taken from the latest edition of the Louisiana DOTD Hydraulics Manual.
- E. RUNOFF COEFFICIENTS.** The runoff coefficients to be used in the Rational Method shall be those indicated in Tables 1 and 2.

**TABLE 1
RATIONAL METHOD RUNOFF COEFFICIENTS**

<u>DEVELOPMENT/SUBDIVISION TYPE</u>	<u>RUNOFF COEFFICIENT</u>
RESIDENTIAL	
Single-family detached 0.50	0.30 to
Two-family (Duplex)	0.40 to 0.60
Single-family and multi-family attached	0.60 to 0.75
COMMERCIAL, RETAIL AND OFFICE	
Downtown area 0.95	0.70 to
Neighborhood and outlying areas	0.50 to 0.70
INDUSTRIAL	
Light Industry	0.50 to 0.80
Heavy Industry 0.90	0.60 to
PARKS AND CEMETERIES	0.10 to
0.25	
PLAYGROUNDS	0.20 to 0.40
RAILROAD YARD AREAS	0.20 to 0.40
VACANT, OPEN SPACE AND UNIMPROVED AREAS	0.10 to 0.30

**TABLE 2
RUNOFF COEFFICIENTS
FOR AVERAGE BLOCK CALCULATIONS**

<u>TYPE</u>	<u>RUNOFF COEFFICIENT</u>
ASPHALT SURFACES	0.95
CONCRETE SURFACES	0.95
ROOF AREAS	0.85
LAWNS	
Flat (less than two (2%) percent grade)	0.20
Average (two (2%) to seven (7%) percent grade)	0.25
Steep (greater than seven (7%) percent grade)	0.30

16.4 ENGINEERING REQUIREMENTS.

PRE-DEVELOPMENT RUNOFF/POST DEVELOPMENT RUNOFF. All residential and commercial development that results in a post development runoff that exceeds the development areas pre-development runoff rate shall be required to mitigate the increase through drainage improvements. The drainage improvements shall be based on the design criteria of this section in addition to any other stated provision. The development drainage design shall be based on a five (5) year storm event for residential developments and a ten (10) year storm event for commercial developments.

1. **INFORMATION TO BE SUBMITTED FOR DEVELOPMENT DRAINAGE DESIGN REVIEW.**

- a. Existing drainage area map.
- b. Design drainage area map.
- c. Hydraulic analysis of a five (5) year storm event for residential development, a ten (10) year storm event for non-residential and a one hundred (100) year storm event for both types of development.
- d. Typical sections and stage/storage information of the detention facility.
- e. The hydraulic analysis of the drainage system design for Outlet Discharge Structures and/or Outlet Discharge Culverts shall take into account the tailwater elevation of the outfall channel. The tailwater elevation of the outfall channel shall be set at one (1) foot of freeboard from top bank unless otherwise determined through a hydraulic analysis for a 25-year design storm event to be lower. Tailwater (TW) is defined as the flow depth of the downstream channel measured from the flow line of the outlet structure or culvert. Tailwater is considered to be an important factor in outfall structure or culvert hydraulic design because a submerged outlet may cause structures or culverts to flow full rather than partially full impacting the hydraulic efficiency of the drainage system.
- f. If a detention facility is within a parking lot, parking lot grades, curb grades, areas identifying ponding limits and depths.
- g. Typical sections, cross sections, and such other details as required by the review engineer for review of the proposed development.
- h. All hydrographs and routing curves.

- i. Inflow/outflow results highlighted for the reviewer's ease of identification.
- j. All other applicable forms, tables, charts, etc.
- k. Detailed explanation of pre-development analysis, post-development analysis, routing conclusion, and engineer's evaluation of whether the development has satisfied all the hydraulic requirements.
- l. Detail of construction access entrance.
- m. Detail of construction silt fencing and erosion control plan. These items shall be in place prior to construction of the form work for the building improvements and/or site improvements.
- n. The above information shall be submitted in a "bound" booklet form with dividers separating pre-development and post-development outputs for each design storm event as well as the conclusion of the analysis.

2. **DETENTION REQUIREMENTS – NON-RESIDENTIAL DEVELOPMENTS**

- a. Permissible detention basins:
 - (i) Pond
 - (ii) Parking lot – depth of ponding not to exceed seven (7") inches.
 - (iii) Underground storage.
 - (iv) Perimeter swale ditches.
 - (v) Detention within required green areas.
 - (vi) Other methods only with prior approval of the Public Works Director (or his/her designee)
- b. Outlet structures:
 - (i) Design shall be based on a ten (10) year storm event and analyzed for a one hundred (100) year storm event.
 - (ii) Emergency spillways shall be in an area that will least affect traffic flow and not cause flooding of structures intended for occupancy.
- c. Plan requirements:
 - (i) Existing topographic plan with elevations.
 - (ii) Grading plan with elevations.
 - (iii) Minimum of two (2) grading sections of entire site (i.e., one (1)

- east/west and one (1) north/south). A sufficient number of grading sections shall be provided to adequately evaluate site drainage patterns as required by the Public Works Department.
- (iv) Profile of outlet structure connecting to existing outfall depicting utility crossings and identifying conflicts, if any.
- d. Waivers
- (i) In areas where existing and/or development conditions will not accommodate equivalent discharge rates, as determined solely by the Public Works Department, a maximum increase of the pre-developments discharge rate of five (5%) percent of said rate, not to exceed five (5) cubic feet per second, shall be allowed.
 - (ii) No detention requirement shall be allowed for developments of three-fourths (3/4) acre or less. Runoff to the adjacent roadway, outfall or other properties for these sized developments shall not be allowed as a single point discharge unless approved by the Public Works Director (or his/her designee). A drainage site and grading plan shall be submitted for review and approval.
 - (iii) Other methods of detention/retention may be utilized with prior approval of the Public Works Director (or his/her designee).
- e. Maintenance of Storm Water Management Facility: The owner of the proposed development or any successor who acquires title to the storm water management facility shall at all times maintain the design section of the Storm Water management facility as indicated on the Site Drainage Plan and in the Drainage Impact Analysis. In the event the Public Works Department determines that the Storm Water Management Facility has not been maintained, the owner shall make the necessary modifications to conform to the original approved design sections, requirements, etc. within a thirty (30) day period from written notification from the Public Works Department. If the owner does not act within this time frame to remedy the situation, the Public Works Department may perform the necessary modification, improvements, etc. and bill the owner for the work at its operating cost, at such rates as have been set by the City-Parish Council.

Compliance with this section shall be mandatory and the requirements of this section shall be included on the Site Drainage Plan as well as within the Drainage Impact Analysis Report and shall be acknowledged in writing by the owner and/or developer, if different from owner. The developer shall provide the Public Works Department with an agreement or other contractual arrangement evidencing that adequate provision has been made for future maintenance of the facility in those instances where the facility is to be

transferred by the developer or is to be acquired by an Owners Association or other similar entity.

