

## NOTICE OF INTRODUCTION OF ORDINANCE

NOTICE IS HEREBY GIVEN that the following entitled ordinance was introduced in writing in the form required for adoption at a meeting of the Parish Council of the Parish of Livingston, State of Louisiana, on June 28, 2012, and laid over for publication of notice:

### L.P. ORDINANCE 12-19

AN ORDINANCE TO AMEND ARTICLE IV OF CHAPTER 13 OF THE CODE OF ORDINANCES OF LIVINGSTON PARISH, "SUBDIVISION REGULATIONS," SECTION 13-45, "DEFINITIONS", SECTION 13-49.3, "SUBMITTALS" , SECTION 13-49.6 "REQUIREMENTS FOR MINOR SUBDIVISIONS", SECTION 13-50, "PROCEDURES FOR SUBDIVISIONS WITH IMPROVEMENTS", AND ADDING SECTION 13-54.4, "TRAFFIC IMPACT STUDY", AND AMENDING SECTION 13-55, "SERVITUDES; RIGHTS OF WAY", AND SECTION 13-56, "BUILDING LINES", AND SECTION 13-58 "UTILITIES", AND SECTION 13-62 "SUBDIVISION PROCESSING FEES SCHEDULE", AND SECTION 13-68.5 "MULTI-FAMILY DEVELOPMENT PARKING AND DRIVES" AS FOLLOWS.

NOTICE IS HEREBY FURTHER GIVEN that the Parish Council of said Parish will meet on Thursday, July 26, 2012, at six (6:00) o'clock p.m., at the Parish Council Chambers, Governmental Building, 20355 Government Boulevard, Livingston, Louisiana, at which time there will be a public hearing on the adoption of the aforesaid ordinance.

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Lisa Frederick, Council Clerk

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Cindy Wale, Council Chair

(As per rules of the Council, copies of the proposed ordinance shall be made available for public inspection in the Office of the Livingston Parish Council.)

The following ordinance, which was previously introduced in written form required for adoption at a regular meeting of the Parish Council on June 28, 2012 a summary thereof having been published in the official journal together with a notice of public hearing which was held in accordance with said public notice, was brought up for final passage July 26, 2012, on Motion of Joan Landry and seconded by Jim Norred:

L.P. ORDINANCE 12-19

AN ORDINANCE TO AMEND ARTICLE IV OF CHAPTER 13 OF THE CODE OF ORDINANCES OF LIVINGSTON PARISH, "SUBDIVISION REGULATIONS," SECTION 13-45, "DEFINITIONS", SECTION 13-49.3, "SUBMITTALS" , SECTION 13-49.6 "REQUIREMENTS FOR MINOR SUBDIVISIONS", SECTION 13-50, "PROCEDURES FOR SUBDIVISIONS WITH IMPROVEMENTS", AND ADDING SECTION 13-54.4, "TRAFFIC IMPACT STUDY", AND AMENDING SECTION 13-55, "SERVITUDES; RIGHTS OF WAY", AND SECTION 13-56, "BUILDING LINES", AND SECTION 13-58 "UTILITIES", AND SECTION 13-62 "SUBDIVISION PROCESSING FEES SCHEDULE", AND SECTION 13-68.5 "MULTI-FAMILY DEVELOPMENT PARKING AND DRIVES" AS FOLLOWS.

WHEREAS, on September 13, 2001, the Livingston Parish Council adopted L.P. Ordinance 01-16, "An Ordinance to Amend and Reenact Article IV, Chapter 13, Subdivision Regulations, of the Livingston Parish Code of Ordinances and Related Matters Thereto;" and

WHEREAS, the Livingston Parish Council has enacted numerous amendments to Chapter 13 of the Code of Ordinances to make necessary and desirous updates and revisions to that section of the Code setting out Subdivision regulations; and

WHEREAS, the Livingston Parish Council now desires to make further amendments to the Subdivision regulations.

