

On a motion by \_\_\_\_\_, seconded by \_\_\_\_\_ the following ordinance was adopted:

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE TO REPLACE AND SUPERCEDE SECTIONS 26:1 THROUGH 26:46 OF CHAPTER 26, SUBDIVISION REGULATIONS, AND SECTIONS 27:1 TO 27:46 OF CHAPTER 27, MOBILE HOME PARK REGULATIONS, OF THE ASSUMPTION PARISH CODE OF ORDINANCES WITH NEW SECTIONS 26:1 THROUGH 26: 60, THE ASSUMPTION PARISH LAND DEVELOPMENT REGULATIONS, AND TO FURTHER SPECIFY THE EFFECTIVE DATES OF SAME.**

**PART I**

Be it enacted by the Police Jury of the Parish of Assumption, convened in Regular Session on October 26, 2005, that Sections 26:1 through and including 26:46 of Chapter 26, Subdivision Regulations and Sections 27:1 through 27:46 of Chapter 27, Mobile Home Park Regulations, are hereby repealed and superceded by the new Sections 26:1 through 26:60 of Chapter 26, Assumption Parish Land Development Regulations, as follows:

**CHAPTER 26**

**LAND DEVELOPMENT REGULATIONS**

**Sub-Chapter A. -- Adoption of Regulations, Administration, Violations, and Definitions**

**Sub-Chapter B -- Procedures, Development Approval**

**Sub-Chapter C -- Land Development Standards**

**Sub-Chapter D -- Building Standards and Procedures**

**Sub-Chapter A**

**Adoption of Regulations, Administration,  
Violations, and Definitions**

**SECTION 26:1. TITLE**

These regulations may be cited and otherwise referred to as the Land Development Regulations of Assumption Parish.

**SECTION 26:2. AUTHORITY AND PURPOSE**

These regulations are adopted in accordance with the provisions of Louisiana Revised Statutes of 1950 Title 33:1236 (4), (13), (20), (36)(a) and (38)(a) as amended, granting Police Juries the authority to provide for regulations of certain land development activities for the purpose of promoting the health, safety, and welfare of the community. The Assumption Parish Land Development Regulations have been established to regulate the form and height of enclosures or fences; to provide for proper drainage; to regulate the laying out of subdivisions, resubdivisions, roads, streets, alleys, ways, bridges, parks, parkways, boulevards, playgrounds, community centers and other public buildings, grounds, or improvements; the location, relocation widening, removal, vacation or extension or other improvements of such existing public works, the platting of land into lots, roads, streets, and other dedicated or private ways; the location, re-location, development, routing, and re-routing of transit and transportation lines all in the interest of the systematic planning of the Parish; to provide for the area of lots and building setbacks, and other basic building requirements; and provide for land development standards that complement the Parish's floodplain management ordinances. These regulations have been established with consideration for the character of Assumption Parish as a whole and its peculiar suitability for particular uses, to promote the economic well-being of the community as a whole by encouraging sustainable development while acknowledging the importance of maintaining the health of the environment for the health of the public.

**SECTION 26:3. JURISDICTION**

- A. The construction and development of or alteration of all land and any buildings or structures located upon the land, and the construction, reconstruction, alteration, expansion, or relocation of any building or structure upon the land shall conform to all applicable provisions of these development regulations. No land, building, structure or premises shall be developed in any manner such that it impedes the natural drainage flow or other than that which is permitted in this ordinance. The developer and builder has the duty of compliance with reasonable conditions laid down by the Police Jury for design, dedication, improvement, and restrictive use of the land and the construction of buildings thereon so as to conform to the physical and economical development of the Parish of Assumption and to the safety and general welfare of future property owners and of the community at large. Therefore these regulations shall govern all development of land for the purpose of selling or renting of plots of land or buildings or dwellings there upon and the construction or location of residential, commercial or industrial structures there upon within the boundary limits of the Parish of Assumption, Louisiana, excluding the incorporated areas.
- B. *Exceptions.* The following are exempted from the regulations herein.
  - 1. These regulations do not apply to subdivisions of land or improvements thereupon previously approved by the Police Jury and upon which construction has begun within 30 days prior to the adoption of this ordinance. If construction work has not commenced within 30 days of the date of adoption of this ordinance, the development proposal must be resubmitted for approval under the new guidelines.
  - 2. Subdividing of land to be used for agricultural, forest, trapping or marine culture, provided that the owners certify upon the plat that the land is to be used for these purposes only and will not require acceptance of roads or drainage into the Parish system now or at any future time.

**SECTION 26-4. CONTENT DESCRIPTION.**

- A. This "Land Development Regulations" Code includes four (4) major divisions of regulation.
  - 1. Subchapter A General and Administrative Provisions sets forth the basic provisions relevant to the entire "Land Development Regulations" ordinance and establishes, describes and defines the authority of each administrative body having jurisdiction over the various sections of this ordinance.
  - 2. Subchapter B Procedures for Submission and Approval outlines the steps involved and information necessary for the Parish to review and approve the proposed development.
  - 3. Subchapter C Land Development Standards provides the minimum standards that must be used in the design and installation of improvements for public use both in conjunction with newly created subdivisions and when new improvements are installed in areas previously subdivided; requirement for the layout of lots that are to be sold, rented, leased or otherwise transferred between parties and other standards applicable to the development of land.
  - 4. Subchapter D Building Regulations sets forth regulations that apply to the situation of structures on lots within Assumption Parish.
- B. These land development regulations shall be held to be the minimum requirements for the promotion of the public health, safety, welfare and aesthetics of the community. The provisions of these regulations are intended to supplement and to be read, construed and applied with all existing laws, ordinances and regulations of this Parish so that whenever possible full and due effect is given to all such enactments. The provisions of these regulations shall not be deemed to have repealed or suspended any such existing law, ordinance or regulation of this Parish unless such result shall have been expressly stated or be clearly intended by the context and language of the provision in question. In the event of a conflict in any particular

circumstances between the provisions or requirements of these regulations and the provisions or requirement of any other law, ordinance or regulation of this Parish the more restrictive provision or requirement shall apply unless a contrary application thereof is expressly directed or clearly intended by the context and language of the laws, ordinances and regulations in question.

**SECTION 26:5. GENERAL PROVISIONS**

- A. *Administration:* The provisions of these regulations shall be administered by the authorized Police Jury representative and the Police Jury in accordance with the provisions set forth herein. The Police Jury’s representative shall have the power to make inspections of land, buildings or premises necessary to carry out their administrative duties in the enforcement of these regulations.
  
- B. *Interpretation* In their interpretation and application, the provisions of these regulations shall be held to be the minimum requirements for the development and dividing of any land.
  
- C. *Conflict*
  - 1. These regulations are not intended to interfere with, abrogate, or annul any other ordinance, rule or regulation, statute, or other provision of law. Where any provision of these regulations imposes restrictions different from those imposed by any other provisions of these regulations or any other ordinance, rule or regulation, or other provision of law, whichever provisions are more restrictive or impose higher standards shall control.
  
  - 2. The Parish Police Jury does not regulate or enforce private easements, covenants or any other private agreement or restriction. These regulations are not intended to abrogate any easement, covenant or any other private agreement or restriction, provided that where the provisions of these regulations are more restrictive or impose higher standards or regulations than such easement, covenant, or other private agreement or restriction, the requirements of these regulations shall govern. Where the provisions of the easement, covenant, or private agreement or restriction impose duties and obligations more restrictive, or higher standards than the requirement of these regulations, and such private provisions are not inconsistent with these regulations, then such private provisions shall be operative and supplemental to these regulations.
  
- D. *Separability* If any part or provision of these regulations or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of these regulations of the application thereof to other persons or circumstances. The Police Jury hereby declares that it would have enacted the remainder of these regulations even without any such part, provisions, or application.
  
- E. *Reservations* These regulations shall not be construed as abating any action now pending under, or by virtue of, prior subdivision regulations, or as discontinuing, abating, modifying, or altering any penalty accruing or about to accrue, or as affecting the liability of any person, firm, or corporation, or as waiving any right of the Parish under any section or provision existing at the time of adoption of these regulations, or as vacating or annulling any rights obtained by any person, firm, or corporation, by lawful action of the Parish except as shall be expressly provided for in these regulations.

**SECTION 26:6. VIOLATIONS AND PENALTIES**

- A. *Violations.* The Assumption Parish Sheriff shall assist the Police Jury in the enforcement of this ordinance.
  - 1. Whoever being the owner, developer, or agent of any owner and/or developer of any land to be divided who does not comply with any and all provisions of these regulations shall be so charged.

2. It shall also be a violation for any plat or subdividing of land to be recorded with the Clerk of Assumption Parish without the required approvals in accordance with these regulations.

3. It shall also be a violation for any owner and/or developer to sell, lease or rent lots in any subdivision prior to receiving the necessary approvals in accordance with the provisions of these regulations.

B. *Penalties:* Whoever is found guilty of any violations of these regulations after being charged in any court of competent jurisdiction shall pay a penalty of five hundred dollars (\$500.00) or imprisonment for a term not exceeding thirty (30) days, or by both such fine and imprisonment within the discretion of the court, for each violation and each day a violation exists shall constitute a separate violation.

## **SECTION 26:7 FEES**

The following fees shall apply. Other fees that apply to land development are found in the floodplain management code contained in Chapter 5, and elsewhere under Chapter 5 concerning Building and Construction Regulations.

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|-------------------------------------|--|
| 1. Development of less than 20 lots | \$500.00   |
| 2. Development of 20 or more lots   | \$500.00 plus \$50.00 per lot not to exceed \$1,000.00 |
| 3. Minor Subdivisions               | \$300.00   |

## **SECTION 2:8. GENERAL ADMINISTRATIVE PROVISIONS**

A. *Variances* A variance is a dispensation or modification of certain regulations on individual parcels of property as a method of alleviating unnecessary hardship due to unusual or unique circumstances that would otherwise prohibit the reasonable use of the property or the building to be located thereupon.

1. Where it can be shown that any provision(s) of these regulations would cause any unnecessary hardship if strictly adhered to because of topographical or other conditions peculiar to the site then a variance must be requested in writing and submitted to the Police Jury.
2. The authorized Parish staff will study the variance requested and forward the request to the Police Jury with their comments.
3. The Police Jury will consider the request for a variance at the next regular Police Jury meeting. They will study the variance requested and the comments of the staff, and if in their opinion a departure can be made without destroying the intent of these regulations, the requested variance shall be approved and the reason(s) for approval entered into the minutes of the meeting. The party requesting the variance shall be informed of such in writing.
  - a. If the requested variance is disapproved the reason(s) for disapproval shall be entered in the minutes of the meeting, and the party requesting the variance shall be informed of such in writing.

## **SECTION 26:9. DEFINITIONS**

### **Section 26:9.1 General provisions.**

The following definitions are presented to clarify the meaning of terms as they apply to specific sections of the land use regulations. Unless specifically defined below, words or phrases shall be interpreted to give them the meaning they have in common usage and to give these regulations the most reasonable application. Words in the present tense shall include the future; the singular number shall include the plural and the plural the singular; the word "structure" shall include, unless the context clearly indicates otherwise, the word "building"; and, the word

"shall" is mandatory and not discretionary. Any word, term or phrase defined herein shall reflect the context in which the word, term or phrase is used. All terms not specifically defined shall carry their usual and customary meanings.

**Section 26.9.2** As used in this Chapter, the following definitions shall apply:

*Abutting* - To touch along a common border such as "adjoining" lots.

*Agent of owner or owner's agent* - Any person showing written verification that he is acting for, and with the knowledge and consent of a property owner.

*Alley* - A dedicated public right-of-way having a required minimum width of 20 feet and used to provide access to the rear or side of properties otherwise abutting a street.

