

STATE OF LOUISIANA
VILLAGE OF CHOUDRANT

ORDINANCE NO. 63

MOTION BY: Regan Aswell
SECOND BY: Wayne Brooks

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE VILLAGE OF CHOUDRANT TO ESTABLISH SPECIFIC STANDARDS FOR THE FUTURE SUBDIVISION AND DEVELOPMENT OF LAND IN THE VILLAGE, TO DEFINE SUBDIVISIONS AND TO ESTABLISH STANDARDS FOR IMPROVEMENTS SUCH AS STREETS, AND UTILITIES; AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, the Board of Aldermen of the Village of Choudrant has determined that the best interest of the residents of the village will be served by the application of specific codes and regulations to all development; and

WHEREAS, the Board of Aldermen established and empowered according to Law the Planning Commission of the Village of Choudrant, and

WHEREAS, the Choudrant Planning Commission has studied and adopted specific regulations for the future subdivision and development of all land within the village,

Now therefore,

Section 1. BE IT ORDAINED by the Mayor and Board of Aldermen of the Village of Choudrant, Louisiana, in regular and legal session convened, that the following be incorporated as "Chapter III. Subdivision Regulations" into the Code of Ordinances of the Village of Choudrant, to-wit:

CHAPTER III. SUBDIVISION REGULATIONS

ARTICLE A. GENERAL PROVISIONS

Section 3-1. Authority, intent, and General Applicability

These subdivision regulations are adopted under authority of Section 112 of Title 33, Louisiana Revised Statutes of 1950, as amended. The Village of Choudrant has fulfilled the requirements set forth in state law which are prerequisite to the adoption of regulations governing the subdivision of land.

It is the intent of these regulations to provide for the harmonious development of the town; for the coordination of street development within subdivisions with other existing or planned streets or with other features of the master plan; for adequate and convenient open spaces for traffic, utilities, recreation, light and air; and for a distribution of population and traffic that will tend to create conditions favorable to health, safety, convenience or prosperity.

These regulations shall govern all subdivisions of land within the town as now or hereafter defined.

From and after the effective date of these subdivision regulations, every plat of land that is a subdivision, as defined herein, shall be prepared, presented for approval and recorded as required herein, and no plat shall be recorded or shall have any validity unless it shall have been approved by the Choudrant Planning as having fulfilled the requirements of these regulations.

Section 3-2. Definitions.

For the purpose of these subdivision regulations certain words and phrases used herein are defined as follows:

Alley: Any public space or thoroughfare of minimum width twenty (20) feet and maximum width twenty-five (25) feet which has been dedicated or deeded for public use.

Block: A parcel of land entirely surrounded by streets, streams, railroad rights-of-way, parks or other public spaces, or by a combination of both or otherwise clearly defined by proper plat as a block.

Board: The chief legislative body of the town; the Board of Aldermen.

Commercial-Industrial

Street: A street existing or planned the primary use of which is to serve adjacent commercial or industrial uses in locations such as industrial parks or a commercial planned unit development.

Comprehensive Plan: The comprehensive plan made and adopted by the Choudrant Planning Commission for the physical development of the town; the term includes any unit or component part of the plan separately adopted and any amendment to the plan or part thereof.

Cross walkways: A public right-of-way, ten (10) feet or more in width between property lines, which provides pedestrian access to adjacent properties.

Development: The act of installing site improvements and building structures.

Dwelling Unit: One or more rooms in the same structure, connected together and constituting a separate, independent housekeeping unit for permanent residential occupancy and with facilities for sleeping and cooking.

Dwelling, Condominium: A group of two (2) or more dwellings, similar to an apartment complex or townhouse subdivision providing for joint ownership of the underlying land and physical facilities and for individual ownership of the living spaces within.

Dwelling, Multiple-family: A detached building containing two (2) or more dwelling units and used by two (2) or more families living independently of each other; the term includes apartment house.

Dwelling, Single-family: A detached building containing one dwelling unit and used exclusively by one family.

Dwelling, Townhouse: One of a series of two (2) or more individually owned, single-family dwellings, excluding mobile homes, attached in a row, distinguished from condominium units by the ownership of the underlying land resting with the dwelling' owner rather than in common ownership.

Easement: A grant by the owner of the use of a strip of land by others for specific purposes.

Family: One or more persons living together as a single housekeeping unit, which may include not more than one (1) lodger or boarder.

Final Plat: The final map or drawing on which the proposed plan is submitted to the Planning Commission for approval and which, if approved, is submitted to the Lincoln Parish Clerk of Court for recording.

Improvements: Objects created on the site such as street surfaces, curbs and gutters, sidewalks, water mains, sanitary sewers, storm drains, utilities structures, monuments, etc.

Lot: A portion of a subdivision intended as a unit for transfer of ownership or for development.

Major Street Plan: The component part of the Comprehensive Plan for the town showing the general locations of principal thoroughfares.

Municipality: The Village of Choudrant and, where appropriate to the context, that area lying within the corporate limits of the town as the corporate limits exist or may exist in the future.

Parks, recreation and school sites plan: The component part of the Comprehensive Plan for the town concerning the general locations of parks, recreation areas, school sites, and the like.

Planning Commission: The Choudrant Planning Commission, as per authority of R.S. 33:118.

Preliminary Plat: The drawings on which the proposed subdivision improvements are shown and which, if approved, will be used for construction of the improvements.

Reserve strip: The strip of land smaller than a lot retained in private ownership for the purpose of controlling access to land dedicated or intended to be dedicated to street or other public use.

Roadway: The portion of a street available for vehicular traffic; where curbs are laid, the portion between curbs.

Sidewalk: The portion of a street or cross walkway, paved or otherwise surfaced, intended for pedestrian use only.

Sketch plan: The sketch map or drawing showing the general design of a proposed subdivision.

Street: A public right-of-way which provides vehicular and pedestrian access to adjacent properties.

Closed end street: A short street having one end open to traffic and being terminated at the other end with a cul-de-sac.