THEREFORE, BE IT ORDAINED by the Livingston Parish Council, governing authority of the Parish of Livingston, State of Louisiana:

SECTION 13-45, DEFINITIONS, of ARTICLE IV of CHAPTER 13 of the Code of Ordinances is hereby amended as follows by adding the following definitions in alphabetical order:

***Condominium***: A building or group of buildings in which units are owned individually and the structure, common areas, and facilities are owned by all owners on a proportional, undivided basis. It is a legal form of ownership or real estate and not a specific building type or style. A condominium is a form of Multi-family Development as set forth in this section.

***Garden Homes***: A Garden Home is a detached, single-family unit typically situated on a reduced size lot that orients outdoor activity within rear patio areas for better use of the site for outdoor living space. The garden home cannot be in a zero lot-line configuration without approval of the Parish Council. The rear yard of a garden home is typically enclosed with a privacy fence, which is six feet high within required setback areas and sometimes higher within the building envelope.

THEREFORE, BE IT ORDAINED by the Livingston Parish Council, governing authority of the Parish of Livingston, State of Louisiana:

SECTION 13-45, DEFINITIONS, ***Minor Subdivision*** of ARTICLE IV of CHAPTER 13 of the Code of Ordinances is hereby amended to delete this paragraph in its entirety and add the following:

***Minor Subdivision***: The division or re-subdivision of a lot, tract or parcel of land or a portion thereof into seven (7) lots or less shall be deemed and referred to as a "MINOR SUBDIVISION". The Parish Planning Director shall review and sign the plat for the minor subdivision. The Planning Director may send the minor re-sub to the Planning Commission and the Parish Council if needed. The Parish Planning Director shall notify the Council member in whose district the re-sub is located. Such minor subdivisions shall be submitted as per section 13-49.3 and, upon approval, recorded as per this ordinance.

THEREFORE, BE IT ORDAINED by the Livingston Parish Council, governing authority of the Parish of Livingston, State of Louisiana:

SECTION 13-45, DEFINITIONS, *Subdivision* of ARTICLE IV of CHAPTER 13 of the Code of Ordinances is hereby amended as follows by adding Section (4):

- (4) All subdivision and/or re-subdivision developments with and without improvements consisting of a combined total of eight (8) lots or more, not yet approved, must submit for approval to the Parish Planning Commission and Parish Council, all requirements set forth in section 13-50.

THEREFORE, BE IT ORDAINED by the Livingston Parish Council, governing authority of the Parish of Livingston, State of Louisiana:

SECTION 13-45, DEFINITIONS, of ARTICLE IV of CHAPTER 13 of the Code of Ordinances is hereby amended as follows by adding under the first paragraph:

***Townhouse:*** A townhouse is defined as an attached, privately owned single-family dwelling unit which is a part of, and, adjacent to other similarly owned single-family dwelling units that are connected to but separated from one another by a common party fire wall having no doors, windows, or other provisions for human passage or visibility. The rear yard of a townhome is enclosed by a privacy fence. A townhouse is a form of Multi-family Development as set forth in this section.

THEREFORE, BE IT ORDAINED by the Livingston Parish Council, governing authority of the Parish of Livingston, State of Louisiana:

SECTION 13-49.3 of ARTICLE IV of CHAPTER 13 of the Code of Ordinances is hereby amended as follows:

SECTION 13-49.3 SUBMITTALS, SECTION B. Subdivisions without Improvements shall be deleted entirely and the following shall replace that Section:

#### SECTION 13-49.3. SUBMITTALS

##### **B. Subdivisions without Improvements**

The O/D/S must submit a preliminary plat to the Review Engineer and Planning Commission Office and placed on the Planning Commission Agenda and Parish Council Agenda for consideration. A drainage impact study may be required if the Review Engineer determines that the subdivision meets the requirements set forth in Section 13-57. The preliminary plat must be submitted as follows:

1. Review Engineer - 1 copy, including supplementary material and completed Form(s) 20 and 20-A, on the 18th day of the month prior to the planning commission meeting at which it is to be considered. Include drainage inverts and pipe diameters per Sec. 13.59.A.2.
2. Planning Department – 12 copies and 1-11”x17” or smaller copy complete and corrected, including supplementary material including transmittals showing that submittals to all parties and completed Form(s) 20 and 20A, on the 18th day of the month prior to the planning commission meeting at which it is to be considered.
3. Drainage District (if applicable) – 1 copy, of the drainage impact study (if applicable) on or before the 8th day of the month prior to the Planning Commission meeting at which it is to be considered.
4. Parish Health Unit – 1 copy, on the 18th day of the month prior to the Planning Commission meeting at which it is to be considered.

5. Sewer District (if applicable) – 1 copy, on the 18th day of the month prior to the Planning Commission meeting at which it is to be considered.
6. Fire District – 1 copy, on the 18th day of the month prior to the Planning Commission meeting at which it is to be considered.
7. A drainage impact study must be submitted for ten (10) lots or more to the Review Engineer, Planning Director and Drainage District (if applicable) and approved prior to final plat approval. For less than ten (10) lots, the drainage impact study will not be required unless it is recommended by the Review Engineer/Planning Director or Drainage District. Within ten (10) working days of submittal of the drainage impact study the Review Engineer and Drainage District (if applicable) must provide the O/D/S's Project Engineer with comments from his review.

The drainage impact study must be submitted on the 8th day of the month prior to the Planning Commission meeting to be considered.

Following the approval of the preliminary plat by the Parish Council, any improvements (if necessary) shall be completed prior to the final plat stage. The original of the final plat must be submitted to the Review Engineer and Parish President and/or Planning Director for approval and signature. After all fees are paid the plat is approved and signed, the O/D/S shall record a copy of the plat in the official records of the Clerk of Court and provide four (4) certified copies to the Planning Commission office.

FURTHERMORE, BE IT ORDAINED by the Livingston Parish Council, governing authority of the Parish of Livingston, State of Louisiana:

SECTION 13-49.3 of ARTICLE IV of CHAPTER 13 of the Code of Ordinances is hereby amended as follows:

SECTION 13-49.3 SUBMITTALS, SECTION C. Subdivisions with Improvements, the title "Drainage Impact Study" shall remove the wording "*(if required)*".

FURTHERMORE, BE IT ORDAINED by the Livingston Parish Council, governing authority of the Parish of Livingston, State of Louisiana:

SECTION 13-49.3 of ARTICLE IV of CHAPTER 13 of the Code of Ordinances is hereby amended as follows:

SECTION 13-49.3 SUBMITTALS, SECTION C. Subdivisions with Improvements, the title "School Impact Study" (1) shall be deleted entirely and the following shall be added to that Section:

#### **School Impact Study**

1. At the discretion of the Parish Council the O/D/S may be required to submit a school impact study. In addition the O/D/S shall submit one (1) page description and preliminary plat/site plan to the Livingston Parish School Board.

SECTION 13-49.6 of ARTICLE IV of CHAPTER 13 of the Code of Ordinances is hereby amended as follows:

SECTION 13-49.6 REQUIREMENTS FOR MINOR SUBDIVISIONS, paragraphs A, B, C & D shall be deleted in its entirety and replaced with the following. Also, the following paragraph F shall be added:

- A. All divisions of property shall be cumulative and shall not be re-subdivided beyond minor subdivision requirements.
- B. All lots divided shall be at a minimum of sixteen thousand (16,000) square feet with minimum of eighty (80) feet at building line.

- C. Any division over four (4) lots must front an existing public road; however, when four (4) lots or more are divided, the developer may have a maximum of seven (7) lots on an existing public road, but no more than four (4) lots may be on a minimum sixty (40) foot servitude access as described below if under 1,056 feet of linear footage. If over 1,056 feet of linear footage, there must be sixty (60) foot servitude.

