

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 July 28, 2016, and laid over for publication of notice:

L.P. ORDINANCE 16-37

AN ORDINANCE TO RESCIND AND REENACT CHAPTER 13, "PLANNING AND DEVELOPMENT," SECTION 13-49.6, "REQUIREMENTS FOR MINOR SUBDIVISIONS," OF THE CODE OF ORDINANCES IN AND FOR THE PARISH OF LIVINGSTON.

NOTICE IS HEREBY FURTHER GIVEN that the Parish Council of said Parish will meet on Thursday, August 11, 2016, at six (6:00) o'clock p.m., at the Governmental Building, in the Livingston Parish Council Chambers, 20355 Government Boulevard, Livingston, Louisiana, 70754 at which time there will be a public hearing on the adoption of the aforesaid ordinance.

Sandy Teal, Council Clerk

John Wascom, Council Chairman

(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 July 28, 2016, 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 August 11, 2016, on Motion of Shane Mack and seconded by R.C. "Bubba" Harris:

L.P. ORDINANCE 16-37

AN ORDINANCE TO RESCIND AND REENACT CHAPTER 13, "PLANNING AND DEVELOPMENT," SECTION 13-49.6, "REQUIREMENTS FOR MINOR SUBDIVISIONS," OF THE CODE OF ORDINANCES IN AND FOR THE PARISH OF LIVINGSTON.

WHEREAS, the Livingston Parish Council adopted L.P.O. 01-16, reenacting Chapter 13 of the Code of Ordinances of Livingston Parish, Subdivision Regulations, and

WHEREAS, the Livingston Parish Council has adopted numerous amendments to Chapter 13 of the Code of Ordinances and now desires to further amend Chapter 13-49.6, part (a), to allow the division of property for minor subdivisions and set forth provisions thereof;

WHEREAS, the Livingston Parish Council now wishes to amend Chapter 13-49.6 establishing procedures and guidelines for division of lots for minor subdivisions;

NOW, THEREFORE, BE IT ORDAINED by the governing authority of the Parish of Livingston, State of Louisiana: The Code of Ordinances of Livingston Parish, Section 13-49.6, is hereby deleted in its entirety and reenacted to read as follows:

Section 13-49.6 Requirements for Minor Subdivisions

Minor Subdivision: The division or re-subdivision of a lot, tract or parcel of land or a portion thereof into nine (9) 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.

- A. All division of property shall be cumulative and shall not be re-subdivided within a two-year period pursuant to this article; however, it may be re-subdivided as a subdivision with improvements within said two-year period provided that it complies with the requirements of said ordinance. As an exception, property of five (5) acres or more where conveyance has occurred shall begin the cumulative period upon the date of conveyance.
- B. All lots divided shall be at a minimum of sixteen thousand (16,000) square feet with a minimum of eighty (80) feet at building line.
- C. Any division of property where any lot within the division is less than one (1) acre, shall not be divided into more than seven (7) total lots.
- D. Any division of property where any lot within the division is less than one (1) acre, shall not have more than four (4) total lots on a private, non-public road or servitude. If the servitude is less than 1056 linear feet, then the servitude shall be no less than forty (40) feet in width. If the servitude is 1056 lineal feet or longer, then the servitude must be a minimum (60) feet in width.
- E. Any division of property where all lots within the division is of one (1) acre or more, shall not be divided into more than nine (9) total lots.
- F. Any division of property where all lots within the division is of one (1) acre or more shall not have more than five (5) total lots on a private, non-public road or servitude. If the servitude is less than 1056 linear feet, then the servitude shall be no less than forty (40) feet in width. If the servitude is 1056 lineal feet or longer, then the servitude must be a minimum (60) feet in width.
- G. Any division of property that utilizes the minimum forty (40) or sixty (60) foot servitude access with a mandatory "buyer beware" affidavit, must note on the plat that the Livingston Parish Council has no agreement or obligation to take in or maintain this access.
- H. Once the Planning Department has received a plat for a minor subdivision, the Livingston Parish Council clerk and any appropriate drainage district are to be notified in writing. The Planning Department will have ten (10) working days to approve or produce a written letter

of objection to the developer or the developer's authorized representative, and the Councilman of the area. The ten (10) working days will begin after the erection of the sign and plat has been submitted. This excludes family partition and is not subject to section 13-54.1.

I. The following sign will be required for minor subdivisions consisting of 4 or more lots. (Family Partitions and Exchange of Property between adjoining property owners are exempt) 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 purpose and graphics, provided such area is contiguous. The sign shall be erected at least 10 days prior to the planning director approval. The sign shall be titled "A Minor 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 (to be divided)
4. Number of acres in the development

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.

This ordinance having been submitted to a vote, the vote thereon was as follows:

YEAS: MR. MACK, MR. LOBELL, MR. AVERETT, MR. HARRIS, MR. TALBERT, MR. KEEN, MR. GIRLINGHOUSE, MR. ARD, MR. WASCOM

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

And the ordinance was declared adopted on the 11th day of August 2016.

John Wascom, Council Chairman

ATTEST:

Sandy Teal, 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.