Collector street: A street, existing or planned, which serves or is intended to serve as a secondary traffic way, collecting traffic from minor streets and feeding it into major streets or to important generators of traffic.

Major street: A street, existing or planned, which served or is intended to serve as a principal traffic way and which is designated on the major street plan as a limited access highway, major street, parkway or other term to identify those streets comprising the basic structure of the street system of the town.

Marginal access street: A street existing or planned running parallel to and adjacent to or in the immediate vicinity of a major street and which has as its principal purpose the relief of the major street from the local service of abutting properties.

Minor Street: A street of limited continuity which serves or is intended to serve the local needs of a neighborhood.

Mobile Home: Also referred to as manufactured housing or trailer. Any dwelling unit which is capable of being moved without employment of a commercial house mover.

Subdivider: Any person, group, corporation, or agent thereof, dividing or proposing to divide land so as to constitute a subdivision as defined herein.

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

Tentative Approval: the approval by the Planning Commission of the sketch plan or Preliminary Plat as is required by these regulations preliminary to final approval of the as built Preliminary Plat.

Zoning Administrator: The official designated by the Mayor of Choudrant to administer the town's Zoning regulations.

Section 3-3. Subdivision Platting Requirements

Subdivision for which no plat is required:

When the Zoning Administrator finds that the conditions specified in Subsection 2. Of this section are met, he or she may stamp on the deed or act of conveyance of such parcel approved by Choudrant Planning Commission, no plat required, sign and date it. The subdivision shall thereupon be exempt from the platting, hearing, and other submission requirements; and the deed or act of conveyance may be forthwith recorded in the conveyance records of the parish.

The approval conditions referred to in Subsection (1) of this Section are that:

the parcel or parcels in question lie within an existing subdivision for which a plat is of record in the office of the clerk of court, Lincoln Parish, such plat either having been filed prior to the date of these regulations or, if filed thereafter, having been approved by the Planning Commission;

no change in existing or dedicated street rights-of-way is required by or contained in the conveyance in question;

the conveyance in question effects only a shifting of existing rear or side lot lines provided such shifting does not violate other codes such as being too small for individual sewerage, etc.; or

the subdivision of the land is exclusively for agricultural purposes (i.e.: crop production, livestock production, or forestry use.)

Subdivision which requires a filed plat:

The procedure for review and approval of a subdivision consists of three (3) consecutive steps, as follows: (1) preparation and submission of a Sketch Plan of the proposed subdivision, together with the attendant items required herein, (2) preparation and submission for review and tentative approval of Preliminary Plat, together with the attendant items required herein, and (3) preparation and submission for review and final approval of a Final Plat , together with the attendant items required herein.

Sketch Plan. (cf.:S4A)

The purpose of the sketch plan is to develop a general design on which to base the Preliminary and Final Plats, and thus to avoid having to revise the design to make it conform to the Comprehensive Plan and to relate it to surrounding development. To this end, the subdivider should consult informally with the Village of Choudrant's Zoning

Administrator and technical staff on preparation of the sketch plan.

The subdivider should submit to the Zoning Administrator two (2) copies of the sketch plan of the proposed subdivision, together with attendant items required herein. This step does not require formal application, fee or filing of the subdivision plat with the Planning Commission. The sketch plan shall be reviewed by the Planning Commission, taking into consideration, in addition to the requirements set out in these regulations, the components of the master plan, especially the major street plan and the parks, recreation and school sites plan, the zoning regulations, and other plans, programs, and regulations that might affect the area and the design and development of the subdivision.

Within fifteen (15) days, the Zoning Administrator shall inform the subdivider that the sketch plan, as submitted or as modified, does or does not meet the objectives of these regulations. When the sketch plan does not meet the objectives of these regulations, the reasons thereof shall be given, together with any changes recommended to be made.

Preliminary Plat. (cf.:S4B)

Before filing a subdivision plat for land lying within the Village of Choudrant, the subdivider shall submit a Preliminary Plat, as specified herein, and supporting materials as required, to the Choudrant Planning Commission on or before the final working day of each month.

The purpose of the Preliminary Plat, together with the attendant items required herein, is to provide plans for the construction of the subdivision and its improvements. To this end, during preparation of the Preliminary Plat the subdivider should consult with the Planning Commission's technical personnel, with the town's consulting engineer, and with other officials and agencies concerned with the subdivision and improvements. The Preliminary Plat shall be based upon the general design shown on the sketch plan, together with the recommended or required changes.

A written report indicating the Choudrant Planning Commission's findings will be issued on the Tuesday after the Commission's meeting, and it shall communicate in writing to the subdivider its approval, disapproval, or conditional approval. In the case of conditional approval, the Commission shall state:

the specific changes required to be made in the Preliminary Plat,
the character and extent of the required improvements, and
the amount of the surety bond which it will require in lieu of the completion of improvements required herein.

In the case of disapproval, the Planning Commission shall state the grounds for its disapproval.

Tentative approval of Preliminary Plat shall not constitute acceptance of the plat of the proposed subdivision but shall be deemed only as an expression of approval of the plan submitted as a guide to preparation of the Final Plat, which Final Plat will be submitted for approval of these regulations and the conditions of tentative approval of Preliminary Plat shall be effective for a maximum period of one year unless, upon application by the subdivider, the Planning Commission grants an extension. If the Final Plat has not been submitted to the Planning Commission for final approval within this time limit, the Preliminary Plat shall again be submitted for review.

Final Plat. (cf.:S4C)

A Final Plat may be submitted for final review to the Choudrant Planning Commission on or before the last working day of the month prior to the next scheduled meeting of the Commission.

The purpose of the Final Plat, together with the attendant items required herein, is to provide an accurate record of street and property lines and other elements being established on the land and the conditions of their use. The Final Plat shall be based on the Preliminary Plat, together with the required changes, but it may include only the portion of the approved Preliminary Plat which the subdivider proposes to record and develop at the time, provided, however, that the portion conforms to all requirements of these regulations.