When four (4) lots or less are divided, the developer may choose any type sixty (60) foot servitude access with a mandatory “buyer beware” affidavit and must note on the plat that the Livingston Parish Council has no agreement or obligation to take in or maintain this access. Any division of property that utilizes the minimum sixty (60) foot servitude access shall not be re-subdivided at any time in the future pursuant to this ordinance.

- D. The Parish Planning Director shall review and the Parish Council may approve minor subdivisions. The Planning Director may send the minor subdivision to the Planning Commission and Parish Council if needed.

- F. The following sign will be required for minor subdivisions. The O/D/S shall erect a four (4') foot by eight (8') foot black and white sign with a minimum of four (4") inch high letters located with no obstructions within five (5) feet of the nearest public right-of way leading to the subdivision. The bottom of the sign shall be at least four (4') feet from the ground. Twenty-five percent (25%) of sign may be dedicated for advertising purposes and graphics, provided such area is contiguous. The sign shall be erected at least 10 days prior to the planning commission meeting at which the subdivision is to be considered. The sign shall be titled “A Subdivision Is Proposed For This Site” and shall contain the following information:

1. Name, address and phone number of O/D/S
2. Name of subdivision or development
3. Number of lots
4. Number of acres in the development

BE IT FURTHER ORDAINED by the Livingston Parish Council, governing authority of the Parish of Livingston, State of Louisiana: Chapter 13, Planning and Development, SECTION 13-50, PROCEDURE FOR SUBDIVISIONS WITH IMPROVEMENTS, A. THROUGH E., of the Code of Ordinances of the Parish of Livingston, Louisiana, is hereby amended by deleting and adding the following paragraphs which shall read as follows:

#### **Section 13-50. Procedure for Subdivisions With Improvements**

- A. STAGE 1 – *Informal discussion*** PRIOR to the filing of an application for approval of the preliminary plat, a representative is REQUIRED to have an informal discussion with the Planning Commission’s Review Engineer and other parish staff and officials deemed appropriate in an effort to resolve technical matters regarding the proposed subdivision prior to consideration by the Planning Commission.

**B. STAGE 2 – *Preliminary plat***

- (1) Upon the satisfactory conclusion of the informal discussion with the Planning Commission’s Review Engineer and other designated officials the preliminary plat and the preliminary plat checklist Form 20-A shall be submitted. The preliminary plat is a conceptual plan of a proposed development and does not represent a fully engineered, dimensioned or designed project and must include current and future filings and/or development. A vicinity map must be included on the preliminary plat. The preliminary plat must be completed by an independent land surveyor licensed to practice in the state of Louisiana.

The preliminary plat must be submitted in accordance with Section 13-49.3 C, and placed on the Planning Commission Agenda for a public hearing. After the Planning Commission has held a public hearing, and made its recommendation to the Parish Council, the preliminary plat proceeds to the Council for consideration. The Planning Director will submit the completed checklist to the Council with its recommendation.