*Applicant* - The record owner(s) of land proposed to be rezoned or subdivided or otherwise acted upon by the Parish or the owner's authorized representative with confirmed written consent of the owner.

*As-built drawings*- Construction drawings which have been noted or amended to show all changes during the construction process.

*Authorized Police Jury Representatives* -The Parish engineer and/or Road and Bridge Department Supervisor or other staff responsible for review of subdivision submissions.

*Block* - A tract of land bounded by streets or by a combination of streets and public land, railroad rights-of-way, waterways or any other barrier to the continuity of development.

*Bond* - Any form of security including a cash deposit, surety bond, letter of credit, collateral or property in an amount and form suitable to the Police Jury. Any surety bond offered to satisfy any requirement imposed by these regulations shall be issued by a surety company or bond issuer licensed to do business in this state which has attained a rating of B+ or better in the then latest publication by the A.M. Best Company. The bond shall also be countersigned by a person who is contracted with the surety company or bond issuer as an agent of that company or issuer and who is licensed as an insurance agent in this state and resides in this state.

*Buffer zone* - A strip of land identified on a site plan and required by this or other State or Parish laws in order to protect one development from another which is incompatible.

*Building* - Any structure designed or built or used for the support, enclosure, shelter or protection of persons, animals, chattels, or property of any kind. The definition of the word "building" includes the word "structure", but any use of the term "building" shall not include the term "mobile building" unless specifically provided in the context of the discussion of the word "building."

*Building, principal* - A nonaccessory building in which the primary use of the site is conducted. In residential districts a dwelling shall be deemed to be the principal building.

*Campground* – A site for overnight camping on a temporary basis designed to accommodate recreational vehicles, camping trailers, and/or tents.

*Commercial Development:* Development designed for activities that include occupations, employment, or enterprises that are carried on for profit by the owner, lessee, or licensee.

*Construction Plans* - The plans and specifications prepared, signed and sealed by a Louisiana licensed civil engineer for the construction of on and offsite improvements for a subdivision. Construction plans include all aspects of the proposed construction including but not limited to site plans, foundations plans, pavement and

drainage plans, building elevations, utility plans, electrical, mechanical and plumbing plans and are accompanied by all details and written specifications needed to fully describe the proposed construction. When accompanying a subdivision plat, such Construction Plans shall be scaled by a licensed engineer and shall show the specific location and design of all improvements to be installed in the subdivision in accordance with the requirements of the Parish as a condition of the approval of the plat.

*Cul-de-sac* - A local street with only one outlet that terminates in a vehicular turn around and having an appropriate terminal for the safe and convenient reversal of traffic movement.

*Developer* – The owner of land proposed to be subdivided or his/her authorized agent who is responsible for any undertaking that requires review and/or approval under these regulations.

*Development* - Any manmade change to improved or unimproved real estate including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment and materials.

*Development criteria* - A set of criteria for site development applied in the review of requests for subdivision or other development purposes as specified in these regulations or as determined by the Police Jury.

*Development site* - A contiguous tract or parcel of land, subdivided lot or contiguous lots or parts thereof in the same or multiple ownership intended and suitable for development which is treated as one cohesive development site devoted to a unity of use in a permitting, subdivision or plan review procedure. A site shall not extend across a public street or right-of-way except in the case of a subdivision application in which the development site includes all the land within the boundaries of the proposed subdivision plat and may also include proposed roadways.

*Dwelling unit* - One (1) or more rooms physically arranged so as to create an independent housekeeping establishment for occupancy by one (1) family with sleeping facilities, a separate toilet and a single facility for cooking for the exclusive use of the occupying family. This includes manufactured and mobile home dwellings.

*Easement* - A grant by a property owner of the use, for a specific purpose or purposes, of a designated strip of land to the general public, a corporation or individual.

*Engineer* - A professional engineer registered in the State of Louisiana, or a professional engineer in the employ of a state or federal agency acting in the area of his registered specialty or area of expertise.

*Family subdivision* means a division of property into two or more lots for subsequent ownership by members of the immediate family of the subdivider (*see Section 26: 29, Family Subdivisions, for additional information*).

*Fence* - Any artificially constructed barrier of any material or combination of materials erected to enclose or screen areas of land.

*Final Plan* – The final map or drawing, described in these regulations, on which the subdivider's plan of subdivision is presented to the Parish for approval and which, if approved, will be submitted to the Parish Clerk for recordation as prepared by a land surveyor registered in the State of Louisiana.

*Frontage* - That portion of a lot abutting on a street right-of-way measured along the property line of the public right-of-way and the private property.

*Impervious surfaces* - Any material that substantially reduces or prevents the infiltration of storm water into previously undeveloped land. Impervious surfaces shall include graveled driveways and parking areas.

*Industrial Development, Heavy:* A development designed for businesses that engage in the basic processing and manufacturing of materials or products predominately from extracted or raw materials, or a use engaged in storage of, or manufacturing processes using flammable or explosive materials, or storage or manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions.

*Industrial Development, Light:* A development designed for activities engaged in the manufacture, predominately from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales, and distribution of such products, but excluding basic industrial processing.

*Homeowners association* - A private, nonprofit corporation, partnership, unincorporated association or other entity comprised of homeowners for the purpose of owning, operating, and maintaining various common properties or organized for the pursuit of common goals.

*Lease* - A contract by which one (1) party gives to another the enjoyment of a thing for a fixed or determinable term at a fixed or determinable price.

*Letter of credit* - An engagement by a bank or other person made at the request of a customer and of a kind that the issuer will honor drafts or other demands for payment upon compliance with the conditions specified in the credit. All letters of credit shall be satisfactory to the Police Jury and shall be approved by the Parish attorney whenever a letter of credit is submitted in accordance with these regulations. A letter of credit submitted in accordance with these regulations that is issued by a bank shall be issued by a bank doing business in this state that is chartered under the banking laws of the United States of America or the banking laws of the State of Louisiana. A letter of credit submitted in accordance with these regulations must be irrevocable and shall state clearly that it is irrevocable. The engagement may be either an agreement to honor or a statement that the bank or other person is authorized to honor.

*Lot* - A parcel of land legally platted and recorded or otherwise required to be treated as one (1) development site and having its principal frontage on an officially approved street right-of-way.

*Lot, corner* - A lot or parcel of land abutting upon two or more streets at their intersection, or upon two (2) parts of the same street forming an interior angle of less than one hundred thirty-five (135) degrees.

*Lot, double frontage (or "through")* - A lot which fronts on two (2) parallel streets, or which fronts upon two (2) streets that do not intersect along the boundaries of the lot.

*Lot improvements* - Any building, structure, paving, grading, connection to utilities or other development of the land constituting physical or economic betterment of real property.

*Lot, interior* - A lot abutting adjacent lots on at least two (2) sides and other than a corner lot.

*Lot line* - A line or series of connected line segments bounding a lot as herein defined.

*Lot line, front* - On an interior lot, the lot line abutting the street. On a corner lot, the shorter lot line abutting a street or the line designated as the front lot line by subdivision or parcel map. On a through lot, the lot line abutting the street providing the primary access to the lot. On a flag (panhandle shaped) lot, the interior lot line designated as a front lot line by a subdivision or parcel map, or the line determined by the building inspector to be the front lot line.

*Lot line, rear* - The lot line opposite and most distant from the front lot line. In the case of a triangular or irregularly shaped lot, a line ten (10) feet long lying entirely within the lot, parallel to and at a maximum distance from the front lot line.

*Lot line, side* - A lot line intersecting the front lot line and extending therefrom a minimum distance within the lot of seventy-five (75) feet.

*Lot of record* - A lot which is a part of an approved subdivision, the plat or survey which has been recorded in the office of the Parish Clerk of Court; or a parcel of land which was legally established and defined by deed or act of sale prior to the enactment of this ordinance.

*Lot, Tract or Plot* - A unit for transfer of ownership, or for development, or both.

*Major Subdivision* - All subdivisions not classified as a minor subdivision, including but not limited to subdivisions of four or more lots, or any size subdivision requiring any new street or extension of the local government facilities or the creation of any public improvements.

*Manufactured/Mobile Home Park or Community* – This term applies to a tract that is retained under single ownership and upon which two (2) or more spaces or sites are rented and/or leased to other individuals who wish to locate a manufactured or mobile home. Spaces or sites are leased or rented to individuals who locate their own manufactured/mobile home on the site or space or who rent or lease manufactured or mobile homes which the owner provide.

*Minor Subdivision* - Any subdivision containing not more than three (3) lots or plats of ground used for not more than three (3) habitable dwellings fronting on an existing street, not involving any new street or road, or the extension of municipal facilities or the creation of any public improvements, and not adversely affecting the remainder of the parcel or adjoining property, and not in conflict with any provision or portion of the Master Plan, Official Map, Zoning Ordinance or these regulations.

*Master development plan* - A plan of the proposed phases of a major subdivision.

*Manufactured Home* – “Manufactured home” or “manufactured housing” means a factory-built, residential dwelling unit constructed to standards and codes, as promulgated by the United States Department of Housing and Urban Development (HUD), under the National Manufactured Housing Construction and Safety Standard Act of 1974, 42 U.S.C. Sec. 5401 et seq., as amended. Further, the term “manufactured home” and “manufactured housing” may be used interchangeably and apply only to structures bearing the permanently affixed seal of the United States Department of Housing and Urban Development. This definition does not include a recreational vehicle.

*Mobile Home*- A factory built residential dwelling unit built to voluntary standards prior to passage of the National Manufactured Housing Construction and Safety Standards Act of 1974. This definition does not include a recreational vehicle.

*Multi-Family Dwelling* – A residential building containing three or more dwelling units, including what is commonly known as an apartment building.

*Parish* - The Parish of Assumption, State of Louisiana.

*Parking area* - Any public or private land area not a part of a street right-of-way which is used for temporary parking of automobiles and other vehicles, including driveways and access ways. Also referred to as a vehicular use area.

*Parking lot* - An area within a building, or on a lot or site, or both, which is not elevated and which includes one or more parking spaces together with driveways, aisles, turning and maneuvering areas, clearances and similar features and meets the requirements of these regulations.

*Parking space* - An impervious surface area accessible to vehicles and of sufficient size to meet the minimum requirements of these regulations. An area on a lot and/or within a building intended for the use of temporary parking of a personal vehicle. This term is used interchangeably with parking stall. Each parking space must have a means of access to a public street.

*Performance standards* - A list of criteria to establish control of noise, odor, smoke, toxic or noxious matter, vibration, heat, glare or explosive potential generated by or inherent in the use of land or buildings.

*Permit* - A written authorization to commence an activity allowed by Parish codes on a form approved by the appropriate Police Jury representative, and signed by the person or persons having the jurisdiction over the approval or denial of the authorized activity.

*Plans, set of* - All plans, elevations, details, and specifications to fully describe construction of a proposed development project.

*Plan, site* - A plan view or bird's eye view of site drawn to scale, dimensioned and providing all of the information required to fully describe the proposed construction showing the boundaries of the site and all of the buildings, structures and principal site development features, including parking, access, landscaping and screening, and the use(s) proposed.

*Plat* - A survey of a tract of land showing the boundaries, dimensions and location of individual lots and streets, survey monuments, topographic data, easements, servitudes, rights-of-way, existing structures, proposed utilities and significant natural features. For purposes of these regulations the term plat is not to be construed as a site plan.

*Police Jury* - The Assumption Parish Police Jury.

*Property owner* - An individual, firm, association, syndicate, partnership, or corporation having sufficient proprietary interest to seek development of land.

*Protective Covenant* - A restriction on the use of private property within a subdivision for the purpose of providing mutual protection against undesirable aspects of development bound by an expressed agreement between the subdivider and lot purchaser.