The Final Plat, together with the attendant items required herein, shall be reviewed by the Choudrant Planning Commission and will be referred for review and report to the town's consulting engineer, the director of the parish health unit, the utility agencies or companies concerned with the tract or adjacent tracts and other appropriate officials. The review shall take into consideration conformance to the approved Preliminary Plat, fulfillment of any conditions of approval, and the proper installation of required improvements in conformance with the requirements of these regulations and other applicable standards and regulations.

The Planning Commission shall act upon the Final Plat within forty-five (45) days after its submission and shall communicate in writing to the subdivider its final approval or disapproval. Upon final approval, the Planning Commission shall indicate such approval upon the Final Plat. In the case of disapproval, the Planning Commission shall state the grounds for its disapproval and appeal may be made to the Board of Aldermen according to Article B, Section 9C.

Following the final approval, the Final Plat shall be signed by:

The Mayor of the Village of Choudrant,

The Chairman and/or the Executive Director of the Choudrant Planning Commission, and
The engineer designated by the Village of Choudrant to evaluate subdivisions.

Final approval of a Final Plat shall not constitute acceptance by the public of the dedication of a street or other public way, park or space, which is a separate act of the Board of Aldermen. Final approval of a Final Plat shall be null and void if the Final Plat is not recorded in the records of the clerk of court of Lincoln Parish within ninety (90) days after the date of final approval or, upon application by the subdivider, after that date up to which the Planning Commission has granted an extension.

Act of Dedication: The owner and subdivider shall prepare an act of dedication to the effect that the streets and rights-of-way are dedicated solely for the construction and maintenance of a public road, street, and/or easement and is a conveyance of servitude across lands described and not a conveyance of the fee title thereto, and the grantors especially do not transfer any right to oil, gas and other minerals lying beneath the area subjected to said servitude for the right-of-way purposes and for use of the public and all areas shown as servitudes are granted to the public for use of utilities, drainage or other proper purposes for the general interest of the public.

Section 3-4. Approval Procedures

General Requirements.

the subdivider shall employ a registered professional civil engineer who will be responsible to assure, by filed inspections and materials and construction testing that the improvements to be dedicated for public use are constructed to meet all applicable regulations and requirements and to make appropriate certification of such to the Choudrant Planning Commission and/or the Village of Choudrant.

The subdivider shall deposit with the Town Clerk a sum equal to two percent (2%) of the estimated construction value of the proposed development, said sum to be used by the town for the purpose of defraying its cost for the technical and legal review of preliminary and final plats and specifications and the cost of periodic inspections to be performed by the town's consulting engineer or other appropriate personnel. The estimate of construction shall be made by the subdivider's consulting licensed engineer or other independent estimator agreed upon by the developer and the Planning Commission. Upon completion of construction, the deposit account shall be reconciled and any balance remaining shall be refunded to the subdivider or any shortage remitted to the town.

Except as specified in Section 3 A. above, the process of subdivision approval requires the sequential submission of three specific plans with appropriate, attendant items, namely, the sketch plan, the construction plan, and the final plat. No subdivision is deemed to be approved until all of the submissions have been reviewed and approved by the Planning Commission.

Prior to any construction or approval to construct, the approval of the State Department of Health and Hospitals must be furnished to the Planning commission.

Specifications for the Sketch Plan.

The sketch plan shall show in simple outline the general design of the proposed subdivision in relation to existing conditions and to its surroundings. It may be either a mechanical drawing or a freehand sketch, made at any convenient scale and size.

The sketch plan shall contain the following information:

Location map: A diagram showing the relation of the proposed subdivision to main traffic arteries, schools, recreations areas, business and industrial areas, and other important features in the area.

Survey data: Contours or spot elevations required for the Preliminary Plat plan or a sufficiently close approximation of such contours or spot elevations to determine necessary drainage.

Miscellaneous data: The scale of the sketch plan, north arrow, and date; the names and addresses of the owner, subdivider, and professional engineers and/or land surveyors employed.

Streets: The street pattern in relation to existing and proposed streets, including those shown on the major street plan or on a neighborhood plan.

Lots and blocks: The general arrangement of lots and blocks, with dimensions of typical lot widths and depths.

Nonresidential sites: Identification of existing and proposed parks, recreation areas, schools, or other public uses; sites, if any, for multi-family dwellings, shopping centers, churches, industry or other nonpublic uses exclusive of single-family dwellings.

Utilities: the approximate locations and sizes of existing utility lines.

Easements and servitudes: The approximate locations, widths and purposes of existing easements.

The sketch plan shall be accompanied by the following attendant items:

Protective covenants: A brief summary of the protective covenants proposed to be recorded with the plat.

Improvements: A statement of the utilities and street improvements proposed to be made.

Specifications for the Preliminary Plat.

The Preliminary Plat shall show accurately and in sufficient detail for construction of the subdivision and its improvements the design of the proposed subdivision in relation to existing conditions and its surroundings. It shall be drawn to a scale of one inch equals one hundred (100) feet or larger and the sheet size shall not be larger than thirty-two (32) inches by thirty-six (36) inches. Where necessary, the plat may be on several sheets accompanied by an index sheet showing the entire subdivision.

The Preliminary Plat shall contain the following information:

Location map: A diagram showing the location of the proposed subdivision.

Survey data: The boundary lines of the subdivision with length and bearing of lines; section and corporation lines; contours at intervals of two (2) feet, based on a datum plane approved by the town's consulting engineer; where contours will not provide adequate information for drainage determinations, spot elevations, in sufficient number to show drainage conditions, shall be given.

Miscellaneous data: Present tract designation according to the records of the clerk of court of the parish; the title or name under which the proposed subdivision is to be recorded, with name and address of the owner and the subdivider; notations giving scale, (true) north arrow, datum, benchmarks, date of survey and name of the registered professional engineers and/or land surveyors employed.

Streets: The name, right-of-way width, and locations of streets and other public ways on and adjacent to the tract; the type, width and elevation of surfacing; any legally established center line elevations; walks, curve, gutters, culverts and similar features; the name, right-of-way width and location of proposed streets, with their grades and gradients, typical sections, existing ground profile, etc., and similar data for alleys, if any are planned.