- (2) The O/D/S shall erect a four (4') foot by eight (8') foot black and white sign with a minimum of four (4") inch high letters located with no obstructions within twenty-five (5') feet of the nearest public right-of-way leading to the subdivision. The bottom of the sign shall be at least four (4') feet from the ground. Twenty-five percent (25%) of sign may be dedicated for advertising purposes and graphics, provided such area is contiguous. The sign shall be erected at least 10 days prior to the Planning Commission meeting at which the subdivision is to be considered. The sign shall be titled "A Subdivision Is Proposed For This Site" and shall contain the following information:
  1. Name, address and phone number of O/D/S
  2. Name of subdivision or development
  3. Number of lots
  4. Number of acres in the development
- (3) *Time in which the Council acts.* Following the submission of the preliminary plat and other material submitted in conformity to these regulations, the Livingston Parish Council shall, within sixty (60) days, approve, disapprove, or defer thereon as submitted or modified, and if approved, the Parish Council shall express its approval on the preliminary plat or give its reasons for disapproval. The applicant may waive this requirement and consent to an extension of such period. Any cancellation or deferral request by O/D/S shall be deemed as consent to an extension of the time period contained herein. All such requests for deferrals or agenda cancellation shall be in written form.
- (4) *Action noted on plat.* The action of the Livingston Parish Council shall be noted on five (5) copies of the preliminary plat. One (1) copy shall be returned to the O/D/S, one (1) copy provided to Review Engineer's office, one copy to the Parish Health Office and the remainder retained by the Livingston Parish Council.
- (5) *Approval of preliminary plat.* Approval of the preliminary plat authorizes the O/D/S to proceed with the Drainage Impact Study; however, the O/D/S may choose to submit the Drainage Impact Study along with the preliminary plat. Following approval of the preliminary plat, the Drainage Impact Study, and any other requested impact studies, the O/D/S may proceed with construction plans and final plat in accordance with these regulations. Approval of the preliminary plat shall be effective for twenty-four (24) months.
- (6) *Changes or alterations.* Any changes made by the O/D/S after approval of the preliminary plat shall be submitted in electronic format and reviewed by the Review Engineer and Planning Director. If the change by the O/D/S is substantial in nature which is defined below, then approval can only be granted by the Planning Commission or Parish Council. If the suggested change is not substantial in nature, then approval can be granted by the Planning Commission and then to the Council for approval.

#### SUBSTANTIAL CHANGES

1. A change in the number of lots, amounting to an increase or decrease of five percent (5%) or more of the total number from the previously approved plat.
2. Re-design of the subdivision or any portion thereof which would change the street pattern or overall layout of the previously approved plat.
3. Relocation or addition of any sewage treatment facility.
4. Relocation or addition of any drainage facility, except as mandated by an agency with the legal authority to govern the change.

#### **C. STAGE 3 – 2<sup>nd</sup> Preliminary Plat Approval and other Supplementary Materials**

Once the preliminary plat approval is granted and prior to proceeding with construction plans, the O/D/S must submit for 2<sup>nd</sup> approval to the Parish Planning Commission and the Parish Council, the following along with a copy of the approved preliminary plat:

1. *Drainage Impact Study (required and approved by Review Engineer)*

A drainage impact study must be submitted for ten (10) lots or more to the Review Engineer, Planning Director and Drainage District (if applicable). For less than 10 lots, the Drainage Impact Study will not be required unless it is recommended by the Review Engineer/Planning Director. Upon receipt of the preliminary plat, the Review Engineer must complete review of the drainage impact study in accordance with Section 13-57 of these regulations. The O/D/S shall have a drainage impact study prepared and sealed by a civil engineer currently licensed to practice in the State of Louisiana. The drainage impact study must be submitted to the Review Engineer and Drainage District (if applicable) for review and approval. The drainage impact study must be submitted in accordance with Section 13-49.3(C). Within ten (10) working days of submittal of the drainage impact study the Review Engineer and Drainage District (if applicable) must provide the O/D/S's Project Engineer with comments from his review.

2. *Traffic Impact Study (if ordered and required by Review Engineer/Planning Director)*

Upon receipt of the preliminary plat, the Review Engineer must complete review of the traffic impact study in accordance with Section 13-54.4 of these regulations. The O/D/S shall have a traffic impact study prepared and sealed by a civil engineer currently licensed to practice in the State of Louisiana. All information and analysis submitted by the O/D/S must follow the requirements and methods outlined in Section 13-54.4.

3. *Wetland Mitigation Plan*

If the proposed development contains wetlands (determined by the Corps of Engineers) then the developer shall submit a letter in writing to the Review Engineer and the Planning Director that any wetlands that may have existed within the Parish rights-of-way, servitudes, and drainage located in this subdivision has been mitigated.