*Public improvements* - Any capital improvement such as streets, public utilities, drainage ditches or structures, sidewalks, bicycle paths, landscaping or open space whether within publicly owned property or in a dedicated or prescribed servitude or right-of-way on privately owned land, dedicated or intended to be dedicated to the public, which a public agency or utility currently maintains or will maintain after construction is satisfactorily completed and accepted by the Police Jury.

*Recreational vehicle* - A vehicle which is (i) built on a single chassis; (ii) 400 square feet or less when measured at the largest horizontal projections; (iii) designed to be self-propelled or permanently towable by a light duty truck; and (iv) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

*Recreational vehicle park* - A campground that provides utilities and spaces in order to accommodate recreational vehicles on a temporary, overnight basis.

*Reservation* - A legal obligation to keep property free from development for a stated period of time, but not involving any transfer of property rights.

*Resubdivision* - In addition to being synonymous with 'subdivision', means and shall also include the consolidation of two or more lots, plats, tracts, parcels or other divisions of land into one or more lots, plats,

tracts, parcels, or other divisions of lands. The reconfiguration of lot lines within a previously platted and recorded subdivision.

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

*Runoff* - The portion of rainfall, melted snow or irrigation water that flows across the ground surface and eventually returns to streams or waterbodies.

*Sale* - The nongratiuitous exchange of goods or ownership interest in real property.

*Same or common ownership* - Ownership by the same individual, corporate entity or legally recognized association, ownership by more than one corporate entity in which a principal has an interest.

*Screening* - A method of visually shielding or obscuring a land use by fencing, walls, berms or densely planted vegetation.

*Servitude* - A strip reserved for public utilities, drainage, and other public purposes, the title of which shall remain with the property owner, subject to the right of the use designated in the reservation of the servitude.

*Sewerage system, communal* - A sewerage system serving two or more residential, commercial or industrial structures that has a shared sewage treatment plant and which is approved by the Louisiana Department of Health.

*Sewerage system, individual* - A sewerage system designed to serve only one residential, commercial or industrial structure, that has a sewage treatment plant serving only that single structure and which is approved by the Louisiana Department of Health.

*Sidewalks* - The portion of a street or cross walkway paved or otherwise surfaced and intended primarily for pedestrian use.

*Sightflare* - Angle of vision at intersection.

*Streets* - A right-of-way dedicated to public use which provides principal vehicular and pedestrian access to adjacent properties. This includes avenues, boulevards, roads, lanes, alleys, viaducts and other ways.

*Street, major arterial* - Major street in the city's major streets plan that serves traffic moving into, out of and through the Parish carrying high volumes of traffic.

*Structure* - Any material or a combination of materials which are constructed or erected, the use of which required location on the ground, or attached to something located on the ground. The definition includes mobile and manufactured homes but not recreational vehicles.

*Specifications* - A written statement containing a description or enumeration of particulars, as of the terms of a contract or details of construction or land development criteria not shown in architects or engineers drawings but essential to the communication of the architect or engineers intentions for the work.

*Street, collector* - Streets that provide access to abutting property and also serve to connect local streets with major arterial streets.

*Street, local* - A street intended to provide access to abutting properties and connecting to collector or major arterial streets.

*Subdivider* - Any person who has an interest in land and causes it to be divided into a subdivision or who intends to subdivide land in which there is an interest, or who engages an agent to offer a subdivided tract of land for sale or any person in direct or common control of property on which the above action is taken or contemplated.

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

*Substandard lot* - A lot or tract of record by deed or plat that does not comply with minimum area, width, or depth requirements currently applicable to the district in which it is located, but which complied with applicable requirements when it became a lot of record.

*Temporary living quarters* – a motorized camping or recreational vehicle, camping trailer, tent or similar structure designed for camping or short-term lodging that is located for not more than 180 consecutive days at a specific site, is fully licensed and ready for use for the highway, is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

*Tract* - A parcel of land identified by metes and bounds the boundaries of which are not shown on a recorded subdivision development plat.

*Utility, public or private* - Any agency which, under public franchise or ownership, or under certificate of convenience and necessity, provides the public with electricity, gas, heat, steam, communication, rail transportation, water, sewerage collection, stormwater drainage or other similar service.

*Wetlands* - An area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that, under normal circumstances, does support, a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation or an area determined by the U.S. Army Corps of Engineers or any other wetlands jurisdictional agency to be a wetlands.

*Yard* - A required open space on a lot adjoining a lot line unobstructed by a principle structure from the ground upward, except for accessory buildings, swimming pools, parking and such uses as otherwise provided by these regulations.

**SECTION 26:10 to 26:19 RESERVED**

**Sub-Chapter B**  
**Procedures, Development Approval**

**SECTION 26:20. LAND DEVELOPMENT REVIEW PROCEDURE; RIGHT OF POLICE JURY TO ACCEPT OR DENY APPROVAL**

The Police Jury will use the following procedures for approval of the development of land for the purpose of sale, lease, rental or other transaction involving change in ownership or use, as a step toward sound planning in the development of the Parish of Assumption. The Police Jury retains the right on behalf of the Parish to accept or not to accept any improvements made within servitudes with just cause. The following procedures are guidelines and may be altered by a majority vote of the Police Jury by resolution at any public meeting.

There are two phases in the approval process for minor subdivisions and either four or five phases to the review and approval process for all or other developments involving public infrastructure, which are more fully described herein.

**SECTION 26:21 OFFICIAL SUBMISSION DATE**

For the purpose of these regulations, the dates of the meeting of the preplan conference and the Police Jury meeting or public hearing during which Preliminary Plat, Construction Plans or Final Plan approvals are granted, including any adjourned date thereof, is closed shall constitute the Official Submission Dates of for each phase of development.

**SECTION 26:22. CLASSIFICATION OF DEVELOPMENTS**

A. Before any land is subdivided or developed for the purpose of sale, or other change in ownership, or for the lease or rental of property, the owner of the proposed development property, or his authorized agent, shall apply for and secure approval of the proposed development in accordance with the procedures provided for herein. The first step to be taken is a determination of whether the development is a minor subdivision or other kind of development.

**Minor Subdivision.**

1. Preplan Conference
2. Final Subdivision Plat
3. Approval by Permit Office

**Major Subdivision, Mobile HomePark/Manufactured Home Community, Campgrounds, Recreational Vehicle Parks, or Other Developments**

1. Preplan Conference
2. Preliminary Plat
3. Construction Plan
4. Final Plat
5. Acceptance Phase (may not apply to Private and Family subdivisions)

Preplan Conference – The owner/developer meets with the authorized Police Jury representatives to review the proposed development and the regulations that will apply to the plan. (*see Section 26:23 for submission requirements*)

Preliminary Plat Phase – The owner/developer submits a layout of the proposed development as prepared by a licensed surveyor or engineer showing the lots or rental space dimensions, street layouts, rights of way and/or servitudes, access and other information as further described herein. After the Police Jury approves the Preliminary Plat, the developer then may proceed to have an engineer prepare detailed Construction Plans. (*see Section 26:24 for submission requirements*)

Construction Plan Phase -- The Police Jury approves the Construction Plans, which are prepared by a Louisiana licensed engineer or architect, and the owner may then start construction. *(see Section 26:25 for submission requirements)*

Final Plan Phase -- The Police Jury approves the development as having been built in accordance with the Construction Plans and having met all requirements of the Parish. *(see Section 26:26 for submission requirements)*

Acceptance Phase – The Police Jury or the appropriate public utility accepts for perpetual maintenance any public infrastructure. *(see Section 26:27 for submission requirements)*

Approval by Permit Office – The final step for a minor subdivision is administrative approval of the plan by the Parish Permit Office and issuance of any required local development permit or recordation of the approved plat with the Parish Clerk of Court as appropriate. *(see Section 26:28L for submission requirements)*

### **SECTION 26:23. PREPLAN CONFERENCE**

- A. The preplan conference will be held between the owner and/or developer, Police Jury Engineering Committee representative, and the Parish staff to consider the proposed development and discuss the requirements for the layout and configuration of lots, streets, geometric relationship with existing streets and adjoining land, easements which may join or cross the proposed land to be divided, drainage, sewerage, water, other utilities, buffer zones, reservation of land, fire protection and similar matters as well as the availability of existing services including schools.
  - 1. Any owner and/or developer of land within Assumption Parish anticipating the possibility of developing land for any purpose must contact the Parish staff to set a date and time for the pre-plan conference with the Police Jury representatives.
  - 2. The owner and/or developer must bring to the pre-plan conference a sketch plan, site and location maps, and other documents in order to reasonably show the nature and extent of the development proposed.
- B. If the preplan conference reveals the proposal to be a minor subdivision, the developer shall prepare and submit a completed application for final approval. If the subdivision is a major subdivision, notice of a Public Hearing shall be provided in accordance with procedures detailed herein and shall be scheduled for the next available regular meeting of the Police Jury, after which the Police Jury may take action to formally approve, disapprove or conditionally approve the Final Plat. The Police Jury shall provide notice and hold the public hearing on the plat in the same manner prescribed herein for Final Approval.
- C. Master Development Plan: The owner/developer may submit a Master Development Plan for the entire site. This plan may be submitted at the Preliminary Plat approval phase and construction and final approvals may be submitted in phases. If the developer intends to build the development in phases, he should discuss this with the Police Jury representatives during the Pre-Plan Conference to determine whether a Master Development Plan is warranted.
- D. It is the Police Jury’s policy and requirement that all sewerage improvements to be privately owned and maintained and approved by the Louisiana Department of Health.

### **SECTION 26:24. PRELIMINARY PLAT PHASE**

- A. The purpose of the Preliminary Plat phase is to insure that the plans and documents submitted are in accordance with this ordinance and the discussions of the pre-plan conference. Submission of Preliminary

Plat does not guarantee acceptance of the Final Plat. Parish codes and State requirements are subject to periodic updates and changes and preliminary approvals will be based upon the standard in affect at the time of approval.

- B. Any owner of land within the Parish wishing to develop land after a Pre-Plan Conference has been held shall submit to the Parish four (4) copies of a Preliminary Plat which shall conform to the minimum requirements set forth herein. If the owner wants more than one (1) signed copy, additional copies must be submitted.
- C. *Preliminary Plat.* The Preliminary Plat shall be on a 24" x 36" sheet, stamped "Preliminary Plat" which shall contain the following information.
  - 1. Name of the proposed development.
  - 2. Name and address of the owner of the property and of the developer if other than the owner.
  - 3. Name and address of the licensed land surveyor or engineer who prepared the plan.
  - 4. Vicinity map.
  - 5. Legal description of boundary
  - 6. Date, north arrow, and graphic scale (1" = 100')
  - 7. Proposed street names, and lot and block numbers.
  - 8. Topography of land with 1 foot contours (U.S.C. & G.S. Datum).
  - 9. Proposed drainage plan with arrows showing the direction of flow, estimated run-off (in-cfs), all proposed culverts, pump mechanics and outfall ditches or canals to remove water away from the development. If required, the developer will provide the information for surrounding drainage areas in order to evaluate the impact of the new development on the existing drainage system. (*see Section 26:44 for Drainage Improvement construction standards*).
  - 10. Approximate location of all existing adjacent property owners, property lines, railroads, water and sewer lines, bridges, roads, culverts, and all recorded rights of way and servitudes adjacent or crossing the property to be platted.
  - 11. Location of all proposed streets, alleys, with typical street cross-section showing base material, wearing surface, width of street, side ditches, and right-of-way widths. (*see Section 26:41 for Street Standards*).
  - 12. Location, dimension and area of all proposed lots or rental spaces.
  - 13. The location of any proposed park or other public or private reservation and the designation of its purpose.
  - 14. Flood zone boundaries and the flood hazard rating of each flood zone.
  - 15. If any portion of the property is suspected of being a wetland, the owner/developer must submit a wetland determination from the U. S. Army Corp of Engineers.
  - 16. Section, township, range, municipal limit and/or Parish boundaries which abut or cross the proposed subdivision.
  - 17. The location of all proposed monuments.
  - 18. All information must comply with the Assumption Parish Code.
  - 19. Two (2) places for signature of the authorized Police Jury representative.
- C. The application for Preliminary Plat approval shall include information as required herein and shall be accompanied by a form provided by the Parish which shall contain at a minimum the following information and which shall be signed by the owner or the owner's agent.
  - 1. Name, address and telephone number of applicant.
  - 2. Name, address and telephone number of owner if other than the applicant.
  - 3. Size of parcel to be developed and number of lots or rental spaces to be created.
  - 4. Copy of property titles and legal description of property.
  - 5. Identification of known problems, hazards or irregularities of property.
  - 6. Identification of any unusual improvements to be installed.
  - 7. Other information as deemed pertinent by the Parish.