Lots and blocks: Lot lines, lot numbers and block letters, tabulations stating gross and net acreage of the subdivision, acreage of existing and proposed public areas within the tract, number of residential lots, typical lot sizes and linear feet of all proposed streets.

Nonresidential sites: Sites to be reserved or dedicated for parks, recreation areas, schools or other public uses; sites, if any, for multifamily dwellings, shopping centers, churches, industry, or other nonpublic uses exclusive of single-family dwellings.

Utilities: The location, size and invert elevations of the existing and proposed storm drains, sewers, the locations and sizes of water mains and gas mains; the locations of fire hydrants, utility poles, etc. . All proposed utilities improvements shall be shown in sufficient detail for proper construction.

Easements: The locations, widths and purposes of existing and proposed easements and servitudes.

Building setback lines: Minimum building setback lines in accord with the zoning regulations then in effect.

Adjoining land: The approximate direction and gradient of the ground slope, including any levees or embankments; the character and location of buildings, railroads, power lines, towers and other nearby nonresidential land uses or adverse influences; and names of recorded subdivision plats of adjoining platted land by record name, date and number, and the names of record of owners of adjoining unsplit land.

Other existing conditions: The locations of watercourses, marshes, wooded areas, isolated preservable trees one foot or more in diameter, buildings or structures and other significant features on the tract.

Proposed public improvements: Highways or other major public improvements planned by public authorities for future construction on or near the tract.

The Preliminary Plat plan shall be accompanied by a draft of the protective covenants whereby the subdivider proposes to regulate land use in the subdivision and otherwise protect the proposed development.

Specifications for the Final Plat.

The Final Plat shall show accurately the subdivision as established on the ground and in relation to its surroundings. It shall be drawn to a scale of one inch equals one hundred (100) feet or larger, and the sheet size shall not be larger than thirty-two (32) inches by thirty-six (36) inches. Where necessary, the plat may be on several sheets accompanied by an index sheet showing the entire subdivision. For large subdivision, the Final Plat may be submitted for approval progressively in contiguous sections satisfactory to the Planning Commission.

The Final Plat shall contain the following information:

Location map: A diagram showing the location of the proposed subdivision.

Survey data: Primary control points, approved by the town's consulting engineer, or descriptions and ties to such control points, to which all dimensions, angles, bearings and similar data on the plat shall be referred; the boundary lines of the subdivision, right-of-way lines of streets, easements, and other rights-of-way, and property lines of residential lots and other sites with accurate dimensions, bearings, or deflection angles and radii, arcs, and central angles of all curves; the location and description of monuments, according to state law, and a statement of the closure error.

Miscellaneous data: Notations giving scale, (true) north arrow, and the date of the Final Plat's official recording in parish records.

Streets: The name, right-of-way width, and locations of streets and other public ways on and adjacent to the tract; the type, width and elevation of surfacing; any legally established center line elevations; walks, curve, gutters, culverts and similar features; the name, right-of-way width and location of streets, with their grades and gradients, typical sections, existing ground profile, etc., and similar data for alleys, if constructed.

Lots and blocks: Identification by letter of each block and by number of each lot in each block.

Nonresidential sites: The purpose for which sites, other than residential lots, are dedicated or reserved.

Utilities: The location, size and invert elevations of all storm drains, sewers, the locations and sizes of water mains and gas mains; the locations of fire hydrants, utility poles, etc. as constructed on the site.

Easements: The locations, widths and purposes of all easements and servitudes.

Building setback lines: Minimum building setback lines in accord with the zoning regulations in effect.

Adjoining land: The names of recorded subdivision plats of adjoining platted land by record name, date and number; the names of record of owners of adjoining unsplit land.

Certificate of Owner: Notarized certification by the land owner of the adoption of the plat and the dedication of streets and other public areas.

Certificate of survey: Certification by a registered professional engineer or land surveyor that the plat represents a survey made by him, that the monuments shown thereon actually exist as located and that all dimensional and other data are correct.

Approvals: Space for certificates of approval of the Planning Commission, the town's consulting engineer and the director of the parish health unit, where approval is called for by these regulations. The certificate of the town's consulting engineer shall state that the subdivider has complied with one of the following alternatives:

All improvements have been installed in accordance with the requirements of these regulations and with the action of the Planning Commission in giving tentative approval of the Preliminary Plat; or

A bond has been posted, which is available to the town and in sufficient amount to assure completion of all required improvements.

When a bond has been posted, the developer may file the plat with the following statement clearly shown on the plat: "Formal dedication of property as a road, street, alley, or cul-de-sac shall impose no responsibility on the Village of Choudrant until the

dedication is formally and specifically accepted by the town through written certification that the road, street, alley, or cul-de-sac is in compliance with all regulations applicable to construction set forth in ordinances, regulations, and policies of the Village of Choudrant.”

The Final Plat shall be accompanied by the following attendant items:

Protective covenants: the protective covenants in the proper form for recording.

Preliminary Plat: two (2) complete sets of “as-built” Preliminary Plat shall be furnished or, if a bond has been placed for guarantee of construction, the Final Plat shall be accompanied by a letter stating that the plans, as built, will be provided immediately after construction is completed.

Conveyances: A conveyance to the town by a fee simple or by easement of land set aside for parks, recreation areas or other public use.

Section 3-5. Subdivision Design

Streets.

Layout: The street layout shall be devised for the most advantageous development of the entire neighborhood in which the land to be subdivided is located. Existing streets that abut the subdivision shall be continued, and the continuations shall be at least as wide as the existing streets and in alignment with them. The street layout shall also provide for the future projection into unsubdivided adjoining lands.

Drainage: Streets may be constructed with either open ditches or curbs and gutters with subsurface drainage, according to the following specifications as to width as determined by the Planning Commission.