3. DETENTION REQUIREMENTS – RESIDENTIAL SUBDIVISION DEVELOPMENTS:

- a. Permissible residential subdivision detention basins – open ditch subdivisions that will remain open ditch:
 - (i) Roadside ditch
 - (ii) Pond.
 - (iii) Perimeter ditches.
 - (iv) Other design options formulated by the developer and approved by the Public Works Department.

- b. Permissible residential subdivision detention basins – curb and gutter subdivisions:
 - (i) Curb side – detention area shall be curb to curb but flood depth not to exceed three (3") inches above centerline of roadway.
 - (ii) Curb to curb and underground storm drainage system.
 - (iii) Curb to curb, underground storm drainage system and detention pond.
 - (iv) Pond.
 - (v) Other design options formulated by the developer and approved by the Public Works Department.

- c. Outlet structures:
 - (i) Design shall be based on a five (5) year storm event and analyzed for a one hundred (100) year event.
 - (ii) Emergency spillways shall be in an area that will least affect traffic flow and not cause flooding of structures intended for occupancy.

- d. Plan requirements:
 - (i) Existing topographic plan with elevations.
 - (ii) Grading plan with elevations.
 - (iii) Minimum of two (2) grading sections of entire site (i.e., one (1) east/west and one (1) north/south). A sufficient number of grading sections shall be provided to adequately evaluate site drainage patterns as required by the Public Works Department.
 - (iv) Profile of outlet structure connecting to existing outfall depicting utility crossings and identifying conflicts, if any.

e. Waivers

- (i) In areas where existing and/or development conditions will not accommodate equivalent discharge rates, as determined solely by the Public Works Department, a maximum increase of the pre-developments discharge rate of five (5%) percent of said rate, not to exceed five (5) cubic feet per second, shall be allowed.
- (ii) No detention requirement shall be allowed for developments of three-fourths (3/4) acre or less. Runoff to the adjacent roadway, outfall or other properties for these sized developments shall not be allowed as a single point discharge unless approved by the Public Works Director (or his/her designee).
- (iii) A drainage site and grading plan shall be submitted for review and approval.
- (iv) Other methods of detention/retention may be utilized with prior written approval of the Public Works Director (or his/her designee), including a waiver of the requirement for a detention/retention facility by the Public Works Director.

f. Maintenance of Storm Water Management Facility: The owner of the storm water management facility or any successor who acquires title to the storm water management facility shall at all times maintain the design section of the Storm Water management facility as indicated on the Site Drainage Plan and in the Drainage Impact Analysis Report. In the event the Public Works Department determines that the Storm Water management facility has not been maintained, the owner shall make the necessary modifications to conform to the original approved design sections, requirements, etc. within a thirty (30) day period from written notification from the Public Works Department. If the owner does not act within this time frame to remedy the situation, the Public Works Department may perform the necessary modification, improvements, etc. and bill the owner for the work at its operating cost, at such rates as have been set by the City-Parish Council.

Compliance with this section shall be mandatory and shall be included on the Site Drainage Plan as well as within the Drainage Impact Analysis Report and shall be acknowledged in writing by the owner of the development. The developer shall provide the Public Works Department with an agreement or other contractual arrangement evidencing that adequate provision has been made for future maintenance of the facility in those instances where the facility is to be transferred to the developer or is to be acquired by an Owners Association or other similar entity.

- g. Access in favor of the Lafayette Consolidated Government shall be provided from a public dedicated road to the storm water management facility. The access shall be no less than a clear 20-foot wide travel way (graded to accommodate use by equipment) and sufficient area proximate to such travel ways to allow desiltation activities. A note shall be placed on the final plat indicating that this access shall be provided to Lafayette Consolidated Government.

Features that ease maintenance problems and reduce maintenance costs shall be included in the design of the storm water management facility to the greatest extent practicable. These features include, but may not be limited to the following:

- (i) A forebay to capture a greater part of incoming sediments.
 - (ii) A reinforced maintenance platform alongside the forebay to facilitate sediment removal.
 - (iii) Ponds greater than five (5) acres in surface area should include a device to temporarily lower to raise the elevation of the permanent pool.
 - (iv) Incoming flow diversion alongside the maintenance platform to facilitate sedimentation along the maintenance platform rather than in the middle of the facility.
- h. In the event the Lafayette Consolidated Government determines that any storm water detention facility requires desilting to ensure proper performance of such facility, then Lafayette Consolidated Government may perform on behalf of the owner of such facility, the desilting and other required remedial measures as determined necessary by the Lafayette Consolidated Government. However, in no event shall the Lafayette Consolidated Government be obligated to perform such desilting if the Lafayette Consolidated Government determines that the owner of the facility has not properly maintained such facility.
 - i. Maintenance (such as mowing, bank or bulkhead repairs, and removing debris and trash that occurs on a regular basis, etc.) of all other public or private areas, access areas, or privately owned lots, which are a part of or adjacent to the facility shall be the responsibility of the owner of the storm water management facility.
 - j. In areas where existing and/or development conditions will not accommodate equivalent discharge rates, as determined by the Public Works Department, a maximum increase of the pre-developments discharge rate of five (5%) percent of said rate, not to exceed five (5) cubic feet per second, shall be

allowed.

4. STANDARDS OF CONSTRUCTION OF DRAINAGE SYSTEMS:

A. STANDARDS

1. Areas disturbed between the back of curb or edge of pavement and any right-of-way shall be either sodded or hydro mulched upon completion of the pavement for roadway construction.
2. Silt fencing or other pre-approved erosion control measures shall be mandatory along backs of curbs or back sides of roadside ditches along the entire length of roadway. The developer shall be responsible for maintaining streets and roadside ditches clean and free of large silt deposits.
3. Any construction/excavation adjacent to a natural water course, coulee, ditch, or other drainage facility shall include silt fencing installed along the full length of the water course within the confines of the property being developed.
4. Should it become necessary to realign or relocate an existing outfall, the developer shall utilize erosion control methods approved by the Public Works Department to insure stabilization of the disturbed soils. This may include but not be limited to the use of hydro-mulch or soil stabilization blankets.
5. Embankment slopes of coulees and drainage ditches shall have slopes which are not in excess of 2:1 (H:V) and shall have appropriate erosion control as approved by the Public Works Department. End of pipe treatments shall be for both the upstream and downstream end of pipe. Utilization of filter fabric in conjunction with rip-rap may be required. Slope requirements around pipe terminus shall be the same as side slope of channel. Side slopes shall be protected.
6. Pipe joints shall be wrapped with an approved filter fabric and banded on each end with a non-corroding plastic strap secured by self-sealing buckles.