- D. The owner and/or developer must submit with the Preliminary Plat utility service agreements from either public or private utilities covering gas, water, electricity, sewer and telephone. The service agreement should indicate that the utility has the capacity of facilities to serve the proposed development and that it intends to provide service in accordance with its own regulations (*see Section 26:45 for additional information*).
- E. The owner and/or developer must submit with the Preliminary Plat a letter or document from the State Department of Health giving permission to develop the land as proposed.
- F. The owner and/or developer must submit with the Preliminary Plat the soil test reports from a certified testing laboratory which were the basis for the road base and surface design.
- G. The authorized Police Jury representatives will check and review all plats and documents. A recommendation on a completed application regarding approval or disapproval will be forwarded along with comments to the Police Jury for review and action at the next regularly scheduled Police Jury meeting.
  - 1. If the staff review finds the application to be incomplete, all the information submitted will be returned to the sender with written comments indicating the additional information to be submitted.
- H. Upon receipt of a completed application for Preliminary Approval, the Police Jury representative shall schedule a Public Hearing on the Preliminary Approval of the development at a regular Police Jury meeting. Notice of the Public Hearing shall be published in the official journal at least ten (10) days in advance of the Police Jury meeting. After the close of the Public Hearing, the Police Jury may take action on the development during its meeting, or may take the matter under advisement for action at the next regular meeting. However, the Police Jury shall act on the matter within 60 days of the date of the close of the Public Hearing.
- I. No Preliminary Plat of development of land lying within the jurisdiction of the Parish shall be filed or recorded in the office of the Clerk and recorder of Assumption Parish, Louisiana, and no improvements on land shall commence based on approval of a Preliminary Plat.
- J. Approval of a Preliminary Plat is not an authorization to proceed with the sale or rental of property to be developed.
- K. The approval of a Preliminary Plat shall be effective for a period of one (1) year (365 days) from the date that the Preliminary Plat is approved by the Police Jury, at the end of which time the applicant must have submitted Construction Plans for approval. If Construction Plans are not submitted for final approval within the one (1) year (365 days) period, the preliminary approval shall be null and void, and the applicant shall be required to schedule a new preplan conference and submit a new Preliminary Plat for review subject to the then existing regulations for the kind of development proposed.
- L. When all approvals are received one (1) copy will be sent to Police Jury files and one (1) copy returned to sender.
  - 1. Should the Police Jury deny the application for preliminary approval, the Police Jury representative shall send a letter to the owner or his agent along with a statement as to the reasons for denial.
- M. Upon approval of the Preliminary Plat and documents, the owner and/or developer must submit to the authorized Police Jury representative four (4) copies of Construction Plans and specifications. If the owner wants more than one (1) copy signed, additional copies must be submitted.

## SECTION 26:25. CONSTRUCTION PLAN PHASE

- A. The purpose of the Construction Plan phase is to study the plans to insure that all requirements of the Parish are being observed and to certify that the methods of construction can satisfactorily meet State requirements.
- B. *Construction Plans.* The Construction plans shall be on 24" X 36" sheets, stamped Construction Plans, and shall contain the following information. The Construction Plans shall be accompanied by an application form provided by the Parish which shall contain information pertinent to the request for approval of Construction Plans and which shall be signed by the owner or his agent.
1. Title sheet showing the name of the subdivision, owner and/or developer, vicinity map, the developer's engineer's signature and seal, index of sheets, and engineering notes.
  2. An overall plan showing platted lots, servitudes, easements, water lines, location of valves and hydrants, etc. The street layout shall show typical street cross-section indicating specifications for base material and wearing surface as it is to be constructed along with side ditches, all to be in accordance with requirements set forth in this Chapter or elsewhere in the Parish Code of Ordinances or State requirements (*see Section 26:41 for additional information*).
  3. Plan and profile sheets showing existing ground elevation along the centerline, and when applicable along each right-of-way of each proposed street. The street shall be in accordance with the platted servitudes and every 100 foot station indicated on this drawing. The flow pattern of the drainage water, all drainage structures and outfall canals shall be shown on these drawings. A north arrow and scale shall be indicated by each street to aid in location.
  4. Detail sheets of water, sewer, gas, electrical, telephone or any additional improvements must be included and approval entered in writing by the authorized representative of units responsible for each improvement (*see Section 26:45 for additional information*).
  5. The water improvements shall be approved by the Assumption Parish Water Works District No. 1 prior to submittal to the authorized Police Jury representatives for approval (*see Section 26:45 for additional information*).
  6. All sewage collection and treatment systems shall be approved by the Louisiana Department of Health prior to submittal of plans to the authorized Police jury representatives for approval. The Police Jury requires written documentation of a maintenance agreement with a private sewerage maintenance company licensed in the State of Louisiana (*see Section 26:45 for additional information*).
  7. Any permits, letters of no objections or other approvals necessary for development from agencies other than the Police Jury including the Board of Health, U. S. Army Corps of Engineers, Historic Preservation Officer, and others as may pertain to the particular project.
  8. Any soil tests, drainage studies, traffic engineering or other technical reports required under these regulations or by the authorized Police Jury representatives necessary for the Parish to review and make recommendations as to the conditions of the property and its impacts on the surrounding area as it pertains to the proposed development.
- D. The authorized Police Jury representatives shall check and review all plans and documents for compliance with all applicable Parish Codes and for letters of approval from the appropriate utility and/or health agencies. If the Parish staff finds that the proposal is in order, they will send five (5) copies of the application with their comments to the Police Jury for review and action.
1. If the staff review finds the application to be incomplete, all the information submitted will be returned

to the sender with written comments indicating the additional information to be submitted.

- E. When all approvals are received, one (1) copy will be kept permanently on record in the in Police Jury files and one (1) copy returned to the sender along with a copy of the approving resolution. A copy will be provided to the Parish Maintenance Department, the Parish Engineer and to the 911 Communications District.
- F. Upon approval of the Construction Plans, the owner and/or developer may commence construction, however, he must notify the authorized Police Jury representatives prior to commencement of any work in order that they may check on the job progress from time to time.
  - 1. The owner and/or developer must submit a right-of-way grant at this time to allow the authorized Police Jury representative to enter onto property for inspection of work.
- G. The project must be constructed in accordance with the approved Preliminary Plat and Construction Plans. Any alterations or changes must be submitted to the authorized Police Jury representatives under the variance section of these regulations.
- H. If the authorized Police Jury representatives inspecting the project at any time sees or detects a fault in construction that may be harmful to the Parish, they shall have the right to stop construction until the matter has been settled.
  - 1. In the event that a stop work order is issued, it shall be so issued in writing and hand delivered or sent certified mail to the owner, his agent and the developer's site foreman. The letter shall state the reason for the stop order and the necessary corrections. A reasonable time frame shall be given for completion of the corrective work prior to the development proceeding further. A copy of the letter and a report on the matter shall be forwarded to the Police Jury.
- I. The approval of Construction Plans shall be effective for a period of one (1) year (365 days) from the date that such approval is granted by the Police Jury, at the end of which time the applicant must have commenced work on the development.
  - 1. If construction work has not commenced within the one (1) year period (365 days), the Construction Plans approval shall be null and void, and the applicant shall be required to schedule a new preplan conference and submit a new Preliminary Plat for review subject to the then existing regulations for the kind of development proposed.
  - 2. Construction work carried out under the approved plans should be completed and final approval requested within two (2) years from the date work commences. Upon proper documentation of progress and problems encountered, the developer may request and the Police Jury may grant a reasonable time extension to this period due to unforeseen circumstances affecting the installation of improvements.
- J. Upon approval of the Construction Plans and specifications the owner and/or developer must submit to the Police Jury five (5) copies of the Final Plan with one (1) sepia or reproducible vellum for their files.
  - 1. If the owner wants more than one (1) copy signed, additional copies must be submitted.

**SECTION 26:26. FINAL PLAN PHASE**

- A. The purpose of the Final Plan is to check the plat which is to be recorded with the Parish Clerk of Court to insure it is in accordance with the Preliminary Plat, Construction Plans and specifications, and that it bears all the necessary information for proper recordation, and to inspect the development as-built prior to issuance of any Police Jury approvals.

- B. *Final Plat*. The Final Plan shall be on a 24" x 36" bordered sheet prepared for recording, stamped "Final Plat", shall be accompanied by an application form as provided by the Police Jury and shall have the following information.
1. Scale (1" = 100').
  2. Name of subdivision.
  3. Name of owner and developer with their addresses and name and address to who the notice of a public hearing should be sent if different from the owner and/or developer.
  4. Signature and seal of the developer's registered engineer and/or surveyor.
  5. Boundary description and dimensions and bearings on all platted lines.
  6. Location, dimensions and purposes of any easements or servitudes both existing and those to be dedicated.
  7. Reference to all adjoining lands with the name of the owner and locations of all boundary lines intersecting the boundaries of the land to be divided.
  8. Dedication of all streets, drainage and easements must be made and signed by owner and/or developer.
  9. All corners must be substantially marked and the type of marker described, preferably by 4" X 4" concrete posts.
  10. Curve data for each curve.
  11. Two (2) places for approval of the authorized Police Jury representatives, and one (1) place for approval of the Police Jury president.
- C. The owner and/or developer must submit with the Final Plan four (4) sets of any restrictive or protective covenants which shall be furnished by the owner to all purchasers or renters of land in the development and four (4) sets of as-built plans, signed by the owner and owner's engineer or architect, for distribution to appropriate agencies.
- D. Upon completion of the project the owner and/or developer must submit a "Certificate of Substantial Completion," "Certificate of Warranty," soil tests reports for base compaction and tests reports on concrete to the Police Jury.
1. The "Certificate of Substantial Completion" shall state that the project has been developed in accordance with all plats, Construction Plans and documents and must have two (2) places for approval of authorized Police Jury representatives, and one (1) place for approval of Police Jury Engineering Committee Chairperson.
  2. The "Certificate of Warranty" shall state that the owner and/or developer will maintain all streets and drainage through the acceptance phase and until thirty (30) days after the formal acceptance of same by the Police Jury at their regular meeting.
  3. The soil tests report and concrete reports shall be from a certified testing laboratory and shall indicate that Sub-Chapter C of these regulations, Land Development Standards, have been complied with.
- F. Upon receipt of the "Certificate of Substantial Completion", "Certificate of Warranty" and all required tests results the authorized Police Jury representatives shall call for an on site inspection and shall be accompanied by the developer's engineer.
1. The owner and/or developer will be notified when the on site inspection will take place.
- G. When inspected, if all improvements are in accordance with the approved plats, Construction Plans and documents the inspection committee shall approve the "Certificate of Substantial Completion" and forward all documents to the Police Jury for further action.