Curvature: The minimum radius of the curvature of streets on the centerline shall be:

Arterial street – 600 feet

Collector street – 300 feet

Minor street – 200 feet

Closed-end street – 200 feet

As an alternative to centerline radius, “eyebolt” cul-de-sacs may be used.

Street grades: Street grades shall conform in general to the terrain and shall be sufficient for adequate surface drainage and shall have a maximum grade of 10%.

Right-of-way widths: Widths of streets and rights-of-way shall be congruent to the Major Street Plan adopted by the Choudrant Planning Commission. The minimum right-of-way widths for streets, alleys and crosswalks shall be:

Freeway – 300 feet

Arterial street – 150 feet

Collector street – 60 feet

Commercial-Industrial street – 70 feet

Local street/rural road – 60 feet

Closed-end (cul-de-sac) street – 60 feet (with turnaround diameter of 100 feet)

Sidewalk and crosswalk – 10 feet;

However, when streets are designed to have curb and gutter construction and subsurface drainage, these right-of-way widths may be reduced by ten percent (10%)

Roadway widths: The minimum roadway widths shall be:

Freeways and Arterial street – 40 feet per lane or ramp

Collector street – 30 feet per lane

Commercial-Industrial street – 30 feet

Local street – 27 feet

Closed-end street – 27 feet (w/turnaround roadway diameter of 70 feet)

When streets are designed to have curb and gutter construction and subsurface drainage, these roadway widths are measured from “back of curb” to “back of curb”, may be reduced by 10%. Existing and proposed streets shall be designated according to these categories by the Planning Commission.

Sidewalk widths: The minimum sidewalk widths shall be:

Collector street sidewalk – 5 feet

Other sidewalk – 4 feet

Curbradii: Curb radii shall be not less than thirty-five (35) feet at street intersections. No angle of street centerline intersection shall be less than seventy-five (75).

Street jogs with center line offsets of less than one-hundred and twenty-five (125) feet

shall be prohibited unless specifically excepted for site specific purposes by Village's Consulting Engineer.

Closed-end streets with turnarounds shall not be longer than eight hundred (800) feet. Blocks.

Size and shape of blocks: The lengths, widths and shapes of blocks shall be determined considering the limitations and opportunities of topography, the provision of building sites suitable to the intended uses, and the need for convenient access, circulation and control of and safety regarding street traffic. In general, block lengths shall not exceed one thousand two hundred (1,200) feet and block lengths shall not be less than five hundred (500) feet, provided that, where site conditions make longer blocks necessary or desirable, the block may be as long as one thousand six hundred (1,600) feet.

Crosswalks: Pedestrian crosswalks shall be provided across blocks longer than eight hundred (800) feet. Cross walkways shall also be provided where necessary for convenient access to schools, playgrounds, shopping centers and other community facilities.

Blocks on major streets: Where the proposed subdivision is adjacent to or contains a major street, the long dimensions of the blocks shall be parallel to the major street.

Blocks for commercial or industrial use: Blocks intended for commercial or industrial use shall be designed specifically for that use, considering off-street loading and unloading and off-street parking facilities and access thereto.

Trees and top soil: When feasible, all trees of major growth and top soil in the subdivision shall be preserved.

Lots.

Newly created lots shall meet or exceed the minimum square footage required according to the zoning district within which it is created, as specified in the Zoning Ordinance of the Village of Choudrant.

Every lot shall contain a suitable building site. The size, width, depth, shape, and orientation of lots and the minimum building setback lines shall be appropriate to the location of the subdivision and the type of development and use contemplated.

Maximum depth: The maximum depth of any lot, exclusive of unusable land, shall be three and one half (3.5) times the width of the lot at the building setback line.

Orientation: Every lot shall abut upon a dedicated street for at least twenty-five (25) feet.

Lots for residential use shall be at least sixty (60) feet wide at the building setback line.

Side lines of lots: Side lines of lots shall be approximately at right angles or radial to the street line.

Property at corners:

Corner lots for residential use shall be increased in width over the minimum specified herein so that front yard distance can be provided on both streets, and the building setback lines shall be so located.

Where necessary by reason of curb radii, property lines at street intersection corners shall be arcs having radii of at least twenty five (25) feet or shall be chords of these arcs.

Double frontage lots: Double frontage lots will be permitted only where necessary to provide separation of residential development from major streets or to overcome specific disadvantages of topography and orientation. A buffer park strip at least ten (10) feet wide and across, in which there shall be no right of access, shall be provided along the line of lots abutting major streets or other disadvantageous use.

Public spaces:

Utility easements: Easements for public utilities shall be at least twelve (12) feet wide, preferably six (6) feet on each side of rear or side property lines of lots except where unusual circumstances make street side construction more desirable. The widths of easements shall be increased or extended where necessary to provide space for utility pole bracing or other necessary construction. No "half-easements" shall be platted.

Drainage easements: Easements for watercourses, drainage ways or streams shall conform substantially with the line of the watercourse and shall have further width or construction, or both, as will be adequate for the purpose. Parallel streets or parkways may be required in connection with open drainage ways.

Parks, recreation areas and school sites: Wherever a subdivision embraces a park, a combination playground and elementary school site, a combination play field and junior high school site, as shown on the parks, recreation and school sites plan elements of the Comprehensive Plan, the park, recreation area, or school site shall be platted in the general location and in the size called for by the plan.

Section 3-6. Improvement Engineering Standards.

Street, utility and other improvements shall be installed in each new subdivision in accordance with the standards and requirements specified herein. Improvements required by the regulations shall be made in accordance with the specifications and subject to the approval of the town's consulting engineer, director of the parish health unit, the utility agencies or companies concerned with the tract or adjacent tracts and other appropriate authorities.

Required improvements:

Monuments: Lot and block corners shall be marked with iron pipes, iron rods, or iron rebar at least one-half inch in diameter and sixteen (16) inches long. Angle points, points of curves in streets, the out boundary corners of the subdivision and intermediate points as required by the town's consulting engineer shall be marked with a similar iron monuments.