B. CERTIFICATIONS.

The engineer of record responsible for design of the site plan, drainage plan, or detention facility for any development shall provide a letter of certification to the Capital Improvements Division of the Public Works Department prior to granting Final Plat approval. The letter shall certify that the improvements

were constructed in accordance with the approved construction plans and specifications in addition to requirements stated in Section 17.7 of the City of Lafayette Subdivision Regulations and Section 521 (F) of the Parish of Lafayette Subdivision Regulations, "Procedure for Acceptance of Improvements for Perpetual Maintenance by the City-Parish Government."

C. DRAINAGE CULVERTS.

1. **SIZE AND TYPE.** The minimum size pipes for any culvert shall be fifteen (15") diameter, unless otherwise approved by the Public Works Department. Pipe shall be concrete or other material approved by Public Works Department.
2. **ADDITIONAL REQUIREMENTS.** Culverts shall be designed and installed in accordance with the Louisiana Department of Transportation and Development's E.D.S.M. II 2.1.1 and II 2.1.6 except as follows.
 - a. The minimum design service life shall be:
 - (i) Twenty (20) years for all side drains;
 - (ii) Fifty (50) years for all cross drains; and
 - (iii) Seventy-five (75) years for all subsurface sewer systems.
 - b. Metal culverts may be used only upon approval of the Public Works Department and will only be approved for driveways and outfall termini at channels or as otherwise approved by the Public Works Director. The predicted design service life for metal culverts if approved for use by the Public Works Department shall be determined by calculating the net effect of corrosion from both interior and exterior conditions concurrently.
 - c. Storm sewers shall be constructed in accordance with Public Works design standards and with approved materials.
 - d. Lateral drainage ditches from the street to an outfall channel which traverse lots shall be provided by subsurface pipe drain with a minimum twenty (20') foot permanent drainage servitude. Actual width of drainage servitude required will be determined by the Public Works Department based upon pipe diameter, invert elevations, and maintenance issues.
 - e. All roadway cross drains shall be reinforced concrete. No other material (i.e. plastic, metal, etc.) will be accepted unless

otherwise approved by the Public Works Department.

SECTION 17. GUARANTEE AND ACCEPTANCE OF IMPROVEMENTS

17.1 Type of Improvements Required

In each new subdivision, the subdivider and the Planning Commission shall agree on the type, location, and extent of necessary public improvements depending on the characteristics of the proposed developments and its relationships to surrounding areas, and according to the standards and criteria as outlined in these Regulations.

17.2 General Requirements

The following improvements are minimum general requirements and shall be constructed at the expense of the subdivider and stipulated in the Subdivision Improvements Agreement (see Appendix) in a manner approved by the City which is consistent with sound construction and local practice.

- (a) Roads, grading, base and surfacing.
- (b) Curbs and gutters, if required.
- (c) Sidewalks.
- (d) Sanitary sewer, laterals and mains.
- (e) Storm sewers or storm drainage system, as required.
- (f) Water distribution system.
- (g) Fire hydrants.
- (h) Street lighting.
- (i) Permanent reference monuments and monument boxes.
- (j) Other facilities as may be specified or required in these Regulations, by the Planning Commission.
- (k) All utilities in the City except major power transmission and distribution lines shall be underground. Where specific requirements on design and construction are given in other sections of these Regulations, they shall apply.

17.3 Completion of Improvements

- (a) Before the Final Plat is signed by the Planning Commission representative, all applicants shall be required to complete, in accordance with the Planning Commission's decision and to the satisfaction of the City's Department of Public Works, Engineering Division, and the Public Utilities, Engineering Division, all the streets, sanitary, and other improvements, including lot improvements on the individual lots of the subdivision as required in these Regulations, specified in the Final Subdivision Plat, and as approved by the Planning Commission, and to dedicate same to the local government, free and clear of all liens and encumbrances on the property (except existing easements) and public improvements thus dedicated.
- (b) It is the policy of the Planning Commission to require, whenever feasible, actual construction of improvements prior to Final Plat approval.

17.4 Improvements Agreement and Guarantee of Improvements

The Planning Commission, in its discretion, may waive the requirement that the applicant complete and offer for dedication all public improvements prior to approval of the Final Subdivision Plat. No Final Plat shall be approved or recorded until the subdivider has submitted and the Planning Commission has approved the following:

- (a) A Subdivision Improvements Agreement or other agreements, contracts, or bids, setting forth the cost, plan, method, parties involved, guaranteeing to construct any required public improvements shown in the Final Plat documents, together with collateral which is sufficient in the judgement of said Commission, to make reasonable provision for the completion of said improvements in accordance with design and time specifications.
- (b) Suitable collateral in amount stipulated in the Subdivision Improvements Agreement shall accompany the Final Plat submission to insure completion of the improvements according to design and time specifications. Said collateral shall be in the form of a corporate surety bond, letter of credit accompanied by a draft drawn on a bank, certified check or other such legal assurances as may be deemed appropriate. If the improvements are not constructed in accordance with all of the required specifications, the City shall notify the subdividers of noncompliance and discuss with them the reasons for noncompliance. Proposed schedules for correction of noncompliance shall be established. If the City determines that the subdividers will not construct any or all of the improvements in accordance with all of the specifications, the City shall have the power to annul the funds as may be necessary to construct the improvements in accordance with the specifications set forth herein.
- (c) Should a subdivider not provide suitable collateral to ensure completion of the required improvements, no Final Plat shall be accepted by the Commission for recording until said improvements are constructed and approved by the Commission; however, the Planning Commission will supply the subdivider with a letter guaranteeing Final Plat approval when improvements are constructed to City Specifications.

17.5 Time Schedule and Release of Guarantee of Improvements

- (a) The period within which required improvements must be completed shall be specified by the Planning Commission in the resolution approving the Final Subdivision Plat and shall be incorporated in the bond and shall not in any event exceed two (2) years from date of Final Approval.
- (b) The Planning Commission may, upon proof of difficulty, recommend extensions of the completion date set forth in such bond for a maximum period of one (1) year.
- (c) Except for streets and roads, from time to time as the required improvements in a subdivision are completed, the subdivider shall apply in writing to the respective department for a partial or full release of the collateral. Upon receipt of such written application, the Department of Public Works, Engineering Division, or City Utility Department Engineering Division, or its agents shall inspect the improvements which have been completed. If it is determined from such inspection that the improvements have been made in accordance with the Final Plat and the requirements of these Regulations, a portion of the collateral shall be released; however, collateral sufficient to cover the cost of the uncompleted improvements shall be retained.
- (d) The Department of Public Works, Engineering Division, Utilities Department Engineering and the Planning Commission have the authority to monitor and inspect progress toward the completion of improvements at any time during the construction period. If the City deems that satisfactory progress has not been made, it may draw upon collateral to collect payments. This may be done after advance notification to the subdivider.

17.6 DEDICATION

- A. HOW ESTABLISHED.** A public and/or private street, utility or other easement, right-of-way or other right granted to the public, shall be established through the provisions of this section.