1. Should there be discrepancies with any improvements the owner and/or developer shall be advised of such and must correct these before any approvals can be given.
- H. If the owner and/or developer wishes to classify the development as a private development it will be necessary to stamp “*PRIVATE*” on the Final Plan and submit certified documents as follows.
1. A right-of-way agreement holding the Police Jury harmless for damages while servicing the residents with refuse collection service.
  2. If the owner and/or developer do not wish to allow the refuse trucks on the road then a document certifying that all garbage and refuse will be brought to the nearest public road in an authorized manner must be submitted.
  3. The owner and/or developer must make these conditions, and the fact that the Parish will not be responsible for any maintenance of any improvements clearly understood in the protective covenants.
- I. The authorized Police Jury representatives will check and review all plats and documents for compliance with all Parish Codes. If everything is found in order the Police Jury representatives will send two (2) copies with their comments to the Police Jury for review and proceed to schedule a Public Hearing.
1. If the information is incomplete the authorized Police Jury representatives will return all the information submitted to the sender with written comments on changes necessary to comply.
- J. Upon receipt of the completed application for Final Approval, the Police Jury representative shall schedule a Public Hearing on the development at the next regular Police Jury meeting. Notice of the Public Hearing shall be published in the official journal at least five (5) days in advance of the Police Jury meeting. Notice shall also be sent to the name and address for notification as provided by the applicant by certified mail of the time and place of such hearing not less than five (5) days before the date fixed thereof. After the close of the Public Hearing, the Police Jury may take action on the development during its meeting, or may take the matter under advisement for action at the next regular meeting. However, the Police Jury shall act on the matter within 60 days of the date of the close of the Public Hearing.
- K. When all approvals are received, one (1) copy of the Final Plan will be sent to each of the following: the Police Jury files, the Office of Emergency Preparedness and Homeland Security, the appropriate Volunteer Fire Department, and other agencies that need copies of the Final Plan and one (1) copy returned to sender along with any extra copies that are submitted.
1. Approval of the Final Plan does not constitute acceptance of streets, drainage, utilities or other improvements for maintenance by the Police Jury. Acceptance of streets and drainage must also be accomplished in order for the Parish to maintain such infrastructure.
- L. Minor Subdivisions. The final step for a Minor Subdivision is Approval of the Permit Office. A Public Hearing is not required for a Minor Subdivision. The Parish’s Permit Office will review the Final Plat that is submitted. The Final Plat shall contain those items as appropriate in Paragraphs B, C and H of this Section. The Police Jury’s representative will review the complete application for compliance with all Parish requirements. If necessary, the Police Jury representative will consult with the Parish Engineer in the review of the application. If the application is determined to be complete and in compliance with all applicable Parish Codes, the Permit Office will sign the Final Plan and proceed with recordation as discussed elsewhere in this Ordinance and issuance of any appropriate Parish permits.

**SECTIONS 26:27 ACCEPTANCE PHASE**

- A. The purpose of the acceptance phase is to recheck all the plans and documents submitted and to inspect the

development as built to ensure it meets the standards prescribed prior to acceptance of the Police Jury of any streets, drainage or other infrastructure for perpetual maintenance. The Police Jury does not accept any communal or individual sewerage system for perpetual maintenance. No sale, lease, rental or other transfer of lots may commence until the Acceptance Phase is complete unless there are no public infrastructure such as roads, drainage, sewerage, water, etc. to be dedicated to the Parish for perpetual maintenance. In such cases the process ends with Final Plan approval.

- B. Upon receipt of the staff recommendations, Final Plan approval, “Certificate of Substantial Completion”, as built plans and all other required certificates and documents the Police Jury, at their regular meeting, shall review the development and if a majority is in agreement shall by resolution, accept the streets, road lights, drainage and any other appropriate infrastructure for maintenance by the Parish workforces within their regular schedule, thirty (30) days hence.
  - 1. If there is not a majority of the Police Jury in agreement any problems shall be discussed and corrected if necessary to the satisfaction of the majority.
- C. Upon approval of the Police Jury of a resolution accepting streets, road lights, drainage and any other appropriate infrastructure for perpetual maintenance, the resolution shall be recorded along with the approved Final Plan, the signed form of acceptance and all other certificates and documents with the Clerk of Assumption Parish.
- D. The owner and/or developer must record all approval documents and plats with the Assumption Parish Clerk of Court prior to the sale, lease, rental or other transfer of lots.

**SECTION 26:28. ADDITIONAL SUBMISSION REQUIREMENTS FOR PRIVATE SUBDIVISIONS**

- A. Private Subdivisions are distinguished from public subdivisions in that the subdivision streets and other infrastructure serving lots within the limits of that subdivision are maintained through private arrangements. It is the Parish policy that the approval process for private subdivisions is the same for public subdivisions, with those exceptions as identified in this section or as specified elsewhere in the Parish Code.
- B. Application for final approval of private subdivisions shall comply with all other regulations applying to public subdivision except as otherwise provided as follows.
  - 1. The Parish Code of Ordinances, in particular Parish land development and building codes and regulations shall be deemed minimal standards that must be met. Additional provisions that are more restrictive than those in the Parish Code may be established through restrictive covenants; however, such additional provisions shall be neither enforced nor monitored by any parish agency.
  - 2. A homeowners' association of one hundred (100) percent participation shall be formed and incorporated as a legal body that represents the interests of the owners of the lots of record. Furthermore, an act of restrictions and covenants covering a variety of responsibilities and activities of the property owners shall be filed and recorded in the Office of the Assumption Parish Clerk of Courts.
    - a. Such homeowners associations do not have the authority to waive or alter any requirement of any Assumption Parish ordinance or regulation. Property owned by the Parish, public utilities and public franchises shall be exempt from participation in the homeowners' association.
    - b. The article of incorporation shall clearly outline the responsibilities of individual home/property owners and said article, prior to the Police Jury approval of the subdivision request, shall be reviewed and approved by the Parish Attorney to insure that all requirements of this section have been satisfied.

- c. The subdivision developer or applicant shall prepare a disclosure document which details the responsibilities and financial obligations of all homeowners regarding maintenance.
3. A notation shall be affixed to all development plans which clearly indicates that all streets are private and not dedicated for public use. This Section of the Parish Code shall be identified for reference and the following notation shall appear on the plans.

*“For more information refer to the Assumption Parish Code of Ordinances Section 26:28; Private Subdivisions”*

4. The Parish shall require that a bond be posted by the developer to cover the anticipated cost of maintenance for five (5) years or until such time that adequate homeownership has been established in order to sustain maintenance of infrastructure through the homeowners association. The amount of the bond shall be determined by the Parish based upon actual cost associated with the maintenance and upkeep of public facilities of like size and use. The life of the bond may be extended after three (3) years if the Parish, after review of the current status of participation in the homeowners association determines that the amount generated is insufficient to cover the maintenance costs. In such cases, the bond amount may be reduced.

**SECTION 26:29 ADDITIONAL SUBMISSION REQUIREMENTS FOR FAMILY SUBDIVISIONS**

- A. It is the policy of the Parish to encourage all landowners and developers within Assumption Parish to provide reasonable improvements of streets and lots to protect and provide for the public health, safety and general welfare of the Parish. It is also the policy of the Parish to provide an opportunity for family members of landowners a place to reside without having to bear the cost of major street and lot improvements as required in public developments.
- B. There shall be no public sale of land in a Family Subdivision with the following exceptions:
  - 1. It shall be legally permissible for land in a Family Subdivision to be sold or transferred to the public if the subdivision has been upgraded to the standards of a public subdivision at the owner's expense and has been approved by the Police Jury as a public subdivision in accordance with this Chapter; or
  - 2. It shall be legally permissible for land in a Family Subdivision to be sold or transferred to the public by any person, firm or entity, and their successors and/or assigns, who in good faith acquires title to land in a Family Subdivision as follows:
    - a. At a sheriff's sale conducted as part of a foreclosure proceeding instituted by a lending institution (i.e., a bank, savings and loan association, mortgage company, loan company, or similar lending entity or institution) as a result of a delinquent loan or loans with the subject property having been used or pledged as collateral therefor; or
    - b. As a result of a transfer of land in a Family Subdivision from the owner thereof to a lending institution (i.e. a bank, savings and loan association, mortgage company, loan company, or similar lending entity or institution) in lieu of a foreclosure proceeding or sheriff's sale (i.e. *a dation en paiement*) of land in a Family Subdivision from the owner thereof to a lending institution.
- C. With regard to Family Subdivisions there are specific limitations on the sale of land and occupancy of land as follows:
  - 1. The sale of land and occupants of land in a Family Subdivision shall be limited to immediate family members, which includes and is limited to father, mother, son, daughter, son-in-law, daughter-in-law, aunt, uncle, brother, sister, niece, nephew, stepson, stepdaughter, stepfather, stepmother, grandmother,

grandfather, grandson, granddaughter, and first cousins.

2. The following provision shall be conspicuously contained on the Final Plan in bold red letters and in every subsequent sale or transfer of a lot or land in question to any member of the landowner's immediate family:

*The person acquiring the property acknowledges that the property is not part of a subdivision that has been approved by the Assumption Parish Police Jury as a public subdivision, and accordingly, the property may not be adequately serviced by water lines, gas lines, sewerage lines and/or other public utilities and/or facilities and/or streets; and the Assumption Parish Police Jury shall have no obligation or responsibility to construct, repair and/or maintain utilities and/or streets unless the subdivision in which the property is located is upgraded to the standards of the public subdivision at the owner's expense and is accepted by the Police Jury as a public subdivision in accordance with Parish requirements.*

- D. The application and approval procedures and the standards for development of Family Subdivisions are the same as that for other private development as provided herein unless an exception pertaining to Family Subdivisions is noted.

#### **SECTION 26:30 ADDITIONAL SUBMISSION REQUIREMENTS FOR MANUFACTURED/MOBILE HOME PARKS OR COMMUNITIES**

The owner of the manufactured/mobile home park or community is responsible for the proper upkeep and maintenance of the private development. At the time of request for final approval, the owner shall submit copies of agreements with private companies for waste disposal, maintenance of private sewerage systems and other agreements with private utility companies for the provision of services and maintenance thereof. Procedures for approval of a private subdivision will be followed for manufactured/mobile home parks and communities.

#### **SECTION 26:31 ADDITIONAL SUBMISSION REQUIREMENTS FOR CAMPGROUNDS AND RECREATIONAL VEHICLE PARKS**

The owner of the campground and/or recreational vehicle park is responsible for the proper upkeep and maintenance of the private development. At the time of request for final approval, the owner shall submit copies of agreements with private companies for waste disposal, maintenance of private sewerage systems and other agreements with private utility companies for the provision of services and maintenance thereof. Procedures for approval of a private subdivision will be followed for campgrounds and recreational vehicle parks.

#### **SECTIONS 26:32- 26:39. RESERVED**

**Sub-Chapter C**  
**Land Development Standards**

**SECTION 26:40. LOT STANDARDS**

- A. Insofar as practical side lot lines shall be at right angles to straight street lines or radical to curve street lines. Each lot must front upon an approved public or private street for which the right of way is not less than forty feet (40') in width and which is connected to the public street system. Lots on major street intersections will be designed to provide an adequate sightflare.
- B. All lots must be in accordance with the requirements of the State of Louisiana Sanitary Code. A letter from that agency for an approved sewerage treatment system must be obtained and submitted with the development application.
- C. All lots and manufacture/mobile home sites must be of sufficient size to allow for a minimum of two (2) off street parking spaces per dwelling unit.
- D. Lots must be graded so that drainage shall be toward the road ditches unless impractical to do so.
- E. Lot dimensions shall comply with the following minimum standards.
  - 1. Minimum lot requirements where community sewerage is provided:
    - a. *Area.* The area of the lot shall be sufficient to meet all set backs required herein, provide a minimum of two (2) offstreet parking spaces, each with dimensions of ten (10) feet width and twenty (20) feet length, and meet the minimum lot size of the State Office of Public Health. The minimum lot size shall not, however, be less than 5,000 square feet.
    - b. *Width.* The minimum width shall meet the standards of the Louisiana Office of Public Health but shall not be less than 50 feet per unit at the front building line for single-family dwellings and two family dwellings and 25 feet at the front building line per unit for multifamily dwellings.
  - 2. Minimum lot requirements where individual on-site sewage disposal is provided.
    - a. On lots where individual on-site sewage disposal is proposed, the minimum area and widths of lots shall conform to the provisions of the State Sanitary Code and the requirements of the Louisiana Office of Public Health.