Roadways: Roadways shall be constructed with curb and gutter for asphalt street and an integral type curb for concrete streets with steel reinforcement or equal as specified by a registered civil engineer. All curbs shall be mountable type unless otherwise approved by the town's consulting engineer. The minimum acceptable surfacing shall be two inches of hot asphalt on 8" iron ore base approved by Village's consulting engineer or 8" sand-clay-gravel meeting requirements of LADOTD Minimum Standards or 8" soil cement with cement percentage determined by independent testing laboratory.

Minimum physical compaction requirements shall be as follows:

Sub grade (top six (6) inches) – 95% (AASHOT –99)

Sand-clay-gravel base – 95% (AASHOT – 180)

Asphalt – 95% (Minimum of Briquette Density (75) blow)

Concrete minimum strength shall be three thousand (3,000) pounds per square inch at twenty-eight (28) days. Testing requirements shall be as follows:

Concrete: A minimum of four (4) cylinders shall be made for each day's pour. Two (2) shall be tested at seven (7) days and two (2) at twenty-eight (28) days.

Asphalt: Control bin samples shall be run each day the plant is in operation. One briquette shall be obtained and density determined for each five hundred (500) linear feet of roadway.

Base and sub grade: One compaction test shall be run for each five hundred (500) linear feet of roadway.

A copy of all test results shall be submitted to the town's consulting engineer immediately after they are available.

Drainage:

Natural geological drainage patterns should be maintained wherever possible.

All subdivision storm drainage shall be accomplished by underground conduits in rights-of-way and shall be collected from the roadway by means of catch basins.

Surface water shall not be allowed to run over five hundred (500) feet along the street gutter.

All drainage structures and ditches shall be designed by a registered civil engineer based upon a 5-year rainfall episode for minor and closed streets, a ten year episode for collector streets and a 25 year episode for arterial streets.

Water supply:

Where Choudrant's franchised water supply is not accessible to all lots, the subdivider shall install a water supply system in accordance with the requirements and under the supervision of the town's consulting engineer and the director of the parish health unit. The system shall include adequate capacity for fire protection. Fire hydrants shall be installed at street intersections and at other points so that no building is located more than five-hundred (500) feet from a fire hydrant.

The minimum line size shall be six (6) inches with a maximum length of six hundred (600) feet being fed from an eight-inch or larger main. A leakage and pressure test shall be conducted on the system in accordance with American Water Works Association standards. A letter certified by the developer's engineer shall then be sent to Choudrant's consulting engineer stating that the tests have been conducted and stating the results of those tests.

All water mains shall be AWWA C-900 PVC or Ductile Iron Class 50 cement lined. At least two NRS valves shall be installed at each tee. All fittings shall be Ductile Iron Mechanical Joint. All Fire Hydrants shall be AWWA approved 5-1/4" barrels with two 2-1/2" and one 4-1/2" top nozzles and shall be valved between the main and hydrant. All

valves shall have cast iron valve boxes with 2' square or 2' round concrete pads. All PVC pipe shall have a minimum 14 gauge wire or other metal means of location installed on them.

Sanitary sewerage: Where a public sanitary sewer is reasonably accessible, the subdivider shall install a sanitary sewer system with a stub out for each lot in the proposed subdivision and shall connect the system to the public sewer. To avoid cutting pavement or roadway when connections are made, stub outs shall extend from the sewer line to points outside the roadway. All sewer work shall be done in accordance with the Louisiana Department of Health requirements. A leakage test shall be conducted on the completed sewerage system. Allowable leakage (infiltration) shall be as specified by the town's consulting engineer for all sewerage work within the town. A letter certified by the developer's engineer shall then be sent to Choudrant's consulting engineer stating that the test has been conducted and stating the results of the test. All sewer facilities shall meet the appropriate requirements of the latest edition of "Ten States Standards".

Gas Lines: To avoid cutting pavement or roadway when service connections from the gas main are made, stub outs shall extend from the main points outside the roadway.

Above ground utilities: Above ground utilities shall be placed on rear or side property lines of lots in easements provided for this purpose. Existing franchise rights are not affected by this requirement and special consideration will be given to street lighting requirements and unusual circumstances.

Street signs:

The subdivider or developer shall provide and install all proper street signs, including but not limited to speed limit signs, stop signs, children at play signs, etc.; however, the developer may request installation by the Village of Choudrant or by the Lincoln Parish Police Jury.

Each intersection shall have signs on diagonally opposite corners identifying the streets which form the intersection. Construction and installation of street signs shall be in accordance with the requirements of the town's consulting engineer.

Street crossings of all utilities shall be made by Jack or Bore. Open ditch crossings shall not be allowed.

Section 3-7. Street Lighting Installation.

The owner and/or developer of a residential subdivision within the corporate limits of the town, who has elected to provide underground service lines for the distribution of electricity in said subdivision, is required as a condition precedent to the approval of such subdivision by the town as follows:

Provision shall be made in the plan of such subdivision for the installation at the owner's and/or developer's expense of street lighting facilities within said subdivision, with street lights to be installed at locations and in accordance with specifications approved by the town and the holder of the franchise for the furnishing of electricity within the corporate limits of the town, with the ownership and subsequent maintenance thereof to be assumed by the holder of the franchise for the furnishing of electricity within the corporate limits of the town in accordance with the appropriate rate schedule in effect from time to time and on file with the Louisiana Public Service Commission.

Provision shall be made in the plan of such subdivision for the payment by the residents thereof of the full costs of all street lighting therein to the extent that the cost of street lighting therein from time to time is not assumed by the town, said provision in the plan of such subdivision to include but not be limited to the requirement of restrictive covenants affecting the act of sale of any and all lots therein whereby the full cost of the operation of the underground street lighting system is to be the prorata obligation of the residents thereof as a real obligation running with each lot to the extent said costs from time to time are not assumed by the town or the town's designee.

Section 3-8. Residential Planned Unit Developments

The Planning commission may approve planned residential developments consisting of townhouses, condominiums, and cluster dwellings under the following conditions:

The location of the proposed planned unit residential development is already zoned R-4—Multi-family Residential District or R-5—Mobile Home Park District.