A public and/or private street, utility or other easement, right-of-way or other right granted to the public, is established when designated on a Final Plat. This does not establish an obligation of perpetual maintenance by the Governing Body.

- B. SUBMISSION CONTENTS.** When property is to be dedicated at the time of plat approval, the dedicated property shall be shown on the plat submitted for recordation. The plat shall contain the information required for Final Plats generally, and, with regard to the areas dedicated, shall contain the following additional data:

1. The names, locations, dimensions, boundaries, courses and other geographic data for each street, alley, easement, right-of-way, square, park or other right or property granted or dedicated to the public;

2. The name and number of each lot, square, park or other parcel dedicated to public use;
3. The purpose or use for which the dedication is made (e.g., drainage servitude);
4. A certificate of a licensed surveyor or civil engineer of the State of Louisiana stating that the same is in accordance with the provisions of L.S.A.-R.S. 33:5051 and with the laws and ordinances of Lafayette Parish;
5. A formal Act of Dedication executed by the owner or owners of the property or their duly authorized agent of the streets, alleys, easements, servitudes, parks, squares or other items or areas to be dedicated to public use.

C. PROCEDURE. A proposal for dedication shall be submitted to the Director in compliance with appropriate submission requirements. The Director will forward the proposal to the Governing Body, which shall either accept or reject the offer of dedication. No plat which dedicates land to the public shall be accepted by the Department for recordation until the offer of dedication has been accepted by the Governing Body.

D. EFFECT OF DEDICATION. A dedication shall irrevocably vest the public with title to the items so dedicated, subject to the right of the Governing Authority to abandon, revoke or dispose of any public property or dedication.

When a private street is established in a subdivision, the designated right-of-passage shall be owned by the developer or another private entity or entities.

Nothing contained herein shall operate to negate or alter the provisions of LSA R.S. 33:5051, or any other statutory provisions relative to dedication or the jurisprudence interpreting same.

At least annually, the Department of Planning, Zoning & Codes shall submit to the Council a proposed ordinance to amend the Official City-Parish Map to reflect the newly accepted streets.

17.7 ACCEPTANCE OF IMPROVEMENTS FOR PERPETUAL MAINTENANCE.

1. Approval by the Planning Commission of the Final Plat of any development or subdivision shall not constitute an acceptance by the City-Parish Government of the roads, streets, other public lands or improvements for dedication for public use or for perpetual maintenance by the City-Parish Government. The acceptance for perpetual maintenance of any improvements on these lands shall be accepted by the City-Parish only by specific action of the Planning Commission.
2. The developer may wish to submit for Final Plat approval by the Planning Commission of only a portion of the development. The developer shall submit to the Planning Commission a certificate, signed by the City-Parish Engineer, stating that the required improvements are in place and built to acceptable standards. Where only part of the improvements have been satisfactorily completed, certification shall be only as to these improvements and a Letter of Credit to insure

complete construction shall be submitted in the amount of 125% of the estimated construction cost of the unbuilt portion. Final Plat approval will be issued only for those areas having been completed and so certified by the Engineer, unless a letter of credit is provided for the remaining portion.

A. Procedure

1. Upon completion of the required improvements, the developer shall notify the Public Works Department, Engineering Division, and Lafayette Utilities System in writing and request an inspection. The Public Works Department and Lafayette Utilities System shall inspect the improvements and shall notify the developer by mail of the findings of the inspection. If the improvements are deficient, the reasons for the deficiency shall be stated and corrective measures shall be outlined in the letter of notification.
2. Until such time as the developer has obtained written acceptance for perpetual maintenance of the improvements by the Planning Commission, the developer shall be responsible for all maintenance and repair to the improvements due to improper construction. Perpetual Maintenance by the Government shall not be assumed until one (1) year has elapsed since completion and inspection of the improvements, and then only in the event the improvements pass inspection by the Public Works Department and/or Lafayette Utilities System. To receive perpetual maintenance for improvements before the one (1) year warranty period has expired, the developer shall furnish the Lafayette Consolidated Government a Letter of Credit in the amount of ten (10%) of the total cost of the improvements. In the event a failure due to faulty construction occurs within one (1) year of the date of the final inspection (the warranty period), the developer shall perform satisfactory repairs or the Letter of Credit may be called and repairs made and paid for with the proceeds of the Letter of Credit by the Consolidated Government. At the end of the warranty period, an inspection shall be made by the Department of Public Works and/or Lafayette Utilities System and if no failure or problem exists due to faulty construction, the Letter of Credit shall be returned to the developer and the improvements shall be accepted for maintenance by the Commission.
3. After the Planning Commission accepts the improvements for perpetual maintenance a certificate identifying the public street(s) or other improvement which have been accepted for perpetual maintenance shall be recorded with the Clerk of Court of Lafayette Parish.
4. In the Unincorporated Area of the Parish, the foregoing procedure for Acceptance for Perpetual Maintenance shall apply only to those developments that have received Final Plat approval from the Planning Commission.
5. In the City of Lafayette, for any public street, private street, road, alley or driveway for which acceptance for perpetual maintenance is requested, the applicant shall adhere to these procedures for Acceptance for Perpetual Maintenance.
6. Acceptance by the Lafayette Utilities System for the perpetual maintenance of Utilities Systems shall be contingent upon the certification of the Engineer that all

improvements are complete and in compliance with LUS standards. This requirement applies to all subdivisions and commercial building sites.

- B. CONSTRUCTION QUALITY CONTROL.** For a subdivision to be recommended for acceptance by Public Works Engineering and the Lafayette Utilities System, certification must be received from the design engineers that the subdivision and the commercial building site was constructed according to the approved construction plans.

The latest edition of the Louisiana D.O.T.D. "Standard Specifications for Roads and Bridges" shall be used as a guide for construction quality and is hereby incorporated in the Development Regulations by reference.

1. The developer shall retain the inspection service of the design engineering firm or independent testing laboratory to assure compliance with construction plans and specifications and standard construction practices for the following non-exclusive particulars:
 - a. back-fill of culverts or utility lines crossing roadway;
 - b. compaction of roadway sub-grade;
 - c. processing of road base, including application of lime if deemed necessary;
 - d. installation of storm sewers, especially line and grade;
 - e. roadway surface construction;
 - f. post-construction testing of water and sewerage collection system;
 - g. resident inspection of water, wastewater, and electrical systems for the acceptance of LUS.

The cost of inspection services shall be borne by the developer. All test results shall be reported to the Public Works Engineering with copies to the developer and/or his representative.

A certified inspector shall be present at the asphalt or concrete batch plants whenever material is prepared for use in construction of the development infrastructure and shall certify that the material used was of approved quality and in conformity with the specifications.

The Public Works Engineering office shall be notified when construction of a subdivision commences and when base course (if asphaltic concrete is used) construction is to be done.

2. The Developer's design engineer shall submit the soil test reports and recommendations to the Public Works Engineering before construction of the soil cement base course.