**D. STAGE 4 – Construction plans**

(1) Within seven (7) days of submittal of the construction plans, specifications, and drainage calculations, the Review Engineer must provide the O/D/S's Project Engineer with comments from his review. After all the comments have been addressed by the Project Engineer, the Review Engineer must provide to the Parish President a letter of recommendation of conformity to these regulations. Following the review by the Review Engineer, two sets of construction plans must be submitted to the Parish President's office for approval. Within seven (7) days of receipt of the letter of recommendation from the Review Engineer, the Parish President or the Planning Director must issue a letter of approval to the O/D/S's Project Engineer.

(2) Flood zones as reflected on the FIRM maps shall be indicated on the construction plans.

(3) Any changes or re-design of construction plans shall be indicated on the construction plans.

**STAGE 4 – Construction**

Construction procedure requirements are to be followed as set forth in Section 13-50.2 of these regulations.

**E. STAGE 5 – Final Plat and bonding**

The final plat, upon the recommendation of the review engineer and planning director must be approved by signature of the Planning Commission.

The O/D/S may request approval of the final plat by constructing all improvements shown on the construction plans and posting a maintenance bond to start the 18

(eighteen) month maintenance period. The procedures are defined in Section 13-50.2 of these regulations and only apply after completion and final inspection. The O/D/S may choose to substantially complete construction and post a performance bond for punch list items shown on the final inspection report to receive approval of the final plat.

BE IT FURTHER ORDAINED by the Livingston Parish Council, governing authority of the Parish of Livingston, State of Louisiana: Chapter 13, Planning and Development, of the Code of Ordinances of the Parish of Livingston, Louisiana, is hereby amended by **adding** the following Section, SECTION 13-54.4, TRAFFIC IMPACT STUDY, which shall read as follows:

#### **Section 13-54.4. TRAFFIC IMPACT STUDY**

This section establishes requirements for transportation studies that provide information on traffic projected to be generated by proposed developments. The purpose and intent of these requirements is to protect the health, safety, and welfare of the citizens and visitors of Livingston Parish by ensuring the provision of safe and adequate transportation facilities. It is the further intent of this section to establish requirements for the identification of any potential traffic operational problems or concerns, as well as potential solutions to such problems or concerns.

A. The O/D/S must determine, and state in writing, the anticipated impact of the proposed development on the existing transportation network. All information and analysis submitted by the O/D/S must follow the requirements and methods outlined in this section. There are four levels (Thresholds 1, 2, and 3) of analysis. Any development that is required to submit a Traffic Impact Statement or Study to DOTD will be exempt from the requirements of this section and shall submit the required Traffic Impact Statement or Study to the proper review agency at DOTD. When a Traffic Impact Statement or Study is submitted to the Parish for review, the following conditions will apply:

1. The study must be completed and submitted with the Preliminary Plat or Stage 3 submittal.
2. All analysis must be performed by a Louisiana registered professional civil engineer with experience in performing similar type studies.
3. Prior to beginning a Comprehensive Traffic Impact Study (Threshold 3), the Engineer will meet with the Review Engineer and the Planning Director to develop the exact scope of the study and determine the actual area to be studied and methods used.

#### **B. Traffic Impact Analysis Threshold Levels**

1. **Threshold 0 (Traffic Impact Statement Required)** - If the proposed development results in less than forty (<40) peak hour trips, either AM or PM (whichever is greater) the O/D/S would submit:
  - a. The proposed trip generation and distribution;
  - b. Source of information (Trip Generation Manual), or a comparison to equivalent site in Livingston Parish with known trip data.
  - c. Sight distance evaluation;
2. **Threshold 1 (Traffic Impact Statement Required)** - If the proposed development results in greater than forty (>40) and less than seventy-five (<75) peak hour trips, either AM or PM (whichever is greater) the O/D/S would submit:
  - a. a. through c. above, and:
  - d. Analysis of the access/egress of development in relation to Level-of-Service of the adjacent roadway system.