**SECTION 26:41. STREET STANDARDS**

- A. Proposed new streets shall extend existing streets or their projections at the same or greater width, but in no case less than the minimum required width of forty feet (40') unless variations are deemed necessary and authorized by the Police Jury for reasons of topography or design. They may also require the dedication of additional right-of-way width for the same reason.
  - 1. Landowners in a Family Subdivision must adhere to the minimum street widths required in this Chapter as much as possible to allow the street to be accepted into the Parish maintenance system if it is upgraded in the future to the minimum standards of the development regulations in force at that time at the individual landowner's expense.
  - 2. In any industrial developments, streets shall have a minimum right-of-way of sixty feet (60') or an additional right-of-way where the Police Jury deems it necessary.

- B. The arrangement of streets shall provide for the continuation of principal streets between adjacent properties when the continuation is necessary for convenient movement of traffic, effective fire protection, of efficient provision of utilities, and where the continuation is in accordance with the Police Jury's plans for road and traffic improvements. If the adjacent property is undeveloped and the street must temporarily be a dead-end street, a 40 foot right-of-way shall be extended to the property line. A temporary T- or L-shaped turnabout shall be provided on all temporary dead end streets, with the notation on the subdivision plat that land outside the normal street right-of-way shall revert to adjacent property owners whenever the street is continued. The Police Jury may limit the length of temporary dead-end streets in accordance with the design standards of these regulations.
- C. All intersecting streets shall intersect at 90 degrees with 25 foot radii on right-of-ways and pavement or street edge except when this is impractical or impossible to do so, then the curve data for these locations shall be noted and shall be subject to Police Jury approval.
- D. Insofar as practical, acute angles at street intersections shall be avoided. Where an acute angle of less than 75 degrees occurs between streets at their intersection, the authorized Police Jury representatives may require the property lines to be rounded or otherwise set back to permit curb construction of desirable radius.
- E. Dead end streets shall be provided at the closed end with a turn around of one of the three following types.
  - 1. *Circular*. This type shall have a minimum right-of-way radius of fifty (50) feet and a minimum driving surface radius of thirty-eight (38) feet.
  - 2. *'T' Shape*. This type shall have a minimum right-of-way width of forty (40) feet and an overall "T" length of one-hundred (100) feet.
  - 3. *'L' Shape*. This type shall have a minimum right-of-way width of eighty (80) feet and a minimum length of eighty (80) feet.
- F. Dead end streets shall not be more than one thousand three hundred and twenty feet (1,320') in length unless approved under the variance section of these regulations.
  - 1. If a longer dead end street is allowed, a cross street will be required at a point to be determined by the Police Jury according to the length of the street.
- G. The developer shall suggest street names for new streets proposed in a development, however, in order to ensure that street names are not duplicated within the same area and thus fostering emergency response, the Parish Police Jury retains the right to reject street names.

**SECTION 26:42. STREET AND DRAINAGE IMPROVEMENTS**

- A. All streets shall have stabilized and compacted bases and shall be hard surfaced and constructed in accordance with the following requirements.
  - 1. The developer shall hire at his own expense a licensed soils testing laboratory to obtain and test soil samples from the proposed street. Soil samples shall be taken at a minimum of one every 300 linear feet or two per street which ever is greater. These soil tests taken prior to construction shall be used to determine the type of base treatment required which shall be either stabilized lime or soil cement or both in order to achieve a satisfactory condition for hard surfacing.
  - 2. The developer shall submit to the Parish Engineer and the Police Jury Engineering Committee a construction plan along with a written report and recommendation from the said licensed testing

laboratory, supporting the design of the said construction plan. The construction plan shall have minimum design life of 8 years and base design capable of supporting a 20 ton per axle load. The finished surface shall be 6" of concrete based on the recommendations of the soils report.

- a. *Family Subdivisions*: Landowners in family subdivisions are allowed to construct aggregate surface streets, which shall not be accepted into the Parish maintenance system. Such streets shall, at a minimum, be surfaced with compacted shell with a minimum of six-inch thickness and a 40 feet servitude width. Undedicated streets, servitudes, and rights-of-way are not considered public streets. However, it is the responsibility of the owner to provide the adequate standard rights-of-way, which must be maintained by the landowners. The landowners shall provide a written private street maintenance agreement, which shall be recorded with the plat.
  - b. *Heavy Industrial Developments*: In heavy industrial developments the street(s) shall have stabilized and compacted bases, shall be concrete with 4000 PSI 28 day compressive strength and shall be overlaid to a minimum width of twenty-four feet (24') and a minimum thickness of eight inches (8").
  - c. *Commercial and Light Industrial Developments*: Streets shall have a minimum right-of-way of fifty feet (50') where the Police Jury deems it necessary.
3. Whenever tests indicate lime stabilization alone is required the minimum requirement shall be a base stabilized to a width two feet (2') greater than the riding surface for width, and to a depth of nine inches (9"), with fifteen percent (15%) lime mixed and manipulated in accordance with the latest Louisiana Department of Transportation and Development "Standard Specifications for Roads and Bridges" Section 301 and tests by a certified laboratory must indicate that a density of 95% of maximum has been achieved.
  4. Whenever tests indicate soil cement stabilization alone is required, the minimum requirement shall be a base stabilized to a width two feet (2') greater than the riding surface width, and to a depth of nine inches (12") with ten percent (10%) soil cement and mixed and manipulated in accordance with the latest Louisiana Department of Transportation and Development "Standard Specifications for Roads and Bridges" Section 303 and tests by a certified laboratory must indicate that a density of 95% a of maximum has been achieved.
  5. Whenever tests indicate stabilization with both lime and soil cement is required the minimum requirement shall be a base stabilized to a width two feet (2') greater than the riding surface width and to a depth of nine inches (9") with the percentage of lime necessary to lower the plasticity index (P.I.) to the acceptable range for incorporation of ten percent (10%) soil cement all to be mixed and manipulated in accordance with the latest Louisiana Department of Highways "Standard Specifications for Roads and Bridges" Sections 301 and 303 and tests by a certified laboratory must indicate that a density of 95% of maximum has been achieved.
  6. Completed bases must be protected by sealing with two (2) applications of twenty percent (20%) solution of anionic SS-1H and water.
  7. All new streets shall have a certified testing laboratory report prepared at the developer's expense and submitted to the Parish Engineer. Compaction test results on the base and a signed certified statement that the average depth of the base material meets the Parish requirements. If tests by the certified laboratory indicate the base is in compliance (these test reports must be submitted to the authorized Police Jury representatives) then the street(s) shall have a finished surface course of twenty (20') feet in width of six (6) inch thick concrete with 3000 PSI 28 day compressive strength applied in accordance with the latest Louisiana Department of Transportation and Development "Standard Specifications for Roads and Bridges." The same certified testing laboratory shall submit to the Parish Engineer

compaction test results on the sub-base construction and concrete compression strength test at seven (7) and 28 day intervals and a signed certified statement that the average depth of the concrete paving is within 1/4 inch of the Parish requirements (minimum test at 300 foot intervals). Tests by a certified laboratory must indicate that the completed work is in compliance. The owner/developer shall submit in the name of the Assumption Parish Police Jury a one year warranty guaranteeing the finished street for a period of one (1) year for labor and materials.

8. Shoulders of street(s) must be covered to a minimum width of four (4) feet and a minimum depth of three (3) inches with reef shell, limestone aggregate or road gravel.
  9. Shoulders of street(s) must be covered to a minimum width of four (4) feet and a minimum depth of three (3) feet measured back to back of curbs.
- B. Street signs bearing the names of the streets shall be furnished and installed at each street intersection for both public and private streets and roadways. Street signs must conform to the present Assumption Parish standards.
- C. Traffic control devices and signs must be furnished and installed in accordance with the regulations set forth in the Louisiana Department of Transportation and Development "Manual on Uniform Traffic Control Devices".
- D. Open ditches and channels must be designed in accordance with the Louisiana Department of Transportation and Development "Drainage Manual" and must provide a minimum fall of 0.15 feet per one hundred feet (100') and minimum flow velocity of two feet (2') per second.
- E. Closed ditches or subsurface drainage must be designed in accordance with the Louisiana Department of Transportation and Development "Drainage Manual" and must provide a minimum flow velocity of three feet (3') per second and a maximum of eight feet (8') per second.
- F. Where a drainage feature or watercourse separates the buildable area of a lot from the street provision shall be made for installation of a culvert or other structure designed to comply with this Section. The minimum size culvert in any ditch or subsurface drainage system shall be eighteen (18) inches inner diameter or greater if required by drainage runoff calculations. A request for a variance from this eighteen (18) inch requirement must be submitted to the Police Jury in writing along with supporting drainage calculations. Approval must be obtained from the Police Jury in writing and all culverts shall meet the requirements of Paragraph H of this subsection.
- G. Whenever drainage ditches or channels exist which are not adjacent to a street the owner and/or developer must dedicate adequate servitudes, which must be approved by the Police Jury on both sides of the facility if the developer plans to request the Police Jury accept the drainage for maintenance.
1. Lots sold along these servitudes shall be subject to these servitudes and the protective covenants shall so stipulate.
  2. If the owner and/or developer do not wish to dedicate drainage servitudes he must so state on the plats and in the protective covenants and show how this drainage will be maintained for the duration.
  3. When a subdivision is traversed by or contains a waterbody, watercourse, drainageway, channel, or stream, which is used for drainage or stormwater runoff, there shall be provided a storm water easement or drainage right of way conforming substantially to the lines of such watercourse, and of such width and construction as will be adequate for the purpose of maintenance.
- H. The maximum length of culverts in open drainage and the maximum length of pipes in subsurface drainage

between catch basins and/or manholes will be as follows:

12" - 40'	24" - 75'
15" - 50'	30" - 75'
18" - 75'	36" - 75'
42" and larger - 75'	

1. Catch basins for open drainage culverts shall be placed at lot lines and mid-lot or in accordance with the above footage requirements.
  2. Manholes for subsurface drainage shall be placed at lot lines, mid-block, intersections and points as dictated by the grade or in accordance with the above footage requirements.
- I. Effect on downstream drainage areas. The developer's engineer shall provide an analysis of the effect of each subdivision or other development on existing downstream drainage facilities outside the area of the subdivision. A master drainage plan together with such other studies as shall be appropriate, shall serve as a guide to needed improvements. Where it is anticipated that the additional runoff incident to the development of the subdivision will overload an existing downstream drainage facility, the Police Jury may withhold approval of the subdivision or development until provision has been made for the improvement of said potential condition in such sum as the parish engineer recommends. No subdivision shall be approved unless adequate drainage will be provided to an adequate drainage watercourse or facility.
- J. As required by the Police Jury, offsite drainage right of way may be required in order to secure adequate ingress and egress for maintenance of the entire drainage system proposed for use by the development.

## **SECTION 26:45. UTILITY IMPROVEMENTS**

### *A. Servitudes*

1. All water and gas lines shall be placed in public servitudes ten feet (10') in width which shall be dedicated on both sides of every street in every development. This is in addition to the street right of way.
2. On streets running generally north and south, the water main shall be placed in the servitude on the east side of the street and the gas main in the servitude on the west side of the street.
3. On street running generally east and west, the water main shall be placed in the servitude on the north side of the street and the gas main in the servitude on the south side of the street.
4. Electrical service and telephone service shall generally be placed on either a shared rear lot line servitude or a shared front lot line servitude as required by the electrical company and the telephone company. Electrical servitudes must be separate from all drainage or other utility servitudes.
5. If sewered, sewers shall be constructed within the street servitude and the location must be approved by the authorized Police Jury representative.