Laboratory testing reports shall be approved by the developer's design engineer and provided to the Public Works Engineering office. Required reports are as follows:

- a. Atterberg limits of soil at the base course grade;
- b. lime and/or cement determination for base course;
- c. compaction tests of road sub-grade and base course;

- d. design mix for asphaltic concrete;
- e. design mix for Portland cement concrete;
- f. compressive strength testing for structural concrete and concrete pavement;
- g. coring of roadways.

The design engineer shall certify as acceptable and submit to the City-Parish Engineer for approval of materials to be used for storm sewers.

- 3. The Lafayette Utilities System is the approval authority for utilities under its jurisdiction. The cost of inspection services shall be borne by the Developer. All required test results shall be reported to the Lafayette Utilities System.

17.8 APPEAL PROCEDURE

Applicability

The within appeal procedures shall apply to any appeal of any Planning Commission action concerning the approval or denial of a proposed subdivision.

Standing

- a) Definition of Standing: A right to appeal based on the determination that a person has a substantial stake or interest in the decision or its impact.
- b) All appeals by non-applicants/owners shall be submitted, after filing, to legal counsel of the PZC, who shall review the appeal and issue an opinion as to the standing of the appellant, based upon the facts submitted in the appeal. Standing shall be presumed to exist for the owner and applicant (if not the owner) and consolidated government empowers ADRC members (i.e., Trans La, Board of Health).
- c) To the extent that legal counsel of the PZC shall determine that the appellant lacks standing to appeal the action of the Planning Commission relative to the approval or denial of the proposed subdivision, the appellant shall nevertheless have a right of appeal to the Council limited to a determination by the Council of the issue of standing only, based upon the facts submitted in the appeal. The Council shall preliminarily rule on the issue of standing only. In the event that the Council determines that the appellant has standing, the actual appeal shall thereafter be submitted to the Council for review.

Appeal Delay

All appeals shall be received by the office of the Development Manager of the Planning Division - Department of Planning, Zoning and Codes, by hand delivery, within (5) days, exclusive of legal holidays as defined in the Louisiana Code of Civil Procedure, from the date of distribution of the PZC action letter which advises of the approval, denial or other

action taken by PZC. The date set forth on the PZC action letter shall be presumed to be the actual date of distribution of the said letter. Failure to file an appeal within the above referenced time frame shall preclude any subsequent appeal.

Appeal Format and Attachments

The appellant shall furnish the following items/information as the formal appeal to the Development Manager.

- a) Statement of the action of the PZC complained of;
- b) If non-applicant, statement of why or how appellant has standing.
- c) Appellant's argument as to why the action of the PZC should be modified or reversed;
- d) Appellant's statement of the ramifications of the approval of the appeal;
- e) Filing fee of \$100.00; and
- f) Fifteen (15) copies of the plat of survey upon which action was taken by the PZC, unless the appellant is not the applicant or owner, in which the Director of the Department of Planning, Zoning and Codes shall make the necessary arrangements to obtain copies of the plat.

Failure to submit the above items shall be cause to reject the appeal as having been improperly filed. In addition to the above submissions, the appellant may also include other pertinent information, such as identifying past actions of the Planning Commission regarding similar situations.

Submission of Appeal to Council

- a) In the event that standing is an issue to be resolved with regard to the appeal, the Development Manager shall, within five (5) days from receipt of the appeal, exclusive of legal holidays, request in writing from legal counsel for PZC an opinion relative to the standing of appellant, unless such opinion is unnecessary under Section 26.2(a).
- b) Within five (5) days, exclusive of legal holidays, legal counsel shall issue in writing an opinion relative to standing. Failure to issue an opinion shall be deemed as legal counsel's determination that standing exists.
 - (1) Within five (5) days, exclusive of legal holidays, of receipt of the opinion of legal counsel relative to standing, the Development Manager shall, in the event that standing is not found to exist, notify the Appellant, who shall have five (5)

days to advise the Development Manager of Appellant's desire to have the issue of standing decided by the Council in which event the Development Manager shall take the necessary steps to set the issue of standing on the agenda of the next available City-Parish Council meeting. Failure to timely request that the Council decide the issue of standing shall cause the appeal to be rejected based on a lack of standing.

- (2) In the event that standing is not an issue, the Development Manager, within five (5) days exclusive of legal holidays, shall have the actual appeal placed on the agenda of the City-Parish Council to be set at either a regular or special Council meeting, as may be determined by the Chairman of the Council considering the complexity of the issues, anticipated time to review and such other considerations as are appropriate.

Scope of Appeal

The Council shall only consider those issues specifically raised by the appellant. To the extent that there is no disagreement between the appellant, the Commission and/or any opponents to the subdivision application, those matters shall not be before the Council. However, to the extent that any decision of the Council to modify or reverse action of the PZC raises additional issues or concerns, whether previously voiced in opposition or support of the application, the Council shall have the right to act upon same.

Notice of Appeal Hearing Date

The Development Manager shall provide the same notice relative to the date set for the hearing of the appeal as is required by the Subdivision Regulations for notice to adjacent property owners relative to a proposed subdivision.

Action of Council

The City-Parish Council shall review the appeal and, after public hearing, shall, by motion, second and a vote of a majority of the Council members present, provided that a quorum of the authorized membership is present, approve, disapprove, or modify the action of PZC.

Appeal of Council Action

Appeal of any Council action shall be to the appropriate District Court.

SECTION 18. VARIANCES

- 18.1 Upon application by the subdivider and where it can be shown in the case of a particular proposed subdivision, that strict compliance with the requirements would result in extraordinary hardship to the subdivider because of unusual topography, or other such conditions, thus retarding the achievement of the objectives of these regulations, the

Planning Commission may vary, modify, or waive requirements so that substantial justice may be done and the public interest secured; provided that such variance, modification or waiver will not have the effect of nullifying the intent and purpose of these regulations, or of the Master Plan.

18.2 In no case shall any variance, modification or waiver be more than a minimum easing of the requirements; in no case shall it have the effect of reducing the traffic capacity of any arterial collector or minor streets; and in no case shall it be in conflict with the existing Zoning Ordinance.

18.3.1 In granting variances, modifications or waivers, the Planning Commission may require such conditions as will, in its judgement, secure substantially the objectives of the standards and regulations so affected.

SECTION 19. ADMINISTRATIVE AND LEGAL STATUS PROVISIONS

19.1 Administration and Amendments

The Planning Commission may, from time to time, adopt, amend, and publish rules and instructions for the administration of these Regulations to the end that the public be informed and that approval of plats be expedited. These Regulations may be changed or amended by the Commission after public hearings, due notice of which shall be given as required by law.

19.2 Validity

If any section, clause, paragraph, provision, or portion of these Regulations shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision, or portion of these Regulations.