3. **Threshold 2 (Limited Traffic Impact Study)** - If the proposed development results in greater than seventy-five (>75) and less than four hundred (<400) peak hour trips either AM or PM the O/D/S would submit:

- a. a. through d. above, and;
- e. Recommendations for any roadway and/or intersection improvements to maintain or improve the existing Level-of-Service;
- f. Provide vehicle accident data in proximity to site (if available);
- g. Analysis of the roadway capacity (existing and/or proposed) on all roadway links abutting the proposed development site and identify necessary roadway and/or intersection improvements to maintain the existing Level-of-Service;
- h. An analysis of the nearest major intersection (typically signalized) in each direction from the major site driveway.

4. **Threshold 3 (Comprehensive Traffic Impact Study)** - If the proposed development results in greater than four hundred (>400) peak hour trips either AM or PM the O/D/S would submit:

- a. a. through h. above and;
- i. The new traffic generated for the proposed development would be distributed onto the existing transportation network within an area defined by the Engineer Review Agency. Analysis of each roadway link and intersection link within this area for both existing and proposed conditions;
- j. Identification of any deficiencies determined by this analysis and resolve such deficiencies.

C. The peak hour trips are not the only threshold factor in deciding which type of analysis will be required. At the discretion of the Review Engineer and the Parish Planning Director, other items which significantly influence the traffic movements or safety (such as a development that falls within a high-accident area) may require a higher level of study.

D. A proposed development which is found to overburden the existing transportation network or cause a reduction in service of affected roadways below an acceptable Level of Service may require the O/D/S, at the agreement of the Review Engineer, and the Parish Planning Director, to modify the development proposal to minimize the identified traffic related impacts. Modifications to applications for projects may include, but shall not be limited to:

- 1. A reduction in the projected vehicle trips per day;
- 2. Dedication of additional right-of-way for future roadway improvements;
- 3. Rerouting of traffic and proposed access points serving the proposed project; or
- 4. Participation in funding transportation facilities, including signals, roadway, and intersection improvements.

FURTHERMORE, BE IT ORDAINED by the Livingston Parish Council, governing authority of the Parish of Livingston, State of Louisiana:

SECTION 13-55 of ARTICLE IV of CHAPTER 13 of the Code of Ordinances is hereby amended as follows:

SECTION 13-55 SERVITUDES; RIGHTS-OF-WAY, SECTION C, The Minimum Servitude Width Shall Be Fifteen (15) Feet, **Adding Parts G Through I** as listed below.

- G. All subdivision/re-subdivision for single family dwellings (with lot sizes of 10,000 square feet or less) and multifamily developments consisting of a combined total of (20) lots/units or more, not yet approved, must include one (1) guest parking space for every three (3) single family lots or multifamily units. These spaces must be separate from the lots and centrally located for use. The total number of lots shall include all filings.
- H. All subdivision/re-subdivision garden home and multifamily developments consisting of a combined total of (30) lots/units or more, not yet approved, must include non-wetland, usable and cleared “recreational space” minimum ¼ acre for every 30 lots/units.
- I. All subdivision/re-subdivision developments consisting of combined total of (15) lots or more, not yet approved, must include:
  - 1. Subsurface drainage culverts of the size and specification required shall be designed by the O/D/S Project Engineer and approved by the Review Engineer and the Planning Director, unless it can be shown to the Review Engineer that such a system will not facilitate positive drainage. The Review Engineer/Planning Director shall be responsible for granting such a variance.
  - 2. Curb and gutter shall be as required and approved by the Review Engineer and the Planning Director, unless it can be shown to the Review Engineer that such an improvement will not be feasible. The Review Engineer/Planning Director shall be responsible for granting such a variance.
  - 3. Street lights according to specifications by the utility company.