### *B. Water Distribution System.*

1. All developments shall be provided with a water distribution system designed in accordance with good engineering practice and approved by the Board of Commissioners of Assumption Parish Water Works District No. 1.
2. In any development, the minimum size line shall be six inches (6") or greater if required by flow

calculations. In residential developments, the Water Works District reserves the right to require larger mains when deemed necessary for future development. The flow calculations must include adequate flow for fire protection.

3. In residential developments, fire hydrants shall be installed at lot lines such that one (1) hydrant serves an area not to exceed 100,000 square feet of the development with the maximum hydrant spacing not to exceed 1,000 feet on any street. This spacing may be altered slightly to conform to the location of the lot lines as long as the 1,000 foot limit is not exceeded. In commercial or any industrial developments, the fire hydrant spacing will be in accordance with the requirements of the American Insurance Association.
4. The System shall be provided with sufficient valves as recommended by the Assumption Parish Waterworks District I.
5. The minimum cover on all water mains and lines shall be thirty-six inches (36") except when crossing ditches, whereupon the cover shall be a minimum of twenty-four inches (24") under the ditch bottom.
6. All water mains shall be constructed using materials approved by the Board of Commissioners of Assumption Parish Water Works District No. 1.
7. Water mains shall extend to the end of all dedicated street servitudes as shown on the final approved subdivision plat.
8. Water mains shall extend to the nearest Parish water main to connect to the Parish water system.

C. *Gas Distribution System.* When gas mains are constructed in or across servitudes, easements or right-of-ways, the minimum cover shall be thirty-six inches (36"), except when the gas line crosses a drainage ditch, whereupon the cover shall be at a minimum of twenty-four inches (24") under the ditch bottom.

1. A gas line is not required in a Family Subdivision; however, when one is installed it must comply with the requirements herein.

D. *Sewerage System.* Any sewerage system if used, either individual or public, will be as required by the Louisiana Office of Public Health and the State Sanitary Code. The Police Jury of Assumption requires all developers who install community package plants to present proof of agreement with a Louisiana licensed sewerage maintenance company. The private developer is responsible for perpetual maintenance of all communal sewerage systems.

E. *Electrical Distribution System.*

1. All electrical distribution systems shall comply with the currently available National Electrical Codes.
2. Local distribution lines within the development may be underground with distribution boxes located on pads at lot lines.
3. If lines are constructed in or across servitudes, easements or right-of-ways, the minimum cover shall be thirty-six inches (36"), except when the telephone line crosses a drainage ditch, whereupon the cover shall be a minimum of twenty-four inches (24") under the ditch bottom.
4. Lines must be constructed in accordance with the current requirements of local power companies.

F. *Telephone Service.*

1. If the system is overhead a minimum clearance of sixteen feet (16') shall be provided over Parish right-of-ways.
2. Local distribution lines within the development may be underground with distribution boxes located on pads at lot lines.
  - a. If lines are constructed in or across servitudes, easements or right-of-ways, the minimum cover shall be thirty-six inches (36"), except when the telephone line crosses a drainage ditch, whereupon the cover shall be a minimum of twenty-four inches (24") under the ditch bottom.

**SECTION 26:46. ADDITIONAL DEVELOPMENT STANDARDS FOR PRIVATE SUBDIVISIONS**

- A. In addition to all other land development standards, the following shall apply to the design and construction of all private subdivisions.
- B. The proposed private streets shall not interfere with or obstruct any public major thoroughfare (proposed or existing), shall not interfere with traffic circulation outside the boundaries of the subdivision, shall not cause a sudden end to an existing public street (that which has been extended for future street connections), and shall not prevent an extension of an existing street that would otherwise enhance the traffic flow in the area. Streets, whether existing or future, provided in the Parish Major Street Plan shall not be made private.
  1. All streets, private drives or streets extensions shall be provided with street signs properly named and buildings with numerals easily identified from private drives or streets.
  2. All private streets approved pursuant to this section shall not be maintained, reconstructed, resurfaced, etc., by the Parish of Assumption, but shall be owned and maintained solely by the association of homeowners.
  3. All utilities (public and private) shall be maintained by the respective agencies where it is determined by the Police Jury that these utilities may be tied to, or may be a continuation of, utility lines outside the boundaries of the subdivision. Otherwise, utilities within the subdivision shall be self-contained without reliance on or relationship to the utility lines located outside the boundaries of the subdivision.
  4. Cost of such maintenance/repairs shall be borne by the private organization or association responsible for maintaining the streets if the utilities are private. If the Parish, its agents, employees or contractors damage the private street or drive during any repair of a public utility, the Parish shall be responsible for repair of such damage.
  5. Adequate servitudes and access shall be provided by dedication to the Parish of Assumption (and identified on the plan) for every utility, drainage canal or water course that is publicly owned and maintained within the private subdivision as determined by the department of public works, in addition to any private utility companies.
  6. Within the confines of a private subdivision, means of access for fire department apparatus shall consist of fire lanes, private drives or streets, streets, parking lot lanes or a combination thereof.
  7. Private garbage collection shall be arranged by the owner. This shall consist of garbage dumpsters or hoppers with a minimum capacity of one-half cubic yard per family per week. These garbage dumpsters or hoppers must be screened from view with a six-foot solid fence or vegetative screening plan as approved by the Police Jury. The screening plan must allow for adequate access by a private

collector for removal of the dumpster. The owner shall verify that private arrangements have been made for collection by providing a copy of a collection contract prior to the granting of final approval.

8. Special Requirements for Gated Communities: Private streets may be gated or guarded, but a servitude of passage shall be granted by the association of homeowners to the Parish of Assumption solely for the use by personnel of the Assumption Parish Police Jury, its Office of Homeland Security and Emergency Management, the fire and sheriff departments and ambulance services while acting in their official capacity so as to provide services to the residents within the subdivision and/or to maintain public utilities located within the subdivision and, in addition, to all local, state or federal law enforcement officers while acting in their official capacity.
  - a. If the private streets are to be gated, the homeowner's association shall be responsible for notifying in writing, applicable law, fire and emergency medical agencies required to respond to areas within a subdivision with private streets, a universal code for the use by all emergency response agencies for ingress and egress to the subdivision with private streets and shall maintain and update said information in writing when and where applicable.
  - b. A standard method of addressing/identifying the gated/guarded community and/or its residents shall be developed by the Assumption Parish Office of Emergency Preparedness and Homeland Security and applied accordingly. Said addressing methodology and/or assigned addresses to any specific gated community shall be forwarded to the respective emergency response agency(ies).
  - c. The homeowner's association or other responsible party shall develop and be responsible for the installation, periodic testing of, repairing of and routine maintenance checks of all parts and components of all such electrical and/or motorized gate assemblies at each of their respective locations.
  - d. All motorized, or electrically operated gate systems shall be kept in good working order protected from vandalism and/or adverse weather conditions.
  - e. All motorized or electrically operated gate systems shall be provided with an emergency KNOX box for emergency crews in addition to a universal code(s).
  - f. All motorized or electrically operated gate systems shall provide a battery backup and/or a manual override in the event of a power failure that will provide for easy access to open said gates automatically and remain in the open position until normal power is restored.
  - g. All motorized or electrically operated gated systems shall provide each homeowner with a remote method of opening said entrance and/or exit gate from every residence for emergency response access in addition to the universal code(s) provided and the KNOX Box.
  - h. The Parish of Assumption, the 911 Communication District, its members, employees, agencies, and/or law enforcement, medical, fire and/or other emergency response groups shall not be held liable for any action, inaction or damage that may occur from an unmanned, motorized or electrically gated system malfunction, nor shall the homeowner's association and/or homeowner have any recourse for the above when said agency is responding to a real or perceived emergency unless it has been proven in a court of law that the damage was caused by willful or wanton misconduct or gross negligence by said agency.
  - i. The homeowner's association shall indemnify the Parish of Assumption, the 911 Communication District, its members, employees, agencies, and/or law enforcement, medical, fire and/or other emergency response groups for any action or delay as a result of malfunctioning gates caused by

any reason, including, but not limited to, inoperable gates, the lack of emergency codes and/or any required information necessary to insure ingress or egress to the subdivision with private streets.

- j. The provisions provided by this section shall apply to all developments created with private streets. All subdivisions with private streets and/or gated communities (including apartments and manufactured home parks or communities) shall also be required to meet the requirements provided herein, within one hundred ninety (190) days of the adoption of the ordinance enacting this requirement.
  - k. The homeowner's association or other responsible party shall be responsible for providing for the twenty-four-hour, seven-day a week, three hundred sixty-five (365) days a year operation of all guarded and/or manually operated gate systems in any development with private streets or private drive access.
9. The Parish shall require that a bond be posted by the developer to cover the anticipated cost of maintenance for five (5) years or until such time that adequate homeownership has been established in order to sustain maintenance of infrastructure through the homeowners association. The amount of the bond shall be determined by the Parish based upon actual cost associated with the maintenance and upkeep of public facilities of like size and use. The life of the bond may be extended after three (3) years if the Parish, after review of the current status of participation in the homeowners association determines that the amount generated is insufficient to cover the maintenance costs. In such cases, the bond amount may be reduced.

#### **SECTION 26:47. ADDITIONAL STANDARDS FOR MANUFACTURE/MOBILE HOME PARKS OR COMMUNITIES**

- A. The following requirements are specific to Manufactured/Mobile Home Parks or Communities and are in addition to all other applicable standards provided in these Land Development regulations, the Parish Flood Damage Prevention Regulations (*Chapter 5*) or other applicable Parish Codes. All other standards apply to parks or communities designed to accommodate manufactured or mobile homes unless so specified herein or elsewhere in the Parish Code.
- 1. Each site provided for a mobile or manufactured home shall meet the minimum requirements of the applicable State Sanitary Code but shall be no less than 5000 square feet with a minimum width of 50 feet. The parking site is to be measured from the curb or edge of surface of the access road at the front of the site.
  - 2. Each mobile home site or lot shall front on a public street or a park street having a minimum right of way of forty (40) feet.
  - 3. All mobile home sites shall be provided with appropriate concrete footing that is designed to accommodate and is sufficient in size to provide adequate footing for all of the mobile home's blockings or jacks.
  - 4. Sites shall be laid out so that there is adequate space to meet the following set backs for mobile homes and accessory structures.
    - a. Street Frontage Yard: Measured from the edge of the access road right of way is 20 feet.
    - b. Side Yard: A minimum of eight (8) feet per side.
    - c. Rear Yard: Ten (10) feet from the rear line.