19.3 Reconsideration of Disapproved Plats

When the Planning Commission has taken adverse final action on any subdivision proposal, no reconsideration of any application will be granted unless:

- (a) Certification is furnished to the Commission that circumstances and/or conditions have been changed or altered.
- (b) Certification is furnished to the Commission that data used or provided in analysis of the proposed subdivision was inaccurate.
- (c) Additional information has become available which was not available at the time the subdivision study was made.
- (d) A full reapplication in accordance with all procedures as required by the original submittal.

19.4 Repeal of Conflicting Regulations

All rules and regulations or parts thereof in conflict herewith are hereby repealed, except any rules and regulations which impose more restrictive standards than are imposed herein.

SECTION 20. VIOLATIONS AND PENALTIES

Enforcement of these Regulations and penalties for the unapproved recordation or transfer of land is provided by State Law in the authority granted by Louisiana Revised Statutes 33.114.

Whoever, being the owner or agent of the owner of land located within 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 and filed in the Office of the Clerk of Court shall pay a penalty of one hundred dollars (\$100) for each lot or parcel so transferred or sold or agreed or negotiated to be sold; and 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 or from the remedies herein provided.

The City of Lafayette may act to enjoin such transfer or sale or agreement by suit for injunction brought in any court of competent jurisdiction or may recover the penalty by a civil action in any court of competent jurisdiction.

SECTION 21. AMENDMENT PROCEDURES

21.1 Initiation of Amendments

The City Planning Commission, may from time to time, amend, supplement, or change the Regulations established herein. Such amendment, supplement, or change may be initiated:

- (a) By action of the City Planning Commission itself through the introduction or adoption of a motion.
- (b) By recommendation of the City Council or City Administration.
- (c) By petition of property owners.

Such amendments shall be effective only if the prescriptions as set forth herein are subscribed to:

21.2 Amendment Requirements

Any request for amendment of these Regulations address the following:

- (a) Statement of regulation requesting to be amended.

- (b) Statement of proposed regulation as requested to be amended.
- (c) Statement of rationale for requested amendment,
- (d) Supportive documentation verifying the need or desire for proposed amendments.

This information must be supplied to the City Planning Commission through the Department of Planning and Development Management in accordance with the deadlines and time frames subsequently established herein.

21.3 Public Hearing Required

The City Planning Commission shall not consider amendments to these Regulations, nor shall the City Planning Commission take amendatory action nor shall any amendment be effective unless the City Planning Commission has held a public hearing upon the proposed amendment at which, parties in interest have an opportunity to be heard.

21.4 Notification for Public Hearing Required

No public hearing shall be held to consider a proposed amendment to those Regulations unless notice of said hearing is given in accordance with the prescriptions set forth as follows:

- (a) Notice of the public hearing and of the time and place of the hearing shall have been published once a week in three (3) different weeks in the official journal of the City of Lafayette. At least fifteen (15) days shall elapse between the first publication and the date of the hearing.
- (b) Notice of the proposed amendments and the time and place of the hearing shall have been mailed at least fifteen (15) days before the public hearing to the City Council, City Planning Commission, the LRPC, City Administration, members of the Development Review Committee, Departmental Directors, and interested citizens requesting a copy of same.

21.5 Procedure for Filing Petition

A petition by a property owner for an amendment to these Regulations shall be filed with the Department of Planning and Development Management. In filing such petition, the following prescriptions shall apply:

- (a) Hearings on petition for amendments to these Regulations will be held three (3) times yearly: the Regular Meeting of the months of February, July, October. Action will be taken on petitions which have been filed at least sixty (60) days prior to the date of these scheduled hearings.

- (b) Each non-governmental initiated petition shall be accompanied by a fee of \$500. Under no condition shall said sum or any part thereof be refunded for failure of said change to be adopted by the City Planning Commission. The petitioner shall also pay the direct cost of advertising and the cost of transcription of the hearing to writing of all testimonies given at the hearing to the Commission.

21.6 Final Action by the City Planning Commission Required

City Planning shall take no amendatory action nor shall any amendment to the Regulation be effective until the City Planning Commission has complied with all requirements of this Section. Within forty-five (45) days after the date of the public hearing held to consider any amendments, the City Planning Commission must take action to affirm, deny, modify, or negate the proposed amendment. City Planning Commission actions must be compiled into a report identifying their reasons for making such a decision. These reports shall be filed with the Department of Planning and Development Management and the office of the City Council.

21.7 Effective Date of Amendment

Any amendment approved by majority vote of the City Planning Commission shall become effective fifteen (15) days subsequent to the date when said approval was granted, provided that all requirements of this Section have been complied with.

SECTION 22: Abandonment Procedures

22.1 Purpose

All requests for the abandonment of any alley, right of way, street, servitude or easement in favor of the City of Lafayette, Parish of Lafayette or Lafayette City-Parish Consolidated Government shall be submitted to the Department of Planning, Zoning and Codes. The Department of Planning, Zoning and Codes shall be charged with the responsibility of providing the applicant by mail with all information relative to meeting dates, abandonment requirements, objections to the abandonment and any other information which may be pertinent to the application.

22.2 Procedure

All abandonment requests, other than those initiated by the Lafayette City-Parish Consolidated Government, shall be subject to the following procedures:

- (a) The applicant shall provide the following:
 - i. A formal request for abandonment of a particular alley, right of way, street, servitude or easement and a brief explanation of the basis and reason for the request.

- ii. A filing and recording fee of \$100.00, payable to the Lafayette City-Parish Consolidated Government for abandonment requests.
- iii. Twenty (20) copies of a plat of survey, no larger than 11" x 17", prepared specifically for an abandonment request, which plat of survey shall contain the following information:
 - (b) A legible survey with adequate graphics clearly showing the request for action and the area of concern, including dimensions, bearings, benchmarks, townships, range, etc.
 - (c) A vicinity map with a scale no greater than 1" = 2,000'.
 - (d) The name, mailing address, phone number of the requestor and/or the applicant.
 - (e) Certification of the plat by a land surveyor.
 - (f) Date prepared.
 - (g) The scale of the plat shall be no greater than 1" = 100'.
 - (h) A north arrow.
 - (i) Names and mailing addresses of all property owners abutting the area requested for abandonment when a public right-of-way is at issue.
 - (j) Upon receipt of an application, the Department of Planning, Zoning and Codes shall circulate the requested abandonment to the Utilities Department, Public Works Department-Traffic Division, Public Works Department-Engineering Division, the Lafayette Fire Department and such other governmental departments as may be appropriate, based upon the nature of the requested abandonment. Each department shall submit to the Department of Planning, Zoning and Codes its recommendations, objections or comments relative to the abandonment. Thereupon, the Department of Planning, Zoning and Codes shall submit to the Lafayette City-Parish Council in ordinance format the proposed abandonment request, together with such pertinent information as may have been provided by the various departments, such as comments, objections, proposed amendments or restrictions to the abandonment and such other information as is pertinent.
 - (k) The proposed abandonment shall be placed upon the agenda of the Lafayette City-Parish Council for review as any other ordinance and, if approved, shall be forwarded to the Office of the Lafayette City-Parish President-for action.
 - (l) Upon passage of an abandonment ordinance by the Council and its subsequent approval or the lack of a veto thereof by the City-Parish President, the abandonment ordinance shall be recorded in the Office of the Clerk of Court by the Department of Planning, Zoning and Codes and copy thereof shall be provided to the applicant.