General requirements:

The drainage and sewage systems are approved by the Lincoln health authority,

Choudrant officials, and the appropriate engineering review agencies.

Restrictions shall be submitted prior to final subdivision and shall be made a part of the plat, setting up perpetual servitudes for parking, utilities and the like and providing for joint maintenance responsibility by the owners, occupants, and/or developers for all joint facilities such as planned open space, parking, drives, drying yards, play areas, and the like according to the provisions of this section and the zoning ordinance as appropriate.

Townhouse, condominium and cluster home dwellings should not be haphazardly interspersed with traditional, single-family dwellings.

If townhouse, condominium and cluster subdivision tracts are not under construction within six (6) months of final subdivision approval, the commission may revoke approval unless some compelling reasons can be shown for its continuance.

General suitability:

The Planning Commission shall not approve the subdivision if it is determine that, in the best interest of the public, the site is not suitable for development purposes of the kind proposed or that adequate provision has not been made to protect the community at large from the adverse effects of higher density residential developments such as traffic congestion, drainage capacity, etc.

Land subject to flooding and land deemed to be topographically or geologically unsuitable shall not be platted for residential occupancy or for other uses, as may increase danger to health, life, or property or aggravate erosion or flood hazard.

Townhouse development design standards:

No townhouse development shall be approved of less than two (2) nor more than six (6) gross acres. A maximum of fifteen (15) dwelling units per gross acre will be allowed. Townhouse lots shall have a minimum area of two thousand (2,000) square feet with a minimum width of eighteen (18) feet and maximum allowable lot coverage of seventy-five (75) percent.

Townhouses shall have a minimum front setback of twenty (20) feet regardless of whether this front setback is part of an individual lot or part of the common open space. Front yards may contain driveways, walkways, and/or fences but no carports, garages, or accessory structures. Where townhouse lots are designed to face upon an open space or common access court rather than upon a street, this open space shall be a minimum of forty (40) feet in width, and said space shall not include vehicular drives or parking areas. Setbacks on adjoining units shall vary a minimum of two (2) feet.

A maximum of eight (8) living units shall be allowed in each row of townhouses. When an end unit of a row of townhouses does not side on a street, an open space or court of at least twenty (20) feet in width shall be provided between it and the adjacent row of townhouses; however, where two (2) rows of townhouses that together contain less than eight (8) living units are immediately adjacent to each other, this open space between the ends of the two buildings may be reduced to a minimum of fifteen (15) feet.

No side setback is required for townhouse developments except where the side lot line abuts a street, in which case a minimum of ten (10) feet is required between the building and the right-of-way. No windows, doors, or other openings shall be installed in any common wall between units, however, where a two-story townhouse adjoins a single-story townhouse, openings may be installed in the second story wall of the two-story unit. A minimum of ten (10) feet of rear setback is required, which may contain walks, drives, and/or fences, but no accessory structures, covered patios or carports.

The maximum height of any townhouse dwelling shall be thirty-five (35) feet.

Design standards for condominium developments are identical to townhouse developments when townhouse style construction is undertaken. All other building styles shall meet design standards as outlined in building and construction codes governing multiple-family dwellings units which have been adopted by the Village of Choudrant.

Cluster dwelling development and design standards:

The Planning Commission may approve cluster dwelling development tracts of not less than two (2) nor more than ten (10) acres. A maximum of ten (10) dwelling units per gross acre shall be permitted.

Cluster dwelling lots shall have a minimum area of four thousand (4,000) square feet in R-2 and B-1 zones with a minimum width of forty (40) feet at the building setback line. Cluster dwellings shall have a minimum front yard of fifteen (15) feet. Front yards may contain driveways, walkways, and fences but no carports garages or accessory structures. All cluster dwellings shall face upon a street. Setbacks on adjacent units shall vary a minimum of four (4) feet.

Cluster dwellings shall have one (1) side yard of at least ten (10) feet. The required side

yard shall not be penetrated by accessory structures or appurtenances such as carports or garages but may contain trellises, fences, walks, or landscaping features. Eaves and fireplace columns may penetrate the side yard by no more than two (2) feet. On corner lots the side setback shall be a minimum of ten (10) feet. A maintenance servitude of five (5) feet shall be provided in the required side yard, abutting the adjacent lot continuously, allowing maintenance access to any structures on said adjacent lot.

Accessory buildings, exterior mounted equipment (such as air conditioning units, swimming pool pumps and the like) shall in no case be constructed within five (5) feet of another dwelling or accessory structure on an adjacent lot.

A minimum of ten (10) feet of rear yard is required which may contain walks, drives, and/or fences but no accessory structures.

The maximum height of any cluster dwelling shall be thirty-five (35) feet.

ARTICLE B. ADMINISTRATIVE PROVISIONS

Section 3-9. Administration.

The Choudrant Planning Commission or their designee shall be in charge of administering the provisions of this ordinance.

Modifications Due to Hardship: Where the Planning Commission finds that extraordinary hardship may result from strict compliance with these regulations, it may modify the regulations so that substantial justice may be done and the public interest secured; provided that such modification will not have the effect of nullifying the intent and purpose of the Comprehensive Plan or these regulations.

In reviewing conditions before granting modifications to the requirements for financial hardship, the Commission may require the submission of such financial and other documentation, at the applicant's expense, as it needs to reach a reasonable determination.

In granting deviations from the normal requirements, the Board may stipulate conditions as will, in its judgment, secure substantially the objectives of the subdivision ordinance and the Comprehensive Plan while justice may be done.

In no case may the Commission approve developments or improvements which do not meet minimum Louisiana Department of Transportation and Development standards.

The disapproval of a Final Plat may be appealed by the subdivider by filing with the Choudrant Planning Commission and with the Choudrant Board of Aldermen a written notice of appeal.

Upon receiving notice of appeal, the Planning Commission shall transmit to the Board of Aldermen a certified copy of the proceedings in the case upon which the appeal is taken. The Board may reverse the Planning commission's disapproval by a recorded vote of not less than two-thirds of its entire membership.