5. The required off street parking spaces shall have a surface of aggregate or other material as approved by the Police Jury's representative. Spaces may be hard surfaced at the owner's option.
6. No mobile home shall be parked in such a manner as to obstruct any roadway or walkway within the mobile home park.
7. Unless the mobile home is situated on a mobile home space, it shall be unlawful to allow any mobile home to be occupied within the mobile home park.
8. Internal streets or roadways developed in mobile home parks shall meet the same design, construction, and signage standards as those for private subdivisions with the following changes and additions.
  - a. Internal roadways serving the manufactured/mobile home sites may be of aggregate or other material as approved by the Police Jury.
  - b. Street lighting equivalent to .1 foot candles shall be provided along the private drives within the mobile home park.
  - c. The street layout of mobile home park streets shall discourage through-traffic use.
9. Each site shall have electrical and sewerage connections in accordance with the requirements of the most current National Electrical Code and the Louisiana State Sanitary and Plumbing Codes. If gas is provided, it must comply with the appropriate State requirements.
10. Any community package plants designed for waste treatment must be screened with a solid opaque fence that is a minimum of six (6) feet in height.
11. Private garbage collection shall be arranged by the owner. This shall consist of garbage dumpsters or hoppers with a minimum capacity of one-half cubic yard per family per week. These garbage dumpsters or hoppers must be screened from view with a six-foot solid fence or vegetative screening plan as approved by the Police Jury. The screening plan must allow for adequate access by a private collector for removal of the dumpster. The owner shall verify that private arrangements have been made for collection by providing a copy of a collection contract prior to the granting of final approval. The Police Jury may waive this requirement for manufactured or mobile home sites located on public roadways.
12. All utility servitudes shall terminate at both ends upon a public street or alley, or another public servitude. Dead end servitudes may be permitted if not more than one hundred fifty (150) feet in length and with no turns or bends.
13. If required a system of fire hydrants sufficient to meet the rating standard for the respective fire district will be provided.
14. Every mobile home park shall be equipped at all times with fire extinguishing equipment in good working order of such type, size and number, and so located within the park as prescribed by the local fire prevention authority, or to satisfy other applicable fire regulations.
15. If gated, the park shall comply with requirements for gated private subdivisions (*See Section 45*).
16. A buffer of shrubbery or solid fencing of wood or vinyl material is required along all perimeters of the property. The buffer or fence shall be a minimum of six (6) feet to a maximum of 14 feet in height.

- B. No utility company will hook up, supply or furnish electrical service to a mobile home within a park without a stamped development permit being issued by the Parish Permit Office. Exception: A reconnection of an existing manufactured/mobile home may be issued only if it has had electrical service within the previous one year period and has not been moved or altered in any way.
- C. The owner or licensee shall be responsible for insuring that each mobile home within the mobile home park complies with the provisions of these and other Parish regulations. The owner and operator of the mobile home park shall be responsible for the supervision, operation, and maintenance of the park. The owner or operator designee shall be available or on call at all times in the event of an emergency. A copy of these regulations shall be kept available by the park manager in the mobile home park office at all times for use as guidelines by the park occupants and the park manager.
  - 1. It shall be the duty of each licensee to keep a register containing a record of all mobile home owners and occupants located within the park. The register shall contain the following information:
    - a. The name and address of the owner of each mobile home;
    - b. The name and address of the occupant of each mobile home, if different from the owner;
    - c. The make, model, year and current license number of each mobile home;
    - d. The state issuing such licenses; and
    - e. The date of arrival and of departure of each mobile home.
  - 2. The mobile home park licensee shall keep the register available for inspection at all times by law enforcement officers, public health officials, and other officials whose duties necessitate acquisition of the information contained in the register. The register record for each occupant registered shall not be destroyed for a period of one (1) year following the date of departure of the registrant from the mobile home park.

**SECTION 26:48. ADDITIONAL DEVELOPMENT STANDARDS FOR CAMPGROUNDS AND RECREATIONAL VEHICLE PARKS**

- A. Campgrounds and recreational vehicle (RV) parks are specifically designed to provide temporary living quarters on a short term rental space for overnight camping in a tent, camping trailer or recreational vehicle or similar structure designed for camping or short-term lodging. Manufactured or Mobile Homes, whether temporary or permanent, are not allowed in campgrounds or RV parks. Individual camp or RV sites may be leased or rented, but not subdivided or sold. Campgrounds and parks offer electricity, water, sanitation and health facilities such as community showers and restrooms. Other facilities may include a community laundromat, store, game room and recreational facilities for the park guests. A park or campground manager may live onsite. These are commercial operations and must obtain all appropriate licenses and certificates.
- B. No campground or recreational vehicle park shall be developed until the developer has received approval from the Louisiana Department of Health and Hospitals on the method of sewage treatment, provision of sanitary stations and the public water system to be offered within the camp/park. All sewage treatment shall be owned and maintained by the park or camp ground owner. Plans for water service and supply must be approved by the Assumption Parish Water Works District No. 1. Drainage plans for sites must be submitted for approval by the Police Jury as provided for other kinds of developments. Screening will be provided around any community sewage treatment plant with a solid buffer of vegetation or an opaque wood, vinyl, or masonry fence or wall at least six (6) feet high.
- C. All recreational vehicle parks shall be constructed in accordance with the following minimum construction standards:

1. Each park or campground must have access from a publicly maintained street. The access must be built to the Louisiana Department of Transportation and Development Standard.
  2. The campground/park entrance shall offer safe ingress and egress and shall have enough distance from the public road to safely accommodate traffic waiting to enter the area.
  3. Each campground/RV park shall be divided into campsites. The corners of each campsite shall be clearly marked, and each campsite shall be numbered for identification.
  4. Access to individual sites shall be provided by one or more internal roadways having a minimum surface width of twenty (20) feet and an aggregate surface or other appropriate material as approved by the Police Jury. All drives shall be named and street signs and traffic control signs shall be provided and maintained by the owner in accordance with other requirements in this Code.
  5. A minimum of one (1) foot candle lights shall be provided at each camp site and .1 foot candle light shall be provided along the private drives within the campground/park.
  6. Each recreational vehicle site shall be a minimum size of thirty (30) feet in width and fifty (50) feet in length and shall be accessed by a driveway having a minimum width of 20 feet which shall be constructed of a pervious layer of material. The private drives cannot be included in the lot area of the individual RV sites or lots.
  7. Sites designed for recreational vehicles shall have a four (4) inch thick, concrete parking pad that is two (2) feet in excess on all sides of the size RV to be accommodated.
  8. Sites designed for tents shall be a minimum of 1,500 square feet and shall be well drained and graded in order to provide an even surface suitable for set up of a tent.
  9. Garbage hoppers with a minimum capacity of one-half (0.5) cubic yards per camp site per week must be provided. The dumpster or hopper must be enclosed with a six (6) foot solid and opaque fence. The owner shall provide garbage collection at least once per week and a contract with a waste transporter will be provided prior to receiving final approval.
  10. No recreational vehicle or tent shall be closer than twenty (20) feet from a public street right-of-way or twenty (20) feet from the private access servitude for the campground/recreational vehicle park drive. There shall be a minimum spacing of ten (10) feet between recreational vehicles or between recreational vehicles and other structures.
  11. Each campground or recreational vehicle park shall be landscaped in accordance with a landscape plan approved by the Police Jury.
  12. All drainage or public utility servitudes and rights-of-way as required by the Parish or any utility agency shall be dedicated to the appropriate governmental entity.
  13. Gated parks and campgrounds shall comply with Section 26:28 (7) "Special Requirements for Gated Communities".
- D. Any other structures on the campground/recreational vehicle park grounds including offices, owner's or site manager's residence, communal showers, laundry, restrooms, stores or other structures and facilities must comply with the requirements of the Louisiana State Sanitary and Plumbing Code, the State Fire Marshall, the Parish Flood Damage Prevention Regulations, and other appropriate State and Parish requirements.
- E. If the campground or RV park contains a community swimming pool, the pool must be surrounded by a

fence at least six (6) feet in height which shall be locked when not in use.

- F. No dogs, cats or other domestic animals shall be permitted to run at large within the limits of a campground or RV park. The owner of the campground or RV park is required to report to the State Health Officer any bites caused by dogs, cats, bats, or other type of warm blooded domestic or wild animal. Horses, dogs or other domestic animals or pets shall not be permitted in swimming areas or in areas used for waterfront activities.
- G. Camping trailers, tents, recreational vehicles and similar living quarters are temporary or seasonal in nature as defined herein. Campgrounds and recreational vehicle parks are not designed to be permanent housing locations and guests in campgrounds and recreational parks generally do not stay longer than 180 days. After 180 days, any guest of a campground/recreational vehicle park must leave and cannot return for another 180 days unless approval is granted by the Assumption Parish Police Jury.
  - 1. The owner of each recreational vehicle park and/or campground shall keep a register of guests that documents the individual's name, the date of arrival and departure, the make, model and license of the vehicle and the recreational vehicle or camper trailer, the number of people in the party.
  - 2. Said register shall be available for inspection by the Police Jury in order to ascertain the residency status of guests.
- H. The owner or operator of the campground/recreational vehicle park shall provide an onsite office and adequate security to provide for the safety and well being of guests.

**SECTIONS 26:49 to 26:59 RESERVED**

**SUBPART D  
BUILDING STANDARDS AND PROCEDURES**

**SECTION 26:60. BUILDING RESTRICTIONS AND SET BACK LINES**

- A. No Final Plan shall be approved or roads, drainage or other public infrastructure be accepted unless building restrictions embodying at least the following minimum restrictions are established in the protective covenants.
1. All sales, lease, rental or other transfer of lots, rental spaces or building sites shall stipulate that no exterior wall of a residential dwelling or other building shall be constructed nearer than eight (8) feet from the side lines or ten (10) feet from the rear property line of said lot, rental space or building site, and that no overhang of any type shall extend nearer than five (5) feet from the side lines of said lot, rental space or building site, and where fractional lots are sold as a unit as hereinabove provided no residence or building shall be erected nearer than eight (8) feet from the side lines of said unit.
  2. All sales, lease, rental or other transfer of lots, rental spaces or building sites shall stipulate that no residential dwelling or other building shall be constructed nearer than twenty feet (20') from the street right-of-way line on which the lot fronts. For a corner lot, rental space or building site, the property shall be deemed to front on the street upon which the lot, rental space or building site has its lesser dimension and no residential dwelling or other building shall be constructed nearer than twenty feet (20') from the side street right-of-way line.
  3. The development protective covenants shall carry the notation or provision that the size and grade of culverts for driveways and other pipe in roadside ditches shall be approved by the Police Jury by permit.
  4. No more than one principal commercial or industrial structure, or three (3) single family dwellings, one of which must be occupied by the land owner who is claiming homestead exemption on this property shall be permitted on a single lot or building site provided that yard and other requirements of this section shall be met for each structure. Furthermore no structure is for lease or rent from the land owner. Additional structure beyond the primary structure can only be occupied by immediate family as defined in Section 26:29 C(1). A permit is required for multi-family dwellings and such multi family dwellings shall comply with all yard and other requirements of this Chapter and the requirements of the Assumption Parish Water District, the applicable sewerage district, the State Fire Marshall's, and the Louisiana Office of Public Health.
    - a. Seasonal (180 days) and year-round farm worker housing and agricultural employee dwelling units are allowed when the sites comply with all applicable State and Parish health and floodplain management or other pertinent codes. Certain minimum acreage may be required to comply with Louisiana Health Code standards. Permits (including sewage treatment approval) are required for these kinds of housing units.
    - b. Guest houses are considered as accessory to the principal structure and are allowed as long as all applicable State and Parish health, floodplain management and other pertinent codes are met. A guest house cannot be rented separately from the main house. Guest houses are typically less than 640 square feet in size. Certain minimum acreage may be required to comply with Louisiana Health Code standards. Permits (including sewerage treatment approval) are required for these kinds of housing units.
- B. Each residential dwelling site, whether an owner occupied or rental unit, shall be provided with ample space so that at least two (2) off street parking spaces per dwelling, each with a dimension of ten feet width by twenty feet length (10' x 20') can be accommodated.
- C. All development activities must comply with the Assumption Parish Floodplain Management Code and other pertinent requirements of the Assumption Parish Code of Ordinance.

D. Towing apparatus shall be removed from manufactured or mobile homes and skirting shall be provided as appropriate.

**PART II.**

Should any section or provision of this ordinance be declared unconstitutional or not valid, such decision shall not affect the validity of the ordinance as a whole or any part thereof.

**PART III.**

All other ordinances or parts of ordinances in conflict herewith are hereby repealed.

**PART IV.**

That these changes shall become effective upon adoption.

Having been submitted in writing, the ordinance was submitted to a vote, which resulted as follows:

YEAS:  
ABSENT:

NAYS:  
ABSTAIN:

\_\_\_\_\_  
Kim Torres  
Secretary-Treasurer

\_\_\_\_\_  
Martin S. Triche  
President