22.3 Extent of Abandonment

Any and all abandonments issued by the Lafayette City-Parish Consolidated Government shall be exclusively of the rights of the government in the item abandoned, and shall in no way affect any easements, servitudes or other rights which may have vested in or been

acquired by other providers of utilities, such as any gas companies, pipeline companies, electricity providers, telephone companies, cable companies or the like.

22.4 Government-Initiated Abandonment Requests

Abandonment requests initiated by the Lafayette City-Parish Consolidated Government shall be submitted first to the Department of Planning, Zoning and Codes for review and consultation with other pertinent departments in order to confirm that the abandonment is of property or rights not actually being utilized or needed by the Government. The Department of Planning, Zoning and Codes shall submit its response within thirty (30) days of any governmental request for abandonment and shall prepare with its submission in ordinance format an abandonment if it is found that the abandonment is appropriate. If the Department of Planning, Zoning and Codes feels that the abandonment is inappropriate, it shall submit its report within said thirty (30) day period explaining the basis for its objection to the abandonment.

SECTION 23: Street Names and Municipal Numbers

The Department of Planning, Zoning and Codes serves as the coordinating agency for the identification and naming of public and private streets, roads, and thoroughfares within the jurisdiction of the Lafayette City-Parish Consolidated Government. In this capacity the Department shall review, recommend and assign names submitted for new streets and roads and proposed changes to existing street, road, and thoroughfare names.

23.1 Planning Policies

Major thoroughfares, arterials, and highways shall, whenever possible, have the same name throughout the entire length of the roadway. Likewise, local streets and roads shall, whenever possible, have the same name throughout their respective entire lengths.

Street names should not be duplications of any existing street name, public or private, located within the Parish of Lafayette or any incorporated municipality. However, those streets historically in the older areas of each municipality, such as Main Street or First Street may be considered as exceptions to the general rule set forth herein.

Identification as a public street or as a private street shall not distinguish road names from duplication. Example: Broussard Road and Broussard Lane (Private) is not acceptable.

Alphabetical and numerical street names are discouraged.

The Department shall have the responsibility of notifying owners of property fronting on any public or private street, road or thoroughfare of any proposed or requested name change.

All existing and new public streets shall have block numbers assigned in conformity with the block numbering system for Lafayette parish.

The Department shall encourage developer, property owners, residents and businesses applying for street names to use French names or terms in an effort to preserve and promote the Cajun/Creole culture and heritage in Acadiana. Additionally, where appropriate, the Department shall encourage applicants for street names to utilize the names of individuals who may have some historical relationship to the area where the street is to be located or who may have donated the right-of-way therefore, the Department shall also encourage recognition of historical events and place names in the development of street names.

Administrative costs for streets, road, and thoroughfare name change proposals originated by the City-Parish Council shall be funded by the Department of Planning, Zoning and Codes.

23.2 Planning Criteria

Applications to change the name of a public or private street, road, or thoroughfare shall be considered only for the entire length of the subject street, road or thoroughfare.

Street names shall not be duplications of any existing street, public or private, located within the Parish of Lafayette or any incorporated municipality. Spelling differences **on similar** sounding names shall not be used to avoid this prohibition against duplication. However, those streets historically in the older areas of each municipality, such as street names like Main Street or First Street may be considered as exceptions to the general rule set forth herein.

Suffixes such as Drive, Road, Street, Parkway, Avenue, Court, Loop, Circle, etc. do not remedy duplication. Prefixes such as Saint, Rue, Chemin ,Avenue, etc. do not remedy duplication. Directional prefixes and suffixes in French or English may be allowed and will remedy duplication, however such streets must be coterminous.

Private street name signs shall have an abbreviation for private (PVT) placed on the sign after the street's name. The background color of private street name signs shall be blue. Public street name signs background color shall be green. Private and public street name signs shall be identical in every other way except those mentioned in this section.

Streets or roads may be offset or jog with the same name provided the jog or offset is no more than one hundred twenty-five (125') feet from center line to center line.

Where a major thoroughfare replaces in whole or in part a local street or road, the name of the major thoroughfare shall prevail over the local street or road name. When the local street or road name is determined to be non-duplicative and of historical or sentimental value the name shall be placed in a street name reserve list for reuse at an appropriate opportunity.

Existing street names must be used in those instances where a new street is a direct extension of an existing street or logical extension thereof except in those instances where the existing street name is a duplicate street name.

23.3 PROCEDURES

Street, road, and thoroughfare names and name changes may be initiated by three different sources:

- a) The Department of Planning, Zoning and Codes
- b) The Lafayette Consolidated Government
- c) 50% + 1 of the property owners owning or fronting the public or private street/road under consideration.

The Department of Planning, Zoning and Codes may initiate a public or private street name change for the following reasons:

- a) To resolve an existing duplication of street names within the Parish.
- b) To accommodate capital improvements by federal, state, and local government.
- c) To coordinate the establishment of one name where multiple names exist on one continuous street.
- d) To identify an existing road or street lacking a name designation.
- e) In all other instances where confusion or duplication might otherwise exist with reference to streets with the same or deceptively similar names.

The City-Parish Council, as appropriate, shall initiate a request for a public or private street name change only by resolution which shall be forwarded to the Department of Planning, Zoning and Codes for review.

Property owner applicants for public or private streets, roads, thoroughfares, etc., name change or name identification must furnish to the Department of Planning, Zoning and Codes an application form acceptable to the Department containing a list of all property owners owning and fronting said private or public street right-of-way with their mailing addresses. Property Owner Certificates shall be furnished for all property owners listed, said certificates obtained from the Lafayette Parish Tax Assessor's office.

The Department of Planning, Zoning and Codes will forward the proposed street names to the Parish Communication District (9-1-1) office, which shall respond in writing within seven (7) days of their approval or disapproval of the proposed street names.

The Department of Planning, Zoning and Codes will mail to all property owners, owning and fronting the right-of-way of the subject street, a notice (with survey including three (3) suggested names plus other attached) of the proposed change within twenty-two (22) days of receipt of petition or resolution request for a street name change. Said notice shall contain the said name change, and in the event the name change is not initiated at the instance of the Council or property owners, but instead is initiated in an effort to eliminate similar or identical street names, may include proposed alternative street names. Those adjacent

property owners who wish to respond shall mail to the Department of Planning, Zoning and Codes their choice for the street name within fourteen (14) days.