FURTHERMORE, BE IT ORDAINED by the Livingston Parish Council, governing authority of the Parish of Livingston, State of Louisiana:

SECTION 13-56 of ARTICLE IV of CHAPTER 13 of the Code of Ordinances is hereby amended as follows:

SECTION 13-56 BUILDING LINES, SECTION A, shall be deleted entirely and the following shall be added to that Section:

- A. The building lines shall be appropriate for the location of the subdivision and for the type of development and use contemplated: For all subdivision/re-subdivision developments not yet approved, the required minimum building line setbacks are:
  - 1. front yard – twenty-five (25) feet;
  - 2. rear yard – twenty (20) feet;
  - 3. side yard – five (5) feet on each side.

Developments such as garden homes may not have zero (0) foot building lines (NO ZERO LOT LINES) for any detached single family dwelling.

SECTION 13-58 of ARTICLE IV of CHAPTER 13 of the Code of Ordinances is hereby amended as follows:

SECTION 13-58 UTILITIES, Paragraph 2, parts D & E shall be deleted entirely.

SECTION 13-62 of ARTICLE IV of CHAPTER 13 of the Code of Ordinances is hereby amended as follows:

SECTION 13-62 SUBDIVISION PROCESSING FEES SCHEDULE, the first two paragraphs of this section shall be deleted entirely and replaced with the following:

The aforementioned fee schedule does not include fee(s) for review engineering or any other professional service fee(s) which may be incurred on the part of the Parish of Livingston in review and/or certification of plans, plats or specifications, inspection(s) and/or analysis of materials, sites or any other services rendered. These services shall be performed to assure adherence to the subdivision and/or development ordinances of the parish, and proper planning on behalf of the parish and its residents.

These charges shall be invoiced by the Review Engineer directly to the O/D/S. **Invoices shall be due and payable upon receipt and failure to remit such payment(s) invoiced shall be cause for denial of any and all submission(s) for development, future developments and for the revocation of any and all permits issued for the construction of any such development and/or subdivision.**

SECTION 13-68.5 of ARTICLE IV of CHAPTER 13 of the Code of Ordinances is hereby amended as follows:

SECTION 13-68.5 MULTI-FAMILY DEVELOPMENT PARKING AND DRIVES. The first paragraph shall be deleted entirely and replaced with the following:

The Developer shall provide a minimum of two (2) parking spaces per living unit. For developments consisting of a combined total of twenty (20) units or more, not yet approved, must include one (1) quest parking space for every three (3) multi-family units. All parking and drives shall be concrete.

BE IT FURTHER ORDAINED that all ordinances or parts of ordinances in conflict herewith are hereby repealed. If any provision of this ordinance shall be held to be invalid, such invalidity shall not affect other provisions herein which can be given effect without the invalid provision and to this end the provisions of this ordinance are hereby declared to be severable.

The effective date of this ordinance shall be as prescribed by law.

Upon being subjected to a vote, the vote thereon was as follows:

YEAS:

NAYS:

And the ordinance was declared adopted on the 26<sup>th</sup> of July, 2012.

\_\_\_\_\_  
Cindy Wale, Council Chair

ATTEST:

\_\_\_\_\_  
Lisa Frederick, Council Clerk

INTRODUCED \_\_\_\_\_ ADOPTED \_\_\_\_\_

DELIVERED TO PRESIDENT \_\_\_\_\_, \_\_\_\_\_ o'clock \_\_\_\_ .M.

APPROVED BY PRESIDENT \_\_\_\_\_

Layton Ricks

\_\_\_\_\_  
Date

VETOED BY PRESIDENT \_\_\_\_\_

Layton Ricks

\_\_\_\_\_  
Date

RECEIVED FROM PRESIDENT \_\_\_\_\_, \_\_\_\_\_ o'clock \_\_\_\_ .M.