Upon the reversal, the Board shall notify the Planning Commission, directing the issuance of an approval notice to permit the recording of the plat.

No plat of a subdivision of land lying within the town shall be filed or recorded in the office of the Clerk of Court of the parish until it has been submitted to and approved by the Planning Commission and the approval of the commission endorsed in writing on the plat by the Chairman of the Commission.

Whoever, being the owner or agent of the owner of any land located within a subdivision, transfers or sells or agrees to sell any land by reference to or exhibition of or by other use of a plat of a subdivision before such plat has been approved by the Planning Commission and recorded or filed in the office of the clerk of court of the parish shall pay a penalty of one hundred dollars (\$100.00) for each lot or parcel so transferred or sold or agreed or negotiated to be sold; and the description of the lot or parcel by metes and bounds in the instrument of transfer or other document used in the purpose of selling or transferring shall not exempt the transaction from the penalties or from the remedies herein provided. The town may enjoin the transfer or sale or agreement by injunction brought in any court of competent jurisdiction or may recover the penalty by a civil action in any court of competent jurisdiction.

Section 3-10. Acceptance of the Subdivision with Improvements.

Guarantees of performance:

Completion of improvements: The Planning Commission shall not approve the Final Plat of any subdivision unless the improvements required by these regulations have been installed in accordance with the standards and specifications of the appropriate officials

and agencies and their approval has been certified to the Planning Commission.

Surety bond: In lieu of the completion of improvements prior to the submission of the Final Plat for approval, the Planning Commission may accept a bond, in an amount and with surety and conditions satisfactory to it, providing for and securing to the Village of Choudrant actual construction and installation of the improvements within a period specified by the commission and expressed in the bond.

Engineer's Approval: Upon the satisfactory completion of construction the developer shall obtain written final approval and acceptance from the town's consulting engineer and submit this approval to the Planning Commission.

Warranty period:

For a period of twelve (12) months after acceptance of the work the developer shall keep all filled trenches, pipes, manholes, structures, paving, etc., constructed by him in good condition, making repairs to defects in materials or workmanship as may develop or be discovered.

The developer shall file with the Planning Commission and the Village of Choudrant a surety bond, securing to the Village of Choudrant satisfactory performance of this work for a period of one year from the date of the bond. The amount of the bond shall be determined by the town's consulting engineer.

The forms of the bond shall be approved by the town's legal council and shall be subject to cancellation only upon written approval of the town's consulting engineer.

The terms of the bond shall specify that the town be able to recover the full costs of completing the development along with reasonable attorney fees.

Section 3-11. Amendments

These subdivision regulations are based on comprehensive planning studies and on the need for uniform standards of design and construction for subdivisions and improvements to carry out the recognized objectives of a sound, stable, and desirable community.

Casual change or amendment to the regulations would be detrimental to the achievement of that goal; and it is therefore declared to be the policy of the Choudrant Planning Commission and the Village of Choudrant to amend these regulations only when:

there is a manifest error in the regulations,

there are changed or changing conditions in a particular area of the town, or

there are changing conditions in the region generally,

all of which make a change in the regulations necessary and desirable.

Amendments to these subdivision regulations may be requested by any person concerned with or affected by the application of the regulations. A request for amendment shall state the name, address, and interest of the person requesting the amendment, the nature and purpose of the amendment requested, and justification of the need therefore.

Applicants shall be responsible to submit to the Choudrant Planning Commission whatever documentation is deemed necessary by the commission in order to make their determination.

Section 3-12. Interpretation.

In interpreting and applying the provisions of these regulations, they shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare. The Choudrant Planning Commission may apply more stringent requirements upon subdivisions when it determines that higher standards are necessary and appropriate to meet the objectives and purposes of this ordinance.

Whenever the provisions of these regulations require higher standards than are required in any other applicable statute, ordinance or regulation, the provisions of these regulations shall govern. Whenever other applicable statutes, ordinances or regulations require higher standards than the provisions of these regulations, such other applicable statutes, ordinances or regulations shall govern.

Section 3-13. Penalties and Remedies for Violation of These Regulations.

Penalty. Any individual, partnership, firm or corporation that violates the terms and conditions of this chapter shall, upon conviction by a court of competent jurisdiction, be fined not more than five hundred dollars (\$500.00) or imprisoned for not more than thirty (30) days, or both, at the discretion of the court, and each violation shall be considered a

separate offence. The violation of any provisions of Section 6 relating to sewage collection, treatment and disposal and/or public water supplies shall be punishable by a fine of one hundred dollars (\$100.00), provided that each day a violation exists shall constitute a separate offense.

Penalties for transferring lots in unapproved subdivisions. Whoever, being the owner or agent of the owner of any land located within the subdivision, transfers or sells or agrees to sell any land by reference to or exhibition of or by other use of plat of a subdivision before such plat has been approved by the Board of Aldermen and filed in the office of the clerk of court shall pay a penalty of five hundred dollars (\$500.00) for each lot or parcel so transferred or sold or agreed or negotiated to be sold, and the description of such lot or parcel by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties or from the remedies herein provided. The Village of Choudrant may enjoin such transferal or sale or agreement by suit or injunction brought in any court of competent jurisdiction or may recover the penalty by civil action in any court of competent jurisdiction.

Section 2. The above ordinance was read and considered by Sections at a public meeting of the Mayor and Board of Aldermen, in regular session convened, voted on by yea or nay vote, passed and adopted this 5th day of March 2001, the final vote being as follows:

YEA: -S- WAYNE BROOKS, -S- REGAN ASWELL, -S- BOB HOGAN

NAY: NONE

NOT VOTING: NONE

ABSENT: NONE

ATTEST;
MARCH, 2001.

APPROVED THIS 5TH DAY OF

-S-
WAYNE BROOKS, CLERK
Village of Choudrant
STATE OF LOUISIANA

-S-
BILL SANDERSON, MAYOR
Village of Choudrant
STATE OF LOUISIANA