The Department of Planning, Zoning and Codes will determine the proposed street name in majority. If the name in majority is other (their own recommended name) the Department of Planning, Zoning and Codes will forward this proposed street name to the Parish Communication District (9-1-1) office, which shall respond in writing within seven (7) days of their approval or disapproval of the proposed street name. In the latter case (a disapproval) the Department of Planning, Zoning and Codes will make a recommendation from the approved list.

23.4 IMPLEMENTATION

The Department of Planning, Zoning and Codes will implement the street name change after obtaining all necessary approvals from the Parish Communication District Office and shall thereafter notify all property owners abutting said street within seven (7) days of the new street name.

The Department of Planning, Zoning and Codes will coordinate the implementation of the respective changes accordingly. The Department of Planning, Zoning and Codes will assign addresses to those residents who currently have a municipal number and/or route number. These residents will be notified in writing by the Department of Planning, Zoning and Codes within fourteen (14) days of their municipal number and the property owner will need to comply within six (6) months of this notification. The Department of Planning, Zoning and Codes will notify the Post Office and other departments and agencies affected at the time of implementation of these changes.

The Department of Planning, Zoning and Codes will notify the Public Works Department in writing within seven (7) days of notification from the Planning Commission of name change. The Public Works Department will fabricate and install street name signs within fourteen (14) days of notification, and shall be responsible for the maintenance of approved street name signs on public streets and intersections with private streets. The applicants shall provide sufficient funds to cover the cost of installation of new street name signs which shall be identified on the application and paid within thirty (30) days following approval by the local government. The local government shall cover installation costs of new street name signs only for proposals initiated by the Department of Planning, Zoning and Codes or local government.

23.5 APPLICATION FEES

The Department of Planning, Zoning and Codes shall charge an application fee of five (\$5.00) dollars per property owner fronting or owning the said private or public street for which a name change or name identification is requested by the property owners abutting said street.

Applicants shall be required to pay the full fee at the time of application. Regardless of the opposition of property owners, the fee would be determined by the total number of property owners and covered by the applicants in any arrangement they might agree to among themselves.

There will be a minimum base application fee of \$50.00

SECTION 24 STREET ADDRESSING

The Department of Planning, Zoning and Codes shall serve as the coordinating agency for the issuance of property addresses on all public and private streets and thoroughfares within the jurisdiction of the Lafayette City-Parish Consolidated Government. In this capacity, the department shall assign new addresses and, to the extent appropriate, make changes to existing addresses in order to eliminate duplication of addresses, confusing similar addresses and other potential difficulties with regard to street addresses. In doing so, the department shall conform to the following policies to-wit:

24.1 Planning Policies

Property number addresses shall be issued in conformance with the street/road block numbering system established for all minor and major thoroughfares in Lafayette Parish.

Property number addresses shall be issued only for building and/or property referenced as lots of record or property divisions recognized and/or approved by the Planning Commission.

A single building or property will be assigned a single property number address. An exception may be made for a multi-use or multi-building complexes. Shopping centers, apartment complexes, condominium development, etc. may have multiple property number addresses provided that each property number address is fronting a public street or road. Only sub unit number addresses may be issued for buildings or properties not fronting directly on a public street or road or Planning Commission approved private street. Sub unit must be by alphabetical letters (e.g. 515A, 515B, or 515 Building A, 515 Building B Main Street). Sub unit identification defines property or buildings and does not prohibit the use of numerical identification within a building.

Odd numbers shall be assigned to the left side of a street and even numbers shall be assigned to the right side of a street. All streets/roads shall have a point of origin identified on the Parishwide block numbering system.

Where no lots or blocks exist along a street or road, the Department shall generally assign a new block every one thousand (1,000') feet; provided, however, natural divisions or any existing intersecting streets may be considered in determining the beginning of a new block.

As a general rule, a property address shall be reserved every twenty-five (25') feet along each side of every street or road.

The block number and property number addresses of any new street or development which is a continuation of an existing street shall be in conformance with the already established block numbering system of the existing street unless changed by the Department of Planning, Zoning and Codes.

In those instances where plats are required to be submitted to and approved by the Planning Commission which include private streets, property number addresses shall be issued in the same manner as property number addresses on public streets or roads.

The Department shall insure that property number addresses are issued uniformly and consecutively within each block (e.g. 915 Broussard Road must be opposite 914 or 916 Broussard Road).

The Department shall require each and every property owner to display numbered with Arabic numbers not less than four (4") inches in height, the address of every property having its own property address. The Department shall provide a procedure whereby applicants for a property address number shall complete an application form and such forms shall be maintained by the Department of Planning, Zoning and Codes.

Applicant for a property number address shall complete an application form prepared by the Department of Planning, Zoning and Codes. The most recent plat of the property must be attached to the application.

24.2 PROCEDURES

Request for Issuance of property addresses may be initiated by three (3) different sources:

- a The Department of Planning, Zoning and Codes.
- b The City-Parish Council
- c The property owner

The Department of Planning, Zoning and Codes may initiate a property address change and/or assignment for the following reasons:

- a To resolve an existing error in property addressing.
- b To assign addresses to lots in an approved Planning Commission Subdivision Plat.
- c To eliminate multiple or confusingly similar property addresses.

The City-Parish Council, as appropriate, shall initiate a request for an address change only by resolution, which shall be forwarded to the Department of Planning, Zoning and Codes for review.

The Parish Communication District (9-1-1) office shall initiate through the City-Parish Council a request for a change of property addresses for the health, safety and general welfare of the people of the Parish of Lafayette and their property situated therein.

Property owner applicants for the issuance of property addresses shall furnish a plat of their property to the Department of Planning, Zoning and Codes.

24.3 IMPLEMENTATION

When the property owner is the applicant, the Department of Planning, Zoning and Codes will determine an address and notify the property owner in writing within five (5) days of the application being filed. When the applicant is platting the property the address will be issued subject to approval. The property owner shall post the newly assigned address number prior to final inspection, and no certificate of occupancy will be granted until a new building is properly numbered for identification.

In those cases where a source other than the property owner initiates the address request the Department of Planning, Zoning and Codes will determine the address and notify the property owner or owners of the government action. The newly assigned number shall be posted within ninety (90) days of receipt by the property owner of notification of the assignment of such number, except that in business locations a reasonable extension may be granted to avoid hardship to a business and allow time to notify business clientele.

The Department of Planning, Zoning and Codes will coordinate the implementation of the respective address changes accordingly. The Department of Planning, Zoning and Codes will notify the U.S. Post Office, the Lafayette Parish Communication District (9-1-1) and other identified departments and agencies affected no less than four (4) times per year with a mail out of data files.

24.4 APPLICATION FEES

The Department of Planning, Zoning and Codes shall not charge an application fee to the property owner if they have initiated the request. In the event the property is being platted the fee is covered in the filing fee for plat approval. All costs related to the assignment of addresses in the City and Parish of Lafayette shall be funded through existing public resources.